Phoenix, Arizona  
December 7, 2011  
2:33 p.m.

PROCEEDINGS

(Whereupon, the public session commences.)

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

Today is Wednesday, December 7th, and the time is 2:33 p.m.

Let's begin with the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was recited.)

CHAIRPERSON MATHIS: We'll start with roll call.

Vice-Chair Freeman.

VICE-CHAIR FREEMAN: Here.

CHAIRPERSON MATHIS: Vice-Chair Herrera.

(No oral response.)

CHAIRPERSON MATHIS: Commissioner McNulty.

COMMISSIONER McNULTY: Here.

CHAIRPERSON MATHIS: Commissioner Stertz.

COMMISSIONER STERTZ: Here.

CHAIRPERSON MATHIS: We have a quorum.

And we do expect commissioner -- or Vice-Chair Herrera to join us soon.
Other folks at the table include our legal counsel. Today we have Kristin Windtberg. And Mary O'Grady is in the room, but she'll be leaving early. That's why she's not sitting at the table. We're glad to have Kristin. Joe Kanefield.

And then our mapping consultant, Willie Desmond and Ken Strasma.

Our executive director, Ray Bladine, is in the back of the room, along with deputy executive director, Kristina Gomez.

We have our chief technology officer Buck Forst who is ensuring that this is streaming over the Internet today.

Our court reporter is Marty Herder, taking an accurate transcript of today's proceedings.

So if you would, when you come up to the microphone to address us, please be sure to spell your last name so that everyone can -- so that we get an accurate transcript of the -- for the record.

And then we have Stu Robinson, our public information officer, is also in the back.

I think that's everyone.

All right.

So our next item on the agenda is number two, presentation on the draft congressional and legislative maps.
by members of the Arizona state legislature.

And so I believe we have two coming up.

So our first will be Senator Andy Biggs, who will present the majority report.

SENATOR ANDY BIGGS: Good afternoon, Madam Chair and members. Appreciate the opportunity to be here with you today.

I'm grateful that you've given us this time for me to report my colleague Representative Chad Campbell.

Also want to comment just briefly on your director, Ray Bladine, and his staff. They've been always cooperative and very helpful, and so I want to tip my hat to them and express my appreciation to them as we go forward. I would be remiss not to do that.

As you know, the constitution allows the legislature to review and have input with regard to the maps, and it requires that IRC to consider the input of the legislature regarding the maps and the process.

And so in order to fill our responsibility, in October the legislature formed a joint legislative committee to review the draft maps. And we took public testimony, and we had expert witnesses come in as well.

And we wanted to get input.

And so we then on October 28th produced a report, and it's my understanding that it has been distributed to
each of you, and I, and I hope that's the case.

And then we proceeded to do memorials in the house, and then it's my understanding that the, the -- Chad Campbell and the minority and the legislature put out a minority report.

So now I'm going to report on that.

And I would just want to clarify. It looks like you've allotted 50 minutes, Madam Chair, and so I'm assuming that we're each going to get roughly 25 minutes; is that accurate?

CHAIRPERSON MATHIS: That's accurate, but if you need to go over, that's fine. We can go longer. It's no problem.

SENATOR ANDY BIGGS: Well, Madam Chair, thank you so much.

As Mr. Campbell will no doubt tell you, as a lawyer and a legislature and politician, you know, with a microphone, I'm liable to just go until you drag me out with a cane, so I'm grateful for that opportunity.

So, let me just commence by saying our conclusion was that we felt there was some constitutional deficiencies in the maps and how they were put together. In particular, we were concerned initially because there are a set of criterion within the state constitution that the IRC is required to follow. And the first one, of course, is to
follow the U.S. Constitution and also the federal Voting Rights Act.

And to that end, we had brought in an expert witness, Dr. Lisa Handley, who is, if not the premiere, is one of the top few experts in Voting Rights Act. She's testified in probably nearly a hundred cases. She's done this type of research throughout the world.

And we asked her to help us out because one of the things that we felt disadvantaged of as we reviewed the maps is there had not been any data analysis done with regard to majority-minority districts. And so we asked her to explain to us what would be some of the typical tests that one would engage in as an expert to tell us what to do, and so she provided three different tests.

And none of those have been completed or done at the time that the draft maps were issued.

That was a concern to us, because since the 30-day period and window following the, the promulgation and vote on the draft maps, we were left without understanding whether -- what the analysis was, and so we inquired, and we were informed that that analysis had not been completed. Or that I shouldn't -- I don't want to misstate the letter, because I'm not sure if it said not yet complete, but, but you didn't have that information yet.

And so we felt that the 30-day period, 30-day
window, when we were constitutionally permitted to review
and then comment on those maps, we were disadvantaged
because we couldn't make any meaningful review of the
application of the federal Voting Rights Act.

And the three tests that Dr. Handley mentioned to
us were the homogeneous precinct analysis or the bivariate
ecological regression analysis and the third was the
ecological inference analysis.

And the test that is the most statistically
meaningful is the bivariate ecological regression analysis.

Now, I don't -- it's my understanding that that
the Commission retained Dr. Gary King, who was going to do
an analysis.

I don't -- and I've heard -- I haven't seen that
he has completed the analysis.

And I have not yet seen that analysis and haven't
had a chance to review that.

I assume he's the same Dr. King that was doing
political science work when I was working an graduate
degrees at ASU. And I was surprised to see that he was
retained, because when I was doing my graduate -- doing some
graduate work there, his expertise seemed to be
congressional -- he was a congressional behaviorist.

And so I was kind of surprised that he was now
doing this type of analysis.
Although that doesn't mean, because it was so long ago when I was in grad school, that doesn't mean that he couldn't have changed his stripes just a little bit. I'm not making any aspersions that he's incompetent.

But, the point I want to make clearly is that when we asked Dr. Handley why you do these types of analysis and when should they be done, obviously you do them because you have to be prepared to deal with the DOJ clearance. And you typically do them before the draft maps are, are issued. That way the public and in my case the legislature would have an opportunity to review those maps -- those maps in light of the analysis.

The second point that we looked at, and this is the second constitutional point, is the requirement of equal population under the constitution both federally for the congressional districts and for the legislative districts. The draft legislative map is at 5.6 percent overall population deviation.

Something that we thought was suspect with the requirement that they -- that there be equal population. And so then we go on to the third criterion, which is the geographical compactness and contiguity.

And, look, I recognize that that is extremely difficult to do in a state the size of Arizona and the
population centers being located largely in two counties.

But, nevertheless, LD 7, the proposed LD 7, is larger than some states.

And it has three and a half times the size of the next largest draft district, and it is twice the size of the largest current legislative district.

And it's -- it was our perception that LD 7 became disproportionally large, and rather than compact, because of the treatment of Flagstaff.

And that is -- that was our perception based on what we observed and what we heard in our testimony.

And then following the IRC as it proceeded to have its numerous meetings as well.

Then we move to the next criterion, which is respect for communities of interest.

And just one example that I'll point out to you is the Congressional District 9. It seems to unnecessarily aggregate parts of several disparate communities of interest within Maricopa County.

And to be frank with you, as we, as we took our testimony coming in, I would say that that was the largest issue that we heard about was communities of interest.

People came from all over the state saying, well, you know, we shouldn't be here, we should be with them.

And, again, we recognize that that is a difficult
task to respect communities of interest always. But that
certainly was what most of the complaint were that, that I
heard sitting there for -- on that joint legislative
committee.

Let me give you another example.

This LD 7 includes a huge area from the northwest
corner of the state to Greenlee County on the south.

Greenlee County is hundreds of miles away from the
northwest part of the district, and has nothing in common
with the Navajo reservation and Coconino County.

These types of things are always problematic, even
in my district.

Let me just tell you, I have no axe to grind with
my district in any of the iterations really that the
Commission had. But even in my district, as it currently
sits, there is -- there are disparate interests between,
say, the people out at Peralta Trailhead east of
Apache Junction and those within the heart of the town of
Gilbert.

And we hear about that. And since I had covered
portions of two counties, a portion of Pinal County, for
instance, feels in some respects disenfranchised because
they're smaller, it's hard to get out to them, and they
don't always feel like they're heard.

And I understand that. And that's, that's a
legislative officer's difficulty as much as it is the
drafters of the legislative districts.

Number five is where practicable the use of
visible geographic features, city, town, and county
boundaries, and undivided census tracts.

In all of these, I'm just giving you a some -- or
one or two examples of what we found. And so I'll, again,
do that, but we -- in our report there's a far more
extensive list of these.

CDs 1, 4, and 9 seems to violate these criteria by
making copious, unnecessary divisions of municipal, county,
and census tract lines.

The legislative district map in Pima County splits
several census tracts itself affecting the positioning of
several incumbent legislators.

I'll get into that portion of the constitutional
issue that we had in a moment.

Then what seems to have been the overriding
factor, at least that we heard about, is the need for
competitive districts.

Yet in the constitution itself and also in the
case that is the standard on this particular -- on the IRC
and how to format legislative and congressional districts,
competitiveness is the last requirement in the sense that it
is a mandatory requirement, that's the word of the
Supreme Court, it is a mandatory requirement, but there's nothing in the case that says it is equal or equivalent to the other criterion.

It is conditionally equivalent, and the condition is it can't -- competitiveness cannot substantially denigrate any of the other propositions or the criterion of the constitution.

To do so is a constitutional violation.

And so I thought I would just read briefly from the case, Chief Justice McGregor writing, as the court of appeals noted in redistricting one, that's the previous case, prior to this one, the competitiveness goal is both mandatory and conditional.

What's interesting about that is the other criterion are not conditional. They are mandatory.

That's my editorial on it.

But continue on with the case. If drawing competitive or more competitive districts would not be practicable, or would cause significant detriment to the goals listed in subsections B through E, the Commission must refrain from establishing such districts.

Conversely, if it would be practicable to draw competitive or more competitive districts and to do so would not cause significant detriment to the goals listed in subsections B through E, the Commission must establish such
districts.

The direction that competitiveness should be favored unless one of two conditions occurs is not contrary to the Commission's assertion mean that the competitiveness goal is less mandatory than the other goals, can be ignored, or should be relegated to a secondary role.

And mind you, I'm not saying it is less or should be relegated to secondary role, but Chief Justice McGregor at the time said the constitutional language means what it says, that the Commission should favor creating more competitive districts to the extent practicable when doing so does not cause significant detriment to the other goals.

And I would suggest that it -- that that opinion, along with the constitution, does provide a hierarchy of the criterion within the constitution of Arizona.

So as a whole, CD 1 is significantly, for instance, less competitive than the current CD 1.

The fact that 2010 election year was used and not going back to 2004, 2006, 2008, seems to be a difficulty because 2010 was an aberration. Republican candidates in Arizona received unusually strong support from voters of all types.

Believe me, Republicans would like to say 2010 was a normal year, but I don't think any political analyst would
say that's the case.

   It was clearly an aberration.

   And as such, by emphasizing 2010 election results, without smoothing data from prior elections, the results of any competitiveness analysis becomes skewed.

   We would urge -- and one of the, one of the things that we requested in our memorial is that the Commission create a specific definition for competitiveness so that the term can be applied in conjunction with other constitutional criteria.

   I wish that the -- that your predecessors in 2001 would have done that, but they didn't do that, and I would urge you to do that.

   Let's talk about one or two other issues with regard to, say, incumbents and residence of incumbents and candidates.

   This is an interesting thing because, as you know, that's a strict prohibition against consideration of residence of incumbents.

   And, and I don't think anyone is asserting that this Commission directly considered anything like that.

   But there are two aspects that do seem interesting, at least two. The first of all is that over the course of the weekend from Friday to Monday, two incumbent congressmen were moved into new districts.
In one change, it appeared that there was pinpoint mapping involved. That maybe down to blocking, block level of the census tracts.

The two Republican incumbent congressmen were affected by a map that was drawn from apparently from Friday to Monday.

That's interesting.

There are at least ten legislators who were drawn in or out of districts by a distance of a few hundred feet, including frankly in the only Hispanic conservative in the entire legislature is on the corner of one intersection.

And that's interesting, because how did that happen.

Other places where incumbents live where they're 30 feet away from the line. Their house, their front door is literally 30 feet away from the line.

That is interesting as well.

So the constitutional problem with that is it appears that maybe residence was taken to account even though no one is asserting that you did that deliberately or openly.

But one of the ways it could have filtered in is when you have maps submitted by groups.

When you have maps submitted by groups, each group has, just like, if I was to submit a map, let's not kid
ourselves, as wonderful as I think I am, I would have a bias and I would be drawing a map to reflect what my -- what that bias is.

Similarly when you have groups that are trying to reach an objective, they will have a bias in the maps that they submit.

And that has the potential of coloring what the IRC does.

So if a group does take into effect or into account, say, where incumbents live or particular outcomes, and they submit that map to this, this Commission, without some pretty strict filtering, and I am not saying that's easy to do, there is a chance that you will inadvertently violate the constitution because their incumbency would have -- residence of incumbency, for instance, would have been considered.

And so that's a list of reasons that we struggled and felt like there was problems with the draft maps that were promulgated by, by the Commission.

We, we as a legislature would -- the position we would like to see happen is that the IRC immediately commence a new mapping process for both congressional and legislative districts that comports with the requirements of Article IV, Part 2, Section 1, of the Constitution of Arizona.
I have -- I think I've given a fairly concise reading of our report and, and our position.

And, Madam Chair, I appreciate it again, the opportunity to speak. And I'm willing to stand for questions, if you -- any of your members have any.

CHAIRPERSON MATHIS: Thank you.

Any questions for Senator Biggs?

VICE-CHAIR FREEMAN: Madam Chair.

CHAIRPERSON MATHIS: Mr. Freeman.

VICE-CHAIR FREEMAN: Senator Biggs, thank you for the presentation.

Now, redistricting is something that happens once every ten years. And it's easy to forget about what was going on ten years ago.

And what I'm getting at here is the perception of the public.

The public probably doesn't pay attention to it. It's something that happens only once every ten years. It's kind of in the area of the political arcane or obscure.

And while I know the Commission has done its best to hold its meetings in public and get the word out, my impression is, at least people I talk to, they don't know what I'm doing or what this is about.

I think it's my impression that, at least my only personal history, you wake up one morning and you get
something in the mail, and, oh, I'm in a new district, I
wonder what happened there.

And my concern is that when, you know, the
Commission is not to consider the residency of incumbents,
as you said. That's we're constitutionally prohibited from
doing that.

We're also charged with upholding public
confidence. And I don't think we're necessarily to turn a
blind eye to that issue, and the screening, putting that in
place, like you alluded to, I think would be important.

But what, what your, your thought, and I think one
day a day's going to come when the maps are finalized and
people are going to get that letter in the mail saying
you're in a new district, they're going to wonder why,
they're going to wonder what happened to their
representative.

And according to your report, at least in southern
Arizona, there were, there were ten instances where a member
was, was either cut out or cut in a district by, by just a
few hundred feet.

Do you, do you think that there will be some
public concern what -- if that were to be the way the final
maps pan out?

SENATOR ANDY BIGGS: Thank you, Madam Chair and
Commissioner Freeman, for that question.
You know, in a democratic republic, public opinion is absolutely one of the strongest drivers of whatever policy making.

And you're, if nothing else, you're creating policy when you create maps.

And I think that, that you're right. I think most people are so busy in their lives, working and taking care of their needs, that they're not necessarily -- I know -- I -- just let me give you an example.

There is nobody more anonymous in my legislative district than me.

Nobody knows -- you know, you can go whenever you want. Nobody knows who I am.

But that's one of the beautiful things about being in the legislature, as opposed to being in congress.

And I would imagine the same is largely true for you.

And so in, in the end, you -- when we talk about public trust and upholding public trust, it will be outcome based. It will be in the end what happens when the people do get notice, when they're going to vote and they say, well, gee, I -- what happened, to what's his face, you know, he's not on the ballot. Well, I'm not in his district or her district anymore. I'm somewhere else. How did I get over here? Why am I going to this place with these people?
I don't know.

When we do public trust, and one of the things that becomes -- that you guys become held up to scrutiny for that is when we do see ten people in Pima County or we do see someone else who's -- who -- how did -- they're sitting on the corner of an intersection, and they're in a completely different district, and that completely different district not only is not even their partisan, their party, their political party affiliation dominant, it's, it's significantly the other way. It's not even a competitive district. It's an overwhelming to the other side.

