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STATE OF ARIZONA

ARIZONA INDEPENDENT REDISTRICTING COMMISSION

REPORTER'S TRANSCRIPT OF PROCEEDINGS

PUBLIC SESSION

Phoenix, Arizona
November 3, 2001
10:00 a.m.

ARIZONA INDEPENDENT
REDISTRICTING
COMMISSION

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

1 The State of Arizona Independent Redistricting
2 Commission convened in public session on November 3,
3 2001, at 10:00 o'clock a.m., at the Embassy Suites
4 Hotel, 1515 North 44th Street, Arizona, Turquoise Room,
5 in the presence of:

6

7 APPEARANCES:

8

CHAIRMAN STEVEN W. LYNN

9

VICE CHAIRMAN ANDI MINKOFF

10

COMMISSIONER JAMES R. HUNTWORK

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COMMISSIONER JOSHUA M. HALL

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COMMISSIONER DANIEL R. ELDER

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2 ADDITIONAL APPEARANCES:

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4 LISA T. HAUSER, Commission Counsel

5 JOSE de JESUS RIVERA, Commission Counsel

6 DR. ALAN HESLOP, NDC, Consultant

7 DR. FLORENCE ADAMS, NDC, Consultant

8 DOUG JOHNSON, NDC, Consultant

9 MARGUERITE MARY LEONI, NDC Counsel

10 MARION PORCH, NDC, Support Staff

11 LOU JONES, Staff

12 CINDY LE, Staff

13 KRISTINA GOMEZ, Staff

14 AMY REZZONICO, Press Information Officer

15 TIM JOHNSON, MC, Computer Consultant

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

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2 SPEAKERS FROM CALL TO THE PUBLIC:

3 JOHN MILLS

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5 AGENDA DESIGNATED SPEAKERS:

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7 DR. ALAN HESLOP

8 DOUG JOHNSON

9 ADOLFO ECHEVESTE

10 LISA HAUSER

11 ADOLFO ECHEVESTE

12 ANDI MINKOFF

13 DANIEL ELDER

14 JOSHUA HALL

15 JAMES HUNTWORK

16 STEVEN LYNN

17 LISA HAUSER

18 JOSE RIVERA

19 ALAN HESLOP

20 LISA NANCE

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Public Session
Phoenix, Arizona
November 3, 2001
10:00 o'clock a.m.

P R O C E E D I N G S

CHAIRMAN LYNN: The Commission will come
to order.

For the record, all five Commissioners are
present along with legal staff, consultants, and IRC
staff.

Public comment --

And the Executive Director of IRC.
Looking good, too.

Public comment. This is the time for
consideration and discussion of comments and complaints
from the public. Those wishing to address the
Commission shall request permission in advance by
filling out a speaker slip. Action taken as a result of
public comment will be limited to directing staff to
study the matter or rescheduling the matter for further
consideration and decision at a later date unless it is
the subject of an item already on the agenda.

Are there members of the public that wish
to be heard?

1 MS. HAUSER: Not even Mr. Hartdegen.

2 CHAIRMAN LYNN: If not, we'll close the
3 morning's public comment period. And again, there will
4 be another opportunity later in the agenda today.

5 COMMISSIONER ELDER: Mr. Chairman.

6 CHAIRMAN LYNN: Mr. Elder.

7 COMMISSIONER ELDER: I'd like to make a
8 motion to move into Executive Session for the purpose of
9 receiving legal counsel.

10 CHAIRMAN LYNN: Second?

11 COMMISSIONER MINKOFF: Second.

12 CHAIRMAN LYNN: There's a motion pursuant
13 to A.R.S. 38-431.03(A)(3) and A.R.S. 38-431.03(A)(4) we
14 move into Executive Session.

15 All those in favor, signify by saying
16 "aye."

17 (Vote taken.)

18 CHAIRMAN LYNN: Ladies and gentlemen, it's
19 hard to judge it. I'd say this Executive Session is
20 less than an hour.

21 I encourage you to enjoy this lovely fall
22 day until we open the doors.

23 MR. MILLS: I'm leaving the power cord,
24 taking everything else.

25 (Whereupon, the Commission recessed Public

1 Session and entered Executive Session at approximately
2 10:21 a.m. until 11:28 a.m. at which time Public Session
3 resumed and a recess was had.)

4 CHAIRMAN LYNN: The Commission will come
5 to order.

6 For the record, all five Commissioners are
7 present, legal counsel, the consultants.

8 Discussion regarding possible decision
9 concerning public input was received following the
10 October 14th adoption of final Congressional and
11 Legislative drafts subject to further action of the
12 Commission.

13 Dr. Heslop.

14 DR. HESLOP: Mr. Chairman, Members of the
15 Commission, I put a very brief report into your places.
16 As you know, because you've been reading e-mails and
17 letters, as we have, there's been a remarkable lack of
18 citizen input since October 14th. In our experience,
19 this signifies one of two things. First, people are
20 generally satisfied; secondly, they're generally worn
21 out. I prefer the first explanation.

22 I've put together a very brief summary.
23 The summary relies very heavily on newspaper coverage.

24 Sierra Vista: Various officials expressed
25 a negative reaction. Mayor Hessler said the City may

1 seek legal action to force the reintegration of Sierra
2 Vista with the rest of Cochise County.

3 Supervisor Patrick Call said he was
4 disappointed, and he put it in the context of rural
5 Arizona's representation to the State Legislature being
6 sacrificed to satisfy the interests of Maricopa and Pima
7 Counties.

8 An email from Sue Kotchner of St. David
9 said, "You have placed us in a powerless position with
10 practically no common interests with the western half of
11 the district. I will support and encourage court action
12 to oppose the map."

13 On issue of competitiveness, I think
14 everyone notes there was quite extensive newspaper
15 coverage.

16 Mr. Hegarty complained that the lack of
17 competitive districts represents a step backward, and he
18 charged "that this map is more protective of the
19 Republican party than were maps designed in the basement
20 of the State Capitol ten years ago."

21 Democratic Party Chairman Mr. Pederson
22 expressed "It's really disappointing. The promise of
23 Proposition 106 to return competitiveness to our
24 political process did not happen."

25 On minority voting rights issues,

1 Mr. Aaron Kaiser, attorney for the Minority Coalition
2 for Fair Redistricting, said he felt "Our priority was
3 to protect minority voting rights, and we think they did
4 an adequate job of that." Elsewhere he said he thought
5 it was excellent from a voting rights perspective.

6 Senator Pete Rios, however, said that "In
7 the real world, having nine minority districts doesn't
8 mean a hill of beans."

9 In a letter of October 24, 2001, the
10 Minority Coalition for Fair Redistricting expressed
11 concerns regarding the voting rights of minority voters
12 in San Manuel and Oracle saying that they are diluted by
13 placement in the adopted Legislative District Z. They
14 stated that they "may have no choice but to oppose the
15 final Legislative Plan."

16 I know the Commissioners have received the
17 materials that accompanied that letter. I know two
18 Commissioners received a letter from the Arizona Civil
19 Rights Advisory Board commending the Commission for its
20 "special attention to the redistricting needs expressed
21 to you by the Native American and Hispanic communities
22 of interest."

23 Mr. Jim Hartdegen stated, "All in all,
24 once the smoke clears, rural Arizona will probably be
25 okay, which is good because that gives us protection for

1 the next 10 years. It could have been a lot worse."

2 President Blaine Donaldson, former Sun
3 City Homeowner's Association President, was pleased with
4 what he had heard about the division of the Sun Cities.
5 "This is the compromise we had requested. I think we
6 should be very happy because we will have more
7 representation."

8 Flagstaff said, "It is going to be very
9 difficult for the people of Flagstaff to elect anybody
10 from our area. Flagstaff should be its own political
11 force." He commented in the Arizona Capitol Times about
12 a possible lawsuit, but he did notice that a lawsuit
13 could possibly worsen Flagstaff's situation by leading
14 to a split.

15 Yavapai County, there were various
16 comments, not of any major negative expression.

17 On the Navajo and Hopi fronts, according
18 to a Hopi statement, the Hopi may be considering
19 possible legal action.

20 A quote from Speaker Begay, I think post
21 October 14, quoted in the newspaper after October 24,
22 mentions the possibility of court action.

23 In the newspaper, the Mayor of Avondale
24 and Peoria expressed some unhappiness, also from the
25 City of Glendale.

1 As to Mohave County, according to the
2 Today's New Harold, reports there was general
3 satisfaction among local officials.

4 Kingman Mayor Les Byram said, "From what I
5 see, I am elated that they have placed us back into a
6 district that encompasses most of Mohave County."

7 Green Valley and Sahuarita, there was an
8 expression of positive expression.

9 Mr. Chairman, Members of the Commission,
10 this is the full extent of citizen comment of which we
11 are aware. We think that we've read everything that the
12 Commission has received, and we've been through all the
13 newspaper articles.

14 As to the future, each member of the
15 Commission has a Power Point on his, her machine. As
16 you make presentations, you may experience the future
17 public input; but as of this point, that's all we have.

