The State of Arizona Independent

Redistricting Commission convened in Open Public Session on March 1, 2004, at 9:00 o'clock a.m., at the Sheraton Airport, Tempe, 1600 South 52nd Street, Tempe, Arizona, 85281, in the presence of:

APPEARANCES:

CHAIRMAN STEVEN W. LYNN
VICE CHAIRMAN ANDI MINKOFF
COMMISSIONER JAMES R. HUNTWORK
COMMISSIONER JOSHUA M. HALL
COMMISSIONER DANIEL R. ELDER
ADDITIONAL APPEARANCES:

LISA T. HAUSER, AIRC Counsel
JOSE de JESUS RIVERA, AIRC Counsel
ADOLFO ECHEVESTE, AIRC Executive Director
LOU JONES, AIRC Staff
KRISTINA GOMEZ, AIRC Staff
FLORENCE ADAMS, Ph.D., PRESIDENT OF NDC,
AIRC CONSULTANT
DOUGLAS JOHNSON, VICE-PRESIDENT OF NDC,
AIRC Consultant
MARGUERITE MARY LEONI, NDC Counsel
MICHAEL P. McDONALD, Ph.D.,
AIRC Competitiveness Expert
George Mason University
LISA A. NANCE, Registered Professional Reporter,
Certified Court Reporter, No. 50349
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LISA A. NANCE, RPR, CCR (623) 203-7525
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Mel Hannah, Intergovernment Relations, Greater Phoenix Urban League.

Bishop Henry L. Barnwell, Pastor, First New Life, M.B.C.

Barbara Hein, LD26 Chair, Representing Self, LD26, Republicans.

Mitch Strohman, Government Affairs Manager, Flagstaff Chamber of Commerce.

Arthur Mobley, President & CEO Worldwide Radio, Inc.

J. Michael Flourney, Retired Judge and Attorney, Representing Self and Flagstaff Community.

Leonard Gorman, Legislative Chief of Staff, Navajo Nation.


PRESENTATION BY NDC:

Douglas Johnson

Florence Adams, Ph.D.

Marguerite Mary Leoni

Michael P. McDonald, Ph.D.
MOTIONS BY THE ARIZONA INDEPENDENT REDISTRICTING COMMISSION:

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2 February 23 Clean-Up Map (duplicate).
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4 Map "Feb 23 Test" Metro Tucson Area.
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6 Speaker Slip For: Joseph C. Donaldson, Mayor, City of Flagstaff.
7 3-1-04 Testimony of Joseph C. Donaldson, Mayor, City of Flagstaff.
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PROCEEDINGS

CHAIRMAN LYNN: The Commission will come to order.

For the record, roll call.

Ms. Minkoff?

COMMISSIONER MINKOFF: Here at last. Here at last.

CHAIRMAN LYNN: Happy to have you here.

CHAIRMAN LYNN: Mr. Elder?

COMMISSIONER ELDER: Here.

CHAIRMAN LYNN: Mr. Hall?

COMMISSIONER HALL: Here.

CHAIRMAN LYNN: Mr. Huntwork?

COMMISSIONER HUNTWORK: Here.

CHAIRMAN LYNN: The Commissioners are all present along with legal counsel and consultants.

We're continuing to meet under court's order to comply with the ruling of the court in remapping the Legislative Districts of the state in accordance with the judge's instructions and in compliance with that court order.
The next item on the agenda is public comment. And I'm going to ask those who wish to speak to make sure they have a yellow speaker slip filled out. I would also ask that for those that are speaking essentially on the same point to, as best they can, not necessarily repeat what others have said but just, certainly, identify yourself as being connected with the point that has been made and we will understand that that is additional testimony on that point.

We have, as our tradition, not limited public comment in any way to any specific period of time, but in deference to your fellow citizens who are here and might wish to speak as well, we would certainly wish you keep your comments as brief as possible and still make the point you wish to make. To the extent you have written statements, we'd be happy to take them and make them a part of the record. And we will move as quickly through the public comment as is feasible.

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 directing further consideration or decision at a later
date unless it is the subject of an item already on the
agenda.

I have a number of speaker slips. Unless
those of you are already filling one out, make sure
Mr. Echeveste in the light gray suit gives you one and
you fill one out and get them to us.

The first speaker this morning is Mayor
Joseph Donaldson, Mayor of the City of Flagstaff.

Mayor, good morning.

MAYOR DONALDSON: Good morning. Good
morning, Mr. Chairman and Commissioners. I'm Mayor
Joseph Donaldson. I thank you for this opportunity to
speak before the Commission.

On behalf of the City of Flagstaff and
Flagstaff community, I recognize the difficult task,
charge you have been charged with, and commend your
efforts, perseverance, and service to the citizens on
behalf of the State of Arizona.

I understand the challenge you have before
you in considering and making decisions with respect to
the application of Proposition 106 criteria. While I
understand the importance of each of the criteria, the
challenge of respecting the many communities of interest
is significant.

I thank you for recognizing and taking
formal action to adopt the Flagstaff Metropolitan Planning Organization, known as FMPO, as a community of interest and maintaining it whole and in one Legislative District.

As I, and many from the community have testified, maintaining the FMPO as a community of interest is vital to the well-being of our region, including its University and its economy. Additionally, the FMPO boundaries mirror the regional plan boundaries.

This plan, adopted by an overwhelming majority of the voters, addresses the near and long-term implementation of many issues including: land use, zoning, and transportation systems.

Mr. Chairman, with your permission, I would ask for the opportunity to recognize those here with me today in support of this position. Some may wish to speak before the Commission during this public comment period. Others may take the opportunity to address the Commission later in the process.

Thank you for your time and continued consideration of the Flagstaff Metropolitan Planning Organization.

May I introduce Matt Ryan, Chairman, Coconino County Board of Supervisors; Chris Bauasi, Navajo Hopi Indian Relocation Commission, also former
Mayor of Flagstaff; Ann Barton, Associate Director of Government Affairs for Northern Arizona University; Jay Heat, a member of the Mayor's Advisory Group in Flagstaff, Arizona; and Judge Michael J. Flourney.

Thank you.

CHAIRMAN LYNN: Thank you, Mr. Mayor.

As we move through the speaker slips, if those other representatives from Flagstaff or the Flagstaff area, if they wish to have comments, certainly they are welcome to do so.

The next speaker slip, Christopher Bauasi, former Mayor of the City of Flagstaff.

Mr. Bauasi.

MR. BAUASI: Thank you for allowing us to come. I'm Christopher Bauasi, Past Chairman, Northern Governments, Past President of the Arizona League of Government and Towns, past Government Redistricting body.

I as much as anyone understand and appreciate the magnitude of your task, as well as its importance. The district as you have reconfigured it, no doubt, making every one happen is logical, reasonable, and workable. With recent efforts at all levels, city, county, and state, to encourage and some cases demand, reasonable comprehensive planning, problem solving and cooperation, the idea of maintaining the
metropolitan planning operation community of interest
makes imminent sense. Please don't be dissuaded. I come
here to encourage you in your efforts and in support of
this configuration. Most importantly I want to thank you
for your efforts.

CHAIRMAN LYNN: Thank you, Mr. Bauasi.

CHAIRMAN LYNN: Next -- I'll apologize
ladies and gentlemen in advance if I mispronounce your
name. I'll do the best I can, and if I'm wrong, please
correct me and the record, as you step forward.

Next speaker, Dr. George Brooks.

Mr. Brooks represents the community.

Dr. Brooks, good morning.

DR. BROOKS: Good morning. How are you?

CHAIRMAN LYNN: Very well, sir. Thank you.

DR. BROOKS: Mr. Chairman, and Members of
the Commission, I am here this morning to speak about the
section here I believe called J. And I, the proposal, as
I understand that proposal to be, is that you would
extend, you would shrink that proposal from its present
western boundary to 35th Avenue. And that shrinking is
tantamount to the exclusion of the present representative
in that district. Now, we have gone through this kind of
thing in North Carolina, and I remember that very brief
period when I served in the State Legislature, didn't
like the job, didn't particularly like the people, and
got out. I'm not sure they held me in high esteem as
well. But I would caution us not to do to the present
representative from our district what others through
their own mindset have done to other minorities in this
country. Therefore, I would suggest that we either
maintain our present western boundary or we would shrink
it to approximately 51st Avenue or even 59th. But let it
not be said that the Commission in Arizona gerrymandered
the only present African American out of office. To do
what you are proposing to do is tantamount to just that.

Thank you very much.

CHAIRMAN LYNN: Thank you, Dr. Brooks. I
would make this point to everyone in the audience. The
Commission is prohibited, by the Constitution, from
taking into account where incumbents or candidates for
office reside. This Commission has not and will not take
that information into account in mapping as it would be a
violation of the constitution. Please be aware that any
map you see and any lines that are drawn as a part of
this process are drawn without that knowledge and without
that information bearing on where those lines are drawn.
That is not only how the maps to date have been drawn,
that is how they will continue to be drawn. That needs
to be very clear on the record.
COMMISSIONER HUNTWORK: Mr. Chairman.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: On the other hand, evidence regarding the actual locations of the African American community in South Phoenix would be appropriate, and we could consider that information.

CHAIRMAN LYNN: There's no question communities of interest of many types of kinds are appropriate consideration for the Commission. Thank you.

CHAIRMAN LYNN: The next speaker is Lorraine Newman, Chairman for the African American Community Coalition. Good morning.

MS. NEWMAN: Lorraine Newman, Chairperson for the African American Community Coalition.

On behalf of our organization, I would like to thank you four this opportunity to speak on the proposed District J minority adjustment plan. It is with a heavy but hopeful heart that I speak this morning; because as African Americans, we have had more than our share of battles and obstacles to overcome. And the saga continues.

Under the auspices of the United States Department of Justice, we clearly understand that competitive districts are critical. Moreover, we support the full and equal representative from the current
district boundaries in our Congressional and Legislative representation. The boundaries from the base of South Mountain south to Van Buren north, 83rd Avenue west and 48th Street east are strong communities of interest that need to be maintained. Reason: The best possible chance for an African American to have an equal opportunity of representing this district is to leave our boundaries intact. During the open session meetings regarding redistricting at Phoenix College, the south and central communities came together and spoke to these issues. It was our understanding that our district boundaries would not change. We did not learn of this latest effort to try to change the boundaries until your last meeting on Monday, February 23rd. Many of our members are here today. But the bulk of our membership is comprised of working people who could not be here, but their voices can be heard in the form of petitions requesting this Commission to understand our plight.

I would like to present some of those petitions with approximately 400 signatures, and there are many more to come.

According to the written commission of this prestigious Commission, which clearly states: "To administer the fair and balanced redistricting of Congressional and Legislative districts for the State of
Arizona," we have every confidence that you will consider our position.

We can think of no plausible rationale for changing the boundaries in our district except to shut out any possibility of an African American representing us in government.

We come today in the spirit of a desire for fairness, the spirit of a desire for Justice, and the relentless spirit of hope. A plea is voiced in our names, and I thank you.

CHAIRMAN LYNN: Ms. Newman, thank you very much.

Ms. Minkoff has a question, if you wouldn't mind.

COMMISSIONER MINKOFF: Thank you.

Is this on?

Now it is. Okay.

Ms. Newman, thank you very much.

I just want to make sure I understand the points that you were making. It seemed that you were telling us that the African American community of interest is essentially located between 48th Street and 83rd Avenue and between South Mountain and Van Buren; is that correct?

MS. NEWMAN: That is correct.
COMMISSIONER MINKOFF: Looking at the map, current District J troubles you and troubles the community that goes from South Mountain to Van Buren, goes from 48th Street and stops at 35th Avenue except a little tail of the Southern end, which I think probably doesn't have a lot of population in it.

We can only put about 171,000 people in a Legislative District otherwise we violate the equal protection clause of the United States Constitution. So it doesn't seem plausible to create a district runs from 48th Street to 43rd Avenue. And South Mountain to 43rd Avenue has too many people and would be thrown out by Department of Justice.

My question to you, since we have to divide this community, it's too large to put all in one Legislative District, is there another boundary you think is better than 35th Avenue? Do we move further to west, cut off people to the east, move further to the south, cut off people north of Buckeye Road? Do you have an alternative suggestion?

MS. NEWMAN: Our primary concern is the western boundary. We'd gladly compromise: 59th, even 51st Avenue.

COMMISSIONER MINKOFF: If we added people between 35th and, say, 51st, we have to take them away
from 51st. Any district that doesn't negatively impact
your community would be dropped from the district. We
can't add anything to your district without taking
something away. Districts are pretty close to population
balanced now. Any population moved into your district
has to be balanced by population taken out of the
district.

MS. NEWMAN: The northern boundary could be
shrunk.

COMMISSIONER MINKOFF: Thank you.

CHAIRMAN LYNN: Thank you, Ms. Newman.

MR. JOHNSON: Mr. Chairman.

CHAIRMAN LYNN: Mr. Johnson.

MR. JOHNSON: The description 48th Street
to 43rd Avenue is the current district. They are
happiest with the current district?

MS. NEWMAN: Yes.

CHAIRMAN LYNN: Next speaker, Kristina

Henkins.

If I can ask you, the court reporter is
trying to follow everything in the room. To the extent
you can keep side comments, side discussions to a
minimum, it will help her keep the record clear.

If you wish to have a conversation, wish to
ask to excuse yourselves and do so in hall.
Kristina Hankins representing the African American Coalition.

MS. HANKINS: I'm Christina Hankins, C.R.I.S.P, Coalition of South Phoenix Concerned Residents. And I have not kept up too well with all of the redistricting going west, but I am very, very concerned about what is going on kind of east of where we are as well as north. And I would say that Mrs. Newman has addressed my close concerns. And I'm willing to go along with the suggestions and add to what she has to help in the best way that I feel, which is the same way that she's on, we're on the same course.

So I thank you for this space and consideration that you are giving to the, the group. It has been -- I always say we have been set off, or allowed, because I'm used to being always appointed to where to live, and I'm quite satisfied with where we are now as well as the district. So I thank you.

CHAIRMAN LYNN: Thank you, Ms. Hankins, very much.

I should ask Ms. Newman, you've made reference to a petition with 400 signatures. Do we have it for the record?

MS. NEWMAN: Yes.

CHAIRMAN LYNN: Next speaker, Alberto
Mr. Gutier, who was here earlier, and is being hunted for at the moment, let me just take one out of order so we can keep going. Ann Barton representing the Northern Arizona University, there's Mr. Gutier. I'll get to you in a second, Mr. Gutier.

MS. BARTON: One good morning, Mr. Chairman. Ann Barton, Associate Governor for Governor relations. President Hegarty could not be here this morning but asked me to read a letter in regard to your deliberations.

This letter follows my previous note to the Redistricting Commission.

As a member of the alliance and policy management group from Flagstaff, also as president of Northern Arizona University, I want to support current efforts to recognize the FMPO as a community of interest and subsequently maintain it whole and in one district. The Flagstaff community is a unique community that combines several distinct groups that establish a community of interest.

First, Flagstaff is an intellectual community quite remarkable for its population, combines Coconino College, Northern Arizona University, Lowell Observatory, Flagstaff Medical Center, Flagstaff

Flagstaff has the potential through it's intellectual capacity to lead in economic furtherance of this area through its combined area of interest.

I urge the Commissioners to support and maintain the FMPO as a community of interest.

Sincerely, John D. Hegarty, president.

CHAIRMAN LYNN: Thank you, Ms. Barton.

We'll make that letter a part of the record.

Next speaker, Alberto Gutier.

MR. GUTIER: Good morning.

Chairman, Members of the Commission, I had the pleasure of testifying in front of you about a month ago. The reason today to not look at my district, you guys restored part of the district I was very interested in. More than anything else it comes to community of interest. I look at a certain part of my county and state, a different district is changed. One is South Mountain. I'm very concerned with the fact part of the South Mountain community, a number of political campaigns over the years as I looked at it. Somehow 35th to 9th Avenue, Southern to Baseline is removed out of the South Mountain District and put with another district. I'm just wondering if something in the South Mountain
community, it's very compact and a quite closed area, should have been split. I'm just asking you to look at it.

I know you have a very difficult job. Moving those lines was not easy. At the same time I praise you for the efforts you've done. I think the maps reflect a good compromise. At the same time, it's interesting to see if that could be restored.

CHAIRMAN LYNN: Thank you, Mr. Gutier.

Next speaker, Gilberto Hayes, representing Pinal County.

MR. HAYES: Hayes, starts with an H.

Mr. Chairman, Members of the Commission, we're going from one side of the county to another. You have a monumental task to do. 2000 did initiate legislative district 22 in Pinal County. In your haste I believe, I'm trying to get some points across, to take a complete voting precinct in, you didn't, I have a handout to make it easier for everybody to understand what we're trying to do, the Legislative District in question here, District 22, I've got color coding, which is the best way to understand something, I believe, we're simply asking for a little in-house housecleaning, that the boundary highlighted in red be moved to comply with the voting precinct 48 in green, the reason being immediately
southeast of that road, Pinalta Road, which the Commission took and put as a Legislative District boundary line on a split of a community, forcing roughly back then in year the 2000 six to ten voters to travel all the way down south to Queen Creek to vote, approximately 30 miles. That area has been growing. It is a new subdivision there, up to now 40 to 60 voters. We get the calls to vote, look at 52 dots, polling places. Voters have to travel from immediately outside the southeast red line way down to Queen Creek, a 30-, 40-mile round trip. There's no population basically established in the area of the larger area of the green area there. That's all state land. And I think it would be very convenient for those voters if they were to be included in that District 22, being part of District 48 and eliminate the long travel. Hopefully it's an easy task and something easily remedied.