Those things are the types of things that affect public trust.

When, when you try to explain to someone -- for instance, I happen to represent a portion of what -- I don't know even know what the congressional district is, but, say, Apache Junction and out in that way, and I try to explain to them why they are now going to be in a district with Lake Havasu City.

They're baffled. They don't get that.

And it's difficult. And they say, who's too blame for that?

You're right. The IRC process is an arcane process. It's a conundrum for the world to get.

But, let me give you another example.
If you have -- there's a legislative district where a portion of Yuma, largely, let's say, 50, 60,000 people in Yuma, are put in a district with 100, 130, 150,000 people from west Phoenix.

The people in Yuma are saying, who's, who's this person?

Those are the things that the public says -- begins to say, how did this happen to us?

And that's the -- when you talk about public trust, that's what people want to know, how did this happen.

And, and while you've had loads of public meetings, I think the people are going to wonder how did this person end up right here. How did I end up right here.

And that's the public trust and its perception.

CHAIRPERSON MATHIS: Any follow-up questions or other questions from other commissioners?

COMMISSIONER STERTZ: Madam Chair.

CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: Senator Biggs, thank you very much for accepting an invitation to come down and, and speak to us today.

The -- I watched a very interesting interview. In fact, one of the members of our audience today was a participant in the interview, as well as Representative Art Hamilton.
And one of the things that he had mentioned, and I wanted just to get your -- this is, this is within topic or within, within concept of topic, but he was talking about institutional memory.

And the concept of institutional memory, of course, was -- has been shortened because of, because of term limits in this state, but institutional memory also crosses over into mapping and map drawing.

And I wanted to get your thoughts on, on the -- because part of the mandate, our constitutional mandate, is to scrub the state clean, begin at grid based on equal population, and then adjust those lines based on the six levels of criteria that we're, that we are mandated to be -- to follow.

Some of those design decisions, and as we received public input, have intended consequences and some of them have unintended consequences.

Some of the unintended consequences unfortunately are, in my opinion, are that we have lost in some instances the institutional memory.

And I wanted to get your thoughts on, on, on that concept.

SENATOR ANDY BIGGS: Well, in my mind institutional memory is, again, for a democratic republic is, is critical, because anybody can run, very egalitarian
in that sense, and it's a great country because of that. It's one of the things we can do.

But everything you get to term limits or, just to respond to your question, I'm sorry, Madam Chair, to respond to your question, there is a problem with institutional memory, and I'll tie this into, I think, the broader question you're asking in a second.

And what that problem is, is when you, when you can serve for four terms and then you're gone, who has institutional memory?

Why, it is -- it comes ostensibly from -- I'll give you three groups.

Number one would be the staff of the institution. They have institutional memory, because they outlive, they outlive the legislator. Or, for instance, I was talking to someone about the DOJ.

The DOJ's career attorneys, they, they outlive the different administrations that come and go.

They have the institutional memory, and they take the things that they do very seriously.

Similarly, the other group would be lobbyists. Lobbyists and, you know, people get upset with lobbyists, but they, they have institutional memory, because they've been around.

They, again, outlive the legislator.
And the third group in many instances is media members.

They outlive -- I would say they used to outlive. I'm not sure -- I see a lot more turnover than I used to see, but they do.

Similarly when you're drawing the lines on maps, and, and you're constrained because you can't consider incumbents live, and that, that seems appropriate to me, but when, when you end up with six or seven incumbents or five in one district, and it appears to be packed, and you're losing -- someone's going to be gone there, they're going to be losing that, that race that's coming up, you will also lose the memory of those individuals who lose.

And the result is that you lose institutional memory.

And, and some people think that's a great thing, to lose institutional memory in a political body. And others think it's an important thing to have.

Because, you know, to be honest with you, we find ourselves rehashing some of the mistakes that were previously done until a staff member says, you know, by the way, that was tried 12 years ago and this was the drastic negative results.

And so I think when you're drawing lines, you have the effect, the potential effect really of reducing
institutional memory, once individuals and current
incumbents are lumped together, if you will.

I don't know if that's where you want to go. But
that's where I'm trying to turn to the issue at hand.

COMMISSIONER STERTZ: Well, Madam Chair, as, as a
follow-up to that, it was most interesting, Madam Chair,
Madam Chair, as a follow-up to that, it was most interesting
because Art Hamilton's feeling was that it -- that has led
to -- that institutional memory was incredibly important.
And when I started looking at legislative lines, not
necessarily from the legislators' point of view, or from the
senators' point of view, but from the public or the
residents that live within those districts point of view,
and I, I -- at very early on there was a woman that came up
and was tearfully giving us testimony, because she was no
longer going to be living in a district that she lived in
for ten years.

And she felt very compelled by her representation,
where she went to meetings, where she walked from door to
door, who she represented, et cetera.

And I thought that that was very compelling
testimony.

And that, that whether or not from the
institutional side, from the inside the capital building, or
the legislature -- legislator, the legislative buildings,
that's one level of institutional memory.

But the public's memory as well.

I've lived in a -- I've lived in our family home for 20 years. And I live in a highly uncompetitive district. That district is, is Legislative District 28.

I live also in Congressional District 3, which is, which is also a highly uncompetitive district.

Those -- so I also look at competition as being something that my voice as a conservative is not being heard, because my representatives don't reflect my basic values and would not take my voice up either to the state or to the, to -- but, however, that doesn't change the fact that I love the lines and I love where I live and I accept the fact that my neighborhood is most important. And I've accepted that.

So from an institutional point of view, the neighborhood that I live in, the area that I live in, has great effect.

Now, under the new maps that we're drawing, those are all going to be changed.

The relationships and where the areas and neighborhoods are going to be walking are going to be changed, and the people that are highly invested into the political process from the public's point of view are going to be changed.
Give me your thoughts on, on that aspect from the public's perspective of institutional memory and how that would -- how that's affected or how you see it.

SENATOR ANDY BIGGS: Thank you, Madam Chair and Mr. Stertz.

Just a quick story before I answer your question.

I grew up in Tucson.

And my congressman growing up was Mo Udall.

And, and everybody around us voted for Mo Udall and Barry Goldwater.

And, you know, it seemed to me as I was growing up you couldn't find two more disparate politicians than that, than Mo Udall and Barry Goldwater.

But that was what we did, because we were used to it, we were -- we felt comfortable in that view, in that political review.

Well, it comes out to this as well.

We -- the testimony that we heard mostly was talking about communities of interest when we were doing our joint committee.

And the reason that that -- I think that that was the number one issue is that you had mayors coming and saying, you know, why are we being separated, or county members saying why is this part of our county going.

We don't understand.
It doesn't matter.

We relate to these people.

And that's -- I think you're talking -- when you talk about institutional memory of the public, they are -- they know generically who their, who their representation is.

Number two, they know who their community is.

And there's a sense of community that will inevitably be lost. You can't, you can't do be perfect in that when you do -- when you divide and reallocate lines.

But they certainly want to continue as long as possible, as much as possible, with their friends, their neighbors, and the community that they're familiar with.

And the sense of alienation that comes is essentially a denigration of institutional memory, for lack of a better term, of the public. It's gone. And so a sense of alienation sets forth.

And I think in some ways it's one of the reasons that we have such a political apathy.

There are other reasons too. Both parties are to blame for that, I suppose.

But certainly it has one sense of it, because to be devoid of your previous community of interest is problematic.

CHAIRPERSON MATHIS: Any other questions for
Senator Biggs?

VICE-CHAIR FREEMAN: Maybe one more, Madam Chair.

CHAIRPERSON MATHIS: Mr. Freeman.

VICE-CHAIR FREEMAN: Senator Biggs, you touched upon this when you began your presentation. I just wanted to maybe it again, because this was something that was unclear to me when I read the constitutional provision, because of some of the language that you used.

The constitution says that the legislature shall be entitled to come before the Commission to provide comment.

It doesn't say legislators. It says legislature, which is a body, through a minority, memorial report, originally I thought should be majority report, but I since learned that's a term of art that means something.

Could you explain what the memorial and minority report is?

SENATOR ANDY BIGGS: Madam Chair and Mr. Freeman, yeah, the memorial is something that you're actually -- you vote on. And so, so that's what a memorial is.

We use them all the time for different, different events or issues.

But the minority report is if you have a disagreement with that particular document, you write a minority report and you issue that.
And I'm not sure that I like the way the constitution is worded. I understand it. I think they should have just said a majority minority report.

But they didn't. They said memorial. So it required us to take more formal action.

VICE-CHAIR FREEMAN: And that doesn't necessarily mean Republican, Democrat. That just means the memorial reflects the report of a majority and the minority report reflects a report of a committee of the minority.

SENATOR ANDY BIGGS: Madam Chair, Mr. Freeman, theoretically it means the majority of the legislature has voted that out, and the minority comes at it otherwise.

I would tell you that I think that this was done long along partisan lines, party lines.

Unless Mr. Campbell voted for this majority minority report. I don't think he did.

CHAIRPERSON MATHIS: Other questions, for Senator Biggs?

(No oral response.)

SENATOR ANDY BIGGS: Madam Chair, thank you so much. And, members, thank you for indulging me. Appreciate it. Thank you.

CHAIRPERSON MATHIS: Thank you for coming to present, and thanks for complimenting our staff. We don't do that enough, so appreciate that.
SENATOR ANDY BIGGS: I thank you. They were terrific. Thank you.

CHAIRPERSON MATHIS: So, our next speaker is -- I want to get that title correct -- House Minority Leader Chad Campbell. And he'll be presenting the minority report.

REPRESENTATIVE CHAD CAMPBELL: Hello, members.

Thank you for having me today.

I want to echo some of the comments of my colleague, Senator Biggs.

First of all, the staff has been amazing, working with them to the limited degree that I have worked with them and contacted them when I needed information. And I know some of our staff as well has contacted them.

And they've been very professional, very responsive, and I can't thank them enough for all the work they've done.

And I also want to thank all of you for the work you're doing.

I think you guys have probably not been commended enough.

You are citizen volunteers. You're taking time out of your busy lives. I know many of you have other jobs. You have families, family commitments.

This is a very time consuming, and I think a very draining process in many ways. So I want to commend all of
Thank you for your work, because it really does mean a lot to voters of this state and to the future of this state.

You guys are setting forth the maps for the next decade, and the importance of that cannot be understated, so thank you very much for your work.

And I want to say from the outset that I think you've done a very good job to this point. I think you have followed the constitution and the intent of Proposition 106.

And when I'm out around the state talking to people across the state, Republicans, Democrats, and Independents alike, I can assure you there are many people out there who support what you've done and commend you for your efforts.

And I know you guys probably hear a lot of negativity at these meetings sometimes, so I want to pass that along to you, that there are a lot of people out there who support the work you're working on and really appreciate all the time and effort you put into this.

So I'm going to briefly talk about the minority report that we submitted. You all have a copy of it, I assume; correct?

Okay.
And I'm also going to talk a little bit about the majority report and some of the comments that my colleague, Senator Biggs, made today.

And he is correct in assuming that I did not vote for the majority report. I know he was going out on a limb on that, on that prediction right there. So he is correct on that one.

We had a difference of opinion obviously down at the capital in terms of how this process has gone and where it should be headed.

And to be quite honest with you, I think that when I look at this process and when we looked at this process, I was not around ten years ago, so I was not in office. I was not involved in this process in any way, shape, or form.

But I talked to many people who were.

I looked at some of the previous documentation from the meeting.

I've looked at the maps we have that we're working with today, the maps we've been operating under for the last decade.

And when I look at this process as compared to that one, it is a breath of fresh air. And I've talked to several people who were involved with it.

The transparency, it's night and day compared to
the last time. And I find it ironic and somewhat funny that many of the people that are complaining about this process this time are the exact same people who really dictated the process last time and really are responsible for delivering the incredibly gerrymandered maps we've been operating under for the past decade.

And so it's unfortunate, I believe, that we're even here today, because I don't think that we should be in this process as elected officials.

I think the voters spoke loudly and clearly when they told the people or the elected officials of this state, get your hands out of this process.

They did not want elected officials drawing their own maps.

And they were very clear about that.

And yet, unfortunately, some of my colleagues don't agree with me. And so, here we are today.

So, with that in mind, our minority report focused on the Joint Legislative Redistricting Committee and the work that was put forth there. And to be very blunt, this committee demonstrated exactly why the voters of this state didn't want elected officials participating in this process.

This entire committee from the outset was a process that had a predetermined outcome. It was very
obvious, from the expert witnesses they brought down to the 
committee, from the testimony that was delivered. 

And, in many ways, it seemed to be a forum to 
attack many other elected officials, and very personal 
attacks sometimes, and unsubstantiated attacks, as well as 
attacking you, the citizen volunteers of this Commission. 

And we found that unfortunate, and we had expected 
that, and that's why the Democrats boycotted this committee 
from the beginning. 

We also realized that there were a vast number of 
speakers during this committee, both outside expert 
witnesses and, with all due respect, Republican staff, that 
seemed to either not understand the process and the 
constitutional requirements of the process or disregarded it 
altogether. 

And that was unfortunate. 

I can't speak to what was behind that, again, 
whether it was willful disregard or if it was just not 
having a grasp of what the process entailed. But either 
way, the outcome was the same. And it was a committee that 
was orchestrated in an attempt, I believe, and the Democrats 
believe, to once again gerrymander the districts to control 
one party nomination of this state. 

And we saw it time and time again with testimony 
throughout the committee, and, again, that's why we did not
participate.

And I want to point out that it's very simple.

I'm going to just backtrack a little bit here.

It's very simple what we need for this map. It's a map that should reflect the state of Arizona. A map that should meet the Voting Rights Act requirements.

That is all. Nothing more.

This state, as we all know, is broken into a third Republican, a third Democrat, and a third Independent. That is basically the breakdown of voter population in this state.

A map should reflect that. Nothing more.

As long as it meets the other constitutional requirements that Senator Biggs and others have talked about, then the map is doing the right thing.

And I think that unfortunately that is probably the greatest mystery for myself and many other Democrats who look at this map, the draft map. It really doesn't reflect the current population trends of the state. It's still beneficial to a greater degree for the Republican party. Which is why we're so mystified as to why they set forth on this campaign to really undermine the process and attack certain members of this Commission.

And that's why in our minority report, and here again today, I will reiterate, and I'll briefly call on
you, to take a look at the legislative districts and make sure that they are meeting all the requirements set forth in the constitution, as well as instilling, to the greatest degree possible, competition while meeting the other requirements.

And I think and I know that it can be done. And it has been done to a great degree throughout in process.

The voters of Arizona deserve that.

And they do not deserve what they have seen from the governor and the majority party for the past few months, which is just more partisan attacks and more partisan games.

And it's very unfortunate, and I think that the voters of this state, as we've seen, are getting tired of it.

But, that's all I'm going to say about the maps themselves today. Because, as I said at the beginning, I really don't believe participation of elected officials should be to a great degree in this process. It should be minimized as much as possible.

And the voters made that clear when they passed Proposition 106.

And so I want to comment on some of the majority report that Mr. Biggs outlined today and make some comments about what I think are concerns for us, and should be
concerns for you as well, in terms of what they came back with from their majority report.

So, with that in mind, first and foremost, the Voting Rights Act, as Mr. Biggs pointed out, does need to be analyzed in terms of minority competition within districts and communities. And he talked about Dr. Handley doing this analysis on these maps.

But I want to point out this did not happen ten years ago until after the draft maps were submitted.

There's no precedent for giving it prior to the creation of the draft maps. So his contention that it should have been earlier than this is simply incorrect.

And so I'm not sure where that is coming from, but I can tell you right now, again, it does not hold up when you look at what happened ten years ago.

When you look at contiguity, continuity, whatever you want to call it, within districts, that's completely subjective.

If you look at the current map, excuse me, if you look at the current map, the lines right now have no standard. There is no basis for many of these districts. It's impossible to do because of the current makeup of Arizona and how large a state we are.

Excuse me while I get some water. Excuse me.

Because of the lines -- or because of the size and
the geographic makeup of Arizona, there is no way to draw
every single district in the state that would meet every
single community of interest.

It's physically impossible. And we all know that
too. There is no way.