18 CHAIRMAN LYNN: Comments or questions from
19 Commission?

20 Any action the Commission wishes to take
21 regarding subsequent input from the public?

22 Mr. Huntwork?

23 COMMISSIONER HUNTWORK: Hold it down?

24 CHAIRMAN LYNN: Unfortunately.

25 COMMISSIONER HUNTWORK: Mr. Chairman, I

1 certainly appreciate the comments people made. It's
2 pretty much consistent, in most cases, with input we
3 received prior to making our decisions. My reaction to
4 this as I read through the comments we received by and
5 large was that they -- it didn't raise anything new.
6 And I felt that, in my own mind, at least, we had done
7 our best to consider and balance these issues in making
8 our previous decision. So I would just like to comment
9 that, unfortunately, we can't make everyone happy. But
10 I think we've done the best we can do. And nothing here
11 would cause me to reevaluate the decisions we've made.

12 CHAIRMAN LYNN: Other comments from the
13 Commission?

14 Any other comment under this agenda item
15 we need to consider?

16 Presentation by NDC, discussion and
17 possible decision concerning possible changes to the
18 final congressional plan for population balancing;
19 possible changes to the final legislative plan for
20 neighborhood clean-up; possible adjustments to final
21 Legislative lines to prevent small populations trapped
22 between Congressional and Legislative lines.

23 Mr. Johnson, do you have a presentation?

24 MR. JOHNSON: You all have a document
25 listing changes made.

1 In the adopted Congressional plan, there
2 were four trade-offs made, essentially. Six of the
3 eight districts were off by -- from one to four people
4 as voted on at the last meeting. We made four
5 trade-offs that eliminated those discrepancies and made
6 the population deviations zero. Each district has
7 identical population on the Commission map.

8 Each of the changes involved anywhere from
9 one to 30 people, depending on the trade-offs made. I
10 can go into detail on any of them the Commission has
11 questions about, rather than walking through all the
12 changes.

13 Are there any specific questions the
14 Commission would like me to address or all of them.

15 COMMISSIONER MINKOFF: Doug, for the
16 record --

17 CHAIRMAN LYNN: Ms. Minkoff, activate your
18 microphone by pushing down and speaking into it.

19 COMMISSIONER MINKOFF: I can't walk and
20 chew gum at the same time. It's not easy.

21 You specify no additional splits,
22 additional changes, splits of towns and cities?

23 MR. JOHNSON: Correct. Total population
24 of any districts never exceeded four. None of the
25 percentages in any field has been altered by any of

1 these changes.

2 CHAIRMAN LYNN: Other comments or changes
3 on the Congressional plan?

4 Mr. Johnson, B, possible changes to the
5 Legislative map for neighborhood clean-up.

6 MR. JOHNSON: On the Legislative front,
7 many more changes. Some of them were as directed by the
8 Commission.

9 We looked at neighborhoods where the
10 neighborhood had been divided and where the district
11 line did not follow a major, significant road and looked
12 at what it would take to move those, with the minimal
13 population deviation possible to make a more
14 neighborhood border, some unity border, road border.
15 Most were done with minimal population changes. In some
16 cases, a couple hundred. They are numbered in the
17 handout you have.

18 I would note two significant areas where
19 populations in the thousands were moved. I would like
20 to take one moment to quickly zoom in on those so you
21 are aware of what happened in those cases.

22 First, they were 19, corresponding
23 tradeoff is number 20, in the East Tucson area.

24 Looking at the map, the black line is the
25 border of the district as you adopted it at the last

1 hearing. And the color is the line of the proposed new
2 district. Let me put some streets on here, give you
3 some reference.

4 Again, this is East Tucson reference. As
5 you can see, changes proposed moved border districts,
6 the major road, Camino Canseco, or border district.
7 Again, there was no impact on the percentages of
8 majority-minority districts, so no minority voter rights
9 concerns or what we listed as competitive districts in
10 the districts. On the deviation front, from this change
11 we end up with about a 1.7 percent, positive deviation
12 of 28, and 1.75 deviation in 25. Those are CC and DD
13 from the old lettering system, in your list numbers 19
14 and 20. So --

15 One other area population move was in the
16 thousands. That was Mesa.

17 CHAIRMAN LYNN: Before you go on,
18 Mr. Elder, deal one at a time. Significant in number if
19 not in percentage.

20 Mr. Elder.

21 COMMISSIONER ELDER: Yes. You made
22 mention no changes in the percentages. Is that a --
23 total population shifted in if there was a 500 shift?

24 MR. JOHNSON: I'm not sure I understand.

25 COMMISSIONER ELDER: 35 one place, shift

1 Independents, Democrats, Republicans, minority, if so,
2 how much, all those types of things?

3 MR. JOHNSON: The changes were
4 significantly less than one percent alteration in any of
5 these districts. And competitiveness figures, let me
6 see.

7 Specific numbers, DD was already
8 overwhelmingly Republican by all three measurements,
9 District 30, the green district to our right. 28, which
10 was BB, was a Democratic district by all three
11 measurements. And CC, 29, was a Democratic district by
12 all three measurements. And all three maintained their
13 characteristics.

14 COMMISSIONER MINKOFF: Have they changed
15 at all, plus, minus?

16 MR. JOHNSON: Going by AQD spreads,
17 because I've already got those calculated on here, they
18 were, in order: 21 and a half; 28.9; and 28.86. And
19 they are now: 21.3; 29.3; and 14.8. Couple tenths of a
20 percent.

21 COMMISSIONER ELDER: Substantially there
22 was no change.

23 CHAIRMAN LYNN: Other questions on this
24 particular change?

25 COMMISSIONER ELDER: I suppose the same

1 question on voting age population, minority. Was there
2 any shift there of any significance?

3 MR. JOHNSON: Nothing of over one percent.
4 But specifically district 29, old CC, was 60.5 percent
5 total minority and 55 total minority voting age. It is
6 now 60.7 percent and 55.25. So it was actually
7 strengthened by about two-tenths of a percent, which is
8 one of the other two lost by about two tenths of a
9 percent.

10 COMMISSIONER ELDER: Mr. Chairman, I think
11 these shifts, you know, probably make sense. Make it
12 more compact, more contiguous, don't shift numbers in
13 one form or other to the detriment of minority
14 population to participate.

15 CHAIRMAN LYNN: Thank you.

16 Other comments or questions?

17 All right. Mr. Johnson, move on, if you
18 would, please.

19 MR. JOHNSON: Other road, people involved,
20 numbers 23 and 24, which is in Mesa.

21 COMMISSIONER HUNTWORK: Doug, can I
22 interrupt?

23 Where do I find this?

24 MR. JOHNSON: Maps, data, Arizona,
25 November 3rd, NOV3, and NOV3 all.

1 The other significant change, significant
2 because over a thousand people, North Central Mesa by
3 McDowell Road and Gilbert Road.

4 You can see the black line represents
5 where the adopted district line went. It's a zero
6 population deviation. We altered this, the south end of
7 that piece. Population moved from 18 to 19. Blue,
8 light blue. And the north part of the change, where
9 population moved from 19 into 18. And this population
10 moved into 19. This population went into 18. That
11 meant moves of about 14 people and just under 16 people,
12 each way. Overall tradeoff, obviously, is relatively
13 small.

14 Oh, there's another piece of this.

15 Oh. Kind of rounding off the tradeoff
16 here is this area here above -- what is roughly the
17 Dobson ranch region in Mesa which was moved in order to
18 bring the district order, in this case, Southern Avenue.

19 None of three districts involved have
20 Voting Rights Act concerns nor are any of the three of
21 them in our list of competitive districts. None of
22 those two lists change.

23 CHAIRMAN LYNN: Comments or questions?

24 Mr. Elder?

25 COMMISSIONER ELDER: Again, on

1 percentages, any percentages shift, say, more than one
2 percent in any categories, minority, competitiveness,
3 party affiliation, anything?

4 MR. JOHNSON: Let me look quickly here.

5 Districts we look at are 18, 19, and 21.
6 See on AQD spreads, 18 went from 20.9 to 21.26, so
7 changed by about three-tenths of a point. 19 went from
8 25 and a half to 25.1. So we're looking at three-tenths
9 of a point. 21 went from 21.6 to 21.7. We're in tenths
10 of a point for each of these.

11 CHAIRMAN LYNN: Mr. Huntwork.

12 COMMISSIONER HUNTWORK: The only thing I'm
13 concerned about with this change, are we creating,
14 creating population imbalances in order to have
15 districts with any lines on any roads? Am I
16 oversimplifying this?

17 MR. JOHNSON: Two criteria the Commission
18 mentioned to us to look into this and look at
19 opportunities for the Commission to consider: One was
20 to follow major roads, district borders, Prop 106, and
21 the other was try to avoid dividing neighborhoods and
22 communities. Those are the two things we tried to look
23 at.

24 COMMISSIONER HUNTWORK: I thought we also
25 told you to balance population. One of the things was

1 to make minor changes to balance population.