Thank you very much unless you have questions.

CHAIRMAN LYNN: Thank you, Mr. Hayes.

One question. Ms. Minkoff may have one as well. Let me defer to Ms. Minkoff and then I'll ask mine.

COMMISSIONER MINKOFF: Thank you, Mr. Hayes.
My question, if this proposal impacts the congressional district at all or is this entirely, the whole area within the same congressional district?

MR. HAYES: Mr. Chairman, Ms. Minkoff, it does not impact the congressional district. The green line, broken lines, southeast part, southeastern part, green line, is the congressional district line, no impact at all.

COMMISSIONER MINKOFF: Thank you.

MR. HAYES: This initial presentation, we didn't quite get the information to Ms. Hauser. We discussed it then. It's a simple situation, I believe.

CHAIRMAN LYNN: Mr. Hayes, the question I have, mentioned the 2002 lines. Does this issue exist as far as you know in the 2004 map as well?

MR. HAYES: Continues to exist as long as the red line stays there. Those voters immediately to the outside of the southeast part of it have to be traveling all the way down to Queen Creek roughly 30, 40 miles away.

MR. JOHNSON: Mr. Chairman.

CHAIRMAN LYNN: Mr. Johnson.

MR. JOHNSON: Eastern borderline?

MR. HAYES: Mr. Chairman.

MR. JOHNSON: What is the green line?
MR. HAYES: That's Superior, eastern border
of Superior.

MR. JOHNSON: Anything that shows where
that border is with geography?

MR. HAYES: Voting data is incorporated in,
a more detailed map.

CHAIRMAN LYNN: As quickly as possible,
Mr. Hayes, if you're going to make that.

MR. HAYES: I can leave that now.

COMMISSIONER MINKOFF: Mr. Chairman.

CHAIRMAN LYNN: Ms. Minkoff. What you are
asking is if the area surrounded by that green line be
moved into the Legislative District that is immediately
to the west of it.

MR. HAYES: 22, Legislative 22.

COMMISSIONER MINKOFF: You estimated the
population is only 10 people.

MR. HAYES: Up to 40 people have moved into
that southern subdivision occurring there now.

Population is not there to establish a
precinct. We try to get 500 people on up to establish a
precinct. There is a polling place, school there. Right
now we get the calls constantly: Why must I travel 40
miles. We say, "We can't help that." Otherwise, the
overall population is nothing. I don't know that it
would have an impact on balancing the numbers for that
Legislative District.

CHAIRMAN LYNN: Thank you, Mr. Hayes.

Next, Ivan Leglar. Ivan Leglar, Town
Attorney, Town of Prescott Attorney.

Mr. Leglar.

MR. LEGLAR: Good morning, Chairman Lynn, Commissioners, staff. Thank you for the opportunity to
address you this morning.

I'm a poor substitute for Mike Flannery,
normally the person in front of you. Mike and others
from the Tri-Cities area have been in front of you many
times over the last several years.

Primarily I'm here to thank you for your
efforts. We're here to thank you for the fact you've
considered the Tri-Cities an important community of
interest that exists in the Tri-Cities and you've also
looked at the important interest between the Tri-Cities
and Verde River communities, especially with regard to
the explosive new growth and water issues.

As you know, we joined with the Commission
when the original map was challenged in court. And when
you revised that map 2002 we remained with you as a
defendant, an intervener. We argued to the court the
work you had done with your last map is something the
court needed to give deference to, and we understand that
those issues will be resolved on appeal and look forward
to those issues being resolved. We know you are in a
difficult situation, trying to respond to the court, and
appreciate that.

The map you are currently working on is
continuing to protect communities of interest, trying to
balance many things, and you've done all you can to
balance those things. We encourage you to do so, doing
so to retain, if you will, that important community of
interest between the Tri-Cities and Verde River
communities. We thank you again and wish you well.

CHAIRMAN LYNN: Thank you, Mr. Leglar.

Next speaker, Matt Ryan, Chairman for the
Coconino Board of Supervisors.

Yeah, there is Mr. Ryan.

MR. RYAN: Mr. Chairman, Commissioners,
quickly, for your sake, thank you for the opportunity.
Also, thank you for giving us consideration. And I won't
reiterate the point in Coconino County we do acknowledge
we would be split. We appreciate you giving
consideration of two of our primary populations,
communities of like interest. One would be our Native
American populations, hoping to remain intact. And your
recommendations still retain that ability. Also, the
Flagstaff metropolitan planning organization, again, is one of our larger communities of like interest. Again, that was acknowledged or has been, so far. So appreciate that you have given that consideration. We have still been fractured in our county. Every county will get or have that happen to them as well. So thank you very much. I'll keep it nice and simple. I'll defer to later if there will be any questions.

CHAIRMAN LYNN: Thank you, Mr. Ryan.

Next speaker, Alvin Evans representing the Shilo Epistolic church.

Ms. Evans.

MS. EVANS: I was sent here by my church to represent District J, cut-off at 35th Avenue. Lorraine Newman already addressed that. I would not want to take up your time. We are in support of Mrs. Newman's concerns and have signed the petition that addresses those concerns.

CHAIRMAN LYNN: Thank you, Ms. Evans.

Next speaker, Jeff Groscost, representative in District 18.

Mr. Groscost.

MR. GROSCOST: Mr. Chairman, Members of the Commission, we appreciate your time and efforts. I understand we would not be back here if you had your way
and you would not be going through this. However, in
taking a look at what has happened, members of the East
Valley Legislative Districts Coalition have taken a look
at what appears in District C, F, H, and X, that you
began to do in an attempt to try and realize the
interests charged to add competitiveness where possible.
Unfortunately, it looks like at some point you came to
the realization no matter how you slice and dice those
districts, they'll probably look the same.
Competitiveness, actually any demographic breakdown you
get largely Anglo conservative upper demographic no
matter how you slice it. In the end, you haven't changed
the outside footprint of those districts. What you did
on the interior of that footprint, you did have very
dramatic footprints. In district X you had, under
precleared maps, you had Gilbert all in one community of
interest. And you had them all within district, which is
what Maricopa Berman and the city council requested
happened, giving them, they think, better ability to be
represented by containing them all within one district.
Under this cut you actually take the southern cut of
Gilbert and a little piece on the west and cut it out of
Gilbert.

Maricopa Berman has submitted a map that
takes care of that problem and puts them in another
Up in my district, District C, there is the main north-south line is Gilbert Road. And it always has been, through the last 30 years, as we've redistricted 30 times, that's always been the dividing line. In a city like Mesa where really your communities of interest, in a large multi-district city that only has one school district, really the community of interests start revolving around high schools and feeder junior highs and high schools that are this.

In your original maps your original maps was run under to, for the first time, you jogged east of Gilbert Road for District C, or what used to be District 29 and now District 18, and we dealt with that. We went out and we reorganized and tried to reorganize and draw the people that were involved back into the process.

Under the precleared maps you further pushed that line to the east, which we dealt with also, although I have to tell you that we saw a real apathy begin to evolve where people who had been involved started to say well, what district am I going to be in? Who am I going to be working for? Who are my legislators? Who do I call if I have a problem?

The latest district on 23rd, rubber band that to Gilbert Road, and on the northern end of the
district, come over in District C, is sucked into the
east side into what used to be District F. And on the
south side it's pulled back in.

I guess the plea that we are making as the
Legislative District Chairman in the East Valley of which
you have all four of us today along with our Vice
Chairman, is since it makes absolutely no difference for
competitiveness, since it — and I guess to illustrate
that, prior to the first cut, I was actually in district
X, which used to be old District 30 and the district
Chairman. The lines were cut to where I was within a
half block of the boundary, or District 18, District C,
and I was elected district chairman.

Under the current map you cut me into
District H, but you cut the chairman of District H,
District C. You know what, we'd all end up as Chairman
again.

It doesn't change the dynamics in the
least. You take a lot of predominantly Anglo upper
middle income acres south of the sidewalk from the
predominantly Anglo upper middle class acre lots on the
middle side.

What you do is cut Mesa High in half,
Mountain View in half. You really do, whether that
sounds important or not. You change the impact of the
community of interest.

If you don't believe that's a community of interest, show up at America West Arena for the city championship. I doubt they'll end.

I'd like all the chairman to stand up.

Dirk Adams, now District H, Bill Norton, which is what is now district X, John Rutledge, which is now District F, and we won't be taking up any more time, but we would like to support Mayor Berman's maps, take the lines back to what you had as the precleared lines within the footprint. It doesn't change it outside of the footprint, at least. One change you have made, try to make the job easier, try to bring it within a half percent deviation, understanding the impact of having too large a deviation. To do that you'll see we cut corners and tried not to be, tried to take a natural, I guess, inclusion of areas as opposed to going out and being too adventuresome.

Round some corners up and squared some corners. If there are any questions, I'm happy to answer them if any of your colleagues want me to.

CHAIRMAN LYNN: Do you want to ask any questions about Mayor Berman's map?

MR. GROSCOST: Sorry. To resubmit, we were told it was. If you haven't seen it, I'll have it
re-e-mailed over.

CHAIRMAN LYNN: I want to be sure Mr. Johnson has seen it.

MR. JOHNSON: Yes, I have. It will be in my presentation.

CHAIRMAN LYNN: I'd appreciate having the other gentleman here and the efficiency of your testimony. Appreciate that.

MR. GROSCOFT: I've sat on your side of the microphone often enough to understand that becomes an issue.

CHAIRMAN LYNN: Next speaker, Oscar Tillman, NAACP.

Mr. Tillman.

REVEREND TILLMAN: I'll not take up your time, either. The fact is today I'm here to support Ms. Newman and the Coalition which I am a member of, and that is the fact I know you can't look at the incumbents but in our community we have to look at the incumbents and have to really be cognizant of the fact. As Dr. Brooks said, I grew up North Carolina in the forties and fifties, know what redistricting gerrymandering can do, and what have you.

I'm here to support Ms. Newman and the fact we may be small in numbers, African Americans numbers,
but please do not deny us our voice.

CHAIRMAN LYNN: Thank you, Mr. Tillman.

Cloves Campbell.

Mr. Campbell, good morning.

MR. CAMPBELL: Good morning, Commissioner, and group.

I'll say the same thing, not take up a lot of time. I do support Ms. Newman's efforts and organization.

I've been a voter, registered voter in the same district all my life, the last 40 some odd years. I do appreciate the fact you guys are taking a lot of time out of your own personal time to do these things. I want to make it clear you do not enjoy continuing to see the district reshaped even though it's necessary. It has to be done. We want to make sure, like the Reverand said, we do have a voice in the State Legislature with this redistricting program. It kind of cuts us out. Again, we do support Ms. Newman and thank you for your time.

CHAIRMAN LYNN: Thank you, Mr. Campbell.

Again, I apologize. I believe it's Robert Landrum. Is that accurate? It could be Landro? I know it's Robert. LANDRAM or maybe N.

Well, I'll ask it again in a bit.

Robert Boyd, Chairman of CFOSP.
Mr. Boyd, good morning.

MR. BOYD: Good morning to the Commissioners. Robert Boyd, Chairman of the Combined Fraternal Association of South Phoenix which represents several organizations, the American Legion, the VFW, West Buckeye Association, FS Post 55, 66, and I come to support, as Dr. Brooks said, Ms. Newman said, I come to support that plan.

I'm speaking on behalf of about 1,500 members.

We do have other petitions going around. And by the time we finish with the petitions, you'll have some more within the next day, you'll probably have about another 2000 to support this redistricting, because I feel the same way as they have spoken earlier. I won't take up any more of your time. I just want to be here to support we do not need to go backwards, need to go forward.

Thank you very much.

CHAIRMAN LYNN: Thank you, Mr. Boyd.

Next speaker, W. Kent Foree. I hope that's close to correct.

MR. FOREE: Correct.

CHAIRMAN LYNN: Assistant City Attorney with Lake Havasu City.
MR. FOREE: Good morning. Lake Havasu City has actively supported the work of Independent Redistricting, been independently passive supporter in the Superior Court action, fully supported the work taken by action including interpretations of the Constitutional provisions you're trying to comply with.

At this point, though, we understand you are under the gun under a 45-day order in order to accomplish this. We're a little under the loop why it came about Lake Havasu City is being put into two districts, really impact the community to two communities. Which community somebody is living in, they don't know. Lake Havasu City they know. It's not clear to us exactly where the dividing line was chosen or why. Maybe Mr. Johnson, I can get with him later and determine that, but we want to voice our support previously taken by the Commission, encourage you to pursue the appeal I'm presuming you are going to, would like to examine any possibility of leaving Lake Havasu City as its own entity as opposed to dividing into two separate districts.

CHAIRMAN LYNN: Thank you, Mr. Foree.

We're happy to have you. During a break or when we have an opportunity, get with Mr. Johnson; he can give you details.

MR. FOREE: He is the one to be talking to?
CHAIRMAN LYNN: He is, to see exactly where the line is drawn.

The issue of Lake Havasu was on the agenda and was talked about at the last meeting, but I, and others, share the concern you have.

Number one, the appeal is being vigorously pursued. We're concerned about dividing communities like Lake Havasu and only will do so if there are no other alternatives.

MR. FORNEE: That was our presumption.

CHAIRMAN LYNN: Next speaker, Judith Harrison.

Ms. Harrison, apparently representing herself.

MS. HARRISON: I am here in representation of the African American Community, a concerned citizen. I'd like to say I'll not take you time. Dr. Brooks has articulated it very well, what the African American community and others that are concerned feel needs to be said at this time.

I amprayful you consider the freedom and fairness of representation our Legislative government while you get up on the -- while you act upon the redistricting matter at hand.

As a new citizen to this Phoenix area, and
to be a teacher of some of the students that live in the community that is going to be redistricted, I would like for you to consider that what you do now will have an impact on the young minds of the students in that area. And where we're standing today is where some of those same students are going to be standing.

I would like to feel when I believe all the considerations that have been stated here would be taken at hand, we do need representation. We have it. We'd like to keep it. Thank you very much.

CHAIRMAN LYNN: Thank you, Ms. Harrison, very much.

Next speaker, Michael Johnson, councilmember, City of Phoenix.

Councilmember Mr. Johnson.

MR. JOHNSON: Good morning. How are you.

CHAIRMAN LYNN: Good.

MR. JOHNSON: Mr. Chair, members of the committee, I do strongly support Ms. Newman's position. There are some issues and very, very deep concerns we have. I also represent a good portion of this district. And I'm also the only African American or only minority on the Phoenix Council, only one, minority in the State Legislative Office.

In the South Phoenix area we have, within
The last few years, had the opportunity to start to have some economic growth in the area, to have some economic stability brought into the area. It's a shame that as soon as the area starts to develop, we decide to split it.

The South Mountain community has been in their existence for a very long time. Not only has it been in their in existence, it's part of the history of our state. The South Mountain area is where a lot of minorities, African Americans, Hispanics, were first able to buy their homes at. This is the area we're talking about splitting, taking apart.

I think when we look at keeping an area together, we should look at keeping South Mountain all the way along, Van Buren going all the way down into Laveen together, it's always been one contiguous community, one community involved, that share the same issues, share some economic growth. New homes coming into the area, new development coming into the area, getting sit-down restaurants, seeing development coming along Baseline Road that now we decided to take this district or area we're looking at, area J all the way up to Thomas Road and as far east as I believe it's 62nd Street. I heard a question asked earlier, if we were to keep the South Mountain together, what area would we look
at taking out.

    We'd look at taking out the same area as
we're putting in. That wasn't part of the South Mountain
community. One part looking at Van Buren to Thomas Road,
all the way over, I think it's 64th Street, almost going
into, and may be part of Scottsdale, not Scottsdale, very
close, you've taken our community, you've given us
another part of the community, not a community of common
interest, nor is it a community of minority
representation. The African American community, we need
to be able to have the philosophy that as our community
grows, we're hoping our kids can come back, so our kids
can come back and live near our parents, kids can come
back and take part in the system of communicating and
working within the community, come back. We're not
trying to encourage them to move further on the outskirts
or move in different parts.

    I want to strongly encourage you to keep
the South Mountain community together, to the extent to
51st, 59th Avenue, along the corridor there, have new
development, new growth.

    I understand the figures with numbers. I
don't know exactly what numbers are between the areas. I
surely do understand that.

    It is extremely understood that we don't
split up a community that has been unified for so long
dollars, stores get better, homes develop that were once
develop, the community get better. I beg you not split
that, keep the South Mountain community one community and
take that into consideration to the history of those in
the community, let them be a part and part of a thriving
community, let those little people forget that was a
neglected community and now we have focus on it. Let's
not split up, give it focus where needed and has always
been.

CHAIRMAN LYNN: Thank you, Mr. Johnson.

Appreciate it.

Next speaker, Mel Hannah, intergovernmental
relations director, Greater Phoenix Urban League.