And, secondly, there is no definition, and there's
no requirement, and by definition a district is not in and
of itself a community of interest. It cannot be.

Again, that would be physically impossible.

So to the point of Mr. Biggs' argument that you're
not meeting the community of interest definition and you're
not following -- you're not getting contiguous district
lines in place or geographically compact lines in place, you
can't win on this argument.

And so there's no physical way to do that unless
we create more districts. That is it.

And that is not within your purview. That is not
within my purview. That is something that we have to go
back to the voters of the state for.

Thirty districts in a state this size is
impossible to make sure you're protecting every community of
interest or appeasing what every voter wants.

You try to do the best you can, and you have to do
that.

But if you look at districts, legislative
districts that are the size of 213,000 people, give or take, which is the current size we're dealing with for the legislative district districts, and compare that to other states, you will see what I mean.

Many other states -- I was just at a meeting, in fact two days ago, with a colleague of mine from Kansas. His districts are about 22,000 people.

That's how many districts -- how many people are in each legislative district in Kansas.

If you go to other states, most districts are nowhere near the size of Arizona's legislative districts.

And so if you want to talk about trying to meet the needs of every community in the state, or every citizen, or whoever it may be, the only way to get it is to create more districts. It is physically impossible to do so with the current parameters set forth.

Thirty districts in a state of over six and a half million people, it's not going to happen.

So, please keep that in mind as you move forward. You cannot make everybody happy.

If you look at the current maps right now, again, there are maps for other districts that make no sense to many people, even my own district probably.

But it was what happened last time because it is what the Commission saw fit to do under the powers set forth
in Proposition 106, and, again, what they had to do because of the limitations by only having 30 districts.

And I've heard time and time again the competitiveness has been pushed up the scale, been weighed more heavily than some of the other considerations. And I don't see any evidence of that.

We heard testimony, and this is back in the Joint Redistricting Commission -- or Committee, I'm sorry, down at the legislature, but there's no evidence of this, and there's been no detrimental impacts on this.

I have yet to see anybody prove to me that any competitiveness considerations has actually caused any detrimental impact on this mapping process.

And if it does, that will be decided down the road, I'm sure, by the Department of Justice, by a lawsuit, whatever it may be. But it's not to be decided arbitrarily by the governor or a majority of the majority party at the legislature.

That is not how this process works.

That is not what the voters wanted when they passed Proposition 106.

And I also heard Senator Biggs, I've heard others, talk about the fact that some incumbents have been affected by this, some incumbents have been put in districts with other incumbents, or it appears that the lines were drawn.
arbitrary -- or drawn secretively to protect certain
incumbents.

And he actually mentioned the fact that there were
a few congressional people from his side of the aisle that
were drawn into the same district.

The bottom line is this. When you have
98 incumbents in the legislature, first of all, and the
overwhelming majority, in fact, the super majority of them
are from one party, they're probably going to have more
incumbents come on to the same districts than those who
don't have many people down at the capital.

We don't have enough people down there to be
affected right now.

Especially in the senate. There's nine Democrats
in the senate. It's very hard to draw nine Democrats in a
state of six million people in the same district.

So, again, this is simple mathematics, physics,
geography, whatever you want to call it. You're going to
have more people in the majority party probably drawn in the
incumbent districts than those of the minority party, that
is overwhelming minority party, I might point out.

And if there's vast conspiracy being dictated by
the Democratic party, please let me know about it. Because
I've been drawn into a district with four incumbents myself.
So I need to know what's going on as well.
So at the end of the day, this committee, and I do want to point out, this committee, as Mr. Biggs said, there are certain people proposing maps or interest groups that have been proposing lines throughout this process and maybe that's what influenced the current maps you guys are using as your draft maps. And it wasn't that it was intentional, but it was just happened because of the influence of people coming down and submitting maps.

Well, that's how it works. And if that has influenced you, that's good, because public participation, public input should influence you.

But I do find it ironic that Senator Biggs did say that, considering the fact that I can tell you right now, at least in the house Republicans, I can't speak for the senate Republicans, Mr. Biggs probably has more working knowledge of this, but the house Republicans have paid staff using taxpayer dollars to focus solely on redistricting, and they are in every meeting from what I know that.

I've never been to a meeting. This is the first meeting I have been to. I've purposely stayed away from these meetings. I didn't feel it was my place. But I came because I was called in to do so.

But they're at every meeting trying to influence maps.

So if there's any group that's been trying to
influence maps from day one, it has been probably a lot of elected officials who were trying to protect their own districts.

And I think that that's unfortunate, and I think that goes against the intent of Prop 106 and the voters when they passed it. And so it is what it is.

But at the end of the day, again, if you are in the majority party and you have the overwhelming numbers they have right now, you're probably going to be impacted a little bit more by these maps than those of us who don't have big numbers.

Simple as that.

And to Mr. Stertz, you mentioned that you had a lady crying because she was moved out of her district.

I can say I know plenty of people who would probably be crying if they were left in the same district right now under this process.

And I kind of say that as a joke, but, you know, again, there are certain people that will be impacted by this. And that's unfortunate, but that is the way it goes.

That is the way the voters wanted this to work when they passed Proposition 106.

They wanted to remove that special treatment away from certain legislators or for certain powerful individuals within the district that want to keep it the
That was the point of Proposition 106.

And if we're talking about institutional memory, or if we're talking about the impact this has had on the legislative process, we can have philosophical conversations all day long, and I would love to engage in them more. We might agree on a lot of those things, in fact. I bet you'd be surprised.

But that is not part of the purview or the job of this Commission, according to Proposition 106.

You cannot take that into consideration.

It's as simple as that.

And so the bottom line is, and Senator Biggs talked about political apathy that impacts the state right now, and he alluded to the fact that maybe this has something to do with it.

I think the political apathy in the state is due to the fact that people are sick of partisan games. I think they're sick of politicians. I think they're sick of seeing districts that are protecting incumbents for far too long.

And so that's the bottom line.

And I'm a bit confused sometimes by the attacks I've seen on you guys.

They're unfounded. There was absolutely no evidence provided in the Joint Legislative Redistricting
Committee to substantiate any of the claims made by many of the testimonials they received or by Republican staff members.

And that, and that was I think unfortunate and troubling for many of us on the other side of the aisle.

And many people that are not involved in the capital as well, from an outside perspective, people see what's going on and they're tired of it.

We see it. We've seen the polling. I'm out there talking to people. They're very fed up with this.

They don't want politicians working to protect their own jobs, when we should be creating more jobs actually for Arizonans.

And so we believe that as you continue doing your work here, you're going to keep doing it in good faith. We have faith in all of you.

I think that you guys all have very passionate outlooks on this. That's good. That's why you were appointed in the first place. You care about the state. You care about your communities, your current districts, whatever it may be.

And so the robust debate that's been taking place is good. It's healthy. And actually it's what we need more of in the legislature, what we need more of in elections.
And the only way to get that is to get a fair map. Without that, we don't have the robust debate the people of the state deserve.

And we've seen that for the past decade, and we see it right now.

One party nomination is good for nobody. I don't care if it's a Republican nomination or Democratic nomination, it's never good.

We've seen it in D.C. We're seeing it out here in Arizona.

We need to have maps that reflect the people and the populations of this state.

And I believe, and the Democrats believe it, and the legislature believes that you are doing just that.

And speaking personally, putting aside any of my colleague's wishes or anything else, they can speak for themselves if they want to, I would welcome more competition to any and all districts, including my own.

And under the draft map, I will have a much more competitive district.

But I'm good with that.

If it means more opportunities for voters to engage, if it means more healthy debate, if it means more choices for voters at the end of the day when they go to vote in the general election, then I support it.
wholeheartedly.

And I am not sure, and I can't understand, why so many elected officials seem to be afraid of it, to be quite honest.

It's astonishing to me.

So with that, the voters of the state wanted an independent process to draw maps, and I think you are giving them just that.

They wanted to keep politicians out of this process. They wanted to maximize efficiency and fairness and minimize corruption. That's why they voted for Proposition 106.

And I think we, the vast majority of Arizonans, as I've said time and time again, believe that you guys are doing just that.

So, please, stay the course with your work.

Do not get caught up in the games that you're seeing right now and have been seeing.

Accept this majority report for what it really is, and that's scripted theater, that I think was, in essence, aimed at gerrymandering districts and really continuing one party domination, unfortunately, and focus on the task at hand, which is making maps that reflect the population of Arizona.

And do it, I want to stress this, do it in the
timeliest manner possible.

We've got to get the maps done. The voters and the candidates need to know. We're less than a year away from the election. We've got to get moving on these maps.

In all fairness to voters, I had -- there were some fairly good questions and comments up here from Mr. Stertz and Mr. Freeman about protecting voters and communities, and the best way we can do that is to get these maps done.

We really need to have these maps out there so that candidates can go out and meet with their constituents and talk about why they should or should not support somebody.

That's part of the process.

We need to have it done and in place.

And, at the end of the day, when it's all said and done, if you have created maps, and you have the Republicans mad at you and the Democrats are mad at you, then you've probably done a really good job. So disagree on a lot.

CHAIRPERSON MATHIS: Any questions?

VICE-CHAIR FREEMAN: Madam Chair.

CHAIRPERSON MATHIS: Mr. Freeman.

VICE-CHAIR FREEMAN: Representative Campbell,
report for us and presenting it to us here today.

A couple questions.

One of them is Senator Biggs mentioned you're a lawyer; is that correct?

REPRESENTATIVE CHAD CAMPBELL: No, I'm not. God no.

It's bad enough being a politician. Throw a lawyer on there and it's a double negative.

VICE-CHAIR FREEMAN: Good for you.

Well, here's a question that I have that I've been struggling with myself.

We've had -- we've taken a lot of public comment, and I've heard people say give a rationale in favor of competitive districts. And you've given some of that rationale here today.

And now one of the rationales supporting the concept of competitive districts is, well, I feel disenfranchised because I am in a district where I don't have a chance.

I've also heard that those people who are in the majority, their, their votes are less effective as well, because there's no competition. It's a predetermined outcome.

Voting, I think we'd all agree, is a fundamental right that we all have.
And the Arizona Supreme Court has rendered opinion in 2009 interpreting Prop 106. And it spoke of that this Commission, to the extent practicable where it doesn't cause significant detriment to the other rules, shall favor -- should favor the creation of competitive or more competitive districts.

And my -- the concern I have is it looks like where the Commission has gone is to pack members of one party, my party, into certain districts, to the detriment of people in the Democratic party in those districts, and to the detriment of Republicans in those districts, to favor districts -- the creation of districts in other parts of the state that are more closer to balance or more competitive.

How are we to deal with that?

Is that what we're to do, do you think, in your opinion? Or are we to -- or does that language in the Supreme Court's opinion about favoring more competitive districts have meaning, in that we're to apply that statewide?

And I know you have to take Voting Rights Act out of the equation, because that's federal law. It's mandated. We have to do that.

But, for the rest of this state, shouldn't we be favoring the creation of competitive or more competitive districts to the extent practicable where it doesn't cause a
significant detriment to the other goals?

    REPRESENTATIVE CHAD CAMPBELL: Mr. Freeman, thank you.

    Again, I'm not an attorney, in all seriousness. I'm not an attorney, and I'm not -- I don't claim to be an expert in terms of knowing how to operate mapping software or anything like that. I don't do that for a living.

    So, I can't speak to how -- I can't speak to what you all as a Commission have done as you move forward. That's your workings, and I've paid attention from the outside.

    I think you need to take competition into consideration to the greatest possible extent in every district you're creating.

    But I also think that there are, again, certain realities that limit you from creating competitive districts in every district.

    We all know that. The Voting Rights Act being one of them.

    Just geographic populations being another one.

    There are certain communities that are much more highly concentrated with either Republicans or Democrats, as we all know.

    And I think at the end of the day what you need to do, and I think that was, was seconded by the court
decision, and I think it was the intent of the voters when they passed this initiative, what you need to do is try to balance out competition with all the other constitutional considerations as well as the practicable considerations.

And I don't know exactly what that means.

But at the end of the day, I think if you have a map that reflects in terms of overall districts leaning one way or the other from being competitive, that reflects the general population demographics of the state of Arizona. And when I say population demographics, I mean the voting population obviously.

And, again, as I mentioned, we have a third Republicans, a third Independents, and a third Democrats, for the most part, with some minor discrepancies between all three.

If you have a map that reflects those populations as a whole, you've probably done a fairly good job.

But if you have a map that benefits one party substantially, then you haven't done a good job.

And that goes for my party as well.

If I were to sit here today and look at a draft map that gave us 20 districts hands down, no competition, I would be happily opposed to that. You should never be doing that.

The map should be reflective of the general
population.

And, again, it's very hard to do, with, I think, 30 districts in a state the size of Arizona.

And I can't stress it enough.

And that's unfortunate, because that is what you guys have been given to work with, and you cannot do anything about that.

So it does limit your ability to make competition practicable in every single district.

So I think what you have to do is kind of offset trying to create in every district by creating as many competitive districts as possible.

And I know that's probably a roundabout answer, but --

VICE-CHAIR FREEMAN: And I wasn't, I wasn't trying to put you on the spot.

REPRESENTATIVE CHAD CAMPBELL: I know.

VICE-CHAIR FREEMAN: You're -- you're a pro, so I knew you could, you could handle it.

But, on that point of one third, one third, one third.

It really isn't one third, one third, one third, though. It's about a five-and-a-fraction percent advantage for Republicans right now. The Independents have crept up into the number two spot.
And then, do you know what that rate is after the voting rights districts are taken out of equation?

REPRESENTATIVE CHAD CAMPBELL: I agree with you. Trust me. I understand. Again, that's a limitation that has to be taken into consideration. I completely agree.

VICE-CHAIR FREEMAN: It's like 12 -- 10, 12 percent.

REPRESENTATIVE CHAD CAMPBELL: Yeah.

VICE-CHAIR FREEMAN: Maybe more.

REPRESENTATIVE CHAD CAMPBELL: It definitely impacts your ability to do competition in every district. And so I sympathize with your, your limitations on that. And at the same time, though, I fully support the Voting Rights Act, because I think it's a necessary requirement here in Arizona.

So what you have to do is you have to try to make it as practicable as possible outside of those districts that aren't VRA. And to be honest with you, I think for the most part the Commission has done a very good job with that.

As I said, I don't want to get too much into it because I don't feel it's my place. But personally speaking, there are a couple of areas where I think you could tweak to make -- instill some more competition and still meet the other constitutional requirements.

They're included in the minority report. You can
read for that yourself.

   But I think at the end of the day what you guys have done has been true to the constitution, true to Proposition 106, and, most importantly, bottom line is true to the intent of the voters.

   And that's what matters, what the voters want.

   And I can't stress this enough.

   You know, going back to some of the comments that Senator Biggs made in response to -- I think the question of Mr. Stertz, about communities and how people vote and getting used to having certain representatives.

   If that's true, then, you know, unfortunately that wasn't reflected in Proposition 106.

   The voters did not go to the ballots to vote for something that said: Keep my district the same every time so I can have the same representative.

   They wouldn't have voted for term limits if that's what they wanted.

   The voters want competition.

   They said it time and time again in this state. .


   They may have not worked in the way we all thought they might have worked, but it's clear that the voters have always wanted more competition in the state. There's no
doubt about it in my mind.

And I think if you talked to the majority of Arizonans, they go to the poll and come back to this, they'd simply agree with that. There's no argument.

So, you have to take all of those requirements into consideration, and you have to take the Voting Rights Act into consideration obviously.

But at the end of the day, I encourage you all and I hope you will, again, try and instill competitiveness into every district where it's possible to do so without breaking those other constitutional requirements.

VICE-CHAIR FREEMAN: You mentioned, Representative Campbell, the Joint Legislative Committee in your opinion had a predetermined outcome, that it was just theater.

You had also mentioned that the majority party has had employees or operatives here at our hearings.

Do you think this commission has a, is what we're doing is just theater, and there's a predetermined outcome? And does the Arizona Democratic Party have employees here at our hearings?

REPRESENTATIVE CHAD CAMPBELL: First of all, I don't think there's been a predetermined outcome by any stretch of the imagination from this committee.

Again, this is my first hearing I've ever been to
physically.