2 MR. JOHNSON: Where we could do that, we
3 actually tried to do that. One of the changes you
4 actually see listed is the Yavapai County Unified School
5 Districts. It actually did result in lowering the
6 overpopulated district, which was C. As a result of
7 those changes, total deviation, we did lower the map
8 before this. Each of the deviations, there's a change
9 like this. This one gets major roads, creates
10 population imbalance in order to do so. Each before
11 these changes.

12 COMMISSIONER HUNTWORK: If I may just, my
13 opinion is rather than equal population, it's not more
14 important than one man, one vote. Equal population is
15 not only for the sake of creating straight lines.

16 CHAIRMAN LYNN: Ms. Minkoff.

17 COMMISSIONER MINKOFF: Mr. Chairman, it's
18 not neat lines more than preserving a neighborhood. If
19 I have a neighborhood, it's natural to assume people
20 down the block are in the same Legislative or
21 Congressional district as I am so we can work together
22 to address an issue. That's an advantage of neat lines.
23 Not just the way it looks on the map but the way voters
24 perceive their districts and voters perceive
25 communities. I think what neat lines do is allow people

1 to unify neighborhoods, unify subdivisions, and unify
2 groups. People believe they should be in the same
3 school district.

4 I would be willing to tolerate this. It's
5 not parents' maps, it's unification of neighborhoods and
6 voters.

7 CHAIRMAN LYNN: Mr. Elder.

8 COMMISSIONER ELDER: I'd weigh in on the
9 same side as Ms. Minkoff. It's easier on candidates,
10 where to send doorknockers when they campaign, citizens.
11 It's more compact, contiguous. They know where the
12 issues are, more places to down the block, as
13 Ms. Minkoff said, to talk with the people.

14 I'd not object to a slight imbalance.

15 CHAIRMAN LYNN: Mr. Huntwork.

16 COMMISSIONER HUNTWORK: I take the point,
17 but before I can then decide whether right or not, Doug,
18 I have to ask you to zero back in on each of those
19 changes so I can try to look at them more carefully with
20 my own knowledge of what is in those neighborhoods and
21 whether we're really doing what it was we say we're
22 doing.

23 MR. JOHNSON: This is the North Mesa area.
24 Is there something I can zoom in for you?

25 COMMISSIONER HUNTWORK: Bear with me one

1 second.

2 CHAIRMAN LYNN: Could you highlight for
3 me, the north-south axis, separate the lighter blue from
4 the darker blue axis? What is that district called?

5 MR. JOHNSON: Gilbert. That's Gilbert.

6 CHAIRMAN LYNN: Makes that jog to the
7 west, comes back around?

8 COMMISSIONER HUNTWORK: Go back and show
9 the southeast corner.

10 MR. JOHNSON: Talking about the other Mesa
11 change or Tucson?

12 COMMISSIONER HUNTWORK: Yeah, for this
13 district.

14 MR. JOHNSON: This, looking at Southern
15 Avenue, Eight on the north edge, see how the previous
16 district had two juts, came all the way up to Eight, all
17 the way down to Emerald, and back up to Eight, and back
18 up?

19 COMMISSIONER HUNTWORK: Change in
20 southeast corner or change here?

21 MR. JOHNSON: These are two over 1,000
22 people. There were a number of changes of 10, 20 people
23 in various places.

24 COMMISSIONER HUNTWORK: Thank you.

25 CHAIRMAN LYNN: Other comments or

1 questions on this particular change?

2 Mr. Johnson.

3 MR. JOHNSON: Other one highlight, not
4 because a thousand people, nine people, but a trap came
5 across, population balanced trap in Phoenix.

6 Just for the -- I'll highlight it on the
7 screen, just information for those, especially in the
8 audience that don't know what we've fixed, balance,
9 especially lines by only a few people, the county
10 election people, where there's only a few people,
11 there's complications, expense, we try to remove the
12 differences between those two lines.

13 Let me change the colors so they show a
14 little darker here.

15 District Eight, the district to the right,
16 includes Scottsdale people. And that small block at the
17 left edge of District Eight sticks up in Phoenix just
18 above Indian School Road, that block, to get the zero
19 population deviation requirement in Congressional plans.
20 Had to move, otherwise, the move would have been
21 hundreds of people all along the district borders. So
22 we moved that and -- by eliminating this trap, take a
23 single block into the single district.

24 COMMISSIONER MINKOFF: Which block is
25 that?

1 MR. JOHNSON: Looking here, just north of
2 Indian School. Let me highlight the cities. The shaded
3 area is Phoenix. One block is Phoenix. This side is --
4 I believe it's Tempe or Scottsdale.

5 CHAIRMAN LYNN: Scottsdale.

6 MR. JOHNSON: This district was just
7 Scottsdale people. In order to eliminate that block,
8 nine people in Scottsdale aren't in Phoenix because the
9 size divided many times in the Legislative plan. As one
10 piece, nine people there. To resolve the issue, the
11 county would be setting up a separate piece every
12 election for nine people, and who knows how many are
13 actual voters. It does not split Scottsdale, merely
14 adds nine people on to the district.

15 COMMISSIONER MINKOFF: This is not a trap
16 left in, a trap corrected, no longer a trap.

17 MR. JOHNSON: Correct, taking Phoenix
18 people into Scottsdale.

19 CHAIRMAN LYNN: Mr. Huntwork.

20 COMMISSIONER HUNTWORK: Sorry. Start at
21 the beginning again? Explain what the initial problem
22 was?

23 MR. JOHNSON: It may help if I put the
24 Congressional map over this.

25 The thick black line you see comes down

1 along Scottsdale like the Legislative border, comes down
2 here. Pick up one block, a lot, the Phoenix border is
3 here. The Congressional map is not an issue. But it
4 did create this difference. Because the Congressional
5 Districts have to get to zero population deviation, we
6 really, a block had to take otherwise, move the district
7 significantly. When we eliminate traps, move
8 Legislative lines to match Congressional lines, when
9 right next to each other, we simply moved the
10 Legislative District up slightly at this toe.
11 Incorporated nine people who were previously in the blue
12 District, District 11, all Phoenix, Paradise Valley
13 people, now nine people in Scottsdale.

14 COMMISSIONER HUNTWORK: You are saying no
15 way to be in Phoenix in the Congressional map.

16 MR. JOHNSON: Reason to fix Legislative,
17 legally some deviation on the Legislative plan.
18 Clarify, generally the Congressional mapping is zero.
19 If possible, get to zero.

20 COMMISSIONER HUNTWORK: I understand, to
21 some extent. What you're saying, have to do on the
22 Legislative map, because did it on the Congressional
23 map. Is there a way to avoid doing it on the
24 Congressional map? Look like trade that for something
25 somewhere else so it didn't create problem.

1 MR. JOHNSON: We spent a lot of time
2 looking to avoid this. Essentially, that district
3 borders on both the Legislative and Congressional map,
4 has blocks of hundreds of people in them. Only five
5 blocks had less than a hundred people in them. It was
6 the only way to get to exact population balance without
7 moving whole neighborhoods.

8 To do it somewhere else, 1,009 one way,
9 1,009 another way. Only place to do it and keep
10 communities that had been kept together.

11 COMMISSIONER HUNTWORK: Thank you.

12 CHAIRMAN LYNN: Ms. Minkoff and then
13 Mr. Elder.

14 COMMISSIONER MINKOFF: I guess my question
15 then would be to the attorneys: Are we required to make
16 the Congressional Districts that equal? If we have to
17 do it, do it. Seems a shame to put nine people, whoever
18 they are, in that kind of a situation where, with an
19 infinitesimal population deviation, we could avoid it.

20 COMMISSIONER ELDER: And while thinking
21 about the answer, I'll weigh into the same issue. When
22 the Census takers were moving through the communities,
23 there was absolutely no one point in time everything was
24 fixed. And with that said, why is it just because a
25 printed set of numbers says this is the 2000 Census, and

1 it really never represented the population of the United
2 States or State of Arizona at any one point in time, why
3 do we have to be so anal about getting the numbers --
4 about getting numbers where it is supposed to be?

5 MR. JOHNSON: While they're looking at
6 specifics, I can point out one of the factors that comes
7 into play is the best alternative that has been
8 submitted, that did get the map submitted, a member of
9 the public did have equal number population districts.
10 That's one of the tests.

11 COMMISSIONER HUNTWORK: Mr. Elder's
12 question goes to a scientific, scientific test in the
13 Census is margin for error. If we deviate by nine,
14 we're well within the conceivable statistic validation
15 of the Census.

16 MR. RIVERA: Mr. Chairman, we can answer
17 Mr. Elder's question first before Ms. Minkoff.

18 CHAIRMAN LYNN: If do either one, do so by
19 moving the microphone and pressing the button.

20 COMMISSIONER HUNTWORK: Jim, push the
21 button.

22 MS. HAUSER: I'll do it.

23 MR. RIVERA: If you remember way, way back
24 when we started the process, spring floras out in the
25 air, we were mandated by Congress and the law to take

1 Census data, and only Census data. There was a question
2 one time by the Clinton Administration to use not Census
3 data, but projection data. Arizona has specific law,
4 and -- Arizona specifically asks us to follow the
5 Census. Congress asked us to follow the Census maps.
6 Whether it's an arbitrary law, that's the law, not just
7 Census maps.