MR. HANNAH: Others have stated and
commended you for your difficult task. I won't be long,

The Greater Phoenix Urban League did submit
a letter giving their position. The Greater Phoenix
Urban League, and the comments of Ms. Newman that shared
this morning and eloquently stated by the Honorable
Rev. Brooks minus the comments about the Legislature, you
understand our comments are consistent with it.
In regard to boundary adjustments, the preference, if the district could state the boundaries, recharged, our first preference without any doubt, acknowledging you do make some adjustments likely in terms of what Councilman Johnson spoke about, keep our community of interest intact, we support the 51st Avenue west boundary. If in fact you do then retract different areas, it was mentioned the northern part of it, northern part, that would be appropriate to do so.

One comment, here, about the community of interest, economic vitality going up into Scottsdale. I suggest you consider really talking about community of interest. It's really community of political interest. We feel the boundary gives us the best political opportunity we so sorely deserve and think we should have.

Thank you, Mr. Chairman.

CHAIRMAN LYNN: Next speaker, Bishop Henry Barnwell.

Bishop Barnwell, Pastor of the First New Life Church.

BISHOP BARNWELL: Good morning. How are you?

CHAIRMAN LYNN: Very well, sir.

BISHOP BARNWELL: I'll won't take much of
your time. I just want to go on record as reporting
we're supporting Ms. Newman. I think she adequately
voiced our minutes as a congregation in South Phoenix for
37 years, and what Brother Tillman has said, and
Mr. Johnson. I just want to go on record that we support
what they have said.

I beg of you as a Commission to prayerfully
consider what has been said.

Thank you very much.

CHAIRMAN LYNN: Thank you, sir.

The next speaker is Barbara Hein, Chairman
of the Legislative District 26 representing Republicans
of that district and representing, as she always does,
herself.

Ms. Hein, good morning.

MS. HEIN: Morning, all of you. I'm
tickled to be here.

CHAIRMAN LYNN: Pull that down.

MS. HEIN: I'm not tickled to be here. I
mean that. I liked the maps of 2004 and I'm sorry we
have to be here. However, I am concerned about the area
of Pima County. And I am concerned more than just for
the district of 26 which I represent.

When you look at that map, and then I
compare it to the Phoenix map, I have to honestly admit
there’s an awful lot more fingers going into the City of Tucson than is the map that you have in Phoenix, here, because it -- compactness is a base by which the maps in fact should be drawn. And I urge you to reconsider Pima County, because you are getting a lot of tentacles into the City of Tucson. It’s tough dividing up the basis for unification. Tucson and Pima County have long had a history of not getting along, is what I guess I can kindly say. And to divide up the city a lot into many districts that allow them to have more fights in the City of Tucson does not hugely represent does not bother me a lot. It sets up a lot of animosity which would -- the reason you went concise compact districts you want people that our Legislative District represents to go to Phoenix here and make some kind of uniform basis of judgment. So it seems to me that is one of the things. One of my main concerns for V and W is that you have divided up, U and Y have split Casas Adobas as an area. And it has been this basic area of District 12, Map 26 has been not changed since 1972 when you had the one man one vote come in. So this area has been split.

You added in 2004, you went up to Pinal County, picked up Saddlebrooke that went back in to three communities, Vistoso, ran up in Saddlebrooke. Areas changed, so you actually added some retired folks. But
what you've now done is split Casas Adobas, an area
geographically together, split the AMPHI School District,
and they did testify seriously about trying to get that
school district in a whole. You've also done some --
they are the only compact district I see is District T,
or District 29. Those boundaries haven't moved at all.

So congratulations, you've got one compact
district you haven't messed with.

One of the pieces that I am really
concerned about is if you take the Catalina Foothills and
one-half of Casas Adobas up in the northern part of the
city, when you look at the city, go up the end of
Campbell, and that's the north part of the city, not the
far northwest but the far north part. Going from the
Catalinas, why is going from Catalina Foothills out to
Tanqua Rita -- out too far east, then you swing around,
all the way down south to Green Valley, another
retirement area, and then just miraculously, that March
over and grab Sierra Vista in this group. You've gone
across two mountains, three rivers, two counties,
continuity and community of interest is an amazing thing
and I don't know how you concluded that this is
compatible district unless this was the end when you got
all the compact district organized and the rest of the
state and said: Well, we just sort of grab them all
together and stick them in there.

I'm really concerned. I know you've been around the state. I empathize with you a lot because I've been with you at Heber, Sierra Vista, Nogales, and three meetings at Tucson and one up here. So you have heard a lot of data. And I urge you to seriously in wrapping up, to make it much more succinct.

I'm sorry to take all this time. Please don't abdicate your appeal of the court decision. People are counting on you. They voted for this initiative. They are counting on you to represent Pima County as well as the rest of the state. So don't divide us up so far that we can be a community of interest and do pursue the appeal and I -- we do support the area 2004 maps, the one you had originally, because they at least changed us, but they gave us a chance to go in compact way which this map really didn't allow. I wish you well. Thanks for hearing me. Bye, bye.

CHAIRMAN LYNN: Thank you, Ms. Hein.

The next speaker, Mitch Strohman, government affairs manager of the Chamber of Commerce.

MR. STROHMAN: Commissioners, staff, I speak before you this morning. I'll keep my comments fairly brief in deference to a number of other speakers on the list.
I want to first of all thank the Independent Redistricting Commission and its staff for its some 40 days of what must be intensely difficult and hard work and a number of hours that you have all undoubtedly put into this process. We certainly, as the Flagstaff Chamber of Commerce, recognize and thank you as the Commission and staff for your efforts over these past several days. And your job is not an easy one.

We know no matter what maps you come up with they will not be satisfactory to everyone in the state which makes this a most difficult process for you and we appreciate and respect that.

I want to thank the Redistricting Commission for respecting the Metropolitan Redistricting Organization or FMPO whole community of interest, something we asked to you do a few months ago. We're very appreciative and thank you for your recognition of the FMPO as a whole community of interest, hopefully to be placed as a whole community of interest.

The Chamber of Commerce met last week, representing 1,100 members of the Community of Interest, and they voted unanimously with vigor to ask the IRC to continue in final to represent the FMPO as a single whole community of interest, to join other Flagstaff officials. We already heard from, including Mayor McDonald, Chairman...
of the Board of Supervisors, Matt Ryan and others, also will hear from the Flagstaff area, to urge the Commission to retain the FMPO as a single entity within a single Legislative District.

Thank you, Commission, staff, Mr. Chairman, for your efforts and for this opportunity to speak with you this morning.

CHAIRMAN LYNN: Thank you, Mr. Strohman.

Let me again ask if Robert Landrum or Landrow is present.

If not, the last speaker slip I have for this call to the public is Arthur Mobley, president and CEO of Worldwide Radio, Incorporated.

Mr. Mobley, good morning.

MR. MOBLEY: Good morning, Mr. Chairman and Commission.

I appreciate the opportunity to speak before you today. And I, I have a question. But before I ask my question, there was a map put up that showed the most recent changes that you had made to particularly district, proposed District J.

CHAIRMAN LYNN: Mr. Johnson, we'll get that up for you.

MR. MOBLEY: Thank you. I'd like to see that as well.
The last changes put into the maps and
redrawing of the maps, were those conclusions based on
your internal discussions and deliberations regarding
populations in those areas or were they at the suggestion
of outside groups?

CHAIRMAN LYNN: Let me not answer those
kind of specific questions at this point, Mr. Mobley,
rather ask you to make a statement and ask you to observe
the operation of the Commission as we go through and
discuss not only the testimony we've heard this morning
but all testimony received as part of this process.

MR. MOBLEY: Okay. That's a fair
assessment. I'll do that.

My comment is this. I know that the reason
for your process was, one, to create fairness. The
Justice Department's concern about fairness, particularly
in the areas of voting capabilities of minority groups,
and if the proposed changes go forward, it would seem
that you would defeat almost your own purpose and
mandate. So I would hope as well that the
recommendations of Ms. Newman's committee and some of the
other articulated ideas be considered very seriously so
that you become the representatives that all of us can
say did an excellent job in deliberating and also
reaching conclusions that the Justice Department was
hopeful that you would reach in the first place. So

thanks a lot.

CHAIRMAN LYNN: Thank you, Mr. Mobley.

The next speaker, Leonard Gorman.

Mr. Gorman is a Legislative Representative of the Navajo

Nation.

MR. GORMAN: Good morning, Members of the

Commission.

There is very nice weather down here in the

south.

I left this morning from Window Rock, very

cold temperatures.

I have here with me another statement from

the Navajo Nation that we'd like to have read into the

record.

The Navajo Nation has been participating in

these redistricting meetings for the past couple of years

now and has expressed very strong concerns about its

ability to participate in the Arizona political process.

I want to make a comment about the proposed district AA

which looks like the largest in geographic area proposed

district in the State of Arizona. It goes across the

entire northern part of the State of Arizona from the

west to the east and east to the west. The Navajo Nation

has a redistricting subcommittee of the Navajo Nation
Council and submits this statement, attached as Exhibit A to the resolution number SCRF-02-04, comments of the Navajo Nation to the Independent Redistricting Commission on the AIRC February 23rd test map and demographics in the 2004 redistricting of the Legislative Districts of February 27, 2003.

The Navajo Nation appreciates the work of the Independent -- Arizona Independent Redistricting Commission. The Navajo Nation previously noted the requirement that district boundaries shall respect district boundaries to the extent practicable and recognize the Navajo Nation as a community of interest. The Commission must maintain the entire Navajo Nation within a Native American majority-minority district. The February 23 test map and demographics show that the Commission has developed a plan which maintains the entire nation within minority majority AA. The Navajo Nation map is concerned about native voting percentages. The Navajo Nation has stated the Commission must maintain the Navajo Nation in a district, a robust Navajo Native American voting population age in the Navajo Nation and not dilution of the Navajo Nation voting age population from at least the benchmark of 62.16 percent, established in 2002.

The Navajo Nation asks that the Commission
consider that Native American voting age population not
be reduced by eight percent in the 2002 redistricting.
The Navajo Nation reserves its right to comment further
on retrogression.

Legislative District AA is significantly
different from District 2. It removes it from the
Flagstaff community and has it in the Kingman community.
These changes have not yet been reviewed by voting rights
expert Mr. Langstrum. The Navajo Nation reserves the
right to comment further once this review has occurred.
The Navajo Nation thanks the Commission for public
comment on the test map and demographics and would like
to introduce its companion from the Navajo Nation also
traveling and has represented Navajo Nation at these
meetings, Mr. Aaron Mitchell, staff from the Office of
the President of the Navajo Nation.

CHAIRMAN LYNN: Thank you, Mr. Gorman.
Next speaker, J. Michael Flourney, retired
Judge from Coconino County.

JUDGE FLOURNEY: Commissioners, it's a
pleasure to appear before you.

I just want to -- my concern is over your
concern, dividing Lake Havasu City. I'm here just
representing myself, but indirectly the Flagstaff
community. It was a real disaster, as I've said before,
with the map of the 2002, the incorporated counties which
were included in what is now AA. I'm not here to blame
anyone, but someone was to blame. I'm not casting that
on the Commission. I don't agree with the way, I'm not
talking about the way the Legislative Districts of
Phoenix and Tucson are, because I haven't studied those,
the rest of the state I don't completely agree. I do
think that as you have drawn BB and have allowed
Flagstaff to be in with Bullhead City and most of Lake
Havasu, that that is the best and the most reasonable and
the fairest way that Flagstaff can be treated today.
        I realize that there is an appeal and this
can be reversed. I also realized the Honorable Ken
Fields will receive a new recommendation shortly and rule
on that.
        In dealing with Prescott you would not have
taken part of Prescott away at any time. Any of the
Prescott subdivisions, and it shouldn't have been done in
Flagstaff, there's City of Flagstaff, Flagstaff Kachina,
Flagstaff Mountainaire, Flagstaff Forest, the Flagstaff
Forest Heights, Flagstaff Baderville, all these areas.
And they are all Flagstaff. They were deleted or taken
away, during the last election. Under the present maps,
our area is still deleted. We don't have, we don't have
Sedona. We don't have Williams. We don't have Parks,
they are all in the Prescott area, Prescott district. We
don't have Mormon Lake, Forest Lakes, other areas in the
EACO district. That isn't right, but that can't be
changed today. Maybe in the future.

The other areas in the so-called Verde
Valley area are parts people go back and forth, people go
back and forth to Flagstaff, but that can't be changed
today.

Why do I say this? The reason I say this
is you have sympathy for splitting up Lake Havasu. That
sympathy, I don't have that sympathy. Nothing against
Lake Havasu people, you have to look out after your own.
Every time you take someone away from the present, as
you've drawn BB, you are going to take away the chance to
have someone from the Flagstaff area being a Senator or
Representative. And one thing all these Flagstaff people
have been trying to put forth is we want to have a chance
to elect a Senator and a Representative. And if we don't
have that chance, we'll be back in the same boat we were
before. And all we want is that chance. Be fair to Lake
Havasu. You should be fair to Lake Havasu, and I'm sure
you will be. If you add more to Lake Havasu in, you will
have to take someone out. When you take that out, you
may cause us lack of a chance to elect a Senator or
Representative.
I thank you for your time, your energies. You are all nice people. You've all done a wonderful job. Again, you are not being paid, as we went through before. Again, sometimes I've made the comment of blind Justice. I do think that, in this, that we don't need to go blindly along. We need to look at the facts and give Flagstaff in the area a chance to elect a senator or representative in this area.

CHAIRMAN LYNN: Thank you Mr. Flourney.

Other members of public wish to be heard at this time?

Have you filled out a speaker flip, ma'am?

MS. HOLLINS: No, I didn't.

CHAIRMAN LYNN: I'd ask you to come forward, if you can, state your name for the record, if you would, please, and anyone you represent, and we'd be happy to hear from you:

THE REPORTER: Please spell your name.

MS. HOLLINS: Austra Lia Hollins.

I would just like to say, A U S T R A, L I A, H O L L I N S. I represent my community.

I would just like to say to the Chairman and to the Commission: We are just so grateful that you are here so we can be heard. But I, I'm so glad that we have good leaders. And we've already been represented
here very well. I'm very satisfied is what they were
That would be satisfactory. I would like to say I
appreciate Mrs. Newman and Reverend Brooks, all the
people on our behalf. I'd like to thank you for
listening to what we have to say.

CHAIRMAN LYNN: Mrs. Hollins, thank you
very much.

Any other members of the public wish to be
heard at this time?

If not, we'll conclude this portion of
public comment with one exception. We have a written
comment I would ask be made of the record submitted by
Lisa Ann Thompson Nance, and I'll distribute copies of
that written comment to Members of the Commission and to
staff.

(Exhibit 36, Public Comment is written as
if spoken:

"Comments on the February 23, 2004, Map, to
be Submitted and Included in the Record as if Spoken or
Read on March 2, 2004, in Public Comment, by Lisa Ann
Thompson Nance, Citizen of Phoenix, Arizona, since 1964.
"March 1, 2004: Arizona Independent
Redistricting Commission; 1400 West Washington, Suite
B-10, Phoenix, Arizona, 85008 (sic) Note: correct zip is
"Re: Feb 23, 2004, Map, Public Comment, and West Plaza Neighborhood Association Community of Interest Contained in District L (sic) (Note: correct designation is K and will be thus noted from here on as was interlineated on Exhibit 36 on 3-1-04 at the end of the hearing.)

"Dear Chairman Lynn, Vice Chairman Andi Minkoff, Commissioner Huntwork, Commissioner Joshua Hall, and Commissioner Dan Elder:

"Thank you for the opportunity to submit comments to you in multiple forms so that all citizens of Arizona can give their feedback. It is sometimes difficult for everyone to come speak to you. I realized this would allow me a chance. Thank you.

"I would like to preface my remarks by saying that while I disagree with the forced process the Arizona Independent Redistricting Commission has been placed under, and I personally think plain reading of the Arizona Constitution, specifically as regards the language of Proposition 106, clearly has made the Arizona Independent Redistricting Commission a separate Legislative Branch of our Arizona Government which must be entitled to absolute autonomy in order to do the job it has been mandated by the people to do, which is to
independently redistrict the State of Arizona, as this is
what the voters overwhelmingly voiced at the polls;
however, since certain powers have not yet chosen to
recognize that autonomy which you constitutionally
possess, though I'm confident they will, as it is a clear
statement that has been made by the people at the polls,
our most sacred of institutions, I realize you have gone
through this forced and compressed process and come up
with a map that is our best effort. I must say that when
this group puts its independent and frank minds together
for a best effort, the results are the best that can be
obtained anywhere by anyone. And while time would have
been a prudent and thoughtful ingredient, I have been
amazed at the diligence and effort and hours you have
poured into producing the results you have.
"I am proud of the Independent Redistricting Commission
in its volunteer efforts for the State of Arizona in
having gone to the lengths and miles and days and nights
it has to comply with Proposition 106 correctly and now
with the court's order. Both were arduous tasks. I dare
say the latter task was probably the most distasteful as
it was not the process that you believed in, for it
ignored what you heard form the people of Arizona when
they spoke to you in shouts, in whispers, and through
volumes and volumes from corner to corner across this
vast state and you all patiently listened in earnest to each and every citizen that wished to give you input in order to come up with your best efforts to find communities of interest, to hear their concerns, and to work together to make a map that was best for the State of Arizona, taking in its uniqueness in terms of geography, ethnicity, history, and all the other factors required by Proposition 106 to make a competitive map and thoughtful map that the Department of Justice precleared in a balanced fashion instead of under forced formulary in a hurried and stressed fashion and under protest. "That said, I applaud each and every one of you involved in the process. May one day get the recognition you deserve. May this Arizona Independent Redistricting Commission not be the last truly Independent Arizona Independent Redistricting Commission. Most importantly, and imperatively, may you get the needed self-funding for this Commission lest anyone every try to sway an Independent Redistricting Commission that is in charge of the political boundaries that affect every political line in this state by hamstringing its funding. I hope it happens quickly in your tenure. I hope it happens in my lifetime. May it certainly happen in my children's lifetime. If not, we'll be back to singing God Save the Queen.
"Back to the subject of the February 23rd Map. I have looked at my own district, District L (sic) (Note: correct designation is K and will be thus noted from here on as was interlineated on Exhibit 36 on 3-1-04 at the end of the hearing.) in the February 23 Map, and compared it to District 14 in the current map under stay, and I have to be honest and say that while I think the best work of the Commission was the map under stay, I prefer District K for my own personal reasons. I live in one of those Voting Rights Districts that were required to be fashioned pursuant to the Voting Rights Act due to the shameful acts of my forefathers and foremothers. If you look at the boundaries of District 14, there is no way anyone could possibly think I would not choose K over 14. It isn't precisely as I'd draw it; however, we can't all pull out our own box of crayons and draw maps or there would be a million coloring books and no maps.