I've watched many on TV and followed up with what has been going on with notes and everything you post on your website, but I've intentionally stayed away, because I did not feel it was my place to inject myself in the conversation as a House Minority Leader.

I felt if individual legislators wanted to come and speak to the commission about their district, their communities, that was within the scope of their power and they should do it. They're representing their district.

I did not feel it was my place that I do that, because I think I'm probably a little more political, at least perceived as a little more political, than some other people.

So I wanted to stay away from it.

So I don't believe there's been a predetermined outcome, no.

I mean, I can tell you, the map you guys have drawn looks nothing like the map I would have liked to have seen.

So, and as I told you my district is tougher for me. I'm in a district now with four incumbents. And I've lost a lot of Democrats.

But I'm okay with that because that's your decision. That's not my decision. That's not anybody
else's decision that's an elected official.

It's certainly not the governor's decision.

You guys need to do that work.

And does the Democratic Party have people working on this? Certainly.

Is the Democratic Party being -- is it funded by the taxpayers of Arizona? Definitely not.

I would hope the Republican Party has people down at these meetings and I hope they're paying for it with private funds.

And there are state staff that should be working on this in the interests of their other duties that they do.

We have legal counsel down there. All chambers do. All caucuses do. They should be focused on this without a doubt.

We have certain positions that have overlapping duties, but I just find it ironic -- I'm not making a judgment here necessarily, but I find it ironic that Senator Biggs' comments about people trying to influence the process by coming down to these meetings and submitting maps or submitting testimony. I just find it ironic when I think the only caucus that is down here at every single meeting from what I know, and is using taxpayer dollars to do it, is the Republican caucus.

I don't think the senate Republicans do that. I
don't think the senate Dems do that.

I can tell you that the house Dems certainly don't have people that are meeting that are being funded by taxpayer dollars.

My point of that comment though was, you know, if he's casting some of those people -- and with all due respect to Senator Biggs. If he's saying other people are doing it, I think that we all should look in the mirror too, because everybody's doing it.

And it's part of the process.

But at the end of the day I would hope that all of you disregard to the greatest extent possible any testimony or any input that you get from people such as myself.

It should be the general public that dictates this process. It should be community leaders that are out there representing neighborhoods or other interests out there.

But it should not be people who are going to be directly affected by the districts being drawn that dictate this process.

The last thing we need is elected officials coming down here, trying to solely protect their jobs.

That is not why the voters passed Prop 106. And I can tell you that is not what the voters want right now.

VICE-CHAIR FREEMAN: The voters also enacted a proposition that provides for legislature providing comment
too; right?

That's why you're here, to present the minority report. That's in the constitution.

In fact, the constitution takes the extra step and says, it mandates this Commission, it says shall consider the reports.

So that was obviously, it seemed apparent to me that that's part of the intent of Prop 106 as well.

REPRESENTATIVE CHAD CAMPBELL: Again --

VICE-CHAIR FREEMAN: And you, you -- you're elected. I wasn't elected by anyone.

REPRESENTATIVE CHAD CAMPBELL: Yes.

VICE-CHAIR FREEMAN: Senator Biggs says at least he can walk, you know, through the grocery store without being accosted all the time.

Well, nobody knows who I am.

REPRESENTATIVE CHAD CAMPBELL: Yes.

VICE-CHAIR FREEMAN: I mean, nobody heard of me before this day.

This is first time I've ever met you. This is the first time I've ever met Senator Biggs.

REPRESENTATIVE CHAD CAMPBELL: Yes.

VICE-CHAIR FREEMAN: Or even talked to either of you.

So, I mean, you as an elected representative, a
member of the legislature, I mean, you speak for a
constituency as well.

REPRESENTATIVE CHAD CAMPBELL: Yeah. And as I
said, I think there was the intent of the Democrats that
individual legislators should, and many of them did,
participate in these hearings when you guys were out at
their communities or around the state.

And many people did that.

Many of my colleagues in the house Democratic
caucus participated at that level.

We did not feel that it was constructive to use
taxpayer time or money to hold committee hearings that last
over a week, that really in all essence we knew from the
beginning had a predetermined outcome.

And I'll tell you why I know this.

We were never consulted on the formation of that
committee.

I actually found out about that committee by a
reporter calling me and asking me about that committee.

I was never told about the formation of the
committee. I was never contacted once about who would
represent the Democrats on that committee, which is a breach
of protocol. Leadership from the majority side always
contact leadership from the minority side to ask them who
they want on any committee, be it a standing committee or an
We were not contacted about that at all. And so that was pretty indicative of what was about to come and what was about to transpire. And so we decided to boycott that committee. And we did our report in probably about an hour and a half. Didn't cost us much money, didn't waste time, didn't waste taxpayer dollars on numerous hearings. But we did watch the hearings. And it was obvious from the beginning, I don't think there was a single person that came to these committee hearings that gave any fact or any statement or evidence or whatever you want to call it that was contrary to what the Republicans had already testified and what they already submitted they believed about the Commission process.

So it was a predetermined outcome. And so we decided not to participate. And that was unfortunate.

I would have liked to have participated in a constructive dialogue with my counterparts from the other side of the aisle. But in all honesty I wasn't given the chance.

As I said, I found out about this committee from the media. And that really is just -- is a breach of trust.
and protocol. Not just protocol, but a breach of trust too for me.

And so with that being said, we watched this proceeding so we could make our minority report in response to what we assumed would be the majority report. And that's why you have it today.

And at the end of the day though you shall consider what we've submitted, you shall consider what the Republicans have submitted, but it doesn't mean you have to consider it to a great degree.

You can do what you want with these reports.

You can use them as scrap paper. You can take them home and study them and believe that they are substantive.

That is up to you.

And that should be up to you. It should not be up to us.

And that is what the voters said when they passed Prop 106, is they wanted to get self-serving politicians out of the process -- excuse me -- and get their hands out of the -- their hands out of the cookie jar, so to speak.

They wanted new districts. They wanted a new independent process that would instill, I think, a greater trust and a greater accountability with state government.
And, and I think unfortunately that trust has been broken down substantially over the past couple of months by the acts of the governor.

We've seen the polling.

I mean, less than one in five Independents supported her actions on the IRC.

It's obvious that the public is not -- was not on the side of some of the efforts we saw from the majority party.

And, so be it. That was their purview.

Our purview is to stay away from this as much as possible.

I came today because I was requested to do so, and I would do anything you guys asked me to, because I think what you guys are doing is so important, and the amount of time and the amount of commitment you've shown is simply amazing.

I wish many elected officials would show the same type of commitment and time that you've shown to this stuff.

And so out of respect for the Commission I wanted to come here today and give you our side of the story.

But, please, at the end of the day, you can take my, my commentary, our minority report, and do what you want with it.
Because it's your decision to do so.

I have no authority over any of you and neither does any elected official in the state.

VICE-CHAIR FREEMAN: I don't want to monopolize all the time. I do want to sincerely express my thanks for you coming down and speaking with us.

When I was appointed, I felt like, you know, the constitution requires us all to be honest and use our own independent judgment and uphold public comments, and I felt like I had to don a suit of armor expecting the fusillade of arm twisting. It never happened, and I feel kind of left out.

And so that's why I appreciate hearing from you and from Senator Biggs today. So thank you.

REPRESENTATIVE CHAD CAMPBELL: Thank you. Thank you again for serving too, Mr. Freeman.

CHAIRPERSON MATHIS: Other questions for Representative Campbell?

COMMISSIONER McNULTY: I'll ask Representative Campbell one question.

Thank you for coming.

We've heard reference to a predetermined outcome. Proposition 106, as you've talked about, was enacted to in large measure to increase voter participation and candidate participation by creating fair and competitive districts.
Right now we have a situation where we have 21 Republicans in the legislature, I believe, in the state senate. We have five Republican congress people.

If we do, as I believe we have been doing, attempt to create fair and competitive districts -- which in my mind means districts in which in an average year, given average candidates, each would have an equal opportunity to win a race. If we continue in an effort to make as many districts as we can competitive or as close to competitive as we can by that definition, I think that that effort is being conflated with a predetermined outcome.

And somehow we are being accused of doing something wrong when we are, in fact, achieving the very thing that the voters want and the very purpose for which the voters enacted Proposition 106.

And I wanted you to comment on that.

REPRESENTATIVE CHAD CAMPBELL: Yeah, and thank you, Ms. McNulty.

I probably agree with you.

I think that unfortunately the attempt to create a competitive or maybe just a more balanced map, a fairer map, has been confused with a predetermined outcome.

And I'm not sure why that is. I don't know if it's been outside efforts and conversations with various interest groups out there who I think have been very active
from day one on this. But that is simply not the case.

And, again, I think that protecting the will of the voters when they passed Prop 106, protecting the intent of the voters, which was obviously to take politicians out of the process, is the key goal here.

And so everything you guys have done is your own -- it's your own doing, so to speak.

I mean, you guys are the ones with the power. Not me, not Senator Biggs, not Governor Brewer.

If you guys vote in whatever numbers you vote to submit a map or approve a map, whatever it may be, that is your decision.

And if somebody isn't happy with it afterwards, so be it. There's other actions they can take to try to find recourse.

We saw it the first go-around. We know what happened. It was held up in court for many, many years. We know that's happening in many other states right now.

But trying to undermine the process from day one and confuse, I think, many people in the public and many other people in the political world with these arguments that cannot be substantiated was disingenuous at best.

And I -- and it was very troubling for me to see it happen.

And really the personal attacks I saw on members
of the Commission, on other elected officials, was troubling to me. And that's unfortunate.

And that's why I'm very respectful of everything you guys have done. And I think you guys have conducted yourself very gracefully in very intense, very pressured situations.

And I will say that I think the overwhelming public testimony you received -- and I want to thank every member of the public that's come out here and testified, whether they agree or disagree with me, they're participating, and I want more people to participate from all walks of the political world. And I wish everybody in Arizona and everybody in every community in the state was at these meetings talking to you guys, telling them -- or telling you what they wanted to see.

So I, I thank every citizen that came down here throughout this process, whether they agree with me or disagree with me, to testify. That's their right. And that's citizen involvement. That's what we need more of.

But, again, to use some of the tactics that I've seen being used from day one, by certain elected officials, by certain special interest groups out there, has been very disheartening to me and very disheartening to the general public.
And, and, again, you've seen it in the polling. We've seen multiple polls that have shown that.

And I think you're seeing another movement right now that just popped in my head, the open gov movement. There is a movement out to create nonpartisan primaries in this state. And that is a direct reflection of what the voters are tired of.

They're tired of partisan games.

Political apathy in the state does not exist because of what you guys have done or because of bad maps. It exists because people are tired of both parties.

They want real leadership from their elected officials.

And the best way to do that is to give them real choices when they go to the ballot box every November.

COMMISSIONER McNULTY: Thank you.

Just one more thing.

It's been my sense traveling all over the state as we have for this process that it kind of confirms my belief that Arizona is a very diverse state, but at the same time at the end of the day we all have a lot more in common than we are different.

And the concept of communities of interest is talked about an awful lot in the context of this process, and the drafters have testified that what they intended when
they used that phrase was that if there was a historic
district or a minority community or, you know, something
like Guadalupe perhaps here in the metro area, that could be
kept whole by moving a line, that we should do that.

And when you look around the country at
definitions community of interest, it's that sort of
definition.

The definition is not, as you said, that a whole
congressional district is homogenous or that Lake Havasu
City has to have something in common with Naco, or those
kinds of things.

I live three blocks from the edge of a
congressional district, and it just seems to me that when
we're all done, everyone is going to have a transition
period, and they're going to get -- and then everyone's
going to be comfortable with the new lines.

And so I guess I would ask you to comment on that.

I guess you've been through some elections and
probably have a sense of that as an elected official. The
transition is a little disconcerting, but then it's the way
it is, and it's all fine, and I expect it all will be.

REPRESENTATIVE CHAD CAMPBELL: Yeah, and let me
step back, let me talk about this from a different
perspective.

As opposed to being an elected official, let me
talk about it as being an Arizonan. I'm a native Arizonan, been here my whole life. I don't plan on going anywhere else.

I just got married, plan on having kids soon, and I want to stay in Arizona.

Because it's, to me, the best place I've ever seen, ever experienced in the entire world.

And there's a lot going for it. And when I'm out traveling the state, and I travel the state a lot, I'm -- both for political work as well as just personal enjoyment. I've worked in southern Arizona. I've worked in northern Arizona, eastern Arizona.

I know the state, I think, as well as almost anybody out there.

And Arizonans have a lot in common, more in common than they do in terms of differences. And unfortunately it's been exploited, I think, by certain individuals in the political realm, over the past decade in particular.

And we've seen that.

And so most Arizonans when I talk to them, be it here in Phoenix, be it up in Flagstaff, down in Sierra Vista, wherever I am, they really don't care who their elected official is.

All they want is somebody who's actually doing their job.
They don't care whether it's me or somebody else that's representing them. As long as it's somebody that's actually responsive to them, has an open door, actually cares about the issues facing their communities, their neighborhoods, that's what they care about.

And the overwhelming majority of Arizonans have absolutely no idea who their legislators are, which right now the approval ratings for the legislators is a good thing for me.

That was a joke. You can all laugh. It was, you know, kind of funny.

And in all honesty, most people don't even know probably who their congressional person is these.

They know the president. They know the governor. They know their U.S. senator.

Most people are not involved to that degree.

But what they are involved with is their community and they're involved with their daily lives. Getting their kids into the getting school, getting to work.

They want people to understand those challenges they're facing. And the only way to do that is try to remove the partisanship as much as we possibly can from the electoral process.

And I think that we've attempted to do it many times through the Clean Elections Initiative, through term
limits, with Prop 106 -- and I think Prop 106 has been probably is most successful attempt so far, at least I hope it will be. And you're seeing it now with the open gov initiative.

People are sick of partisanship. They're sick of these games.

And so at the end of the day, I am an elected official. I have gone through several elections now. So I do talk to people. And I think obviously the majority of my voters, I think, support me, otherwise I wouldn't be get reelected.

But really if there was somebody else who could come in there and do a better job than me and they proved it to the voters, the voters would oust me in a minute.

I'm not a family member. I'm not their best friend. I'm an elected official and I'm their employee. And if I'm not doing my job, then they're going to kick my out of office.

And the only way for that to happen is to give people real choices at election time.

VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

REPRESENTATIVE CHAD CAMPBELL: I apologize for my throat. I was out of town the past couple days and came back to Phoenix, it was like 34 degrees. I have no idea
what happened. So I apologize. It dried my throat up.

VICE-CHAIR HERRERA: I apologize for my throat as well. I have the same thing.

I apologize for missing a good chunk of your presentation. I was at work. I do work, by the way. I am a volunteer. So I apologize for missing a chunk of the meeting.

I wanted to ask you. You may have covered this. I know you weren't a politician -- you weren't an elected official ten years ago. But there was a Democratic governor, I think, ten years ago. I believe Janet Napolitano was the governor.

REPRESENTATIVE CHAD CAMPBELL: Well, no, she wasn't actually during the time this was going on.

VICE-CHAIR HERRERA: No, but she was in 2004 when a lot of the --

REPRESENTATIVE CHAD CAMPBELL: Yes.

VICE-CHAIR HERRERA: And there was some accusations that the -- that chairperson really was not truly Independent.

I think I was hearing that.

Do you remember the governor ever taking any, any action as the current governor did?

REPRESENTATIVE CHAD CAMPBELL: No. And I kind of alluded to that earlier. When you go through this process
ten years ago, we had the exact same arguments being told
today by other people who were upset with the process.

You know, the Independent chair wasn't
Independent. There was secretive meetings happening behind
closed doors, et cetera, et cetera.

And in all honesty, and I said this earlier, if
you looked at what happened ten years ago compared to how
you guys have handled this, it's night and day.

The transparency level of this Commission is
through the roof compared to what we saw a decade ago.

But regardless of that, I think that you saw
elected officials the first time around who respected the
process, and they waited for the maps to actually go to
draft status, analyze them, get finalized, be submitted.
And then they took the proper recourse, which was to, of
course, you have to go to court if you don't like it.

That is how the system works. We all know that.

But they should not be interjecting themselves.

This is my belief, and I think I can speak on behalf of my
entire caucus.

Elected officials should not be interjecting
themselves in trying to subvert the process.