8 COMMISSIONER ELDER: You used the term
9 "request." Do we get rejected if we don't?

10 MR. RIVERA: Yes.

11 COMMISSIONER ELDER: Love it.

12 MR. RIVERA: It's not a DOJ question.

13 COMMISSIONER ELDER: The courts will not
14 allow that.

15 CHAIRMAN LYNN: Mr. Huntwork.

16 COMMISSIONER HUNTWORK: I'd like to ask a
17 more specific question.

18 The issue here, it's not a major uprising
19 against using the Census or going to some overall
20 statistical correction of the Census. The question
21 really is can we deviate by nine? Is there a decision
22 which says: You can't deviate by one person or nine
23 people?

24 I know in the last court drawn maps the
25 Court did get it down to essentially zero, because it

1 didn't come out evenly, if I recall. We're talking
2 about nine people.

3 CHAIRMAN LYNN: Ms. Hauser.

4 MS. HAUSER: Mr. Chairman, the answer to
5 the question, the Congressional Districts, is
6 Congressional Districts must not have that kind of
7 deviation. It must be as exact as possible. Where you
8 can move the Legislative line to deal with the trap
9 issue, that is the preferable course, not moving the
10 Congressional line.

11 CHAIRMAN LYNN: Further comments or
12 questions on this particular issue?

13 Ms. Minkoff.

14 COMMISSIONER MINKOFF: That district those
15 nine people have now found themselves in --

16 CHAIRMAN LYNN: Microphone, Ms. Minkoff.

17 COMMISSIONER MINKOFF: That district
18 people have found themselves, they live in a Phoenix
19 area. Immediately south of them is Scottsdale. Is
20 there any other part of Phoenix in the district or do
21 those nine people carry the banner by themselves?

22 MR. JOHNSON: They are the only Phoenix
23 residents in there.

24 COMMISSIONER MINKOFF: That would jog the
25 city boundaries of Scottsdale there?

1 MR. JOHNSON: There are portions of
2 Scottsdale in District 7 as well. District 7 includes
3 City of Phoenix population as well.

4 It's something we looked at extensively in
5 trying to avoid, questioned extensively in trying to fix
6 the trap or not.

7 It's something, bounce the two things off,
8 the interests of the county, trying avoid expense, and
9 complications, and an additional precinct.

10 CHAIRMAN LYNN: Mr. Huntwork.

11 COMMISSIONER HUNTWORK: Mr. Chairman, the
12 principle of Proposition 106, not splitting cities,
13 weighing that against the administrative inconvenience
14 of the county establishing separate precincts for this
15 separate area, at least in my own mind, I'd prefer to
16 keep, avoid the city split, simply say there will have
17 to be an additional precinct in that case, if we reject
18 this particular adjustment.

19 CHAIRMAN LYNN: Is there a second?

20 COMMISSIONER ELDER: I guess I second for
21 purposes of discussion. I'm not so sure I understand
22 the discussion, leaving nine people in or leaving nine
23 people out.

24 COMMISSIONER HUNTWORK: Creating a trap,
25 leaving the group in Phoenix and not putting them into a

1 Scottsdale Legislative District, creating the trap.

2 COMMISSIONER MINKOFF: I'm sorry
3 Ms. Osborne isn't here to comment on this. Maybe we can
4 pick on Tim to speak on her behalf. I'm anxious to know
5 what kind of burden it places. I know they can combine
6 two or more precincts in a polling place, two or more
7 watches, or how they handle that.

8 CHAIRMAN LYNN: Perhaps Ms. Hauser can
9 handle the question.

10 MS. HAUSER: Precincts are combined
11 frequently. The issue is those particular individuals
12 will have to have a separate ballot. And the fact is
13 that, that can create some confusion. There's
14 additional risk of error.

15 It is an administrative hassle and could
16 also be a hassle for voters.

17 Traps do exist. Maricopa County has Dos
18 Precinct. They call it that because it has two people
19 in it. Life goes on. So if you choose not to because
20 the consequences of making a particular trap adjustment
21 are negative, in your opinion, they'll deal with it.
22 I'm sure Maricopa County and other counties appreciate
23 any effort you can make to deal with them.

24 COMMISSIONER MINKOFF: As Nueve Precinct.

25 CHAIRMAN LYNN: Other discussion?

1 If not, Mr. Huntwork.

2 COMMISSIONER HUNTWORK: "Aye."

3 CHAIRMAN LYNN: Mr. Hall?

4 COMMISSIONER HALL: "No."

5 CHAIRMAN LYNN: Mr. Elder?

6 COMMISSIONER ELDER: "Aye."

7 CHAIRMAN LYNN: Ms. Minkoff?

8 COMMISSIONER MINKOFF: "Aye."

9 CHAIRMAN LYNN: Chair votes "No."

10 Motion carries three to two.

11 So in that instance, we'll not make that
12 trap adjustment.

13 MR. JOHNSON: Mr. Chairman, there were, in
14 the list of things to mention, there were two areas I
15 briefly want to mention.

16 Several counties requested us to remove a
17 trap that we have not done in this map, and I just
18 wanted to demonstrate why and present them to you.

19 First is in the South Mountain area. You
20 see the difference in yellow District 20, beige district
21 16 along South Mountain here. We had a request from
22 Maricopa County to move that, the south border of
23 District 16, to match the Congressional line.

24 DR. ADAMS: Doug, move --

25 MR. JOHNSON: Okay.

1 The request was to move -- two requests
2 from Maricopa County. One number, small precinct splits
3 along the border involved five people here, nine people
4 there. We have incorporated those changes. Then a
5 separate request to move the entire -- this entire
6 portion of the district into 16 in order to match the
7 line. The traps arises looking, having to make a
8 precinct for a very small number of people.

9 The area, when we look at 200 people, it's
10 not a nine-person precinct concern. In addition, the
11 demographics of the 200 people match the demographics of
12 the 200 people south of them. Not voting rights in 16,
13 and a large number of people involved. We did not
14 present that as a recommended change in this list.

15 We have that one and one in La Paz, if
16 there is no discussion on this.

17 CHAIRMAN LYNN: Unless there is a comment
18 or question or direct that change to be made?

19 You are not recommending that change at
20 this time?

21 MR. JOHNSON: Right.

22 CHAIRMAN LYNN: Mr. Elder.

23 COMMISSIONER ELDER: One question I had
24 was to the access. One option or another, better access
25 to polling, go around South Mountain to get to a place

1 to vote?

2 MR. JOHNSON: This is actually -- those
3 200 people are almost precisely the border of the
4 precinct that Maricopa County created. They're not
5 concerned it split the precinct, want it moved.

6 CHAIRMAN LYNN: Go ahead and proceed.

7 MR. JOHNSON: Final one mentioned in the
8 highlight, La Paz, Quartzsite, the city on the right
9 side of the screen. It's not a trap, the Congressional
10 line is nowhere near this, however the county asked we
11 move a hundred people in this precinct here into the
12 green district, Yuma district. They would prefer the
13 precinct be drawn to match the city border. When we
14 looked at this, the concern was twofold. People live on
15 the border of Quartzsite. There is more community
16 interest in Quartzsite than Yuma. The other, we looked
17 in detail, are -- the precinct takes in areas to the
18 northeast of Quartzsite as well. Move a hundred people
19 in the county, still deal with the question. Down 10
20 people instead of a hundred people on the question,
21 still remain. Given two reasons, community, doesn't
22 completely eliminate the question. Do not recommend
23 change at this point. It was submitted to us.

24 CHAIRMAN LYNN: Comments or questions on
25 that particular adjustment? Again, NDC is recommending

1 it not be made.

2 Mr. Johnson?

3 MR. JOHNSON: If specific questions on
4 changes in the, those significant, over a thousand
5 number of people, or questions, areas you want me to
6 highlight.

7 CHAIRMAN LYNN: Comments or questions,
8 other adjustments recommended in the list or any
9 discussion on the list itself?

10 COMMISSIONER HUNTWORK: Number four,
11 number four resulted in Legislative -- yeah, very little
12 net change, but --

13 MR. JOHNSON: Right.

14 CHAIRMAN LYNN: Trade districts 14, 16,
15 North McDowell Road, 66th and 55th Avenue.

16 MR. JOHNSON: Pardon me for one moment
17 while I pull this up here.

18 Oh, here we go. This is the area in
19 question along McDowell. You can see on the eastern
20 edge of the screen the area in blue outlined by the dark
21 black is what was moved into the southern district, and
22 then the area to the north, McDowell below the black
23 line moved north, so the district line matched McDowell.
24 Instead of two jags up, one jag down.

25 COMMISSIONER HUNTWORK: What are the

1 eastern lines there?