"I realize we are still under the scrutiny of Department of Justice. I think that day can come to an end soon. I believe we're above and beyond those days. I think we're to the point of being part of the white minority in Arizona in many parts of the state and have learned to get along cohesively. Shall I sing the song of friendship: Why Can't We All Just Get Along?

"As for my family, I have a son, he's 16, my youngest;
and at the beginning of this process he attended a private school and it was 99.9% Anglo. All my other children went to the same private school. Through these past three years I have decided cultural diversity is something worth experiencing. He now attends public school. He also attends tutoring classes several hours a week that equal the cost of the private school tuition. Perhaps that says something for the funding of our public schools or it says something about my son. I'll say, since we have so many of the Legislature and Senate here, and I've seen his report cards over the years, it's more about funding of the public schools. However, at his public school, there is a mix that is 68% Hispanic, 16% African American, 8% Asian, I believe, and he is usually the only Anglo or at times finds himself in a class of 27 with at most 3 Anglo students. That shows the makeup of at least Alhambra High School. My nephew at Central High reports the same. I dare say Maryvale would be similar. My other nephew in Avondale reports a similar situation. So I don't find that it's necessarily always going to be the case that Department of Justice will have to scrutinize Arizona so closely.

"My community of interest is where I live and work together with my neighbors to keep our little section of the world a better place. One can't save the world, but
you can watch out for your neighbors, have a website that
posts relevant information for Legislative, community,
city, recreational, school, and neighborhood affairs, put
out a newsletter and mail it for those that don't use the
internet, and hold meetings with speakers on topics of
concern to the community of interest, be it political,
safety, health related, whatever is needed, perhaps just
something fun. Often it's serious, how to best lobby for
dollars we hear are up for grabs and if we get it how our
group wants to use it for the benefit of our community of
interest. If that's not meeting the definitions of a
community of interest, then I don't know what does. We
aren't all the same color, but don't hold that against
us. Socioeconomically we're all about the same. Our
houses are about equal. We all have equivalent cars
boats, toys. But that's not what we focus on. It's
looking out for our kids, our home values, our issues as
a group, actually each other. It's like a small
microcosm in a large city, almost. We try to forget that
Glendale is a strong grapefruit throw from my front door,
that car dealerships line the northern boundary, that
pawnshops and bars are popping up on the roads along 43rd
Avenue on the Glendale side, that south of Bethany Home
you get into rentals and closer to a lot of apartments
that deal with a lot of gangs, and to the west are
subdivisions, which I just moved from by the way in 1994, that are about 30% cheaper, smaller, not as well-maintained, of poorer construction, and within which there is a lot of crime and no sense of bonding among the residents. I will provide you some written data to support the data on The West Plaza Neighborhood Association, but I will testify to you that is, indeed a cohesive community of interest, the geographical boundaries of which are Glendale Avenue to Bethany Home Road, 35th Avenue to 43rd Avenue. We are an unusual pocket of homes and a cohesive community of people working together.

"The homes in the West Plaza Neighborhood Association often have the original owner every couple houses still living in it. We have two parks in our little area and are proud of them. We have a neighborhood community center and after-school program for children and classes for adults that is run by the city, but we advertise to people that it is available. Our members hike the trails and walk the streets and say hello to each other and know the names of the people on our blocks to a high degree. The homes are valued for much more than those in the areas just outside the borders I described, relatively speaking for the type of homes they are. When you're talking about homes in the $115,000 to $135,00 range,
"much more" is very relative. There are not many rentals in the area. That is not the makeup of most of district K and it is definitely not the makeup of District 14. The background of the community of interest is diverse. Some are retired, many are, some are people of ethnic origin, and there are quite a few Anglo residents. Like America, it's a melting pot. But it's a cohesive melting pot that uniquely works together on issues to make our community better, aware, and strong. If there is a Legislative issue that needs attention, we have a website and a newsletter and we let everyone know. With a District like 14, how else could we have a prayer of hoping to be noticed? And I'm not the leader of the group. There are many that walk the streets and patrol the alleys and shout from the rooftops to be sure that people are diligent and alert to funding that becomes available and how we can get a slice of that pie if we act quickly and what we need to do to band together to make a proposal for it to improve something we care about. The West Plaza Neighborhood Association is a community of interest if ever there was one. "You may have had to work in such haste that you didn't get a chance to hear about it, this community of interest or consider it. But you are hearing it now. It would require no line changes. It would not alter anything you
have done. It would take an acknowledgement that you
heard testimony, recognized it, realized that it had not
come before you earlier, ad if you wanted to, you could
make a motion and acknowledge it. I personally think
that the fact your process was rushed shouldn't mean you
can't listen to the citizens that bring information
before you and it doesn't matter if it doesn't make a
difference because a line doesn't change. Maybe the
next Commission will put great stock in the communities
you have found and it will suddenly have a huge impact if
the West Plaza Neighborhood Association is recognized or
not. Perhaps recognizing my community of interest would
distinguish my area from that of the Red Light District
that is contained in District 14 that Sheriff Joe patrols
on occasion and save the area from being strung down with
51st Street and Van Buren again where we go unnoticed.

"I have lived in this city since 1964. I grew up in
Maryvale. I know that area well. We insisted my mother
move close to me in 1996 when the crime, drug problems,
and blight were so severe that it was no longer pleasant
or safe there. Though her home was lovely, it was
embarrassing to take relatives from out of town through
the graffiti and down the streets lined with cars like
junk yards. When she realized the drug dealer were on
her street and those friendly men on the corner all the
time were lookouts and dealers, she took her losses at a
bad time to sell due to the Maryvale Cancer Cluster
plunge that hit the market and ruined the area, though
the papers kept it quiet that many other parts of the
city were equally damaged by the pollution, and the
Maryvale market suffered. Funny that the Scottsdale and
other prestigious communities kept it very quiet that
they had wells that were tainted at the same time from
the same place. (Sound like I was involved in parts of
that case?) Maryvale became the bargain of bargains and
the gang influences and "barrio culture" as was described
by another speaker a previous day took over where I grew
up. No longer was I proud to say I was from Maryvale. I
was glad to get my mother out and out safely. That area
is not an area that has anything in common with the West
Plaza Neighborhood Association except we are people, we
have families, we live in Phoenix, and if you look at a
group with a wide enough angle you can generalize most
anything. I drive through sometimes still and see the
old neighborhood. My best friend's mother retired from
teaching there and her husband retired from the police
force and they stayed in their home. He has a gun. Some
of the residents are still there and have stuck it out.
But it's not the area that John F. Long originally built.
I would describe it as anyone that was living in South Phoenix that wanted to be "Moving on Up," they thought of Maryvale as being a step up. That cancer cluster drove the prices down and residents up and so it was the perfect time for a northwestern sprawl to occur and those that wanted out of what they perceived as the problems in South Phoenix moved to Maryvale. The problem is that Maryvale was just geography. Poverty came with them. Reform didn't Magical solutions didn't. So a growing city has growing problems. And you get to carve the lines around them and define them. I'll tell you, Maryvale is a community of interest. Saying that it isn't as it's part of the Hispanic AUR in my humble opinion, with all due respect, takes a different spin on things. I realize it was not necessary for purposes of drawing a district. I do believe it is a community of interest as plain as the blight on the map of the city of Phoenix. Having lived and grown up and being a product of Maryvale, I think I have the right to call that as I see it. You get to define it as you choose or have chosen. I know lots of poor Anglos. I was considered a relatively lucky one. My mother was a teacher for a couple years. I watched that area of the State grow from being a one-building school to the largest school and fastest-growing school district at one time in the entire
State of Arizona. Triple schedules were considered. They couldn't build the schools fast enough. And yet I recall the day she entered her classroom with a paperback pictorial Spanish dictionary to try to communicate with the migrant students and the feed lots surrounded the playground and the cotton fields filled all the miles between 91s Avenue and our home, 63rd Avenue and Thomas. "Maryvale is a community of interest, anyone that lives from the boundaries of Glendale to the edges of 75th Avenue and McDowell over to 43rd Avenue up as far north as Camelback is in Maryvale. No man's land is Camelback to Bethany. I'd call that Phoenix. I think there's a golf course and some strip mall. I didn't intend to define Maryvale. I'm just pointing out that it is a community of interest that anyone that lives in Phoenix is aware of as acutely as Scottsdale. Many probably think it's a city. Certainly it's an area of blight and urban decay that desperately needs Legislative help to get infrastructure going before it falls off the map and people are afraid to cross it just as much as you don't want to walk down to 16th Street and Roeser in South Phoenix at 11:00 P.M. in a business suit on a Friday night or any night. Frankly, you don't want to walk or drive there by yourself for fear of being shot most nights. And I can say that because a relative of mine
was shot there while he walked to a Circle K at the age of 17. The violence in South Phoenix would curl your hair. My niece, who is half African American, has lived her life on the divide living with her mother, a lawyer, in the Historic part of Central Phoenix, and yet keeping ties with her father and his family in South Phoenix, a part of town where you can be a 50+-year-old man, sit on your porch reading your paper with dignity, have kids you remember since they were toddlers who are now gang leaders walk by, demand your shoes, you refuse to give them due to pride, and the next morning be found hung from the neighborhood basketball hoop by the neck, dead, with those shoes dangling from the wires nearby to prove the gang's point: Don't say no to us. This is a true story my niece relayed to me of a kid she knew from her visitation weekends with her father. She's now a Jr. at Hanover University in Indiana. She said that she asked his father how he was, having known him since they were both toddling down the street to the neighborhood BBQs, and asked what sort of remorse does he feel, this gang leader. The father reportedly shook his head and said, "Nicole, I don't know what went wrong. He wouldn't say nothing to his daddy. I went to see him, and he just sat and stared, said, 'Don't worry 'bout me. I'll be OK. Just get me 'nuf money for a color TV,'" and she sighed,
knowing he had been taken in by the helplessness too
early and now knew he'd spend the rest of his life in
prison, or most of it, and had to act as if he didn't
care, even to his own father. And that is not unusual!
Yet you have not defined South Mountain as a community of
interest. I was at that meeting in South Mountain. I
remember. Those mothers care about their children dying.
Kids that live there think more of their funerals than
graduations because they often have more reality for them
as far as being something that will be a large, highly
attended affair at which they are the center of
attention.
"And I ask myself why, why could you not find these
communities of interest? It's obviously because you were
not allowed the proper time to use your methodology and
were forced to use a formulary. People did not have the
time to come in and tell you as they did last time. You
were forced to rush. And it was not due to 18 days
delay. I believe you when you say you started
immediately I fully disagree that you wasted one moment
that was available. I defy anyone to say that this
Commission has wasted a viable moment and in fact believe
the Arizona Independent Redistricting Commission has made
Herculean efforts to meet the deadlines imposed, but it
had to follow strict and confusing methodologies and
formularies and time limits and you couldn't listen to
the people or allow everyone a comfortable neighborhood
venue to come in and talk to you again and listen to them
about communities as they were laid out per your newly
defined definitions. The rules had changed and the sand
of time was running out, so it was impossible.

"So process has won out over people. For me it worked
great. I like District K. And amazingly, this map is
good. I've been working too hard to actually look at
every inch of it. I think I'm blurry-eyed from staring
at a monitor. I was lucky to take the time to look at my
own district. I liked what I saw on the screens, though,
during the meetings as I watched the process unfold.

"So once again, I say you deserve the Thanks of a
Grateful State. You deserve Medals of Honor for going
above and Beyond what any volunteers should ever be
expected to do. And I applaud you for what looks like
meeting the deadline that seemed impossible. You have
been gentlemen and ladies throughout this process.

Though stress was significant, as it is in any difficult
task, you always bonded together with dignity even after
having a good, sound debate on an issue. Although
Commissioner Minkoff had to miss a few meetings, I
understand Commissioner Minoff checked in often from Asia
while she was away. I'm sure she would have been proud
of you and I'm anxious to hear her views about all the
competitive districts that resulted from your tireless
efforts.
"I will stress, again, though this was done under
protest, I think you have done well under the
circumstances, especially the stress of the financial
pressures while it is clearly known to all, I think, at
least everyone that believes in Proposition 106, or who
believes in the Constitution or that the people of
Arizona have the right to express themselves and amend
the Constitution and may not know the exact dollar signs
to put in language attached thereto when factoring in
litigation costs. They must know, those that have the
power, that autonomy and the imperativeness to self-fund
your office is essential, with oversight of the fiscal
books, in order to carry out your responsibility and
duties in order for an Independent Redistricting
Commission to be Independent.
"I believe in the court system. I've worked with it and
in it for 23 years. I feel that eventually this will be
heard fully and sound reasoning will prevail and these
thoughts I tried to express, though inartfully, will come
through. One has to believe. It's our Constitution and
the will of the people as expressed at the polls. The
will of the people as expressed at the polls in amending
the Constitution cannot nor should it be overturned by
anyone but the people. Supreme justice and sound
reasoning with clear and concise thought and explanation
of the issues to let all the people of Arizona understand
their rights I feel sure will ultimately be heard and
given. The people deserve no less.
"Once again, I thank you for giving me this opportunity
to address you.
"Respectfully Submitted, Lisa Ann Thompson Nance, 4232
West McLellan Boulevard, Phoenix, Arizona 85019-1230."

CHAIRMAN LYNN: Ladies and gentlemen, we've
heard written comment for almost an hour and a half. As
is custom, we'll take a break about every hour and a
half.

I'll say for purposes, in terms of
planning, I'm anticipating the Commission may very well
have an Executive Session following the break. In order
to clarify that, let me ask my fellow Commissioners if
there is in fact a motion for Executive Session.

COMMISSIONER HALL: So moved.

CHAIRMAN LYNN: Discussion on the motion?

COMMISSIONER MINKOFF: Second.

CHAIRMAN LYNN: Pursuant to A.R.S.
38-431.03(A)(3), 38-431.03(A)(4).

All those in favor, signify by saying
"Aye."

COMMISSIONER HALL: "Aye."

COMMISSIONER HUNTWORK: "Aye."

COMMISSIONER ELDER: "Aye."

COMMISSIONER MINKOFF: "Aye."

(Motion carries.)

CHAIRMAN LYNN: What we'll do, take a
15-minute break, reconvene for Executive Session, and
then, at the conclusion of Executive Session, open the
doors and ask you all to rejoin us, if you would care to.
Those who will be leaving us, we wish to thank you very,
very much on behalf of my fellow Commissioners for your
presence this morning and input. As you know, this
Commission has, from day one, valued public comment as
much as we value anything in this process. It is very
important for you to know that your comments will not go
unconsidered. We not be able to do everything for
everyone. As you've heard there are some areas of the
state simply because of population and other issues tend
to conflict one with one another. We have to make
choices. Please understand it is not because we don't
wish to respect all of the comments we've heard. We will
try to do the best we can for as many people as we are
able.

With that said, we'll take a 15 minute
break and then reconvene in Executive Session.

(Recess taken.)

10:44.

(Whereupon, the Commission recessed open Public Session at 10:44 a.m. and convened in Executive Session until 12:30 p.m. at which time a recess was taken and open Public Session reconvened at 12:47 p.m.)

(Recess taken.)

CHAIRMAN LYNN: Back on the record.

All five Commissioners are present, consultants, legal counsel, and staff. Dr. McDonald is here.

What is the Commission's pleasure with respect to any additional testing that they may wish to order at this time?

Ms. Hauser.

MS. HAUSER: I just have a question for you. Did you not want to get the summary of public comment before --

CHAIRMAN LYNN: I'm sorry, my error.

We have received, over the last week, I guess that's the right appellation for the time period between our last meeting and this meeting, a significant
amount of public comment which has not come in through testimony in this fashion but has come in through other means and methods. And I believe Mr. Johnson has prepared a summary of that testimony. So we can make that a part of the record as well. From that we will proceed as follows.

I apologize. I intended to do that this morning.

Mr. Johnson.