Can they come down here and give testimony as to
what they would like to see in their area? Certainly.

If they see that as being the best way to serve
their constituents, I fully encourage them to do so.

But they should not be trying to interfere in the daily operations of the Commission or how you handle your business or what type of parameters you set forth in terms of the process you're working with.

Because that is your purview, it was set forth by the voters, and it was certainly established by the Supreme Court decision.

VICE-CHAIR HERRERA: I have a follow-up question.

You know, I've heard during when I was at work that Senator Biggs mentioned that we should adopt some definitions. And I forgot which definition in particular. I think it was communities of interest.

I don't recall ten years ago that the --

CHAIRPERSON MATHIS: Competitiveness.

VICE-CHAIR HERRERA: It was also communities of interest, I think. I think it was both.

I don't recall ten years ago -- I don't remember if Senator Biggs was in office ten years ago, but I don't recall politicians, especially Republican politicians, asking the Commission ten years ago to adopt definitions, like, set definitions.

In fact, I think they were pretty adamant that they weren't going to do that. Even the Republican attorney, Lisa Hauser, was adamant they didn't need to do
Do you recall that?

REPRESENTATIVE CHAD CAMPBELL: No, I don't recall whether or not there was any calls for that type of activity from elected officials. So I don't want to speak to that, because I don't want to misspeak.

But, again, I will just reiterate this.

You guys are set forth by Prop 106, by the constitution, you're appointed. You've gone through the process that was put in place by the voters to do this work.

And it has been made crystal clear by the language that 106 contains, as well as court decisions subsequently after Prop 106 passed, that you are the ultimate arbiter for the most part in terms of how you work the decisions you make, the definitions you create or don't create. It's your job to do it. Not ours, not the governor, not attorneys on the outside. It's your job.

And so -- and I think you probably missed it earlier, I'm going to reiterate this. Everything I've said today, you know, I hope you guys are listening to me.

Great.

But if you're not, no problems as well.

I trust the process. I trust you guys as commissioners. And I trust voters knew what they were voting on when they voted Prop 106 into place.
And I as an elected official will not attempt to try to subvert that process. And that's the bottom line for me.

COMMISSIONER STERTZ: Madam Chair.

CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: You had said at the opening, at your opening statement, that you felt that the last IRC created maps that were gerrymandered maps.

Correct?

REPRESENTATIVE CHAD CAMPBELL: Yes.

COMMISSIONER STERTZ: Okay.

That IRC followed the same constitutional process that we're following.

Would you say that the public, when they voted for 106, were they duped to create such a process that would allow for a Commission to create a gerrymandered map?

REPRESENTATIVE CHAD CAMPBELL: No, I would not say they were duped.

I think the public knew exactly what they were voting on.

And I think as I said earlier in the process the first time around, from what I know and from all my investigation and conversations with people involved the first time around, it was very different than the process you guys have undertaken this time.
And I think that if you look at the legislative map particularly -- I actually think that the congressional map is pretty fair last time. I think it's still fair today, to be honest with you. I don't have any problem with the congressional map. And we have to add a new district. But in terms of being balanced, I think it's fairly balanced. We've had a pretty balanced delegation that's gone back and forth between both parties for the past decade.

The legislative map has not been the case.

And if you look at the way it was handled last time, there were certain, I think, assumptions made and problems, misstatements, and misinformation given, maybe not intentionally. I don't want to -- I'm not trying to impugn anybody.

But misunderstandings, whatever you want to call it, in terms of what the Voting Rights Act meant and how it related to drawing maps.

And what you saw was superpacking of certain communities of interest, in particular Latino communities, drowning out their voice.

My district was supposed to be a majority-minority district.

They've had one minority representative in the legislature over the past ten years.
And that's not -- that's just not right. That was not how the process was supposed to go.

And so, you know, I don't want to look back. I think we need to look forward.

But at the end of the day, I think the process was handled for various reasons, and a lot of it being was just the first time, I think, and people were still learning as they went, I think it was handled for various reasons incorrectly the first time.

I think you ended up seeing the results of that in maps that did not reflect the general demographics of this state.

And unfortunately, you know, that was the outcome and the lawsuits that were brought forth then went.

But, again, as an elected official now, and I wasn't one back then, but I know -- I have many friends that were, there were no elected officials that tried to intervene in the process and subvert it from day one and undermine it. They waited and followed the correct protocol to have their voice heard and then let it play out in the court system, which is what is supposed to happen in this process.

And were the voters duped? No, not at all.

You know, nothing is perfect in this world, and I think that the voters in their efforts, as I said, with all
these other measures, including the open gov measure that we're seeing brought forward now, the voters are trying to perfect a system that does not reward partisanship or extremism.

And I think that's an ongoing effort, and it's one that I fully support.

COMMISSIONER STERTZ: Madam Chair, as a follow-up, what you're suggesting is that in the original Commission as it was -- as Proposition 106 in its -- when it was presented to the public for its vote, said that part of the preamble was to, was to create fair and competitive districts and to essentially pull it out of the hands of legislature to, to keep away from gerrymandering.

That phrase, that preamble never made its way into the constitution, so the words fair and competitive, that phrase doesn't exist anywhere in the constitution, therefore we're not following Proposition 106. We're actually following the language written into the into the constitution that was adopted.

But if they actually did follow that process, and they did follow it in such a way as they were not, as you suggested, that there was no outside influence, that there was no one that was coming to, to give them any -- you know, pulling them in any particular directions, that's the reason I'm asking the question, was the process itself, because it
seems to me that if you're liking how the process is happening now in this Commission, which has been under a high level of scrutiny and has had a tremendous amount of outside influence, as you're describing it, and you're appearing that to say that it's a better process now, that the outcome is a better process now than it was when it was no contemplation of any outside forces and they waited until the very end until it became involved, yet that group which was following an un -- a very independent process created as you described it to be a gerrymandered map, which you had to follow for ten years, yet this process which has been highly impacted is a better map, in your opinion, or a better process, in your opinion. I'm trying to, I'm trying to reconcile those two ways of thinking.

REPRESENTATIVE CHAD CAMPBELL: Let me clarify a couple things, Mr. Stertz.

So, I didn't say the Commission wasn't influenced by any outside forces. There were plenty of outside forces at work in the first go-around from what I know.

And many of them were much more secretive than some of the things we've seen this time, unfortunately.

And --

COMMISSIONER STERTZ: Can you describe some of those outside forces?

REPRESENTATIVE CHAD CAMPBELL: I'd rather not get
involved. Again, I don't want to look in the past too much.
And I don't have any evidence to substantiate that.

Let's just say there were forces both in terms of
public input, there was open testimony as well as others,
that obviously influenced the course of the first
Commission.

But the difference, I really want to strongly
underscore this, the major difference that you had was you
did not have elect officials trying to actually overthrow
the work of the Commission while it was in the process of
still drawing maps.

You did not have that.

There was no attempt by a sitting governor or by a
sitting majority in the senate to try to overthrow the work.
There was no, there was no partnerships with outside
organizations, that I know of, for elected officials to come
down and try to influence the process from day one. Which
we know has been taking place this time.

That was biggest difference, I think.

And in terms of outcome, I have no idea what the
outcome of this process is. You guys aren't done yet.

I'm not saying the outcome is better. I have no
idea what the outcome will be. All I'm saying is the
process is better for my point, from my point of view
anyway, and has been from day one at least in terms of work.
Unfortunately I think some of the behavior of elected officials has not been the case, but the outcome is unknown to me, because you still have not submitted any final map. So I cannot speak to the outcome.

And, and I will probably tell you, you'll never hear me speak to the outcome, because that's not my place.

Again, I was told by the voters of the state to get my hands out of this process. And I respect that.

And, and people can argue whether or not that's exactly what's in the constitution, or whatever. But we all know that was the intent of the voters.

The voters wanted to remove politicians from the process, and I can guarantee if you go out and poll the public, you'd probably have 85 percent of the public that would agree with that statement.

They do not want politicians drawing their own maps. And we all know the reasons why.

So I don't know what the outcome is. I don't know what the final map will be.

And in all honesty, and this -- I just sound a little cliche to me, but I don't care.

I trust your work. I want you to continue with your work. And I believe you're going to come up with a good map.

And at the end of the day, if I'm not happy, then
you know what I can do? I can find someone to be unhappy with me and we can litigate.

I don't see me doing that, but anybody can do that if they want to, because that is the way this process works.

But to try to undermine you guys' attempt while you're still in the middle this, where there's been no map that's been finalized, when you're still in the 30-day comment period, to try to undermine that and subvert that process, I believe was a breach of trust with the public.

And with every voter that voted to support Proposition 106.

CHAIRPERSON MATHIS: Any additional questions?

Mr. Freeman.

VICE-CHAIR FREEMAN: I am a lawyer. I wasn't here last week, so I guess I'm making up for it. And because I'm a lawyer it often means have a seat and grab a pillow, because I don't know when to shut up.

But you mentioned -- you know, you've praised the process here, but others have said, well, Democrats are unhappy, Republicans are unhappy, both sides are unhappy, they must have the right result.

First of all, I don't think -- I mean, the Republicans I think, based on the memorial, are criticizing the process and the maps.

And there might be Democrats out there who are criticizing the map.
Preliminarily I think that might be falling victim to some logical fallacy that has a Latin name, that one side wants A, one side wants B, the end result must be right in the middle. That's not necessarily true.

But as a politician, if one side was griping about what's going on, wouldn't it be politically stupid to run around and give each other five highs and say, hey, it's great? Wouldn't you just want to say, well, we have problems with it too so you do build that sort of false equivalence between the two?

REPRESENTATIVE CHAD CAMPBELL: Of course you can. I mean, that's, you know, that's politics.

So if you want to be skeptical and assume, again, that there's some massive conspiracy here and that there's some group of shadow people dictating this process behind the scenes, I guess somebody could believe that.

But it's just not the case.

And, again, you know, I'm the minority leader for the house, and my district is not good for me. If there was some great conspiracy going on, I think that would probably not be the case.

The simple fact of the matter is this map, I do believe, creates a lot of problems for my party and elected officials of my party.

We have a lot of issues we have to work out, just
as many probably as the Republicans.

And so are we happy with the map? No.

And you will see in the minority report that we submitted we suggested changes to the map, at the legislative level.

We didn't get involved in the congressional map. We didn't feel that was our purview.

But there are some changes we would like to see, because we don't believe the map is fair yet. We still believe it benefits the Republican party too much in disproportion as compared to the population of the state.

But I will tell you never once have I had a conversation with anybody from my side of the aisle that said to me or did I say to them, let's try to undermine this process if we're not getting what we want.

We've never once had that discussion.

And I'm not sitting here say anybody on the other side of the aisle has done that as well, but, but regardless, it's happened. We've seen the majority party try to inject themselves in this process and insert themselves into dictating how the process went, which I believe was, again, a breach of trust of the voters, and to be honest with you, I think, to not make like of it, borderline gross misconduct.

There was no justification for the actions we saw
from many of our elected officials a few weeks ago.

And it was disheartening for me, because I think it, again, erodes trust with the public, and we all get painted with the same brush. And I know there are a lot of Republicans down at the capital who did not agree with what was taking place.

And unfortunately we've all been painted now by the actions of a few.

And so at the end of day what I want to see, and I keep hammering on this, but I want to make sure you guys hear my message, I want you guys to move forward with the process the best way you see fit. You were all appointed because you're qualified. You were appointed because you care about this state. You care about your communities. You wanted to do this work.

And so I have to have faith in you. I have to have faith in you.

Otherwise what's the point of this process. If I don't have faith in you, then what's the faith of this process.

And so I'm going to trust you guys. And at the end of the day, if I feel my trust has been misplaced, there are actions I can take or recourse after the maps have been submitted.

And maybe I or others would do so.
But I have to trust you guys. It is your job. And so I do not want to interfere in the work of the commissioners. It is not within the power that I have as a sitting legislator.

COMMISSIONER STERTZ: Madam Chair.

CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: I just have two more quick questions.

You used the phrase before that everybody's doing it in regards to having influence or preparation having, having people that are involved in one process or another.

Could you elaborate on what you were referring to?

REPRESENTATIVE CHAD CAMPBELL: There's no, there's no -- I don't have a list of people what I said -- I'm just saying you have groups from all walks of life. You've guys have been traveling the state. There are people coming out to those meetings talking about what they want see in their districts, their communities, what they want to see in a map.

My point is there's a large number of people and groups out there working on this map.

You all know it. We all know it.

Citizens, business groups, whatever may be, civil organizations, whatever it is. There's plenty of people working on this map.
But I just find it ironic that Mr. Biggs pointed that out considering the fact that I think the one caucus at the capital that has solely dedicated staff using taxpayer dollars to work on this is the house Republican caucus.

I think the Republican Party has every right to raise money and try to work on this mapping process, just as the Democratic Party does, just as the Green Party does, anybody does.

But, you know, I just -- using state resources is a little troubling to me. And I'll just leave it at that.

But my point on that comment was I think we should probably look in the mirror before we, before we make any accusations with other groups that are trying to influence the process.

COMMISSIONER STERTZ: And you were talking a lot about -- Madam Chair -- you were talking before about that this is a math issue.

The Voters Rights Act is, is a -- obviously you had said earlier that the Voters Rights Act is incredibly important to you.

Correct?

REPRESENTATIVE CHAD CAMPBELL: Yes.

COMMISSIONER STERTZ: Okay.

When the Voters Rights Act, from a math point of view, somewhere between depending on, depending on which
statistics that you read, somewhere between 75 and 80 percent of Hispanic population is registered Democrat, and to create a district that is a minority-majority district, you end up taking a large chunk of the Democrat population of 974,000 registered Democrats in the state of Arizona, you take a large chunk of those out of the mix, which is, as Commissioner Freeman referred to, actually takes your basically 30 percent Democrat, 36 percent Republicans, and actually widens that gap between the, between the two.

If you were going to try, in an effort to try to create competition, do you think that it, that it has any benefit at all to try to, to take Republicans that may be balanced with -- in an area where they -- logically balanced in a particular district, and extract them from that district, hyperpack them into an adjacent district, in an effort to give a balance of Republicans, Democrats in its adjacent district?

REPRESENTATIVE CHAD CAMPBELL: I don't know I'm qualified to answer that question, to be quite honest with you.

So I'm not sure if I'm going to attempt to. I think that there are plenty of people, and you have many of them on your staff, that are qualified to do that kind of work.
Not me.

Again, what I would say is the Voting Rights Act is very important to the state. I think it's very important to many communities and many individuals across the state. And we need to respect that obviously.

And we should respect it, both for legal reasons as well as, as well as, I think, moral reasons.

But we should also try to balance out everything else we can, all of the factors, to create as much competition as possible while meeting those other constitutional requirements and meeting the federal guidelines that are set forth by the Voting Rights Act.

How that means you have to work with other districts, honestly I don't feel comfortable enough in my technical knowledge to answer that question.

And I'm not trying to avoid the question. I'm just not an expert in this, so I apologize.

COMMISSIONER STERTZ: And, Madam Chair, just going back to your original statement that this is a math issue of basically a third, a third, and a third, but what ends up happening is that the math numbers don't work out anymore after the Voters Rights Act comes into play.

And the only way to get that level of competition that you're referring to, some of the, some of the attempts that have been made through some of the mapping suggestions
have been actually to extract and hyperpack in an effort to
create a level of balance or the, or the appearance of a
competitive district.

And that was -- that's really what I was trying to refer to. So, you don't need to go any further with that. That's the, that's the context that I was referring to.

REPRESENTATIVE CHAD CAMPBELL: Madam Chair, if I may just say one thing to Mr. Stertz's comments.

Yeah, I agree with you.

And actually my point about the math though, let's take it another angle -- from another angle.

My point about the math is when we hear, when we hear the comments of certain elected officials are unhappy with the map and say that, that other considerations haven't been taken into consideration, communities of interest, contiguous districts, compactness, things like that, my point is it's simply impossible given the size of this state and only having 30 districts to work with, it is simply impossible to make every single district and every single person in this state happy.

It's just not going to happen.

And if you want to try to do that, we need to go back to the voters of this state and say, let's double the number of districts, let's triple the number of districts, whatever you need.
But when you have to put 213,000 people into one legislative district, which is what we're required to do, it is impossible to protect every single person out there. You're going to have people that are unhappy for completely apolitical reasons.