2 MR. JOHNSON: 61st on the east and 67th on
3 the west.

4 MR. JOHNSON: A heavily Hispanic district.

5 CHAIRMAN LYNN: Comments or questions?

6 COMMISSIONER ELDER: Same question as
7 before, shifts minority districts up between two
8 districts. Same thing on competitiveness.

9 Shifts greater than one percent?

10 MR. JOHNSON: Pulled numbers on minority.
11 Voting percentage, 16, one-100 of a percentage, and 13
12 changes by two-hundreds of a percent. The net out is
13 essentially zero.

14 CHAIRMAN LYNN: Any other questions, I'm
15 happy to address them.

16 Any other comments or questions on
17 adjustments recommended or not recommended for the
18 adjustments to the map?

19 Mr. Elder?

20 COMMISSIONER ELDER: Mr. Chairman at this
21 time do we need a motion as a whole to accept the
22 changes recommended by NDC and recommended by the
23 Commission?

24 CHAIRMAN LYNN: Yes.

25 COMMISSIONER ELDER: Mr. Chairman, I'd

1 move we accept the changed recommended by NDC and
2 modifications recommended by the Commission.

3 CHAIRMAN LYNN: Second?

4 COMMISSIONER MINKOFF: Mr. Chairman, I'm
5 happy to second.

6 I wonder if it refers to Legislative or
7 Legislative and Congressional?

8 CHAIRMAN LYNN: My sense was both.

9 COMMISSIONER MINKOFF: I'll second it.

10 CHAIRMAN LYNN: It's moved and seconded.

11 Discussion?

12 If not, roll call.

13 Mr. Huntwork?

14 COMMISSIONER HUNTWORK: "Aye."

15 CHAIRMAN LYNN: Mr. Hall?

16 COMMISSIONER HALL: "Aye."

17 CHAIRMAN LYNN: Mr. Elder?

18 COMMISSIONER ELDER: "Aye."

19 CHAIRMAN LYNN: Ms. Minkoff?

20 COMMISSIONER MINKOFF: "Aye."

21 CHAIRMAN LYNN: Chair votes "aye."

22 Motion carries.

23 Item VI: Presentation by legal counsel,
24 discussion and possible decisions concerning additional
25 record of Commission findings.

1 MS. HAUSER: Legal counsel reviewed the
2 record and have no recommendation to make at this time.

3 CHAIRMAN LYNN: Item VII: Presentation,
4 discussion and possible decision concerning amendment of
5 the Commission's budget.

6 Mr. Hall or Mr. Echeveste, I don't know
7 who will make the presentation, either/or.

8 MR. ECHEVESTE: Mr. Chairman, very
9 briefly, the memo I submitted attempting to have the
10 budget amended reflects the extensive outreach efforts
11 we did throughout the hearing process. Essentially
12 they're contract -- an amendment to NDC's contract,
13 additional funding for transcription --

14 CHAIRMAN LYNN: Before you go too far, I
15 don't believe I have that.

16 MR. ECHEVESTE: It should be in your
17 folder.

18 CHAIRMAN LYNN: Sorry. Go ahead.

19 MR. ECHEVESTE: Really it's housekeeping,
20 reflects housekeeping. Increased transcription,
21 increased travel for all committees, increased support
22 from NDC.

23 I ask you approve this amendment so we can
24 finish off the year and balance.

25 CHAIRMAN LYNN: Thank you, Mr. Echeveste.

1 Is there a motion?

2 Ms. Minkoff?

3 COMMISSIONER MINKOFF: I move we approve
4 the amended budget.

5 CHAIRMAN LYNN: Second?

6 COMMISSIONER HALL: Second.

7 CHAIRMAN LYNN: Discussion on the amended
8 budget?

9 COMMISSIONER HALL: For the record, I
10 think it's important we draw attention to a couple
11 points. In light of our recent state of a budget
12 shortfall, I would call attention to the fact this
13 Commission is doing it's job to assist in this process.
14 Currently we're well under expending at \$1.5 million,
15 leaving, while as we don't know what additional
16 expenditures will be incurred, while both attorneys
17 grin, leaving an additional 4.5 at this point to go back
18 into the general fund.

19 COMMISSIONER MINKOFF: Out of a total six
20 million, 75 percent going back.

21 CHAIRMAN LYNN: Other comments or
22 questions on budget adjustment?

23 Ms. Minkoff?

24 COMMISSIONER MINKOFF: Mr. Chairman, I
25 just have a request on the format of the budget. I'm

1 not sure whether any changes can be made. I know you
2 have to follow the state system.

3 MR. ECHEVESTE: Yes.

4 COMMISSIONER MINKOFF: For me to
5 understand how much we have spent so far in any given
6 area, I have to do additions, fiscal year 2001, separate
7 from fiscal year 2002. At no place is there a place
8 where it is totaled except unallocated reserve for
9 entire budget. For rather specific expenditures, how
10 much on personnel, add fiscal year 2001, fiscal year
11 2002, come up with a figure. I think it would helpful
12 if there would be an additional column added,
13 expenditures to date for each.

14 MR. ECHEVESTE: We'll do that.

15 CHAIRMAN LYNN: Other comments or
16 questions on the motion?

17 If not, all in favor of the motion signify
18 "aye."

19 (Vote taken.)

20 CHAIRMAN LYNN: Motion carries unanimously
21 and the changes are adopted.

22 Item VIII, certification of final
23 Congressional and Legislative Districts to Secretary of
24 State.

25 Ms. Hauser.

1 MS. HAUSER: Mr. Chairman, get out your
2 pens. We've prepared a separate certification document
3 for the Congressional and Legislative Districts. We are
4 also having you execute duplicate originals, the receipt
5 of which will be attested to by the Secretary of State
6 on Monday. So you'll need to sign your names a few
7 times, but with this you'll each be able to keep a
8 certified copy of both the Congressional and Legislative
9 for your own personal records as well as one of the
10 records we need to file with the State and for our
11 process. So with your indulgence of having to sign your
12 names quite a few times, sign each one of them and then
13 pass them on.

14 CHAIRMAN LYNN: Does it require a motion
15 to do this, or is it an outgrowth, or would you rather
16 have a motion to certify?

17 MS. HAUSER: If you would like to do that
18 in the form of a motion, I think it would be perfectly
19 appropriate.

20 CHAIRMAN LYNN: The Chair would entertain
21 a motion to certify, a motion for the final Legislative
22 and Congressional Districts.

23 COMMISSIONER ELDER: I'd make a motion.

24 COMMISSIONER HUNTWORK: Second.

25 CHAIRMAN LYNN: Mr. Huntwork.

1 COMMISSIONER HUNTWORK: We've been working
2 with electronic files that show great deal detail.
3 That's what I've gone from. I'd like you to summarize
4 for me what that document has gone from, how that
5 relates to the material we're working from at this
6 point.

7 MS. HAUSER: Mr. Chairman, the document
8 reads as follows:

9 "Certification of Establishment of
10 Congressional Districts by the Arizona Independent
11 Redistricting Commission.

12 "The undersigned duly-appointed members of
13 the Arizona Independent Redistricting Commission, having
14 applied the provisions of Article IV, Part 2, Section 1,
15 of the Arizona Constitution, do hereby certify to the
16 Arizona Secretary of State the establishment of
17 Arizona's Eight Congressional Districts as set forth in
18 Appendix 'A,' hereto, for all Congressional elections
19 through the year 2010.

20 "Done this 3rd day of November, 2001, in
21 Phoenix, Arizona."

22 And you each sign a similar document
23 except for the "Legislative" is used and "30" instead of
24 "8" districts.

25 CHAIRMAN LYNN: The issue of the

 ATWOOD REPORTING SERVICE
 Phoenix, Arizona

1 attachments?

2 MS. HAUSER: The attachment is a document
3 which describes each of the districts in terms of Census
4 geography. If a district, for example, contained the
5 whole county, it lists it contains the whole county. It
6 uses the largest denominator it can, county boundaries,
7 entire Census tract, where necessary Census blocks will
8 be listed.

9 CHAIRMAN LYNN: Mr. Huntwork?

10 COMMISSIONER HUNTWORK: Mr. Chairman, in
11 that case, I would like to amend the motion to include
12 authorization of our counsel to attach the correct
13 Exhibits based on the maps and Exhibits we've approved.