Ms. Minkoff.

COMMISSIONER MINKOFF: Before Mr. Johnson begins, is there written backup?

CHAIRMAN LYNN: The three-quarters of an inch packet we all were faxed.

COMMISSIONER MINKOFF: Wait. Some of it I brought.

CHAIRMAN LYNN: I'm happy to have you browse through mine.

COMMISSIONER HALL: I have 10 megabites on mine.

COMMISSIONER MINKOFF: I'm not sure I got that. My fax stopped working.

MR. JOHNSON: Mr. Chairman, Members of the Commission, as of late last night, e-mails and faxes have kept coming in today, as of late last night, going
through and summarizing -- counting all e-mails, faxes, letters by the office over the last week. 62 of the 152 comments that came in just expressed general support for the 2000 plan as adopted by Commission asked no changes to the plan. Mostly they referred to the 2004 map with respect communities of interest and we should keep it that way.

41 comments opposed the changes, opposed any changes in East Valley from the 2004 plan adopted by this Commission. Three comments opposed division of Mohave County as shown. Five oppose changes shown in the test map, Tucson area, and asked Casas Adobas united in 2004, District 26, with the surrounding community. Five also opposed changes in Tucson area more specific to the area around Vail and Vail School District, disagreed U wrapped around Central Tucson, Rita Ranch area. One, put quote, he "Opposed plan number three unsubtle, noncontiguous, incompatible units" and asked the IRC to start over. One supports the February 23 test plan in general without geographic area. Three comments in addition to ones this morning, not all public outrage. Three supporting J, adjustment change between Y and N. A Petition with roughly 90 names on it that wanted to keep the area between Southern, Broadway, 35th and 38th out -- in Southwestern Phoenix district, in our map District N,
not into Southwestern District J, that adjustment, those
border each other, do not overlap, not conflicting with
each other.

31 e-mails, faxes, letters, supporting
unification N, P, O and placement of BB.

We also received some maps from the
public --

CHAIRMAN LYNN: Mr. Johnson, let's find
that cellphone and turn it off if we can, please.
Somebody's cellphone is going off.
Terrific, thank you.

If you would, please, turn cellphones off.

Put them on stun, or whatever, maybe that's more sense.

MR. JOHNSON: In terms of maps, actually
proposals received for the Commission's consideration,
adjustments in the East Valley, there were three
suggested maps submitted for the Tucson area, J, an
alternative map I just mentioned, and Maricopa County
submitted essentially another layer of trap fixes to
avoid essentially precinct traps, created Justice of
Peace Districts and county supervisorial districts,
asking us to make, don't remember the exact number, 20 so
changes, some 20 so changes, some 100 or so people.

Those are maps we received at this point.

CHAIRMAN LYNN: Any other addition to the
public record at this point we need to make before we move forward?

MR. JOHNSON: Would add more comments received today not included.

CHAIRMAN LYNN: Certainly.

Thank you, Mr. Johnson.

With respect to any additional testing the Commission may wish to order at this point.

Ms. Minkoff.

COMMISSIONER MINKOFF: Thank you, Mr. Chairman.

I was very impressed by the large number of people that came to our meeting today to talk about their concern about a -- current boundaries between District J and District N, and I would move that we ask Doug to run a test that examines the impact of making that change, essentially moving the boundary of District J further west, and any other shifts and changes that may be necessary to accommodate that.

CHAIRMAN LYNN: Is there a second?

COMMISSIONER ELDER: Second.

CHAIRMAN LYNN: Discussion on the motion.

Mr. Huntwork.

COMMISSIONER HUNTWORK: Mr. Chairman, you know, I am really in favor of this motion, but I am very
concerned about how we are going about it. The issue in
my mind is I think we have to recognize a community of
interest before we can accommodate, before we can
accommodate this request, as far as our process goes, the
rules of engagement when we started this process.

You know, we have said that we're going to
seek the goals of competitiveness, recognition of
communities of interest, and so on. And right now, I
think this is -- I was advocating the recognition of, you
know, a number of additional communities of interest,
particularly within the Phoenix Metropolitan area, all of
which were voted down by the Commission. Right now I'm
concerned that under the rules of engagement we have, we
may not have a basis for taking this action. So what I
would like to do is recognize the existence of an African
American community of interest and then seek to adjust
the map in order to protect that community rather than
just doing it, what would appear to be randomly. I know
it's not, based on the rules of engagement we have, I'm
having trouble rationalizing this.

CHAIRMAN LYNN: Further discussion on the
motion.

COMMISSIONER MINKOFF: Yes, Mr. Chairman.

Even though all the speakers asked us to
consider this change were members of the African American
community, what I heard was recognition of a South
Mountain community of interest they wished to have
represented.

I understand what you are saying, Commissioner Huntwork. I'm wondering if that may be a
more effective way to look at the community of interest
we're trying to address in this proposed shift.

CHAIRMAN LYNN: I'd like to weigh in as
well.

Mr. Hall.

COMMISSIONER HALL: Go ahead.

CHAIRMAN LYNN: What I heard this morning,
and maybe I heard it differently, but I heard a voting
rights issue being raised. I heard an issue of
representation being raised. I heard that issue being
raised outside what I would consider our traditional
community of interest representation but rather a group
of people, their voice certainly does need to be heard.
They have a tradition and history of having that voice
being heard, a district somewhat different than the one
we currently have. I don't think it particularly
necessary is to go beyond where we are in terms of
recognition of communities. I think it's clear that
there are impingements on what we would consider to be
compliance with Voting Rights Act of federal election law
that are certainly at our disposal and certainly
something we are supposed to be sensitive to.

I would take the comments in that context
most specifically.

Mr. Hall.

COMMISSIONER HALL: Call the question.

CHAIRMAN LYNN: The question has been
called for.

Is there further discussion?

Mr. Huntwork.

COMMISSIONER HUNTWORK: Well, I just wanted
to respond to Ms. Minkoff that I had previously proposed
recognition of the South Mountain community of interest,
per se, and the Commission had voted it down or failed to
vote in favor of it. I wasn't sure at least procedurally
if I could introduce that or if you could, because you
weren't here. We had not voted on an African American
community of interest. It was a new motion you and I
could make and second if it came to that.

CHAIRMAN LYNN: The question has been
called for.

Further discussion on the motion.

If not, all those in favor of the motion,
signify by saying "Aye."

COMMISSIONER ELDER: "Aye."
COMMISSIONER HALL: "Aye."

COMMISSIONER HUNTWORK: "Aye."

COMMISSIONER MINKOFF: "Aye."

CHAIRMAN LYNN: Chair votes "Aye."

Motion carries unanimously.

COMMISSIONER MINKOFF: Because we're ordering the test, I would hope some of the people this morning, I hope some stay with us. I know it's a long day. When we get results of the test, your reactions to it would be helpful to us as Commissioners.

CHAIRMAN LYNN: I second the suggestion.

Not all of you need to be here. Certainly if you can select representatives with us for the long haul today, that would be helpful as we move forward.

Are there other tests the Commission wishes to pursue at this point?

Mr. Elder.

COMMISSIONER ELDER: Mr. Chairman, fellow Commissioners, I'd like to take a second look, or third, fourth, whatever it may be now, in the Tucson area.

We had the speaker and several, five, six other comments, concerning Casas Adobes. When I made the motion, shoot, forever ago, concerning the Foothills community of interest, which was passed, it included Casas Adobes. In the current configuration we split
Casas Adobes about fifty-fifty with the predominant configuration being necked around, the speaker described it as a tentacle going around the City of Tucson, the population of City of Tucson,

MR. RIVERA: It's up now if you want to point it out. Got you a little pointer --

COMMISSIONER ELDER: I don't know how to make it work.

COMMISSIONER HALL: It's high tech.

COMMISSIONER ELDER: The Casas Adobes area right down there, comes over almost to the freeway and stays over to the river. That's the area of Casas Adobes.

If there's a critical part to the Foothills district, as far as being split, Casas Adobes, probably it is. It is classified as a Census place, but they have been in litigation to incorporate for the last, I believe it's six years there. There tremendous animosity between the City of Tucson and the Casas Adobes population. With the amount of the population in that district being in the City of Tucson, the effective representation of the population being split fifty-fifty in Casas Adobes makes it almost impossible for them to survive or have representation in the Legislature.

With that said, I would like to request a
test be run that would unify Casas Adobes. And I understand that that will probably change the competitiveness of district whatever the yellow is up there.

CHAIRMAN LYNN: V.

COMMISSIONER ELDER: Yeah, the V district.

And the only way I could see to replace that district if we came and split, left Casas Adobes with the V, then took the Democratic population in the City of Tucson and split the balance of the Foothills, possibly.

The other thing I would like to take a look at would be our original test B, I believe it was, where we had two fingers coming down into the City of Tucson, splitting Tucson into about four functional areas and see if that lends any benefit to us in this search to maintain Casas Adobes as whole.

CHAIRMAN LYNN: Is there a second to the motion?

COMMISSIONER HUNTWORK: Second.

CHAIRMAN LYNN: Thank you, Mr. Huntwork.

Discussion on the motion?

COMMISSIONER HUNTWORK: Mr. Chairman.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: Well, my concern is I'm not sure the motion goes far enough. We created the
Foothills area. One of the key factors that united that area was that it consisted primarily of areas outside the boundaries of Tucson, all of which had been fighting incorporation. You know, splitting it in one place versus splitting it in another, we may be able to find a map that does less damage to the Foothills, but my question would be is there a map that does no damage or that where the damage would be insignificant?

I think implicit in your motion, Mr. Elder, is that you, our motion, I guess I should say, is that you want to keep two competitive districts in Tucson. And our thinking, if it was split, at least two, maybe three, the thinking is if that is split somewhere else, maybe we can accomplish that. I want to see that as well and be able to determine whether another split might be insignificant and still keep two districts. But I would also very much like to see what would happen and whether it's possible to have one competitive district in Tucson that does not split this community of interest.

So, you know, that's maybe a different motion.

Maybe you would amend your motion to include that possibility. I don't know whether you had --

CHAIRMAN LYNN: I think when Mr. Elder is
talking about looking at it, let's be clear all the ways we can look at it.

COMMISSIONER HUNTWORK: Yeah.

CHAIRMAN LYNN: Look at the map of February 23, back to the previous map Mr. Johnson had on the screen before it, Competitive B2, back to the 2004 map which has districts that clearly respect those communities of interest, and there may be a number of other interim steps that may be looked at, each of which has its own effect such as competitiveness, communities of interest, and other competing goals of Proposition 106.

I think, I take it the motion to include any or all of those for Mr. Johnson to sort of walk us through the options at some point with respect to how each one treats those issues and see which of them we might wish to pursue.

COMMISSIONER HUNTWORK: Yes. Fine with me. Absolutely.

CHAIRMAN LYNN: Ms. Minkoff.

COMMISSIONER MINKOFF: Mr. Chairman, I'm interested in looking at that Competitive B plan I had not seen before. The rest of you have. I understand it has an additional competitive district.

COMMISSIONER HALL: On the screen.
If we're going to be making changes, I'm concerned about reducing competitive districts below what we have now. Frankly I'm much more interested in a plan that maintains or increases them, and looking at the way the Foothills move across the map, and also the natural barrier of the I-10 freeway. I'm not sure if there is a way to draw a map that doesn't split the Foothills in some way. As Mr. Elder said, he's concerned not that the Foothills are split but the way in which they are split. If you have 120,000 people running across the Northern boundary of Tucson, all the way over to the freeway, I think we're going to end up with pretty ugly districts. If we try to get that intact large population north of it and try keep north of it, like to see options that keep Casas Adobes together and maintain a minimum of two competitive districts in the Tucson area. If more than that, that's even better.

CHAIRMAN LYNN: Mr. Elder and then Mr. Hall.

COMMISSIONER ELDER: Sure. That was my motion. Let me ask for a motion. On your narrative slide, you said there had been a plan, three perhaps submitted for the Tucson area. Do you have those, Mr. Johnson?
COMMISSIONER MINKOFF: Yeah, in front of you.

MR. JOHNSON: Yes. I have them. I haven't looked at them yet. Have them, yes.

COMMISSIONER ELDER: Those plans submitted delivered this morning. Wanted to be sure got them on the record so if any of those plans appear to be of benefit in the process, that we at least take a look at those opportunities. My sense is, in looking at them, there's two of them I just don't see any hope for as far as contiguosness. I don't see a rationale for saying that it doesn't do, that I could say yes, this does significant detriment, and that to them. But I think that there is some options or some alternatives there that might provide for, you know, maintaining at least two if not going to a third competitive district in Tucson. So I guess my primary concern is I would like to keep, I feel that with the basis of the boundary delineated for the court battles of area of incorporation for Casas Adobes, the ongoing battle, what I feel is significant detriment, and battle significant representation, the other, if we have to split the Foothills district, or if we need to split it, to maintain the competitiveness aspect, then so be it in the eastern portions of the Foothills district. We have had
several instances where we have had competing communities
of interest. We've had one up in the Chandler, Mesa area
where we looked at, you know, a two-way split, three-way
split, and we were able to justify that basis on Chandler
being split, three ways not having effective
representation was a reason four changing that map. I
feel that same instance where we have the overlay of
city, county municipal jurisdictional to the county,
where we have a designated by the court order community
of interest, where we have, you know, and I was, you
know, looking at that we have a Census place. This is
more a centrus place in Casas Adobes, something
specifically defined, part of the fabric of the state
from defined lawsuits, how a community for 20, 30 years
has used those boundaries as a limit of encroachment from
the surrounding municipalities. I can't state it any
more strongly than that.

Thank you.

CHAIRMAN LYNN: Mr. Hall.

COMMISSIONER HALL: Mr. Chairman, I think
it's important. I understand the intent of Mr. Elder's
motion, and I think, I feel the perspective with respect
to Casas Adobes, feel we step back a couple weeks of
where we've been and where we're going. We started with
a map that created as many competitive districts possible
in Tucson that created three competitive districts. The Commission adopted a definition of -- adopted a
definition. The Commission constitution definition, definition of significant detriment. It dealt more
favorably with that community of interest, still does divide it, maybe some, but still leaving two competitive
districts.

What I thought was the intent was favoring competitive districts without causing significant
detriment to other goals, the other was community of interest. While I'm sympathetic to, and don't argue with the Casas Adobes concerns, and while I understand that they are a subpart, if you will, of an adopted community of interest, they, themselves, are not an adopted community of interest of this Commission. Therefore, I think our goal is to specifically define what, at what point, favoring competitiveness causes significant detriment to the larger community of interest which would be the Foothills, and not specifically to the Casas Adobes, which is a subpart of a adopted community of interest. I think it's important we continue through the process to favor competitiveness to insure that that is the, pursuant to the order that we are operating under, that that is the principle that is favored first before we consider significant detriment.
CHAIRMAN LYNN: Mr. Huntwork and then Mr. Elder.

COMMISSIONER HUNTWORK: Well, Mr. Chairman, I agree with Mr. Hall right up to the conclusion, but there are some additional factors. The main additional factor is that this map reduced the number of competitive factors from 322, but it didn't really reduce the impact on the Foothills community of interest. The number of people contained within it and the number of people split off from it is essentially the same as the three competitive district map that we rejected on the ground that it did significant detriment. There are approximately 30,000 people out and approximately 90,000 people in, approximately, in both maps. Now one of the possible conclusions one might draw from that is that this map also does significant detriment to the Foothills community of interest. Another possible conclusion is that if the, you are going to do that much detriment anyway and there's no real difference between the two, then you should go with the three competitive district map and not to the district competitive map. The conclusion you should stop here and not go do any more looking, that's one conclusion you can't come to from this information.

It seems to me at this point we need to
honestly ask the question is there a way to create
districts that don't divide or divide to a substantially
lesser extent the Foothills district and see what that
is, whether two districts or one district. There is a
way to make two competitive districts in Tucson if you
are willing to change U and whatever the central district
there is just on the east side. At least I think
mathematically you can create one competitive district
out of your willingness to mix those two populations
together and without necessarily breaking up the
Foothills area. So I just want to be clear.

I'm going to vote in favor of this motion
if it includes looking at that possibility to see if it
looks at that possibility or not and vote against it if
it doesn't.

CHAIRMAN LYNN: My sense of the motion is
certainly it includes looking at that.

COMMISSIONER ELDER: Mr. Chairman, several
other factors presented on that first slide discuss
comments from Vail School District saying they had been
split. That whole area we looked at as a rural
community, rural community of interest outside of urban
outside of our definition. That's number one. Number
two, Amphitheatre coming again, testimony on two
occasions in previous two rounds before 202 maps occurred
in trying to maintain them in a contiguous and complete system. The map we have there now does not do that in either side, plus it does not provide for the community of interest, the Foothills, and we've been through that. I would like to, I don't know whether, maybe I ask the question, Doug are you clear as to what you need to do, or do we need to try to rephrase it for you or --

MR. JOHNSON: Let me see if I have this right.

COMMISSIONER HALL: Feel free to say "no," Doug. Nobody is clear, has to be clear.

MR. JOHNSON: What I understand, look at one test, unify Casas Adobes District V, the district to the north of it, trade the Tucson areas into Y, the Foothills District, then the second test, try not to split the Foothills at all, unify the entire Foothills, and also walk through essentially the 2004 plan. Each of the plans we've had the past couple weeks, in summary fashion, you've had those before you, and also look at the three plans that came in today for this area. Is that accurate?