And unfortunately though that is just, as I said, the simple math of having 30 districts in a state that is as large as Arizona.

COMMISSIONER STERTZ: And, Madam Chair, I wanted to thank you very much, Representative Campbell, for coming down today.

REPRESENTATIVE CHAD CAMPBELL: No. Thank you.

COMMISSIONER STERTZ: I didn't get a chance to thank you earlier.

COMMISSIONER McNULTY: Madam Chair.

CHAIRPERSON MATHIS: Ms. McNulty.

COMMISSIONER McNULTY: I need to ask you a follow-up question.

Sorry to keep you here so long.

REPRESENTATIVE CHAD CAMPBELL: No worries.

COMMISSIONER McNULTY: But you did just say to Mr. Stertz that you agreed with him, and I want you to be clear about what you agreed with, because I think we're all up here testifying now, and a couple of the statements that Mr. Stertz made about hyperpacking Republicans, I mean,
there may be a hyperpacking fairy here that we haven't met, but nobody is hyperpacking anything.

And I don't think that the numbers are quite as stark if you look only at districts outside of the voting rights district from a one third, one third, one third respective, as some -- it's just been suggested.

So when you say you agree with Mr. Stertz, I'd just like to be clear that I don't think that's the concept you agreeing with.

Would you speak for yourself?

REPRESENTATIVE CHAD CAMPBELL: Ms. McNulty, no, I agreed with Mr. Stertz in terms of the importance of the Voting Rights Act. That's what I was agreeing with.

COMMISSIONER McNULTY: Thank you.

REPRESENTATIVE CHAD CAMPBELL: But I will say one thing.

I've seen plenty of maps that were created.

I think probably you're all familiar with some of the citizen efforts that were put forth to allow people to draw maps and submit them.

I saw many of those maps. I've had many people bring me maps and show me what can be done.

So I have no doubt in my mind that you can protect the Voting Rights Act requirement.

You can protect communities of interest to the
greatest degree possible, as well as meet the other constitutional requirements, including instilling competition in a much larger number of districts from what we see currently in the state, which is virtually nothing right now in the current map we have.

There's no doubt about it.

There's plenty of maps that are floating around out there that's I seen that do it. So it's not just some hypothetical theory that I have. It's a fact.

You can balance VRA, Prop 106 to the constitution with competitiveness and meet all those requirements. No doubt about it in my mind.

COMMISSIONER McNULTY: Thank you.

COMMISSIONER STERTZ: Madam Chair.

CHAIRPERSON MATHIS: Mr. Stertz.

COMMISSIONER STERTZ: This is the last point of clarification.

Do you think that is a -- that -- and when it goes to hyperpacking, I'm referring to a district with a 97.8 percent Republican over Democrat voter registration advantage that was created by wrapping around Maricopa County to be able to pick up high density of concentrations of Republican districts. That's what I'm referring to about picking and choosing about high concentrations in an effort to be able to grab -- offload as many Republicans into some
districts in an effort to dilute the amount so there would be an equal amount of Democrats to be able to create some competitiveness in other districts.

I'm just saying to you that's a matter of the math -- that's the math issue that I'm referring to. That when we go down to the math, after the Voters Rights Act is completed, the math is much, much more difficult to do to make it, to make it actually play out as you've been suggesting, so...

REPRESENTATIVE CHAD CAMPBELL: And I would say I know your work is difficult, but it doesn't mean it's impossible. It can be done, and I think that -- again, I have full faith you'll do it.

VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Commissioner -- Mr. -- I was going call you Mr. McNulty. I'm sorry.

Mr. Herrera.

VICE-CHAIR HERRERA: I definitely want to thank Representative Campbell and Senator Biggs for being here, and I know they're both busy men, so I guess it seems like we're asking them the same questions over and over again. I think you know what I mean. Can we move forward in the agenda?

I know Representative Campbell is a busy man. I know he's got somewhere to go. But he doesn't, he can stay
here all night.

CHAIRPERSON MATHIS: Are they any other questions?

COMMISSIONER McNULTY: No, but I will make a comment.

The district the Mr. Stertz has referred to has about a 40 percent Republican registration, not 97 percent. So, I just want to make that clear.

CHAIRPERSON MATHIS: Any other questions or comments?

Representative Campbell, thank you very much for coming.

And Senator Biggs as well.

I'm not sure how the last Commission did this in terms of accepting the report from the legislature, if they had a presentation, but I personally appreciate you guys coming down and doing this, because it's much more interesting to hear from you directly and in person as opposed to just reading the report. And not to take anything away from the report, or whoever wrote that. And I hope you'll extend our gratitude to your colleagues and ensure that they know that we'll be taking this into consideration, both those reports.

REPRESENTATIVE CHAD CAMPBELL: I will. Thank you very much.

VICE-CHAIR HERRERA: Thank you.
REPRESENTATIVE CHAD CAMPBELL: Thank you.

CHAIRPERSON MATHIS: Thanks.

JOSEPH KANEFIELD: Ma'am, before we move to the next --

CHAIRPERSON MATHIS: Mr. Kanefield.

JOSEPH KANEFIELD: My understanding was there was no legislative report for the last round, just for the record.

And also both Senator Biggs and Representative Campbell at times during their presentation referred to their districts. But not to the specific places of residence.

So for the record, and I know the commissioners all understand this, but residency is not to be -- their residences are not to be considered. So I wanted to reminded the commissioners of that.

CHAIRPERSON MATHIS: Thank you.

Okay. We probably need a break. I think we're going to be ending -- well, it's 4:25 p.m.

VICE-CHAIR HERRERA: Madam Chair, I think the meeting's -- I think we have to be out of room by 5:00 p.m.

CHAIRPERSON MATHIS: Is that so?

VICE-CHAIR HERRERA: And if that's the case, let's push forward with -- I would like to present some of the changes I've presented, if at all possible.
CHAIRPERSON MATHIS: Okay. Let me check with Mr. Bladine.

RAY BLADINE: Madam Chair, I believe it's more of a scheduling issue, that people need to leave, in this case, tomorrow night. Tomorrow we do have a 5:00 o'clock scheduling problem with the room.

But tonight we have a couple commissioners that couldn't stay past the 5:00 o'clock time.

CHAIRPERSON MATHIS: Okay. All right.

We could, we could keep going, I mean, if we have a quorum. I don't know who's got to go.

But, anyway, I think Marty needs a break. So we will take just a quick five-minute break.

It's 4:26 p.m. -- oh, wow, okay, one minute.

(Brief recess taken.)

CHAIRPERSON MATHIS: Okay. We'll enter back into public session. The time is 4:28 p.m.

And we have concluded item two and are going to move into item three, discussion, direction to mapping consultant and possible action regarding adjustments to draft congressional districts and possible action regarding adoption and certification of final congressional districts.

The next item is the same thing, but for the legislative maps.

So I think some commissioners -- I think our
mapping consultant did some work for us since our last
meeting, and we thought we'd talk about some of that and
then see if any commissioners had any additional ideas to
suggest.

So Mr. Strasma.

Are we waiting for Mr. Desmond?

KENNETH STRASMA: We are, Madam Chair.

CHAIRPERSON MATHIS: Okay.

And I think since we're going to be concluding the
or wrapping up around 5:00 p.m., a number of these items
will shift to tomorrow, like the executive director report,
discussion of possible future agenda items.

VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Yes, Mr. Herrera.

VICE-CHAIR HERRERA: There's some -- you have in
front of you some changes that I proposed and worked with
Willie Desmond last night, all day yesterday pretty much.

And I -- the reason I wanted to present them today
is I wanted -- to review them hopefully microphone and then
have some comments by tomorrow.

CHAIRPERSON MATHIS: Okay. As soon as
Mr. Desmond's back, we will talk about those.

(Brief pause.)

CHAIRPERSON MATHIS: While we're waiting, I wonder
if we should jump ahead to the public comment.
I only have two request to speak forms.

There's another one in the audience, so -- is Ted Disbrow here?

Representing the Dobson Association.

TED DISBROW: First of all, I will say I'm not a lawyer and not a politician. Do I need to get a little closer?

CHAIRPERSON MATHIS: Probably. And if you could spell your last name for the record.

TED DISBROW: My last name is D, as in dog -- I-S-B, as in brown, R-O-W.

I'm president of the Dobson Homeowners Association.

What I want to clarify is that our community Dobson Association is unnecessarily divided by the map as it's currently drawn.

And I'm specifically talking about Districts 26 as it's currently drawn and District 18.

If you look at the first map that's in front of you, it is the proposed map, as I would propose a change in District 26 and 18.

The current district is drawn along Baseline Road, which doing that divides some of our homeowners association extend up to the Route 60 area, if you're familiar with the area of that particular location.
I would also offer that the area that is in District 26 now is very isolated.

It is cut off on the left by 101. It is cut off on the north by the hospital, by the community college, and by Fiesta Mall and the commercial area to the east of the Fiesta Mall.

So that area being represented by somebody in 26 will be very difficult because of their inability to readily access and represent the area as well as it might be with, with the consistent with the Dobson homeowners association.

So if you look at, now, to take you to map, map number one, which is actually the second page.

If you look at map number one, the area that is in blue that is above the Baseline Road, that is actually the area that is specifically Dobson Ranch.

Okay.

So I am proposing you move some area into District 18 that is beyond Dobson Ranch. I'm proposing to do that because the isolation that occurs with drawing the district line across Baseline instead of Route 60 in that particular area.

Okay.

I'm going to leave it with just looking at those two, that those two map areas.

I will say that the other two maps that you have
are all in the proposals that if the mapping group wanted to look at those and take them into consideration, they might consider them.

When I look at the change that this would cause in population, it would result in about 9,000 people moving from District 26 into District 18. It would result in about a 4.2 percent deviation from the ideal situation.

Okay.

I want to re-emphasize that I think this is a good change, because, A, we are trying to keep our district, our community from being divided.

We do a lot of things in our community as a community as a whole.

We do hold political forums.

We do try to get our members to participate in the voting process.

And we do bring the candidates into our area and ask for their participation.

It's certainly easier to do that with a unified district as opposed to being split into two separate districts.

And I also would like the mapping group to look at the isolation that exists for that portion of what is now District 26 from the rest of the district caused by Route 60 on the one side, Route 101 on the other side, and all of the
commercial property, so that there's really no easy way to access those residential communities that I'm proposing to move to District 18.

CHAIRPERSON MATHIS: Okay.

TED DISBROW: Questions?

CHAIRPERSON MATHIS: Thank you.

Any questions?

VICE-CHAIR FREEMAN: Madam Chair.

TED DISBROW: Yes, sir.

CHAIRPERSON MATHIS: Mr. Freeman.

VICE-CHAIR FREEMAN: Just so I'm clear, map one -- I believe, sorry, map number three is the proposed change.

TED DISBROW: Map number three is the proposed change, which basically takes north of Baseline.


TED DISBROW: East of 101 and west of Extension and moves it into District 18.

VICE-CHAIR FREEMAN: And the Dobson Ranch community consists of that area alone --

TED DISBROW: That -- Dobson Ranch is that area plus some limited other. That's why I showed you map one.

Map one is the specific portion of that that I'm proposing to move that is indeed is Dobson Ranch.

Okay.

I have shared this map, map three, I have shared
so that the mapping community can look at that shared map and incorporate it into hopefully.

CHAIRPERSON MATHIS: Great. Thank you very much.

TED DISBROW: Thank you for your consideration.

CHAIRPERSON MATHIS: With that, I think we're going to jump back to agenda items three and four, so that we can cover some of this mapping work.

And Mr. Desmond is back.

And I'll leave it to you to tell us where you want to start.

I know you did some work for us over the weekend.

KENNETH STRASMA: Madam Chair, I was going to suggest that we defer discussion of the legislative voting rights districts until tomorrow and Friday when Mr. Adelson will be here. And, so it might make sense to go through Commissioner Herrera's changes that he referenced before.

CHAIRPERSON MATHIS: That makes sense to me.

Yeah, Mr. Adelson will be here for both Thursday and Friday meeting.

VICE-CHAIR HERRERA: Mr. Desmond, can we start with the congressional map first? I think that's a little easier, and we can glide by that pretty quickly.

WILLIE DESMOND: Yes.

Buck, is there a clip for this microphone by chance?
I guess before we get there, I just wanted to mention that the maps we're going to be discussing today and all the maps that have been looked at so far are -- thank you very much -- are posted online.

There's four files that are going online.

There is the block equivalency file. People with mapping software can load these plans and analyze them.

There was the PDF that was requested by the Commission last time. A JPEG.

The PDF is actually the change report.

The JPEG is the picture of the map that people can look at and print.

And then coming online now, Buck's going through and posting our Google maps.

So just to quickly show that, so people understand.

The Google maps that are available online, the districts as they're changed are the colored areas.

There is a faint green outline that illustrates the -- what the old district was.

So that if an area did change, the green line will be different than the border of the colors.

So that's how that people can see what the changes were.

I'd give an example, but I'm not sure which one I
did though.

But with that, I will go to Mr. Herrera's maps.

Would you like to start with the congressional?

VICE-CHAIR HERRERA: Please. And before we start,
I'd like to start thank Mr. Desmond and your great patience
and spent many hours with us, and I know he was hungry but
he chose to forego his dinner to be able to help out, and I
can't thank him enough for all his help.

I'm not an expert, so I depend on the experts we
hired.

Are you ready?

WILLIE DESMOND: All right.

VICE-CHAIR HERRERA: Let's start with the -- well,
first we had -- I already said first. Second, let me say
that, that I had voted for the congressional draft map,
although I wasn't 100 percent pleased. I think we -- none
of us were, but we -- I think Commissioner McNulty said one
time that we created solid maps. And I agree completely.

There were ideas that were Republican ideas, there
were Democratic ideas, and there was even Independent ideas
in these congressional maps. And a lot of public took into
account the same criteria was taken into account when we
created this draft map.

So I really -- I'll be honest, I'm okay with
adopting the map the way it is and not making any changes.
But, because I wanted to give Willie something to do and you were anxious to help me out, I did make some changes to the congressional map.

And I'll start with the Oak Creek area first, surrounding District No. 1.

There were plenty of public testimony that the Village of Oak Creek go along in with district, with District 1, Sedona and Flagstaff. Plenty of public testimony to that.

So what we ended up doing is moving Oak Creek and surrounding areas into District No. 1.

That was roughly about 7,000 people moved from CD 4 to CD 1.

To equalize the population we removed roughly 7,000 people from CD 1 into C 4, basically the northern part of -- you can point -- go to Gila now.

The northern part of Gila, which includes Copper Hill, Wheatfield, Claypool, and Miami, and then parts of Central Heights, Midland are now in District No. 4, so basically swapped two areas, so the Oak Creek village, surrounding areas, into one and then CD 1 given -- gave the northern part of Gila County.

Now, with this we kept Globe whole in District No. 1.

And the testimony, I think we all heard plenty of
public testimony that they wanted to keep parts of -- keep Verde Valley together in District No. 1, which we did.

And I think we -- these changes kept both rural districts, especially CD 4, I think it was made more rural than it was before, and it kept CD 1 as rural as the draft map.

Now, those were the only changes I made to the congressional draft map.

It was minor changes, but I think changes that I could live with.

Any questions?

VICE-CHAIR FREEMAN: Madam Chair.

CHAIRPERSON MATHIS: Mr. Freeman.

VICE-CHAIR FREEMAN: Well, I have a question.

What were the Republicans aspects of that map?

Is it this thing right down here?

VICE-CHAIR HERRERA: That three border?

VICE-CHAIR FREEMAN: That's it.

VICE-CHAIR HERRERA: Let me remind you, as part of public record, and I think you were there, that commissioner -- I mean, Madam Chair used the whole counties map, which is, I think, your equation, and the, and the three borders map, and then the -- I think she used aspects of my river district. So it was three maps that she used to combine that created the draft map.
And again I had approved and voted for the congressional draft map, and I'm willing to, if you don't like those changes, I'm willing to keep it the way it was before.

Because I really do believe that we created constitutionally sound maps.

And I -- and that's our main goal.

We needed to use those six criteria to create those maps, and I think that's what we did.

But, again, I felt that maybe we could do some tweaking, and those are the tweaks I recommend.