14 COMMISSIONER ELDER: So moved.

15 CHAIRMAN LYNN: Acceptable to the maker
16 and seconder?

17 COMMISSIONER HUNTWORK: Yes.

18 CHAIRMAN LYNN: Roll call.

19 Mr. Huntwork?

20 COMMISSIONER HUNTWORK: "Yes."

21 CHAIRMAN LYNN: Mr. Hall?

22 COMMISSIONER HALL: "Yes."

23 CHAIRMAN LYNN: Mr. Elder?

24 COMMISSIONER ELDER: "Yes."

25 CHAIRMAN LYNN: Ms. Minkoff?

1 COMMISSIONER MINKOFF: "Yes."

2 CHAIRMAN LYNN: Next item is next
3 Commission meetings.

4 MS. HAUSER: Let's do this.

5 CHAIRMAN LYNN: I'm into multi-tasking.

6 COMMISSIONER MINKOFF: He signed first.

7 CHAIRMAN LYNN: Not only first but large.

8 MS. HAUSER: Mr. Chairman, it's a Kodak
9 moment.

10 CHAIRMAN LYNN: You would have my Kodak.

11 MS. HAUSER: I don't want to get them in a
12 mess.

13 CHAIRMAN LYNN: Next item: Having
14 certified maps to the State.

15 The next item is consideration of future
16 meetings.

17 Any thought on whether or not and when a
18 future meeting might be necessary or advisable?

19 Ms. Hauser?

20 MS. HAUSER: At this point, we have no
21 further business before the Commission. Should
22 additional business arise in terms of the Commission
23 wanting to actually meet to review any documents in
24 connection with preclearance or to discuss any
25 subsequent litigation, my suggestion would be that the

1 Commission just determine at this point to reconvene
2 upon the call of the Chair should the need arise.

3 CHAIRMAN LYNN: Without objection?

4 Hearing none, the next meeting will be at
5 the call of the Chair as required.

6 Next item on the agenda: Public comment.

7 MS. HAUSER: No, I don't think so.

8 Oh, it is. You are right. I'm sorry.

9 CHAIRMAN LYNN: Thank you. Sorry. I
10 thought legal opinion, going from IX to X I didn't know
11 about.

12 Next item is public comment. And this
13 will be the last public comment in the formal cycle of
14 map making for the first Commission's cycle. This is
15 the time for consideration and discussion of comments
16 and complaints from the public. Those wishing to
17 address the Commission shall request permission in
18 advance by filling out a speaker slip. Action taken as
19 a result of public comment will be limited to directing
20 the staff to study the matter or rescheduling the matter
21 for further consideration and decision at a later date
22 unless it is the subject of an item already on the
23 agenda.

24 We have one speaker slip. If there are
25 others, please bring them forward.

1 John Mills and Ms. Mills representing the
2 Mills family.

3 MR. MILLS: My name is John Mills from
4 Maricopa County. Nueve Precinct will cost the County
5 \$9,000, \$10,000, by requiring a separate eagle. Each
6 separate eagle costs five grand. There will be a number
7 of special ballots that will have to be done during the
8 ten-year period. There's the time to set up and print
9 those on an offset press.

10 You are looking at serious money. That's
11 for nine people. I don't know, but it's definitely not
12 nine voters. It could be zero voters. They still have
13 to draw up the ballots for the precincts, still have to
14 create those ballots, still get that eagle, and possibly
15 have zero voters, registered voters. You're still
16 making the county spend \$9,000 difference. That's, in
17 this economy, money we might want to save.

18 Reconsider the motion and get rid of Nueve
19 Precinct.

20 Thank you very much.

21 CHAIRMAN LYNN: Thank you, Mr. Mills.

22 Other members of the public that wish to
23 be heard at this time?

24 Item 11: Possible statements by
25 Commissioners, Executive Director, and/or legal counsel

1 of a general nature.

2 Mr. Echeveste.

3 MR. ECHEVESTES: Mr. Chairman,
4 Commissioners, we have done everything pretty much
5 sequentially. However, there was one item that I guess
6 we can chalk it up to better late than never that was
7 supposed to have occurred much sooner in this process
8 than today.

9 I would like to read to you a document,
10 Certificate of Appointment for the Commissioners from
11 the State of Arizona, Department of State:

12 "I, Betsey Bayless, and Keeper of the
13 Great Seal, do hereby certify that Steve Lynn," and of
14 course the other Commissioners, we have one, "was duly
15 elected Chair of the Independent Redistricting
16 Commission in and for the Independent Redistricting
17 Commission February 2001, in witness hereto, I hereon
18 set my hand and the Great Seal of the State of Arizona,
19 done at the Capitol, Phoenix, this 26th day October,
20 2001."

21 I thought you would appreciate that, for
22 the sake --

23 COMMISSIONER ELDER: Thanks.

24 MR. RIVERA: (Jovially said:) Based on
25 that, if you'd call for an opinion, legal opinion,

1 everything you've done up to now is illegal in my
2 opinion.

3 (Great laughter.)

4 MR. RIVERA: Write this, Lisa: That was a
5 joke.

6 (More laughter.)

7 MR. ECHEVESTE: Validates for people here
8 today, and publicly, you are duly appointed. And
9 publicly, you were duly appointed and authorized for
10 what you've done.

11 (The public begins to hum "Pomp and
12 Circumstance.")

13 MS. HAUSER: Tough song.

14 MR. ECHEVESTE: We have one other thing.

15 CHAIRMAN LYNN: You know the old story:
16 Mom and dad go on vacation. The only thing they brought
17 back from vacation...

18 Nine months of this process: The only
19 thing you get is a crummy certificate. (Smiles and
20 laughter.)

21 MS. HAUSER: Oh, no. Each of you are now
22 certified.

23 On a more serious note, we want to read to
24 you a proclamation from the Governor's Office which
25 reads as follows:

1 "Office of the Governor: Proclamation" --
2 of course, there's the name of each Commissioner. I'll
3 start with the Chair.

4 "Whereas, the Arizona Independent
5 Redistricting Commission was established by the voters
6 of Arizona to establish Arizona's Congressional and
7 Legislative Districts following the Census 2000;

8 "Whereas, the Commission is comprised of
9 private citizens who volunteered to apply the provisions
10 of Proposition 106 in an honest, independent, impartial
11 fashion and manner that upholds the public confidence in
12 the redistricting process;

13 "Whereas, the Members of the Commission
14 conducted two rounds and fifty-six separate public
15 hearings throughout the State of Arizona to solicit
16 citizen input in the redistricting process;

17 "Whereas, the Commission met in more than
18 30 additional days of business meetings to implement
19 Arizona's first-ever citizen redistricting process;

20 "Whereas, the districts that form the
21 framework of Arizona's representation in the United
22 States Congress and in the State Legislature for the
23 next 10 years and their example of public service will
24 be the legacy of this Commission; and

25 "Whereas, the five volunteer members of

1 the Commission have devoted countless hours away from
2 their businesses and families over the past eight months
3 to serve the people of the State of Arizona.

4 "Now, therefore, I, Jane D. Hull, Governor
5 of the State of Arizona, do hereby offer my heartfelt
6 thanks and gratitude to the Commissioners, Steve Lynn,
7 Chair, for this service and leadership as Chairman of
8 the first Independent Redistricting Commission.

9 "In witness thereof I hereunto set my hand
10 and cause to be affixed the Great Seal of the State of
11 Arizona done at the Capitol of Phoenix this 1st day of
12 November, the year 2001, signed by Governor Hull."

13 (Applause.)

14 MR. ECHEVESTE: Andrea Minkoff.

15 COMMISSIONER MINKOFF: You don't have to
16 read it again.

17 MR. ECHEVESTE: Dan.

18 CHAIRMAN LYNN: Okay. Two lousy plaques.

19 COMMISSIONER HALL: You are not getting a
20 kiss from me.

21 CHAIRMAN LYNN: Let's make news.

22 COMMISSIONER HUNTWORK: You should get a
23 certificate, too.

24 MR. ECHEVESTE: And I would be remiss at
25 this time, since this may be the final meeting of this

1 group, to not make my own comments and observations.

2 I want to let you know from my
3 perspective, and I have to tell you that I've served
4 about 29 years in state, local, federal government, I've
5 served outstanding Governors, served outstanding Boards
6 of Supervisors, Mayors, Councils here in Arizona, and I
7 have to tell that you the five of you are up there. You
8 are right up there with the finest. You were super
9 citizen volunteers that served your state above and
10 beyond the call of duty. The amount of time you served
11 as unpaid volunteers and the quality that I observed
12 from you and your integrity are just on a par with the
13 finest I have served with, and I wanted to tell you
14 that.

15 Thank you.

16 CHAIRMAN LYNN: Other comments from
17 Commissioners, staff, or consultants?

18 Ms. Minkoff.

19 COMMISSIONER MINKOFF: Mr. Chairman,
20 yesterday Adolfo, Lisa, and I did a presentation at the
21 Auditor General's office. In Lisa's presentation she
22 talked about the five Commissioners and did we have any
23 idea what we were getting into when we applied for this
24 Commission. I said in my remarks, and I want to repeat
25 here today: No. had no idea what I was getting into.

1 I had no idea of the complexity. I had no idea of the
2 challenges. I had no idea of the four outstanding
3 people I'd get to work with as fellow Commissioners and
4 get to know the last several months. I had no idea we'd
5 have two such outstanding attorneys to guide us and
6 advice us, hopefully keep us from making errors. I had
7 no idea we'd find such a great staff to make our job as
8 easy as they could possibly could make it. I had no
9 idea of the consultants' expertise. My thanks for all
10 they did. And they helped us with what we needed to do,
11 took direction and provided results, as we asked them to
12 do. I had no idea of any of this. Given the
13 opportunity to do it again, I'd do it in a nanosecond.
14 It's been one of the most wonderful opportunities in my
15 life. I feel very privileged to be part of it.