CHAIRMAN LYNN: Yep.

Mr. Elder.

COMMISSIONER ELDER: Let me ask a plan of
my fellow Commissioners.

Looking at the three plans submitted this morning, do we need to look at all three of them?

CHAIRMAN LYNN: It's your motion, Mr. Elder.

COMMISSIONER HALL: I don't think we need to look at any of them.

COMMISSIONER HALL: My point.

CHAIRMAN LYNN: In a narrow down, happy to spare Mr. Johnson the work.

COMMISSIONER ELDER: My preference, from the way everything works together, map A has the best chance of providing all the goals I was looking for in the thing. I don't know we need to go through B and C. If somebody wants to look at B and C, include it in the motion.

COMMISSIONER MINKOFF: Just do it.

COMMISSIONER HALL: Well, by my counts we've asked for five maps back. If we reduce the last request to one, there are three results. Is my understanding correct?

My preference would be we make each a separate motion in the event that -- just -- I want to be very clear. Asking one, combine Casas Adobes, one combine Foothills, one, run tests, analyze the proposal,
COMMISSIONER ELDER: Map A or map B.

COMMISSIONER MINKOFF: B. 3, 3 maps.

COMMISSIONER ELDER: Map A of the ones this morning.

COMMISSIONER MINKOFF: Yes.

COMMISSIONER HALL: I'm recommending you may want to segregate those. But it's up to you.

COMMISSIONER ELDER: I'll leave it as all three described.

CHAIRMAN LYNN: Further discussion on the motion.

COMMISSIONER HUNTWORK: Mr. Chairman, just very briefly, the map submitted this morning should all be looked at quickly at least just because we're trying to brainstorm about a different way to solve this problem. So to the extent they contain the germ of an idea, we ought to at least look at, as much an expert task as any task we set for our consultants. I wouldn't exclude any possibility they have a possibility to consider.

CHAIRMAN LYNN: However, Mr. Johnson, in your expertise, you may decide, looking at those maps as you're suggesting, one more than the others seems to fall
within the guidelines or direction the motion carries.

MR. JOHNSON: The motion, to the
Commission, report on whatever you instruct me to check
on, let you decide.

CHAIRMAN LYNN: Fine. We're not limiting
the discovery with respect to the three maps.

Ms. Minkoff.

COMMISSIONER MINKOFF: Mr. Chairman, my
question really concerns timing. We're obviously looking
at a serious deadline that we have to meet. And so I
would ask Mr. Johnson how much time it's going to add to
run the two additional tests. Because it seems to me all
three of these do essentially the same thing and one
thing they do is reduce the number of competitive
districts to one, which to me is a significant problem.
At most one, haven't done JudgeIt or AQD. I'm looking at
registration figures which we may not have more than one,
may not have that. So I'd hate to have him spend a lot
of time on something which to me may be dead in the
water.

How much time does it take.

MR. JOHNSON: I've already imported the
maps. That piece is done. Summarizing impact on
Foothills will take a short amount of time. The biggest
amount of time is running the JudgeIt test.
Let me have Dr. McDonald talk about how long that takes per map.

DR. McDONALD: JudgeIt per map takes approximately 30 minutes per each test.

COMMISSIONER MINKOFF: Looks to me like the registration figures on each of the maps weren't far off. Registration figures, I suggest since JudgeIt -- pick one map, do JudgeIt. If it looks interesting, we're needing for doing another JudgeIt -- I hate to spend time that may we not need. Let's reduce competitiveness in the Tucson area. It's hard enough getting support, have a hard time with the rest of the Commissioners.

DR. McDONALD: If I may, my sense of this, Mr. Johnson already has equivalency files, something close, ready to go. We can start these working immediately as soon as we break.

The other work going on is probably going to take more than an hour.

CHAIRMAN LYNN: Run it concurrent.

COMMISSIONER MINKOFF: Okay.

COMMISSIONER HUNTWORK: Mr. Chairman, really, three things.

COMMISSIONER HUNTWORK: These maps, in my mind, are valuable to us in terms of thinking about what would happen if we tried to unify the Foothill districts,
what impact would that have on competitiveness of the map.

The idea of our looking specifically at a map that, you know, is submitted by a partisan interest and viewing it as a test map of the Commission and running JudgeIt, and so on, is not what I had in mind. My idea is talking about a principled process here, or as close as we can come to it. The rules of engagement are forced upon us. Those rules are not only allowed to, but required to keep the Foothills community together to the extent practicable, and consider competitiveness to the extent it does not do significant detriment to it. We've already determined the split, have now significant detriment in effect in another context.

I'm saying let's, you know, let's unite it and then honestly see what it does to competitiveness. I certainly want to consider the map submitted by third parties and then find, sure enough, it has an effect on competitiveness.

It's not a productive use of time.

CHAIRMAN LYNN: Mr. Hall.

COMMISSIONER HALL: First of all, we already found a significant detriment to the current map. I don't think the Commission has found current detriment to Foothills on the current map.
Second of all, the maps submitted made a representation relative to competitiveness and the representation is simply based on the representation figures we need to make a test if the representation figures are accurate.

In light of the unification occurs in the maps, it's appropriate for us to go ahead and analyze them and determine the overall impact relative to all the goals.

CHAIRMAN LYNN: Discussion on the motion.

If not, all those in favor of the motion signify by saying "Aye."

COMMISSIONER HUNTWORK: "Aye."

COMMISSIONER MINKOFF: "Aye."

COMMISSIONER ELDER: "Aye."

CHAIRMAN LYNN: Chair says "Aye."

(Commissioner Hall did not vote.)

CHAIRMAN LYNN: Motion carries.

Other tests the Commission would like to order?

Mr. Huntwork?

COMMISSIONER HUNTWORK: I'd like to go around the map. As we do that, I'd like to ask for clarification on specific places, at least in terms of the broad issues, comments we received. I don't want to
make any such motions outside of that context.

CHAIRMAN LYNN: In terms of going around
the map, do you want time to review the map or commentary
with that.

I'm trying to understand what you wish to
have happen.

COMMISSIONER HUNTWORK: We sent consultants
away equalizing populations, for example. I have no idea
how that came out. I don't know how the split in Lake
Havasu City came out once population deviations were
taken into account. I think it is possible we'll see
some of the things done questionable and have some ideas
about them. I don't know when we will be able to take
that into consideration if we don't do it now.

CHAIRMAN LYNN: Later today as we hear back
from tests.

COMMISSIONER HUNTWORK: Okay.

CHAIRMAN LYNN: It may make more sense as
we go through the testing we've ordered to determine if
any of the tests are to be added to the map and look at
the impact on that as opposed to trying to look at
something that is still fluid and determine whether it's
a final determination or not. May make more sense.

Seems to me it does, have these tests run and then look
at how they may or may not impact on the test we're
COMMISSIONER HUNTWORK: If we have time to do that.

CHAIRMAN LYNN: As long as we can before midnight, before we all turn into pumpkins before our very eyes.

COMMISSIONER MINKOFF: As long as running tests, it seems to me everything we're testing now deals only with the Phoenix Metropolitan areas. Maybe it might be appropriate just to look at other parts of the state to see if anything else might want to be tested. These tests are not going to impact those districts.

CHAIRMAN LYNN: Mr. Hall.

COMMISSIONER HALL: We have looked at the other parts of the state for any solid detail. Frankly, I don't know any -- I'm not aware of any information Doug could convey to me that would somehow magically resolve conflicts that currently exist. And we've known of these for three solid years now. Respectfully, I think we need to move forward on current issues on the table, move forward as best we can.

COMMISSIONER MINKOFF: The only thing in Mr. Huntwork's issue, he would want to look at the impact of Lake Havasu City, a relatively small number of people.

CHAIRMAN LYNN: Mr. Johnson will report on
the split when we give him the opportunity to do that.
Mr. Huntwork will not lose the opportunity to make other
comments or requests at that time.

COMMISSIONER HUNTWORK: That's all I'm
cconcerned about.

CHAIRMAN LYNN: You reserve that and I'm
clear.

Other tests? Mr. Johnson, collectively,
JudgeIt is running simultaneously, other map drawers are
available to you, as we know they are, senior though they
might be, experienced though they might be. How long do
you surmise that the tests we've just ordered might take?

MR. RIVERA: 15 minutes?

COMMISSIONER MINKOFF: 20.

CHAIRMAN LYNN: I didn't ask for a legal
opinion or comedy routine, either one.

Mr. Johnson.

MR. JOHNSON: Mr. Chairman, Commissioner
Minkoff, you're looking at two-and-a-half hours JudgeIt
time alone. As you say, much of this can overlap. We
should be able to get this done in three hours.

COMMISSIONER HALL: Question: Would be it
be possible to run the first question requested with
respect to Tucson, and while -- in the meanwhile
Dr. McDonald be doing the competitive analysis on those,
can he then do subsequent analysis other plans submitted
while you come back and present the result of the first
two tests and start into a presentation of population
balancing? Or is that a viable option.

MR. JOHNSON: We can come back a little
early. The first two tests have to be drawn so he can
start JudgeIt on the ones submitted.

COMMISSIONER HALL: I see.

MR. JOHNSON: We can come back a little
earlier than three hours and still be running one of the
JudgeIt, but --

CHAIRMAN LYNN: I do have concerns if we
break four three hours we are not going to get this done
today. I don't know how to shorten that.

MR. JOHNSON: Mr. Chairman, if I might,
during discussion, we took a look three Tucson maps, all
three split Foothills into three pieces. I don't know if
that is a concern. Help narrow down how many you want to
look at. Maybe one approach.

COMMISSIONER HUNTWORK: Mr. Chairman --

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: That is what I was
driving at.

Thank you, Doug, for pointing that out.

I don't know that that is something that we
can do. You know, we have -- we have several ideas on
the table, all of which are directed specifically at the
very limited number of things we can consider in this
context. And with time being so short, an hour and a
half of processing time sounds like an awful lot of time
right now.

I'd be in favor of -- in favor of limiting
it to the tests we are authorizing, the maps we are
authorizing. They know how to look at a map quickly to
see if it contains the germ of an idea helpful, trading
population on the east side of Tucson, quickly decide
that's what should be useful.

CHAIRMAN LYNN: To be clear, with the
exception of maps submitted today, we ordered a test in
Phoenix, which obviously needs to be created and run.
Other maps deal with Tucson, Competitive B2, the other
former maps we dealt with that keep Foothills intact, and
then prior iterations all have been run. JudgeIt has
been run on all of them. So the time consuming portion
of this as I understand it, number one, is creating the
test in Phoenix.

But if we weren't necessarily to consider
the full JudgeIt impact of the three maps submitted,
would that not cut your time significantly?

MR. JOHNSON: I'm sorry, clarify that
question.

COMMISSIONER ELDER: I'm lost.

CHAIRMAN LYNN: The work just ordered consists of the following: A Phoenix test which has to be created and then run in order to get a result, in other words, the changes that have been suggested in testimony has to be created first based on the testimony we've received and then run.

MR. JOHNSON: Actually the Coalition and group this morning have submitted a map of that, so that's fairly quick.

CHAIRMAN LYNN: In progress.

MR. JOHNSON: Yes.

CHAIRMAN LYNN: The second part of that is note whether or not that test has any bearing on competitiveness. My guess is it won't, that you we need to confirm that. The next thing we've asked for is with respect to Tucson. We've asked for two things. One is a review of various other maps we've already looked at and already have run JudgeIt against that have different features, keeping communities whole, splitting them in different ways, based on the evolution of those maps. Those shouldn't take any time either. The time consuming portion of the assignment, as I understand it, is dealing with the three maps that came in this morning relative to
Tucson.

Is that accurate or not?

MR. JOHNSON: That's accurate. It's those three maps, running JudgeIt on those, the too new maps requested, both of which I think can be done relatively quickly, also require JudgeIt. Right. That review is very quick to put together as well.

CHAIRMAN LYNN: To Mr. Huntwork's point about do we give -- the motion we did past would suggest all three maps be run and JudgeIt run on them. I don't think we have the luxury of that kind of time.

CHAIRMAN LYNN: Ms. Minkoff.

COMMISSIONER MINKOFF: Mr. Johnson just told us each of these maps splits the Foothills into three parts. The reason we started down road this in the first place is Mr. Elder raised concern about splitting the Foothills community.

COMMISSIONER ELDER: Casas Adobes.

COMMISSIONER MINKOFF: If this splits it further, why are we going down that road?

CHAIRMAN LYNN: Mr. Elder's concern was the area of Casas Adobes. These maps may address that issue, may in doing so cause other issues elsewhere.

Mr. Elder.

COMMISSIONER MINKOFF: Don't we have other
maps that unify Casas Adobes?

CHAIRMAN LYNN: 2004 does that, as a matter of fact.

COMMISSIONER ELDER: Mr. Chairman, things I considered in reading the judge's order say we shall consider competitiveness where it does no substantial harm.

MS. HAUSER: Significant.

COMMISSIONER ELDER: Within the judge's ruling, I guess I'll say, based on our definitions, communities of interest, but also 106. What I see or what I look at 106 for geographical boundaries, the edge on the east side of one of the Foothills patterns, or areas or districts, if you would, that there are no bridges, there are no -- not even pedestrian foot traffic for 14 miles from one side to the other side; don't have schools, have geographical boundaries. If, as an example, in the one I looked at, it's most compact, makes most sense from that standpoint of what was submitted, makes a competitive district, I feel I've got to favor that aspect over the balance of the Foothills community of interest. When I originally proposed boundaries for that Foothills district, as I said before, the community of interest, it was because it had an entirety of the community in it. Without Casas Adobes whole, I can't see
any benefit without splitting again, without going back
to the original plan. That's sort of my thought on that.
I wouldn't minding go back and looking at one or looking
at, you know, this A as an idea where taking the City of
Tucson and combining it with the Foothills district in an
attempt to get a competitive district. If it needs to be
massaged more to take out more Democrats in one area,
more Republicans in another, that may be a trade I'm
willing to make as one of the Commissioners saying as
long as Casas Adobes, the majority of Foothills kept
whole, yeah, 70 percent of Foothills in one district or
whatever it turns out to be there, but to split it saying
splits three ways, Catalina highway northeast is about
30, 30,000, I believe, I believe, balance Foothills, plus
Casas Adobes, makes sense, could split that off at the
Sabino Creek, Bear Canyon geographical boundary. In any
case, if Mr. Johnson would take a look at this as an idea
that might have some validity and move the lines around,
not just run this test, use that as a basis, an approach
to one of these other maps, that would be satisfactory.
Also, I just --

CHAIRMAN LYNN: That's Mr. Huntwork's
point, germ of idea, rather than full testing, that
clarification. How does that change your time frame?

MR. JOHNSON: Well, as I understood that
clarification, for us to do a third new map, now --

You have a request already, unify Casas Adobes into V and Foothills into Y, and another request, Foothills entirely United.

COMMISSIONER ELDER:  Y?

MR. JOHNSON:  Y is most of the Foothills.

COMMISSIONER MINKOFF:  Not practical.

CHAIRMAN LYNN:  I ask the question most of Mr. Johnson, most specifically of Dr. McDonald. I'm of the opinion the resident is some part of the area we're talking about. My residence can be taken into account by myself. I can know where I live most of the time. I can't visit it very often because I'm doing this.

The point is here in Tucson, unless you are prepared to take voters from the Foothills and match them with voters from the City of Tucson, recognizing that the south and west portions of the area are reserved four voting rights district issues, you simply cannot create competitive districts very easily, in fact you may not be able to create them at all. The more restrictions you put on which area needs to be kept harmless from that position, the more difficult it becomes.

I guess the question here is can we take all of the information that we know, and by saying all of the information we know, all the maps we've created to
get to where we are, February 23rd, and review those to see which if any of them may provide an adequate solution to the dilemma that we find ourselves with, one trying to respect certain areas of Tucson, which a great case has been made they need to be held together if they possibly can be, and at the same time create competitive districts. Our charge under the court order.

    All I'm asking for is review, not necessarily creation of a lot of new maps. We're looking at germs of ideas as they relate to maps currently in existence or maps that might be created. It does imply a new map, based on the configurations that have been submitted as suggestions to Mr. Huntwork's point.

    There may be the germ of an idea you haven't thought of in that idea. I'm skeptical. There may be the germ of an idea you haven't thought have in that area contained in one or more of the new maps. To that end we'd have you look at it. I think that's all we're asking you to do in the motion.

    Mr. Elder.

    COMMISSIONER ELDER: I would feel that I would really like to see, from Mr. Johnson, the combining of that Casas Adobes with the -- and then seeing what the rotation of population around that had to be and knowing that area, it is going to make V, if you had been in the...
current map competitive, it will take it out of
competitiveness. I can't believe there's any way he can
move things and not do that. But I also look at the
proposal where I guess it's U, is it, that is Central
City --

COMMISSIONER MINKOFF: No, T, Central City.

COMMISSIONER ELDER: No, this is Central
City.

COMMISSIONER MINKOFF: Oh, okay.

COMMISSIONER ELDER: Could run into areas,
grab Republican populations and trade that.

COMMISSIONER MINKOFF: Already is.

COMMISSIONER ELDER: And trade that for the
V. So if that is what you were initially discussing --

COMMISSIONER MINKOFF: This is competitive
already.