But, you know what, if you're not happy with those changes, I would recommend that you make your own changes.

VICE-CHAIR FREEMAN: You asked if there were any questions.

VICE-CHAIR HERRERA: Yeah, no.

VICE-CHAIR FREEMAN: I have a laser pointer right here.

VICE-CHAIR HERRERA: I don't need a laser pointer and I --

VICE-CHAIR FREEMAN: I offered it to you back --

VICE-CHAIR HERRERA: You've been gone for a while, so let me remind you --

VICE-CHAIR FREEMAN: I've been here. I've been watching.
VICE-CHAIR HERRERA: That you did -- that you -- that the -- I think Chairwoman Mathis was very clear when she stated that she used the draft map -- to create the draft map she used your whole counties map, Stertz's three border district map, and also parts of the river map that I created.

VICE-CHAIR FREEMAN: Here's the laser pointer --

VICE-CHAIR HERRERA: The only -- I'm happy to find those drafts for you, if you like.

VICE-CHAIR FREEMAN: I was at all those hearings, Mr. Herrera.

VICE-CHAIR HERRERA: So that's the congressional map.

And, again, there's not that many changes, but I think those are significant changes that I would hope that the Commission would approve.

And, again, let me remind you that we'll need a minimum of three votes to approve. A minimum of three.

And I -- as I suggested to Chairwoman Mathis that eventually before we get to the final version, we're going to have to decide what, what changes are we okay with. And in the congressional and obviously in the legislative side.

And no -- and we'll have to probably vote on each change, I'm assuming. And I think that would work best.
And that's fine. Than we'll get to a revised draft map. But then we'll have to vote on the final map to approve.

And, again, we'll be needing three votes for that as well, just to let me remind all the commissioners that that's the case.

VICE-CHAIR FREEMAN: Madam Chair.

CHAIRPERSON MATHIS: Mr. Freeman.

VICE-CHAIR FREEMAN: Well, I have a conflict at 5:00 o'clock, so I'll be leaving, and it's on the agenda, so you can make your motion after I leave, I suppose.

But it's a little disconcerting that after visiting all -- canvassing the state, getting this public comment, taking all that into consideration, that's the proposed change.

We swap Oak Creek for, you know, part of --

VICE-CHAIR HERRERA: These are my changes. I'm entitle to the. And again --

VICE-CHAIR FREEMAN: I'm not disagreeing with you.

VICE-CHAIR HERRERA: I haven't seen you propose anything.

And I would love for you to propose your own changes.

And nobody's stopping you. You have chosen not to so far.
COMMISSIONER McNULTY: Mr. Freeman, I've been gone for a couple days too, so if I could just jump in here and ask for a point of clarification.

Is this -- these are -- this change that you've made, which I assume is one of the changes that you're asking for, you just made it this time, this is on the draft map; is that right?

This is the congressional draft map reflecting just this change?

VICE-CHAIR HERRERA: Commissioner McNulty, the changes were made to the draft map and done step by step as I outlined.

COMMISSIONER McNULTY: Okay. All right. And no other changes were made to this draft map right now. We're at the point where we're just proposing changes still and you're coming back and you're showing us the changes on the draft map --

VICE-CHAIR HERRERA: And I think --

COMMISSIONER McNULTY: Okay.

VICE-CHAIR HERRERA: But I wasn't saying we are going to vote for them tonight. But eventually we will have to vote on some of these changes moving forward.

These are just my proposed changes. You may like them. You may not. That's fine. I'm entitled to three, four based on -- basing it on public opinion and public
comment and also six criteria to create -- to make some of
my own adjustments, as Commissioner Stertz has done, as
Commissioner McNulty has done.

And that's --

COMMISSIONER McNULTY: I just wanted to confirm we
were still here in the process, that we're suggesting
changes and we're evaluating how they would affect and
making our own proposals about how a proposed change would
affect other parts of the map, and then that's what this
does. You wanted to bring Oak Creek together, so you've
made a compensating change.

Thank you.

CHAIRPERSON MATHIS: That's correct. And I would
like to also say in this process, we'd like to, if I can, if
we all can, agree on the voting rights districts, which we
talked about last week when we first started getting back
together, talking about adjustments, because the sooner we
can lock those in, so to speak, and, you know, lock is a
soft term as well, because we may have to go back and change
things based on analysis, but we really need to get our
final analysis done.

We've done preliminary analysis of all the voting
rights districts and talked about beefing them up in certain
places and enhancing them, as Mr. Adelson would say. But it
would be great if we could as a Commission decide soon on
what the voting rights districts look like on both maps and then move forward with some of the other adjustments that we want to make.

VICE-CHAIR HERRERA: Chairwoman Mathis, just to point out that I -- the changes that I recommended did not interfere, did not mess at all with the majority-minority districts, both in the congressional and legislative. They kept them as they were.

CHAIRPERSON MATHIS: Right. And I didn't mean to infer in any way that they did. I just wanted to make that point that we really do need to get the voting rights districts locked in.

And I'm hoping through the work tomorrow and the next day with Mr. Adelson that we will have some more ideas and be further down that road.

VICE-CHAIR HERRERA: Can we move forward to the legislative map?

CHAIRPERSON MATHIS: Anything else on the congressional that anyone wanted to raise now in terms of either questions for Mr. Herrera or just other adjustments that you wanted to raise?

COMMISSIONER McNULTY: Not tonight.

We'll be discussing this again tomorrow.

CHAIRPERSON MATHIS: Right. We're meeting tomorrow at 11:00.
Okay.

Feel free to go to the next.

VICE-CHAIR HERRERA: So you can -- Mr. Desmond, if you can bring up the legislative map.

WILLIE DESMOND: You want to go to changes in northern Arizona --

VICE-CHAIR HERRERA: Let's talk, let's talk northern Arizona first.

What I did to make it simple as, and this is Mr. Desmond's recommendation, what was a good one, is to make, you know, any -- especially if they start getting to the point that we're making lots of changes to create different maps in different areas, so we created a legislative map that is the improvements or changes to northern Arizona only.

Let's see, are we there?

WILLIE DESMOND: Ready.

VICE-CHAIR HERRERA: What we did, we wanted to incorporate or move places where people live -- and this is the Schultz flood area.

I want to make sure that I don't, that I don't -- I think there's been words going around and used interchangeably, Schultz fire and Schultz flood.

And I don't think they're the same. I think they're -- I think the one that I'm referring to here is the
Schultz flood area.

So that's based on public testimony. Those that were in Flagstaff probably heard overwhelmingly that the Schultz fire -- Schultz flood area should be included with Flagstaff in Legislative District 6 and moved away from LD 7 into, into 6, because it was a community of interest, and in the interest of the Schultz flood area included Timberline and Fernwood, would be better protected or represented by -- in LD 6.

So that was one of the changes that we made. That was the first change.

And then the second change that I recommended was to add more of Verde Valley district to District No. 6.

So we kept Verde Valley whole. At least I think we kept Verde Valley whole in District No. 6.

Again, due to public testimony, I think that was overwhelming that Verde Valley fits better with the city of Flag in District No. 6.

And that would be, again, Camp Verde and some of the unincorporated areas of Camp Verde.

So that's the second change.

The third change that was made, so we moved all of Payson into District 14.

And I think the city of Payson and the residents that were at the public hearing were pretty clear that
they -- they were more of a community of interest with Prescott than they were with Flagstaff.

So that -- that's explains the move, the entire town of Payson into District 14.

Let's see.

Because of -- with the changes to District 6, although more Republican, has become slightly more competitive because of the changes, although it is still slightly more Republican.

The competition is one of the six criteria, an important one that we need to keep in mind, and I was doing that while I was making the changes.

The fourth change, we removed the non-tribal areas of Mohave from District No. 7, and we placed it into District No. 5.

This is, again, to improve the Voting Rights Act or to improve the voting rights strength of District No. 7, which was something that the Navajo Nation and the Native American tribes of District 7 were discussing and were -- had presented to the Commission.

Now, all these changes that I proposed have affected District No. 7, 14, 6, and 5.

Okay.

And right now we're studying the change report of Show Low and Winslow. And I think that Commissioner McNulty
had proposed those changes. It was probably on Monday.

   And I -- based on the changes she recommended, I
would agree with those proposed changes.

   So that was the, that was the changes to the
legislative map in the northern Arizona area.

   CHAIRPERSON MATHIS: Can you repeat the last one
for me? The non-tribal portions.

   VICE-CHAIR HERRERA: Sure. There -- I think the
non-tribal portions include Colorado City and then areas
around there that are not -- non-tribal. And
non-Native American.

   So they would boost the majority minority or the
voting rights strength of District No. 7, so that's why we
removed it and placed it in, I think it was, District 14.

   WILLIE DESMOND: District 5.

   VICE-CHAIR HERRERA: Five, I'm sorry, five.

   Which would probably have more in common in
District No. 5 than it does in 7.

   WILLIE DESMOND: It's the line that more closely
reflects the congressional district, so all of Mohave County
is in that district, except for the Pai tribal area.

   VICE-CHAIR FREEMAN: Wasn't that the same -- one
of the same changes that Commissioner McNulty proposed?

   VICE-CHAIR HERRERA: One of the changes that she
had proposed were -- she had proposed, I think, moving
Verde Valley into District No. 6, I think.

VICE-CHAIR FREEMAN: No, I was referring, sorry, the parts of Mohave County north of --

VICE-CHAIR HERRERA: I don't recall. But if she did, then I do agree with them.

COMMISSIONER McNULTY: I don't think I did propose that on Monday, but I think it's a good idea.

I proposed the Winslow, Show Low --

VICE-CHAIR HERRERA: That's --

COMMISSIONER McNULTY: -- switch.

VICE-CHAIR HERRERA: I think out of all the changes I proposed, there was only one change that overlapped, I guess, even though I really didn't cover it, was that Show Low change, based on what you had presented and what Willie has given to us I was able to propose changes.

COMMISSIONER McNULTY: So, is the Winslow, Show Low switch done here?

WILLIE DESMOND: Yes.

COMMISSIONER McNULTY: And what's the population now of LD 7?

WILLIE DESMOND: LD 7 is now underpopulated by almost 13,000 people, 6.2 percent.

COMMISSIONER McNULTY: Okay. That's a minority -- a majority-minority district so --
WILLIE DESMOND: Kind of following the advice of Mr. Adelson.

COMMISSIONER McNULTY: So that's okay there.

WILLIE DESMOND: Yeah, has a total minority population of 75.4 percent, so an increase of about seven tenths of a percent.

Voting age had a similar increase of about four percent -- or four tenths were a percent, so overall we made this district --

COMMISSIONER McNULTY: So it's a stronger district.

WILLIE DESMOND: It's a stronger minority-majority district.

COMMISSIONER McNULTY: Good.

VICE-CHAIR HERRERA: So in the interest of time, let's go ahead and move over to the Maricopa County changes. Now, the -- there's some changes that Commissioner McNulty had made to 11 -- 8 and 11. Creating them -- I guess, making the changes to them to become a little more competitive.

And I didn't touch those areas, because I agreed with your proposed changes.

So let's go to Maricopa County.

There was goals went out when I was trying to make some changes to those areas.
One, first of all, what I wanted to do was to start by removing splits from Glendale.

I think Glendale was in six districts. And with the changes that were made, we are removed two splits.

I think that was -- that's important. It's one of the criteria.

And the second goal was to make 28 a more competitive district, again one of the six criteria.

And let me explain how we got there to fulfill those two goals.

The first thing we did is we removed Glendale from Districts 20 and 21.

And then we put those areas of Glendale into District 22, again eliminating two splits, or it being split into two different counties. So 20, 21, Glendale was removed.

The second change was to balance population in District 21, we extended Peoria, or the portion of Peoria more -- let me see if I -- so more of Peoria is in District 21.

So we added more in District 21.

So we equaled the population now by that -- with that change.

The third change was we made -- we had District 20 had to take population from 22, in Phoenix, around the areas
of 59th Avenue and Happy Valley Road.

So that was the third change.

The fourth change was District 22 was still overpopulated, so it gave all of New River, keeping New River whole, to District 15.

Removing a split of New River, which there was a split before, so removed that split, and now kept whole in District 15.

And the fifth change was District 15 shed some of its population to District 20, making District 20 and 28 -- I think those are the two districts -- the only two districts that the legislative district is entirely in Phoenix.

So, again, tried to keep it as whole as possible and not reaching into any other parts of Phoenix.

We're looking only to Districts 20 and 28 that are entirely in Phoenix.

I don't think that was the case in the draft map.

Correct?

WILLIE DESMOND: In the draft map there were no districts entirely in Phoenix.

District 17 was close, but portions of Guadalupe and Tempe.

VICE-CHAIR HERRERA: The sixth change was to -- on District 15, took all of Paradise Valley in District 15 and
to trade population with District 28, in order to make 28 a
little more competitive.

So District 28 absorbs some of District 24's
population, following last week's recommendation to improve
the voting rights performance of District 24.

So Paradise Valley still was still kept whole.

So now, as I mentioned before, there's two
districts that are District 20 and 28.

The second change is still trying to figure out
ways to clean up the west valley.

It was, it was something that I wanted to do, but
it got a little late, so I felt that that was something that
we could do later on with Mr. Desmond, but I -- but I'm
not -- again, not having the time, for example, one of the
things we were trying to clean up, and he did a pretty good
job with that removing some of the splits in Glendale, so
now it's in two fewer districts.

And those are all my changes to the congressional
map for now.

VICE-CHAIR FREEMAN: Legislative.

VICE-CHAIR HERRERA: Excuse me, the legislative
map.

CHAIRPERSON MATHIS: So has Mr. Desmond already
started to do some of those?

You've done them?
WILLIE DESMOND: Yeah.

CHAIRPERSON MATHIS: They're all done.

WILLIE DESMOND: And the change report is there to reflect the changes.

CHAIRPERSON MATHIS: And we have the change report?

WILLIE DESMOND: Yes. You have all three of the change reports.

VICE-CHAIR HERRERA: Mr. Desmond, can you, can you do me a favor, can you talk about the -- you know, obviously we're using the six -- the four -- the four state mandated criteria to make these changes, which is never easy, but we were able to create more competitive districts; is that correct?

WILLIE DESMOND: Yes, I believe so.

VICE-CHAIR HERRERA: Can you go into some detail and explain some of the information on the change report regarding the competitiveness of the districts?

WILLIE DESMOND: Well, I guess, specifically District 28 became more competitive following these changes. Some of the other districts that were already strongly one way or the other were strengthened. District 24 was improved slightly. I think District 22 was -- started out as a very Republican district, probably increased.
Some of the districts that were already very one party or the other, became more strong to that party.

I can go through the change reports specifically for each district, if you like.

VICE-CHAIR HERRERA: Please, if you don't mind.

And specifically obviously in the areas of Maricopa County.

WILLIE DESMOND: Okay.

And just so everyone knows, this is -- the changes we're talking about here are the change reports with options by Commissioner Herrera, new map is legislative draft change, Herrera changes Maricopa County.

The districts affected were 14, 15, 20, 21, 22, 24, and 28.

That's available on the website. You have it printed out for you.

Just quickly, before we go, I want to point out, District 24, one of our majority-minority districts, was a little bit of addition by subtraction.

District 28 absorbed some areas there that helped improve both the Hispanic number and its ability to elect.

So both look at those, but that is one of the districts that Mr. Adelson and legal team have identified as possibly could use some help, along with 26 and 4.

So that was touched a little bit.

But going on to competitiveness.
District 14 had really no effect on competitiveness, if you look at the change column there.

District 15 became maybe between a point and a half to two points more Republican.

So it started out at using index two at 61.5 percent Republican. It went up to 63.2 percent.

District 20 became about a point more Republican.

Started out about 58 percent, went up to about 59 percent using index two.

District 21 gained about a point to a point and a half more Republican. Again, started out about 58 percent and went up to 59 or 60 percent.

District 22 became about two points more Democratic. So that one started out at about 64 percent Republican and dropped to about 62 percent.

District 24 became slightly less Republican, a little more Democratic. Again, that is probably the result of some of the areas that were removed from that. The mine inspector race increased for that one, and also the Hispanic registration CVAP numbers went up a little bit too, which is the right direction there.