16 CHAIRMAN LYNN: Thank you, Ms. Minkoff.

17 CHAIRMAN LYNN: Mr. Elder?

18 COMMISSIONER ELDER: This is a wonderful
19 moment. I just wanted to say a few things I sort of
20 dwelled on as I've gone through the last eight, nine
21 months.

22 It's been a wonderful journey. It's been
23 a journey I met some of the finest people and memories
24 of people throughout this state. Some of the eloquence,
25 pervasiveness, fervor, for whatever reason, has been

1 absolutely outstanding. The people have probably come
2 up with an unmanageable process, at times. And echoing
3 Ms. Minkoff's thought process, did I realize how much
4 time did I want to spend? When I was interviewed I was
5 asked, "Did I have a thousand hours?"

6 I said "Stop there."

7 They said, "How about 300 hours?"

8 Yeah, I could take that out of my
9 business.

10 And all in all, it's been worth every
11 minute of it. We've had good times and heated debates.
12 We've had all kinds of things. The process, journey,
13 the things we've done, I'm extremely proud to be here.
14 Pleased with the friendships I've made on the
15 Commission, hope to have the friendships for a long
16 time.

17 I'll pass to Mr. Hall.

18 COMMISSIONER HALL: I think of the final
19 meeting, and it seems fitting we chose a meeting room
20 that looks similar to a basement.

21 I echo what my fellow Commissioners said.
22 For me, it's been a privilege to meet the great people
23 of this state. There were many cities in this state
24 which I have grown up in and lived in most of my life
25 and which my parents grew up in and which my

1 grandparents grew up in. Through all upbringing, for
2 example, I've never been in Nogales. What a neat
3 experience to go there before and after, cross the
4 border afoot, experience the fine food in the southern
5 portion of Nogales.

6 And I express appreciation to my fellow
7 Commissioners, the staff, consultants, legal counsel,
8 and all that assisted us so much, the Attorney General's
9 Office, various state employees, and all of you that
10 helped in so many ways. It's been a process.

11 I, unlike Commissioners Minkoff, would not
12 do this again. But I am grateful, having had the
13 opportunity to serve, am grateful for the experiences
14 and friends I met in this process.

15 I feel like that we've been criticized,
16 obviously, for a variety of reasons. Some said the
17 process would have been better had it been done in a
18 basement. I disagree with that. I feel like this
19 process has been as open as any process in the history
20 of the state. I feel like we attempted to respond to a
21 variety of interests and agendas.

22 Personally, speaking myself, I'm proud of
23 the product we produced. While it is not perfect, it
24 is, I think, the most representative map produced
25 through any redistricting process in the history of this

1 state.

2 With that, I express the appreciation of
3 my fellow Commissioners for their support, expertise,
4 and the opportunity to work with them.

5 CHAIRMAN LYNN: Thank you, Mr. Hall.

6 Mr. Huntwork.

7 COMMISSIONER HUNTWORK: Mr. Chairman,
8 ladies and gentlemen, I don't think there are enough
9 words to try to express all of the experiences that
10 we've had, all of the feelings and thoughts that are
11 going through my mind at this historic moment.

12 I can only echo many of the comments of
13 the other Commissioners.

14 Thank you all for working so hard.

15 Thank you for acting on the basis of
16 principle.

17 I, too, am very proud of the map drawn,
18 not necessarily of where lines are, why we drew them
19 where the lines we did. We honestly did create a map
20 where the people of Arizona wanted and created the whole
21 system in order for this, to provide this. I think we
22 provided that map.

23 I also think that this approach depends on
24 a few people that -- it really depends on good people
25 volunteering to do what we did and then doing their best

1 to carry it out. In particular, I think, it depends on
2 one person. If you look closely at Proposition 106 and
3 where its strengths and weaknesses lie, I think it is
4 absolutely essential that the Chairman of this
5 Commission be a person of impartiality, character,
6 fairness, thoughtfulness. If we had gotten the wrong
7 Chairman, we would have gotten the wrong result. We
8 would have gotten the wrong process.

9 I can only say thank you, Steve. I hope
10 and pray 10 years from now, whoever succeeds us takes on
11 this job, the four Commissioners appointed by the
12 political parties have the opportunity to select
13 somebody like Steve Lynn. Whoever that person is, I
14 hope they volunteer for the job 10 years from now. We
15 had benefit of the best possible person this time.

16 CHAIRMAN LYNN: That's a tough act to
17 follow.

18 Let me say a couple of things. Certainly
19 I don't want to preclude comments by consultants or
20 legal counsel.

21 Many of you may know I made no secret I
22 didn't vote for Proposition 106. I didn't vote in part
23 because I felt the language of the proposition in many
24 ways was contradictory and, therefore, might be
25 difficult to administer by a citizens group, or anyone,

1 for that matter. But I will tell you that having gone
2 through the process, I certainly, if on ballot, would
3 vote for it in its current form, only, though, I think
4 there are some things that would make it better, easier,
5 more specific in terms of the intent.

6 A lot has been made about -- a lot of
7 discussion has been made about the competitiveness issue
8 as it relates to Proposition 106 and the ability of the
9 Commission to create districts to meet all of the
10 standards we have to meet. And the difficult part about
11 administering Proposition 106, which we all took an oath
12 to do, there is, whether you like it or not, a hierarchy
13 of goals. The hierarchy dictates certain things do have
14 a preferential system in trying to put things together.

15 When we finished our work in the middle of
16 October, I mentioned two concepts. I want to reiterate
17 the two concepts: principle and compromise.

18 I used two concepts, two very specific
19 terms. Principled redistricting. We began with a set
20 of rules, followed those rules. The record will show we
21 stuck to those rules. Things we felt important at the
22 beginning of this process are things we still believe
23 are very important. We believe communities of interest
24 need to be preserved. We believe one person one vote is
25 important. We believe complying with the Voting Rights

1 Act is extremely important given Arizona history and
2 given the Arizona demographic makeup. We believe
3 holding communities and other geographic political
4 subdivisions whole is to be favored. We believe all of
5 those things. And whether you believe it or not, we
6 believe in competitiveness, to the extent we can be
7 competitive, given other goals. We tried very hard to
8 exercise judgment on all six goals in ways we felt would
9 be appropriate.

10 It's interesting, in the last several
11 weeks since we adopted the maps and they have been made
12 public, the amount -- the degree of public input dropped
13 off significantly. I don't know whether that was a
14 feeling of fait accompli, no more to be done, no more
15 said. I'm not sure that's the case. I'm more
16 specifically disposed to believe the more than five plus
17 million Arizonians saw the maps and said: Okay, if
18 that's what the Commission thinks meets the test, then
19 that's fine. Particularly from Tucson, I've heard very
20 little about gee, my old district is not like my new
21 district. Moreover, from elected officials, members of
22 the community: We have a new district, let's go out and
23 get it done. That's really what the process is all
24 about.

25 I want to say finally about the people

1 involved: You could not find better people. You could
2 not have appointed better people. And you will not
3 find, 10 years from now, a group any more dedicated to
4 the Constitutional Amendment than the staff and counsel
5 and consultants were.

6 I think there needs to be some changes in
7 the law. I think we should recommend those at some
8 point. There should be changes procedure, recommend
9 those at some point. Right now I'd vote for 106, if on
10 the ballot. I'd vote for any one of these people to
11 represent me in a process that has to do with rights,
12 that has to do with preservation of communities, civil
13 liberties, and things that I hold very dear.

14 On September 11th, having had a hearing
15 September 10th, the prior evening, it was very clear
16 from the time I turned on the television the world was
17 going to be very different from that point forward.
18 Things were very different from that point forward. Put
19 in perspective, things that meant so much meant so
20 little in the overall scheme of things. I will say
21 this: The things done here in the last nine months, we
22 worked very hard to preserve liberty and the way of life
23 in the United States. If that's what this is all about,
24 we've done our bit for the war effort.

25 My fellow Commissioners, I can't thank you

1 enough for your support. I can't thank you enough for
2 the kind words about our work together. It was a joy,
3 an absolute pleasure.

4 Legal counsel, Mr. Rivera, Ms. Hauser, you
5 are the best. We knew it. We selected that way. No
6 qualms about either selection. We'd do it again in a
7 heartbeat.

8 Consultants, we were doing a principled
9 redistricting. We felt this group was the best chance
10 for a principled redistricting. The fact you have a
11 system that allows you to create Arizona units of
12 representation, so perfect for what we were trying to do
13 with communities of interest, one of the principal
14 reasons National Demographics was selected. NDC
15 staff -- well, NDC staff, beyond principles, certainly
16 everybody on the staff, Doug, and Chris, Peter when we
17 finally got to meet him, other people we never got to
18 meet, Ralph in a couple meetings, first rate folks.