COMMISSIONER ELDER: Then that would be
agreeable. But I would really like, if data files are in
there, I would like a run on that.

MR. JOHNSON: Chairman, Commissioner
Minkoff, I think this is competitive. District Y,
wrapping around, my understanding of the motion, clarify
if I'm misunderstanding this, unify Casas Adobes into V,
and bring Y into Tucson, to pick up the area you have to
take out.
COMMISSIONER MINKOFF: Uh-huh.

COMMISSIONER ELDER: Yeah.

COMMISSIONER HUNTWORK: Sure.

MR. JOHNSON: The other is U, pick up Tucson, Vail, Rita Ranch.

COMMISSIONER MINKOFF: Then no competitive districts in Tucson.

MR. JOHNSON: This may be faster than I thought.

CHAIRMAN LYNN: Cool. I'm All for that.

COMMISSIONER HUNTWORK: The thing is you would have to pick up Republicans in order to remain competitive.

MR. JOHNSON: End up with something similar to this, the 2004 plan.

COMMISSIONER ELDER: That's the 23rd --

MR. JOHNSON: -- plan line. The Catalina Foothills go into District 26, and Y picks up the whole east side of Rita Ranch. And JudgeIt, no competitive districts in this plan in Tucson.

COMMISSIONER HUNTWORK: Mr. Chairman, the point as somebody is pointing out, your point, you can't shift some population between the central population, District Y and possibly still come up with at least one competitive district. In fact, if talking about uniting
the Foothills, that would still be how you had to create
a competitive district, you United the Foothills.

MR. JOHNSON: Yes, Mr. Chairman,
Commissioner Huntwork, put Casas Adobes north of it, one
north of it, totally separate, unite all the Foothills, a
separate test.

COMMISSIONER MINKOFF: Uh-huh.

COMMISSIONER HUNTWORK: All the tests are
intended to preserve as many competitive districts as
possible. If you can do it, unite that area or unite the
entire Foothills, keep two competitive districts. That's
what we're supposed to do, or one. That's what we need
to know as well so we balance these things. Subtext,
make switches, maintain as many competitive districts as
possible.

MR. JOHNSON: We go all the way back to
2004, partially move all the partial Casas Adobes, leave
them out. The more Casas Adobes in V, you might make it
competitive. I don't know where that break will be in
the Foothills area and Tucson area.

Does that address the question you are
asking?

COMMISSIONER HUNTWORK: Sort of. You can't
come around and switch population and Y.

What is the central district?
COMMISSIONER MINKOFF: U.

MS. LEONI: U.

COMMISSIONER HUNTWORK: You can't switch population in Y and U, create a competitive district.

COMMISSIONER MINKOFF: U is already competitive.

COMMISSIONER HUNTWORK: In the 2004 map, the black line.

COMMISSIONER MINKOFF: A Republican map, but --

CHAIRMAN LYNN: U, Democratic District 2 in the 2004 plan.

COMMISSIONER HUNTWORK: Democratic district.

MR. JOHNSON: That was the question earlier. Could Y pick up Democrats in Tucson. And the reason I brought this up, Commissioner Elder is saying he'd prefer not to say that.

COMMISSIONER MINKOFF: Uh-huh.

MR. JOHNSON: So Y loses area, has to pick up under the instruction on the east side of Rita Ranch, Republicans.

COMMISSIONER ELDER: Forget Y picking up that Northwestern part of Tucson. It is not unlike this test A where --
MR. JOHNSON: Right.

COMMISSIONER ELDER: 21 picks up northwest of Tucson.

COMMISSIONER MINKOFF: Northwest or northeast.

COMMISSIONER ELDER: Look at it.

If over 21, that river, I don't know whether you can have rivers on there. And Sabino, Bear Canyon, Tanque Verde Creek, the edges in the communities, not communities of interest, the Foothills, we're really the only one we're dealing with there. But again, we have split other communities of interest. If we have to do that to be able to do that with one more of the competitive districts. The only one we're really strongly willing to argue for is Casas Adobes.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: I just want to make the point, if you do unite the Foothills, the only way to make population between U and Y, coming in from the east, you can't come in from the direction from the north and pick up that the western area of population, a compactness issue or something else, but -- I think the sense of the motion is you have to Friday as well, because that's what you would have to do to keep the Foothills intact, I think.
MR. JOHNSON: Mr. Chairman, Commissioner Huntwork, I'd agree with that. The comments I've been making are only putting Casas Adobes to the north.

CHAIRMAN LYNN: All right. Mr. Johnson, based on what you understand the assignment to be, let me ask again how long it will take you to do most of that work with the idea that JudgeIt may still be running as we begin to look at your work --

COMMISSIONER ELDER: In Phoenix.

CHAIRMAN LYNN: Coming back.

MR. JOHNSON: Mr. Chairman, Members of the Commission, getting all the work in three hours estimating, two hours we can be back and report, get done with the report and be still waiting, wait at that point.

CHAIRMAN LYNN: Well, not wishing to restrict you any more than is necessary, but understanding that we only have today, and today ends at 11:59, but we only have today, I would ask you to try to be back in less than two hours. And to that end, 3:30. I'd like to break until 3:30 this afternoon, ask you to just run out of this room and get started, bring in intravenous food.

COMMISSIONER ELDER: Florence will feed you.

CHAIRMAN LYNN: Take a look at those and do...
a trip around the state.

I'll take a look to my fellow Commissioners and fellow public, use approximately an hour and 45 minutes to eat as much as you can for the long haul this evening, because it could be late.

Without objection, the Commission will stand in recess until 3:30.

(Recess taken.)

(Afternoon session.)

CHAIRMAN LYNN: The Commission will come to order.

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

Mr. Johnson, how was your hour, two hours, and whatever we gave you.

MR. JOHNSON: It was productive.

MR. RIVERA: Thank you. That's all we need from you.

MR. JOHNSON: Thank you. Good day.

COMMISSIONER HALL: I move we adjourn.

MR. JOHNSON: Moved through each of the tests requested. What we have now is a Power Point walking through each stage we've seen down in Tucson. I should note this is limited by the ones involved in voting rights concerned districts with the border
district from W and T not being changed, so this is
within that realm.

So what I have for you is --

Adolfo, is there some way to dim the lights
a bit?

-- a map of the area for each plan, and
then the number of competitive districts by JudgeIt in
that plan. If you have questions about details, we can
pull any of that up, or questions about districts,
JudgeIt scores, any of that, bring it through at the end.

To start with is the 2004 plan, which is,
if I remember, has the JudgeIt competitive, I'm just
counting in districts 28, or U, I'm sorry, 28 is the
green one here, 26, is the other one, 30 which is the red
one, correspond to U, V, Y, in the plans. Counts are
among three districts, how many are competitive. Under
JudgeIt, 2004 plan, none are competitive. You see the
break in the Foothills, is roughly through the center of
the Catalina Foothills, and then 28 does not come out to
the east side and does not go up to the Foothills.

Moving onto -- in this process, after the
Court rules, we started with the purely competitive maps.
I haven't brought those back up, because they obviously
split all through here, went to a voting rights adjusted
map, from those purely competitives. The first one on
this that incorporated the G, W, T, looking at, in our
current maps, VRA2, or voting rights A2. And in it, we
still split through Catalina Foothills a little further
west than we did in the 2004 plan, and again have no
competitive districts by JudgeIt out of those three.
Then the second step was to unify some communities focus
community integration focused in that process on creating
District U that is most of Catalina Foothills, Tanque
Verde central Tucson, competitive Tucson, one competitive
district out of those three. We then came back with
Dr. McDonald, worked on competitive, this is the map you
saw has week I guess it was, call community of interest
Competitive B2, all three, U, V, N, Y are competitive.
Again cutting through Catalina Foothills, Casas Adobes,
western hills united, Tanque Verde, eastern portion
Foothills united, as discussed last week, eastern portion
of the Foothills united.

Last week, February 22nd test A, which
actually in Tucson is identical to the test B map looked
at on February 22nd, also, to February 22nd districts, U,
in the southern half of the Foothills, roughly, and Y,
which is the blue district on this map, it comes from the
east into central Tucson.

We went --

CHAIRMAN LYNN: Mr. Johnson, in each case
does that eastern district go all the way to the Sierra
district?

MR. JOHNSON: Yes.

CHAIRMAN LYNN: Thank you.

MR. JOHNSON: The February 23rd test. In
which we have a competitive U and a competitive V, so the
Rita Ranch to central Tucson district, little north of
University up into the retirement community area, one you
are looking at that divides Casas Adobes. This is very
similar, the planning we're presenting later, it turns
out the same as the previous map, competitive U and
competitive V.

Now we get to a new test we're looking at,
in essentially Casas Adobes District V, two of these.
The first one we took Casas Adobes, united District V,
23,000 people, simply traded that. Y gave up that area
for Casas Adobes, picked up Tucson areas from V into
District W. This ended up, neither V nor Y in this
arrangement is competitive so keep unchanged District U
as competitive. Other option discussed is bringing U up
to pick up Tucson area called cause us District V version
U. U remained competitive. Knowingly, intelligently,
and voluntarily this comes up, go, picks up an area in
Tucson. District V, all of Casas Adobes comes down into
Tucson as well. And Y as mentioned goes down to Sierra
Vista, picks up southeastern Tucson, including Rita Ranch, not shown in the zoom-in. Rita Ranch, also, uniting the Foothills. In this plan, actually the three Foothills communities, Casas Adobes, Tanque Verde, Casas Verdes. Marana is the old split we saw last week and continues and an additional split on the east side.

And actually this comes out with no competitive districts. The reason we kind of ended up this way is we put the Foothills with the retirement community and then District V had Marana, areas between Marana and the county line came down into Tucson. District V failed the compactness test. Took V around in Y until it passed the compactness test.

Three plans submitted by the public, the versions I have are labeled Tucson, Tucson 1, Tucson 2. I think paper maps might be labeled A, B, C, I have to look. I don't know the comparison. One is labeled Tucson. It has, other than rough edges at the very corners, Tanque Verde united in one district. Catalina Foothills united another district. Casas Adobes is united with a bit of Catalina Foothills in a third district.

In this plan, District 21 is competitive. Districts 22 and 25 are not.

People that submitted them used numbers.
That's why the switch there.

Tucson 1, again we have District 21 which is competitive and the L shaped district you see.

Tucson 2, again, District 21 is competitive. I believe that's it.

Then to just quickly report, the J alternative, in Maricopa.

CHAIRMAN LYNN: Let's just stick with Tucson a moment. Don't get too confused here.

MR. JOHNSON: Summary walked through starting with 2004, and various planes have gone through this process, and three planes from the public.

CHAIRMAN LYNN: Ms. Minkoff.

COMMISSIONER HALL: Doug, you -- is this on? You've shown us a lot of plans. And I'm a little confused. Other than --

COMMISSIONER MINKOFF: Doug, you've shown us a plan. I'm confused. Other than February 23rd, you have two competitive tests. In other tests, all none or one?

MR. JOHNSON: There are others with two.

So the February 22 test A, horizontal U across north Tucson and the Foothills.

COMMISSIONER MINKOFF: Unite or split it?

MR. JOHNSON: Unites Casas Adobes, splits
Catalina Foothills and Tanque Verde Foothills, and February 23rd, the clean-up is identical with February 23rd. The rest are one or two. And then, of course, the earlier one, the community of interest, Competitive B2 has three.

COMMISSIONER MINKOFF: Now, so we have B2, February 22nd, and February 23rd, and those each have two or in one case, three competitive districts in Tucson, correct?

COMMISSIONER MINKOFF: Yes, Doug. Others have one or none.

MR. JOHNSON: Yes.

COMMISSIONER MINKOFF: Thank you.

CHAIRMAN LYNN: Other questions or comments for Mr. Johnson?

Mr. Huntwork.

COMMISSIONER HUNTWORK: Well, of course. Given, again, the very limited world we're living in right now, I'm very concerned about the splitting of the community of interest that we've defined.

And, Doug, what I understand you said was that there is no way to keep that community of interest, the Foothills community of interest is what we called it. You are saying that even if you spent more time on this,
you would not be able to find a way to keep that
community of interest intact and still have even one
competitive district in the Tucson area.

Is that, I mean is that correct or with
more time could you do so? Is there another approach you
didn't have time to really try?

MR. JOHNSON: Let me allow Dr. McDonald the
pleasure of responding to that question.

DR. MCDONALD: You are looking at the one
map where we have a united Foothills. And we did very
briefly look at extending District V further into
District Y to mix those two up and create a competitive
V. The problem is we're right up against a compactness
issue on V. So when we try to do this, we lost
compactness. It fell under .17 on the Polsby-Popper.

COMMISSIONER HUNTWORK: Which is V?

DR. MCDONALD: V is the red district in the
middle there. There could be other configurations.

COMMISSIONER HUNTWORK: Could be. It's
really because of compactness you weren't able to do it.

As you move it down kind of to the
southeast, doesn't -- isn't that high density population?

DR. MCDONALD: Yes, it is.

COMMISSIONER HUNTWORK: Why wouldn't it
have the effect of really making it more compact in that
it's taking areas very stretched out and have lower
density, replacing them with areas very contiguous and
have higher density?

DR. McDONALD: Simply trading U and Y,
leaving this area untouched?

MR. JOHNSON: Y came around the south side
of Foothills, staying in Tucson -- I'm sorry, V came
along the south side of the Foothills into Tucson. To
make that tradeoff, Y also has to come west into Tucson.

COMMISSIONER HUNTWORK: Okay. Bear with
me.

MR. JOHNSON: Narrowing of the district.

COMMISSIONER HUNTWORK: Why trading between
the two since you could rotate population among three?
The goal was to keep the Foothills intact. You
understand east of this map couldn't you have put
additional population up into U from the blue district?

Mike, why didn't we try that? Move the red
into blue on more of a vertical line instead of just --

DR. McDONALD: That's splitting the
Foothills at that point.

COMMISSIONER HUNTWORK: It is? Blue
doesn't split the Foothills. Now why would moving red
into blue split the Foothills?

DR. McDONALD: That's what we were doing,
red into blue.

COMMISSIONER HUNTWORK: The vertical line, red of blue, red into blue and blue into U.

MR. JOHNSON: The big portion of blue is mountains. You wrap the blue District Y all the way around into Saddlebrooke and the retirement communities to get any population at all, and you'd end up somewhere in there splitting the retirement communities.

COMMISSIONER HUNTWORK: Isn't there a population, though, in --

The idea, that is in danger of flunking the compactness test, is that the red district?

MR. JOHNSON: Yes.

COMMISSIONER HUNTWORK: As you move it straight east, why can't you move the green area, move the blue area up into the green area? Just to --

MR. JOHNSON: This area?

COMMISSIONER HUNTWORK: No. Show me the outlines of the Foothills.

I believe that area right there is east of the Foothills but maybe that is the eastern extremity.

MR. JOHNSON: It's a little hard to show in -- actually --

COMMISSIONER MINKOFF: While looking at that, can I ask an additional question as it relates to
what Mr. Huntwork is trying to get, and that is when you
do that, do you change competitiveness or are we still
left with no competitive districts if you make the switch
he's talking about?

MR. JOHNSON: Well, V is a Democratic
district. If you move into a Republican area --

COMMISSIONER MINKOFF: I can't see letters,
red, Democratic by JudgeIt. Needs to pick up Republican.

COMMISSIONER MINKOFF: That's not going to
do it.

MR. JOHNSON: Need to move out to the east
side of Tucson, the edge of the graphic, the edge of
Tanque Verde. This obviously is forest out here. Come
over the hills to get population.

COMMISSIONER HUNTWORK: Sure.

CHAIRMAN LYNN: Does that answer your
question, Commissioner, or --

COMMISSIONER HUNTWORK: It may. Yeah.

CHAIRMAN LYNN: Mr. Hall.

COMMISSIONER HALL: Mr. Chairman, we're
wrestling in this area as we have in the past between the
goal of respecting communities of interest and the goal
of favoring competitiveness. This has been a challenge
throughout the process. In light of the fact, however,
that we are here to comply with the order of the court, I
wonder if it would be appropriate maybe for our
perspective to review a little language in the order
relative to this specific subject.

The judge said the Commission failed to
include dissimilar communities of interest to create
heterogeneous and subsequently heterogeneous competitive
districts. Rather the Commission establishes Legislative
districts in Phoenix and other areas of the state with
the purpose of creating homogeneous districts which
consequently are not competitive. The Commission did so
even though the Commissioners acknowledged heterogeneous
could be created or drawn, I think should be sie,
necessary to favor competitiveness, are drawn that -- are
drawn. If heterogeneous districts are drawn to create
heterogeneous districts all over the state -- then
continues and says, district boundaries shall respect
communities of interest to the extent practicable. It
does not say shall be construed self-described
communities of interest nor state the Commission create
homogeneous districts all like-minded yet distinct
communities of interest in one district, rather respect
distinct communities of interest attempting not to split
boundaries of each community.

I think as we go through this exercise that
language is relevant as we attempt to balance this, the
dichotomy often between competitiveness and communities of interest.

CHAIRMAN LYNN: Ms. Minkoff.