And then District 28 had the biggest change in competitiveness, using index two, 56 percent Republican, 44 percent Democrat, went to 52.6 percent Republican, 47.4 percent Democrat. So a total change of about
6.8 percentage points, or 3.4 percent each way.

The Commission did not define any criteria that isn't competitive, but this one came to closer to a 50/50 split.

VICE-CHAIR HERRERA: Madam Chair.

CHAIRPERSON MATHIS: Mr. Herrera.

VICE-CHAIR HERRERA: And those are my changes. And I did have difficulty with the changes in the Schultz flood area. And if you'd like, there's a representative from Coconino County that can talk in greater detail than I can about those changes.

But I was a little confused at first, and I hopefully was able to give Mr. Desmond the changes that were requested by Coconino County and that the Navajo Nation agreed to.

So if you'd like, we can have somebody from the -- the representative from the Coconino County talk briefly about those changes.

CHAIRPERSON MATHIS: Well, I think Mr. Freeman has to go, so I want to see -- check in with him if there's anything you need or would like to explore for tonight.

VICE-CHAIR FREEMAN: Not for tonight.

I want to thank Commissioner Herrera for his work, and I apologize to my following commissioner and the public, but I've got something that requires me to be elsewhere.
tonight, so I do have to excuse myself.

    CHAIRPERSON MATHIS: That's fine. Thank you for coming.

    And, Ms. McNulty, do you have any questions on what Mr. Herrera presented?

    COMMISSIONER McNULTY: Not right now, no.

    CHAIRPERSON MATHIS: Okay.

    Yeah, I haven't had a chance to review these change reports, so we'll -- I think we'll all need to go over these more carefully and see, but thank you for your suggestions to the mapping consultant and for getting those in.

    Anything from the mapping consultant on these?

    WILLIE DESMOND: Not on these specifically, but I think what we would like to do is perhaps tomorrow or Friday suggest some changes we think need to happen to improve voting rights, looking to Mr. Adelson and staff. We'll have to just kind of keep moving forward a little bit, maybe some slight changes we think -- might recommend you adopt. And then with those adopted changes, that would be the new kind of working plan then.

    We don't think they're very big, but we haven't all conferred over them yet.

    Possibly present them tomorrow.

    And they're along the lines of improving
Districts 24, 26, and 4.

CHAIRPERSON MATHIS: Okay. We'll be talking about those tomorrow at 11:00.

I have a few more public comment sheets to go through.

Just four.

Is there any else though before we move on?

WILLIE DESMOND: There's just one other things. You also have change reports for some changes that the Hispanic Coalition for Good Government sent in the files, so what we presented you earlier, there was some additional changes and population was balanced.

We'll discuss that tomorrow when Mr. Adelson is here and study the change reports and bring them tomorrow.

CHAIRPERSON MATHIS: Yes, I see change report for Hispanic Coalition for Good Government. And we'll be talking about those tomorrow when we have Mr. Adelson here.

Okay. Any other comments?

So, I don't think there's anything tonight to tell them, our mapping consultants to do.

Is that right?

VICE-CHAIR HERRERA: No.

CHAIRPERSON MATHIS: Okay.

WILLIE DESMOND: That works.

CHAIRPERSON MATHIS: Okay. Thank you for getting
this work done for us, and we'll all be reviewing these
change reports.

        Just checking the agenda. We'll do the executive
director's report tomorrow when all the commissioners are
here in person.

        And same for agenda item six, review and
discussion of possible future agenda items.

        I don't think there's anything on number seven in
terms of legal advice.

        And then that leaves us with public comment.

        And I've got four sheets, so if we could have
folks come up.

        Our next speaker is -- and if I could remind you
to be sure to spell your last name into the microphone for
our court reporter.

        State Representative Lynne Pancrazi, from
District 24, representing constituents from Yuma.

        REPRESENTATIVE LYNNE PANCRAZI:  Good evening. I
was hoping that I would some of those legislative -- oh, I'm
sorry, Lynne Pancrazi.

        I was hoping some of those legislative changes
would be for 13 and 4, so I was sitting up front. . .

        My issues were rural versus metropolitan.

        And I tell this story all the time.

        First law I was at in water at the legislature, a
representative from metropolitan Phoenix raised his hand and said, Yuma has water, we can just take water from Yuma.

Well, that's my concern, is that rural representation is completely different than that of metropolitan Phoenix.

The needs and concerns of rural Arizona are entirely different than those of metropolitan Phoenix.

The way that District 13 and 4, the way that District 4 is set up is not bad, but Yuma could and would like to stay whole. George Reiner from the Yuma -- from the -- at the Yuma forum proposed a map that would keep Yuma whole and would meet all the requirements, but also include La Paz County.

So if you look back at those maps from Yuma County's forum, and look at George's map, it does keep Yuma whole and it also includes La Paz County, which La Paz has been represented by Mohave County before in the past and a portion of it is continuing right now.

And they don't feel like they're getting representation they have gotten from the Yuma folks. So they would like to stay with Yuma County, if at all possible.

Now, I know that there's a chance that District 24 or Yuma and La Paz County cannot stay whole because of majority-minority and because of the Voting Rights Act.
If we put District 13 and District 4 in and kept them rural, meaning that District 13 would include La Paz County, Buckeye, Gila Bend, and Yuma, that way the people who would represent them, whether they come from Buckeye or La Paz or anywhere, would have rural and no rural issues, and would better represent the rural area, the agricultural area down in Yuma.

If you do that, you could take part of Santa Cruz and put it in District 4, and then District 4 would be all border community, all the border community, all the way down.

So, and you could make one more district all Maricopa County all by putting Goodyear, Avondale, Glendale, Litchfield, and Surprise all together into one district, and I think you'd come up with a very competitive district, and you would also pull the Yuma and La Paz area out of metropolitan Phoenix, which is, which is my goal for being here.

And it's what I've done -- I've been to eight of these.

I have to tell you my minority leader was speaking about me on several occasions when he was talking, but I wanted to be here. I want to make sure that people understand that rural Arizona is different than metropolitan Phoenix. And that rural Arizona needs to be represented by
rural legislators.

And the way that District 13 is set up, it will not be represented by rural legislators because the majority comes from metropolitan Phoenix.

And the needs of rural Arizona may or may not be met, but rural representation is important.

We only have 15 rural representatives now, but this map we go down to ten.

So let me tell you the rural caucus really works hard to make sure that the rest of Arizona is represented, and that's what we'd like to see, Yuma and La Paz and be able to be part of the rest of Arizona and not be connected to metropolitan Phoenix.

So, with that I thank you very much.

And I hope that the next changes to the map will be in District 4 and District 13, and that you will keep Yuma and La Paz part of rural Arizona. Thank you.

VICE-CHAIR HERRERA: Thank you.

CHAIRPERSON MATHIS: Thank you.

Our next speaker is Chase Williams, representing self, from Ahwatukee.

CHASE WILLIAMS: Chase Williams, W-I-L-L-I-A-M-S.

I just wanted to say that it was really great to hear from the legislature's reports today, but I just want to remind the commissioners that while they do have that
constitutional right to present that presentation, that their input should not be valued any more than any of the other public comment, just because they are these representatives, but they also operate in a partisan way, much more so than the rest of the public comment.

I do have a few issues. Although Representative Campbell covered the memorial report pretty well, there's a few other things I just wanted to point out.

First of all, when he talked about community of interest, he highlighted Congressional District 9 saying there wasn't a community.

Or the memorial report does.

I don't know if they bend to Congressional District 9, but our school districts all exist in that district, we have the same city district, so I just wanted to highlight that. As well as with competitiveness, the memorial report relies on this idea that there is a significant detriment to the other requirements.

But they never proved that. The Supreme Court, you know, ruled when you look at the governor's actions, there was no evidence to any of the claims they were making.

And finally with the incumbents, Mr. Stertz talked about this institutional memory, kept asking about -- this question over and over about the staff that exists.

I'd like to remind him that a lot of times in
congress as well as the legislature, just because someone isn't reelected doesn't mean their staff all of a sudden disappeared. You have congressional staffers, you have legislative staffers, who work regardless of who is the representative.

And so this institutional memory, this knowledge, doesn't just disappear because someone retires or loses an election.

My most important focus has to be these competitive districts that we need, especially in congressional districts. And I appreciate the changes that are increasing that.

The very reports that you saw today should be a reminder as to why we don't want the legislature in this process. Because the reports are so different, they come from two different identities, that we have to remember that there are two sides to every story, and the fact that neither side is happy is probably finding some common ground.

I specifically request that you protect Congressional District 9, because we do have that community of interest as well as sharing the school districts and the competitiveness.

Remember that Ahwatukee and Tempe have been a part of Congressional District 5, the current district, which has
switched hands back and forth between parties, so we're used
to that competitive nature.

And if you look to the report the Pew Center for
the states did in 2008, as well as other reports that have
been done based on the 2008 congressional and the 2010
congressional elections, more competitive districts actually
increase voter turnout which increases the democratic
process and ensures that more people are having their voice
heard.

Independent does not mean partisan, and so I
appreciate all the work you're doing. And while 100 percent
competitiveness is not possible because of the voting rights
districts, we need to get as close as possible to make sure
that we do increase involvement in the democratic process,
as the Pew Center outlines.

Thank you.

CHAIRPERSON MATHIS: Thank you.

Our next speaker is Michael Mandell, attorney for
Coconino County.

MICHAEL MANDELL: Madam Chair -- Madam Chair,
members, thank you for the opportunity to speak.

I do want to clarify on behalf of Coconino
County -- M-A-N-D-E-L-L.

I want to clarify on behalf of Coconino County
exactly where the Schultz flood area is. And I have a
couple of maps if I can give them to staff.

VICE-CHAIR HERRERA: Madam Chair, before Mr. Mandell continues, I'd like to see if Mr. Desmond can bring up the map that was -- I think there was a map that was sent to you that was, that was specific the areas of the Schultz fire, excuse me, Schultz flood area, because I was having some difficulty with that as well.

So if it would make sense for me if we could follow along looking at the map on the screen, if at all -- if that would be okay with the rest of the commissioners.

MICHAEL MANDELL: Madam Chair, if I could add as well, yesterday Mr. Gorman from the Navajo Nation spoke about -- presented, on Monday, presented a map that did actually include the exact area of the Schultz flood area. So I don't know if Mr. Desmond has that map. But if he has that map, he can bring that map up, and you can see exactly the area that we're talking about.

Because they did actually incorporate our specific request into their map.

WILLIE DESMOND: I don't have that one loaded right now. Mr. Gorman can send that to me this afternoon. I haven't had a chance to put it in yet. I'll have it ready for tomorrow. I don't have shapefiles that have this exact flood area. All I have is a more broad area.
I can try to get this set up tonight so that we have it everything to talk about in the future.

   MICHAEL MANDELL: Madam Chair, the difference really is just under 3,000 people. That's what we're looking at as far as bringing in that little piece of the Fernwood metropolitan planning area.

   And so hopefully those will provide additional clarifications.

   The larger map is -- basically that is a larger map so you can see where the proposed districts currently exist. And then the smaller map is the zoomed in version of exactly the area that Coconino County would like to be -- would like to have added.

   CHAIRPERSON MATHIS: Thank you. Other questions, or any questions I should say?

   VICE-CHAIR HERRERA: Madam Chair.

   CHAIRPERSON MATHIS: Mr. Herrera.

   VICE-CHAIR HERRERA: Mr. Mandell, the changes that you're proposing now, these are changes that the Navajo Nation is also recommends or is okay with?

   MICHAEL MANDELL: Madam Chair,

   Commissioner Herrera, I wouldn't go so far as to say the Navajo Nation recommends them. They did incorporate our requested changes into the map that they remitted on Monday. So with that obviously we support the change that they made
as far as their map.

VICE-CHAIR HERRERA: Thank you.

CHAIRPERSON MATHIS: Ms. McNulty.

COMMISSIONER McNULTY: Tells us very generally the difference between the flood and fire areas, not geographically, but just the concept, the flood that's up in the map and then the fire -- I mean, the fire up and the flood below it.

MICHAEL MANDELL: Madam Chair, Commissioner McNulty, yes, the fire area is obviously much larger than the flood area.

The flood area is smaller and down toward the base of the mountain.

The fire area includes some of the peaks, some of the areas of the peaks. And we certainly don't want to advocate the exclusion of some of the areas that the tribal nations have said are sacred to them for inclusion outside of the Navajo Nation.

CHAIRPERSON MATHIS: Other questions?

(No oral response.)

KENNETH STRASMA: Would it be possible to get this map electronically?

MICHAEL MANDELL: Certainly.

KENNETH STRASMA: Thank you.

CHAIRPERSON MATHIS: Thank you.
Our next speaker is Richard Weinroth, representing no one he says, from Phoenix.

RICHARD WEINROTH: I guess I'm representing myself.

Weinroth, W-E-I-N-R-O-T-H.

I'm a Phoenix resident. I've been a resident of Phoenix since '83, which is, you know, more half my life at this point.

First of all, I'd like to thank the commissioners for their work.

I would certainly never take on this job unpaid. I'm just amazed that you do this.

The only thing I wanted to say, and I've tried to follow this stuff online and read all the materials, is I do think this competitiveness thing is very important.

You know, since I've been in the state, we seem to have gone more and more extreme. And, you know, everybody can debate the reason.

I hope we ultimately end up with these open primary concepts. But I think you should keep in mind that, you know, that for some reason, which I don't fully understand, the legislature does not seem to reflect the overall makeup of this state.

I don't think this is an extremest state. I think it's -- you know, I consider myself sort of a moderate,
almost conservative Democrat.

I don't think there's too many people like me left.

And, you know, our state is slightly Republican, but I don't think it's, like, Utah or, you know, some other states which are overwhelmingly Republican.

And yet the legislature, to a lesser extent in congress, seems to have gotten moreover away from what the average thing is.

I don't know how you fix that, but I think the competitiveness thing is extremely important so we get an overall legislature that kind of more reflects what goes on.

That's my only comment.

And thank you for your service.

CHAIRPERSON MATHIS: Thank you.

Our next speaker is Leonard Gorman, executive director for Navajo Nation Human Rights Commission.

LEONARD GORMAN: Good afternoon, commissioners.


Just briefly, the Navajo Nation submitted the shapefiles to your consultant with regards to a presentation we be made Monday.

So he's well aware of where the lines are with the Schultz flood area, as iteration that was presented to you
just now with the map in the Timberline, Fernwood area. So we did follow that boundary.

And then the Commission is certainly making the effort to further enhance the draft map that was up for a 30-day comment. And we appreciate the iterations presented by Herrera.

Nonetheless we would like to have an opportunity to further examine those specific changes that are being made as Navajo people and Navajo Nation has vast interest in a variety of areas, and certainly Navajo Nation has compromised and been able to work with you as an institute of the state of Arizona to improve the map.

We've sacrificed plenty of Navajos that live in the border towns, like, for example, in the city of Flagstaff, 7,000 Native Americans in that area. They mean a lot to the Navajo Nation.

Similarly with the city of Winslow. There's over 2,000 Native Americans that live there.

Not oftentimes not of their choosing.

So there's a grave concern of the Navajo Nation. So but, nonetheless, certainly a 63.2 or 3 percent is very welcoming.

And we realize that the negative 5 percent is almost bottoming out with our 4.9 percent deviation that Navajo Nation presented Monday, plus the Herrera
presentation this afternoon. So we'll be coming back
tomorrow and Friday to further comment on this. Thank you.

VICE-CHAIR HERRERA: Thank you.

CHAIRPERSON MATHIS: Thank you.

Anybody I missed that still would like to address
the Commission?

(No oral response.)

CHAIRPERSON MATHIS: Okay. Thank you, public, for
coming and providing your input today. And we'll be back
tomorrow at 11:00 a.m.

So for tonight this meeting -- the time is
5:24 p.m.

This meeting is adjourned.

Thank you.

(Whereupon, the meeting adjourned.)
BE IT KNOWN that the foregoing proceeding was taken before me, Marty Herder, a Certified Court Reporter, CCR No. 50162, State of Arizona; that the foregoing 146 pages constitute a true and accurate transcript of all proceedings had upon the taking of said meeting, all done to the best of my skill and ability.

DATED at Chandler, Arizona, this 12th day of December, 2011.

__________________________________________

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