19 IRC staff, in a personal note, I don't
20 know if you ever even got it, I hope he doesn't mind my
21 sharing it publicly, I wrote a note Adolfo, referred to
22 him as Milagro. For those that speak Spanish, they'll
23 understand reference. We needed Adolfo more than we
24 knew we needed Adolfo. We had some early exits from the
25 Commission. If he had not been there and able to take

1 over without missing a beat, I don't know what we'd have
2 done. We're grateful to his consummate skill for being
3 able to take over the Commission reins and the
4 outstanding reins. To the rest of the Commission staff,
5 to everybody in the office, Lou Jones, Kristina Gomez,
6 certainly Amy Rezzonico -- I think had we gone on only
7 her interview, certainly she would never have been
8 hired. That's a personal reference. She'll understand
9 it. Boy, did a bad interview turn into a great public
10 information officer. We appreciate it. Tim Johnson,
11 absolutely fabulous. Tim and his wife are expecting.
12 That's news. Stop the presses. That's because
13 apparently Tim went home once. To the whole office.
14 Lisa Nance, we've had several public reporters through
15 the process around the state, and if our unscientific
16 sampling of public reporters is any indication, we
17 picked the best one in the state. Nobody does it like
18 Lisa does. She is accurate. She is more than anything
19 else extremely fast in getting minutes out, verbatims
20 out, a perfect record, which we like. We need to use
21 those things as we go forward.

22 I'm not sure if I forgot anybody. If I
23 did, I apologize.

24 Some came before us, left the Commission
25 early, contributed to our success. I think of us as

1 successful. Success is compromise. We had to
2 compromise. There were conflicting issues. We had to
3 use principles to get where we finally wound up.

4 One thing we never did compromise on was
5 our principles. Those were intact from start to finish.
6 Those were with us from beginning to end.

7 To several of you in the room, Jim, John,
8 Frank, I mean, you were with us every meeting --

9 COMMISSIONER ELDER: Even Frank.

10 CHAIRMAN LYNN: Frank dressed up. He
11 assured me, he was going to church tomorrow, may wear
12 the same suit.

13 We may from time to time disagreed on
14 issues, but we disagreed in the most agreeable fashion.
15 We certainly appreciate the respect of all points of
16 view even though we were not able to accede to all
17 points of view at the same time. It was done with
18 respectful, healthy debate. To those with us, thank you
19 very much for doing so.

20 Other comments at this time?

21 Ms. Hauser, Mr. Rivera.

22 MS. HAUSER: Mr. Chairman, I only wanted
23 to say a word of thanks to the Commission for giving me
24 the opportunity to work with you for the bulk of this
25 year. I had certainly some idea of what I was getting

1 into, having work with redistricting in the past. But
2 the process the Commission established was certainly
3 very ambitious and really very, very necessary to making
4 this process what it was. I'm honored and privileged to
5 have been a part of it.

6 Jose, I think you asked me during my
7 interview whether I could work with Jose Rivera. My
8 answer was --

9 MR. RIVERA: She lied.

10 MS. HAUSER: My answer was yes. I would
11 also thank you for having selected Jose to be my
12 counterpart. He's been terrific to work with. We'll be
13 continuing to work together to carry the plans you so
14 capably adopted to implementation.

15 And also thanks to NDC and Marguerite
16 Leoni, in particular, who we've also had the opportunity
17 to work with. Sometimes it's hard to get legal counsel,
18 particularly three lawyers, on the same page. For the
19 most part we've done that, I think.

20 We really appreciate work of NDC and their
21 assistance throughout the process. That's one thing
22 we'll continue, obviously, as we move forward to
23 implementation. And also to the staff and Lisa Nance
24 who this week I pushed particularly hard trying to get
25 the record finished. We were exchanging e-mails in the

1 early, early morning hours. She tripped over her dog in
2 the middle of the night and injured herself which caused
3 a brief delay because of that. Thanks to her, and
4 Adolfo, and the staff. Thank you.

5 CHAIRMAN LYNN: Mr. Rivera.

6 MR. RIVERA: I echo everything she said,
7 how much she enjoyed working with me.

8 I, like Adolfo, have worked with a lot of
9 Commissions and people, Janet Reno's Executive
10 Committee, and I echo Adolfo about the hard-working,
11 principled people around.

12 Having said that, this thing leaves me
13 with memories I'll never forget: Adolfo, flying up to
14 Window Rock; Adolfo trying to stay awake and keep all
15 his food inside him in there; midnight runs with
16 Commissioner Minkoff, Commissioner Huntwork, to various
17 places; things to do, trying to keep me awake; and
18 getting stopped by Immigration on two occasions, getting
19 close to being picked up by Immigration. Looking with
20 Lisa, Amy, and I, looking for a contact in the middle of
21 the border. Crossing the border in the middle of the
22 morning. Mexican food with Steve Lynn and Dan Elder,
23 and the advice they gave me. And I'm glad that Tim
24 actually took the advice. A lot of kids in here, teach
25 Tim something about the world.

1 Doug from here on, you'll always be known
2 as our friend. That will be your nickname.

3 That's joking aside. Commissioners, you
4 came through 106, the conflicting aspects of 106. I
5 thought about that, too, coming into the Commission,
6 coming in, I thought we'd be guiding through this.
7 Really it wasn't. The concept, you had the overriding
8 concept of the way it was created and did it. Not a
9 weighing, balancing thing, the overall concept, and you
10 had it in your heart that every person in Arizona needed
11 to be represented, whether living in Maricopa, Thatcher,
12 or wherever, their voices needed to be heard. You
13 Commissioners did it. Your commitment to all made it,
14 and it was a commitment everybody kept.

15 I want to end, you asked me also right at
16 the start if I could work with Lisa. There was never a
17 doubt in my mind. I learned you become a lawyer not
18 only if you can do the job, you learn the job doing it.
19 Marguerite, you guys are great teachers. We all learned
20 from each other.

21 I look back at the legal work we've done,
22 the little minority-majority reports, and what happened
23 was a reflection that we all worked together. I
24 consider it an honor.

25 I won't go over everybody else, the staff

1 knows how I feel about it. Lisa, thank you. Amy, I
2 don't know if I'll ever work with -- Amy has my credit
3 card right now. NDC, they've all been great. I learned
4 from every one of you. I don't know, all the people of
5 Arizona, the work everybody has done, thank you.

6 CHAIRMAN LYNN: Dr. Heslop.

7 DR. HESLOP: Mr. Chairman, Members of the
8 Commission, NDC has been involved in a large number of
9 redistrictings, so many, I'm not sure I can count them
10 up. Some superlatives attach to this. Certainly this
11 is the longest; more presentations; made more
12 presentations, more testimony; read more testimony for
13 this redistricting than for any other redistrictings.

14 I to need to thank Lisa Nance.

15 But there are other superlatives that may
16 count far more. This is the hardest working group of
17 Commissioners we've ever been involved with. I marvel
18 that you are volunteers. I think it a wonder. I
19 congratulate you on your effort. It has produced a
20 redistricting that is principled, one open, and one
21 extremely well-managed, conscious that each and every
22 one of you knew what you were doing and you had to
23 respond to your management.

24 I have two other things to say. In a very
25 real sense this is a redistricting more important than

1 for the citizens of Arizona. This is redistricting that
2 could be important nationally, because you have proved a
3 citizen-led redistricting can produce with astonishing
4 little redistricting a really good Legislative and
5 Congressional map. Precedent will follow.

6 And one final note. I know from time to
7 time I made the mistake of referring to Los Angeles
8 rather than Phoenix. I let slip the fact we are from
9 California. But to pick up on what Commissioner Hall
10 said, there's no mistake we went up and down Arizona.
11 We were hearing from Arizona, not from California
12 foreigners. People from Arizona are friendly, open, and
13 civil. A few that came before the Commission might be
14 better in California, but we were all struck in NDC with
15 the friendliness of the people here and not only enjoyed
16 the experience but learned a great deal from it.

17 Thank you very much.

18 CHAIRMAN LYNN: Thank you, Dr. Heslop.

19 (Whereupon, Lisa Nance, the court
20 reporter, addressed the Commission, the legal staff of
21 IRC and NDC, the IRC staff and NDC staff, complimenting
22 them on their high standards of professionalism
23 throughout the entire process at every stage; the
24 amazing joy it was to work with such a large, diverse
25 group that always got along so well throughout the long

1 hours; a group who worked hard on difficult issues in
2 stressful conditions and never broke down into petty
3 acrimony; a group who always held their standards high,
4 kept their ethics to the top of the bar, and never
5 showed a glimmer of letting their duties waver. She
6 thanked them for the opportunity to participate in such
7 a remarkable project (comments paraphrased).)

8 CHAIRMAN LYNN: On the record: Go
9 Diamondbacks.

10 COMMISSIONER HALL: Feels like the last
11 day of school.

12 CHAIRMAN LYNN: The Independent
13 Redistricting meeting of November 3rd is adjourned.

14 (Whereupon, the hearing concluded at
15 approximately 2:07 p.m.)

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