COMMISSIONER MINKOFF: I thank my fellow Commissioners for reminding us of the judge's order. I think it's something we need to consider very, very carefully. I am not comfortable with any redesign of the Tucson districts which reduces the competitiveness. It seems that we had three plans that either maintained or increased the competitiveness. I think B2 or B something, February 22nd and February 23rd, it's difficult for me to choose from among these plans because I'm not as familiar with Tucson and neighbors and various communities as Chairman Lynn and Commissioner Elder are, so I'd like some input from them. I'm frankly not willing to prepare any other options presented to us because of lack of competitive districts. So I'd like some insight from our two Pima County Commissioners as to what communities of interest are united and divided by these three options which would help me decide which one of them makes the most sense.

CHAIRMAN LYNN: Mr. Elder, I take your comments under advisement. Mr. Huntwork wishes to be recognized.

COMMISSIONER HUNTWORK: A couple thoughts.
Number one, Andi, are you aware of the communities of interest we found in the Tucson area?

COMMISSIONER MINKOFF: I read all the communities of interest yesterday. My poor brain wasn't able to firmly implant them. I don't remember all of them. Yes, I have gone through them.

COMMISSIONER HUNTWORK: Helpful, is it possible on the maps to overlay communities of interest we found?

MR. JOHNSON: Switch over to Maptitude, do it there.

COMMISSIONER HALL: It doesn't have the new maps.

CHAIRMAN LYNN: This is a Power Point presentation at the moment.

COMMISSIONER HUNTWORK: I just want to go on to say, Commissioner Minkoff, that what we have really done, we have very little capacity to consider communities of interest that we haven't found. So what you are going to see are the communities of interest. I have commented somewhat bitterly numerous times during the last few weeks about what I consider to be the preposterous inability of this Commission to do the kind of fine-tuning that we did over a period of many months when we created the original maps looking at school
districts and neighbors. But all we have are these
fairly micro communities of interest. There they are.
There is the -- now you see Foothills community there.
This, I think, we called retirement communities or
something like that, barrio, and then --
CHAIRMAN LYNN: Voting rights interest.
COMMISSIONER HUNTWORK: The neighborhood
area in the city --
MS. HAUSER: Broadway. It's tiny, tiny.
CHAIRMAN LYNN: The City of Tucson itself.
Each city adopted a resolution. Every city is a City of
interest. Tucson itself is a city of interest. That's
it. Those are communities of interest.
COMMISSIONER MINKOFF: Commissioner Hall
read the judge's statement by combining similar
neighborhoods in districts. We created homogeneous
districts and could not create competitive districts.
And the community of interest we're dealing with right
now is the Foothills community of interest, one that
motivated all these tests,
COMMISSIONER HUNTWORK: Correct.
COMMISSIONER MINKOFF: The Foothills
community of interest apparently is 120,000 people.
Putting that entire community of interest in any single
district will probably make it virtually impossible to
create a competitive district involving the Foothills.

It seems to me that's what the Judge said we shouldn't do. When you put an area of hundred 20,000 people that is relatively similar in its demographic characteristics, it is not going to be competitive. It's going to be dominated by whatever demographics, politicals or otherwise, dominate that community of interest. That runs afoul of the judge's order.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: Mr. Chairman, I --

I disagree with that. Let me just give my take on what I think the judge, said what came out of Josh's excerpt, what Commissioner Hall was reading.

The judge's facts specifically said we are allowed to keep communities of interest together, but we can favor competitiveness to the extent we don't do significant detriment to a community of interest. We adopted a definition of significant detriment and now are obligated to apply that on a consistent manner throughout the state. What we're talking about here, what I'm talking about, is not dividing a community of interest that we have found. I'm not talking about what we do to fill up the rest of the district that contained that community of interest. I've never been talking about that. I am only talking about keeping that community
together sufficiently that we do not do significant
detriment to that community with any of the maps we draw.
There we have a map which shows it being cut in half
geographically. We have a map that shows 25 percent of
the population in that community of interest being split
off and, I might add, in an area, you know, extremely
sensitive to the reason we created it in the first place.
And go back and look at the transcript. One of the
reasons we recognized this area is because these are
unincorporated areas immediately adjoining Tucson that
have a very strong interest in remaining unincorporated
areas.

So, again, I think you -- we are in
complete compliance with the judge's order in keeping
that district together, that community of interest
together enough we don't do significant detriment to it.
So if we found that keeping it together costs us one,
two, three, or 10 competitive districts, which we were
not only entitled to, but I think we are required by
Proposition 106 to respect that community of interest and
not do significant detriment to it, the issue here is
going to turn out, boil down to, you know, is there any
way to keep it together. And is, if we break it, is
there a way to do so that doesn't do significant
detriment to that district.
difference between keeping it together and significant
detriment. Keeping it together means no detriment.
But -- but not keeping it together -- the question is
what constitutes any division of the community of
interest that causes significant detriment. So if we
read from our definition with respect to significant
detriment two communities of interest, a significant
detriment to that community to have effective
representation or deprivation of material and
substantial, but not which the IRC determines to be
minimal or inconsequential, a community of interest
deprived of effective representation, I have yet to hear
division of this community. Some examples we've seen
which constitutes significant detriment, the reason we're
denying them the opportunity to have effective
representation. Therefore, I don't think dividing
portions of the Foothills, I again welcome input from
others, but if you split it in half and have 60,000
people in a particular district, that's a significant
influence on any district. And how does that constitute
significant detriment for them having effective
representation?

COMMISSIONER ELDER: I need information
from the attorneys. Where it said to the extent practicable, it goes on to say the flexibility in carrying out enormous task by necessity involves many compromises and difficult choices. And goes on from there. I'm interested in that. What I'm looking at is that Doug made in his presentation, it says where it doesn't pass the Polsby-Popper test. We're looking at one community of interest, looking at a Polsby-Popper. I said, guess my question to Doug would be, if didn't have compactness in there, prioritize, say community of interest is more value to us as Commissioners as opposed compactness. And it's a moot question. If that does not help an effect competitive district there a little longer, make it competitive, I'd give up compactness for community of interest. And it goes to the extent practicable. Would either one or both ways in as to can you meet five of the six criteria even though one of the definitions must be .17 of Polsby-Popper?

MR. RIVERA: Adopted a compactness issue. Can't go outside if you have voting rights issue, that's with competitiveness, you are locked into the Polsby-Popper. Do you see that difference?

MS. HAUSER: We didn't say different. I don't have definitions in front of you.

We did not say voting rights was the only
reason; neutral criteria not dealing with the
competitiveness arena. Dan, you can have, completely
sacrifice a criteria in order to respect a different
criteria, a tradeoff factor that goes on. In terms of
competitiveness, you are required to favor that criteria,
favor the creation of a competitive district unless it
causes significant detriment to one or more of the other
criteria. And the Polsby-Popper compactness measure is
one of those criteria. And by your definition if it's
below the .17 score, it is significant detriment. If you
are looking at -- if you are looking at the
competitiveness issue, I mean only one significant
detriment need be found. But if your question is, is
your question if competitiveness is not the issue can you
sacrifice compactness? The answer is yes, you can.

COMMISSIONER ELDER: My question: If I'm
looking at community of interest, another community,
area, another district doesn't past Polsby-Popper, I
don't know how close it is, .168 or something, .3?

MR. JOHNSON: Mr. Chairman, Commissioner,

.12.

COMMISSIONER HALL: Way down.

MR. JOHNSON: Suspicion --

COMMISSIONER ELDER: Way off. On that
basis, the way it's going, community of interest,
compactness, way inside community of interest as long as
functionally linked, linked this case by freeway, trade,
economics, all that, they do make that a contiguous,
compact area from a use standpoint. It's unlike, you
know, my argument where we had the retirement communities
in, I believe it was, the, maybe it was the B2 where the
retirement communities were separated functionally from
the Foothills district by eight or 10 miles of town or
city, Oro Valley, Casas Adobes, and that as it came
around. It's by definition contiguous. Take in zero
population, the Catalina Forest, national forest, to
connect up to disparate areas to give us a compactness,
if you will. And that was where Doug was going come up
through national forest and pick up retirement
communities to make the other district competitive, get
enough Republicans to get it competitive.

My sense is it would be far preferable to
have that linkage along the freeway, which is fast and
fairly uniform, and all the different factors we look at,
and the community of interest of the Foothills. And then
if competitiveness falls out of that, that's fine. I'd
say I was looking to see whether you could favor
community of interest over compactness. One is
subjective, what is community of interest, the other is
it's a number, .17.
MS. HAUSER: Again, if it's not, if it's not a competitiveness tradeoff, you clearly can favor one of the other criteria over another. We do that all the time. The difficulty -- here is the difficulty with the order in terms of competitiveness. Again, I'm trying to follow exactly at what point competitiveness comes into play in the scenario. But the bottom line is the constitution says that you are to favor competitiveness except if it causes significant detriment to one of the other criteria. With respect to compactness, you have a bright line measurement there. And if it causes, if a competitiveness change causes significant detriment to compactness, the constitution says you are not to favor competitiveness in that situation. Here's the rub. If you get down to, through whatever changes you make elsewhere in the state, to a point where you are below seven competitive districts the Judge has told you, then, essentially that you must create a competitive district, even if it causes significant detriment to something because he's given you a minimum number of districts that you have to create that are competitive. So your discretion exists, as I've laid it out, only to a certain point. But with that caveat, I think that's the best answer I can give.

CHAIRMAN LYNN: Ms. Minkoff.
COMMISSIONER MINKOFF: I have a comment and also a question. My comment, actually, was somewhat preempted by Lisa's last comment. We have a map before us, February 23rd map. We haven't adopted it yet but the map under consideration, eight competitive districts. If we eliminate competition in the Tucson area, we fall down to six competitive districts, a map not accepted by the court cannot do it. We must maintain one and I'd say preferably two, or even three if we could do it, competitive districts in the Tucson areas. Competitiveness is supposed to be the primary consideration for this Commission according to the judge's order. I think that anything that doesn't have at least one and for my purposes two or three, two or three competitive districts in Tucson is not something we should even consider unless we're willing between now midnight to create another competitive district someplace else. I don't think we have time to do that.

My question, Doug, the February 23rd test, one up there, District V, the yellow one goes into Pinal County. There's a rather dense area of the City of Tucson that is at the southeastern portion of that district. Can you tell me the approximate population of the City of Tucson in that district?

MR. JOHNSON: It will take me a minute. I
can do that.

COMMISSIONER MINKOFF: I'd like to understand whether Tucson dominates that district or all communities to the north of Tucson are not going to be overshadowed by the Tucson population in that district.

CHAIRMAN LYNN: While Mr. Johnson is getting that information, I'll take a comment from Mr. Huntwork.

COMMISSIONER HUNTWORK: Well, I agree that we have to have one competitive district in Tucson no matter what. And if that means we have to do significant detriment to a community of interest or do significant detriment to compactness, or both, we're not going to be able to comply with the judge's order. What worries me is that when we breach one of our criteria in order to find a competitive district in Tucson, does the judge's requirement that we apply our criteria uniformly throughout the state require us to redefine that criteria? For example, if we were to go out of our way, a 1.2 on Polsby-Popper but is competitive, do we then have to go to 1.2 everywhere else in the state and see what happens?

MS. HAUSER: I like that question.

CHAIRMAN LYNN: Since 1.2 would be the lowest, it would already apply everywhere else. In other
words, we've lowered the standard by accepting it.

COMMISSIONER HUNTWORK: We have, if we go apply it throughout the state, we find two more throughout the state.

CHAIRMAN LYNN: I doubt it. Might be able to. Possible.

COMMISSIONER HALL: Doubt it.

CHAIRMAN LYNN: As Doug is doing calculations -- finished?

MR. JOHNSON: Yes.

CHAIRMAN LYNN: Give Ms. Minkoff the answer.

MR. JOHNSON: 56,343 people, almost one-third of the district.

COMMISSIONER MINKOFF: Tucson would not dominate that district. A significant player but a minority of population in the district. Thank you.

CHAIRMAN LYNN: Ms. Hauser, want to add something?

MS. HAUSER: I'm just answering Commissioner Huntwork's question. Want me to share it with the rest of the class?

CHAIRMAN LYNN: As long as not throwing spit wads. I'm not throwing spit wads, I'm not keeping you after.
MS. HAUSER: The answer to Mr. Huntwork's
question is: If you find you have to create a
competitive district and doing so causes you to hit a
Polsby-Popper score that is below in the significant
detriment range and requires you to do that anyway, it
doesn't mean that detriment is not significant, it just
means you were pushed into it because of numbers you have
to come up with. I don't think it requires running
around the rest of the state --

COMMISSIONER HUNTWORK: If we make a clear
record that's why we did it in this instance.

MS. HAUSER: Yes.

CHAIRMAN LYNN: I'd love nothing better
than to prolong this discussion. In interest of perhaps
drawing it to some level of conclusion, I wonder,
Mr. Johnson, if you could go back to your Power Point
presentation, just for the sake of ease.

If you would, again, just scroll through
those tests, various maps of various kinds, that maintain
at least one, and, quite honestly -- we know we have a
test that does three. We get that. We've also kind of
gone beyond it by adopting the February 23rd test. For
purposes of my test, I'll eliminate one with three for
the moment. Concentrate on those options we've asked to
be drawn that have either from one or two competitive
districts remaining in Tucson.

COMMISSIONER MINKOFF: Mr. Chairman, can I ask a further question when we go through, show U is competitive, show us what District U is on the map? It changes from map to map.

MR. JOHNSON: Communities U on the map, U, the green district, Catalina Foothills, Tanque Verde Foothills Tucson. B we've discussed.

COMMISSIONER MINKOFF: B2, united or divide Casas Adobes, 2.

MR. JOHNSON: Unites Casas Adobes in B, the yellow here.

COMMISSIONER MINKOFF: Thank you.

MR. JOHNSON: Test A, February 22, unites Tanque Verde in Y, and Y, Sierra Vista, Rita Ranch, and into Central Vista. The February 23rd test also has two districts, U, in this case is again green, Rita Ranch, Vail, up to Tucson; and V, which is the also in Tucson, and going up to retirement communities of Marana and Saddlebrooke, a portion of Casas Adobes. 23rd, clean some the same as the rest. Casas Adobes in District V test one, one competitive test, U, green district Rita Ranch, Vail, up into Tucson. Casas Adobes in District V version to still has one competitive district. It's District U, now it does nothing down to Rita Ranch and
Vail. It's more of a central district. The public maps came in, Tucson, just plain Tucson. District 21 is the green district, Catalina Foothills and City of Tucson area. One is competitive by JudgeIt. Tucson one has part of Catalina Foothills and more of Tucson than District 21. The green district is competitive. Finally District 21 is competitive, the green.

CHAIRMAN LYNN: For my purposes, Mr. Johnson, go back to the communities map.

For my purposes, scroll forward for me, if you would, please. Keep going.

Now go back to 22 test A.

The two competitive districts here are U and Y, u being the green area in the middle and Y being the blue area that cuts in under U and goes into the Central City. It goes, includes, if I understand it, in Y, Rita Ranch.

MR. JOHNSON: That's correct. And continues down Sierra Vista, yes.

Now we keep going forward.

COMMISSIONER MINKOFF: Mr. Chairman, before we keep going forward, could I ask for JudgeIt scores on competitive districts?

CHAIRMAN LYNN: They are within the range.

COMMISSIONER HALL: They are on the
printout.

COMMISSIONER MINKOFF: I don't have a printout.

CHAIRMAN LYNN: We have printouts on all of them somewhere.

COMMISSIONER MINKOFF: I don't.

CHAIRMAN LYNN: Keep going. Somewhere.

Okay. Well, is there any map up there for which three votes can be assembled?

Mr. Hall.

COMMISSIONER HALL: Mr. Hall. With the exception of the test, I don't want to confirm, I thought this is correct, with the exception of combined on Foothills, I don't think any of those maps does not split the Foothills, other than this one.

Is that correct, Mr. Johnson?

CHAIRMAN LYNN: The current map splits the Foothills.

MR. JOHNSON: Correct.

COMMISSIONER HALL: All the maps with the exception of your map splits the Foothills.

COMMISSIONER HALL: I guess, from your perspective, I guess I'm the only one that feels like we're trying to reinvent the wheel.
We ran several tests last time in an effort to comply fully with the judge's order. The test, map we brought forward, I thought was pursuant to instructions from both your self and Mr. Elder effort with to do the best to address some of those issues while favoring competitiveness. And so from my perspective, the map that we've moved forward is as good as any of the other alternatives in maintaining that and simultaneously favoring competitiveness pursuant to the judge's order.

CHAIRMAN LYNN: Mr. Elder.

COMMISSIONER ELDER: Mr. Chairman, could we go back to the 22nd test 1, February 22nd test A. And there was, the next one, where U is the Central City -- no, there is one --

COMMISSIONER HUNTWORK: You are thinking A2, I think.

MS. LEONI: There it is.

COMMISSIONER ELDER: One just before this one.

Keep going. There.

COMMISSIONER ELDER: Casas Adobes V2.

Mr. Johnson, is all Casas Adobes united there?

MR. JOHNSON: Yes, it is.

COMMISSIONER ELDER: A couple of comments,
you know, Mr. Hall, if he remembers these or not. We had very distinct testimony through the first and second phases concerning rural and urban. Most of the other maps we have take the central city of Tucson and try to connect them with Sierra Vista rural areas, Green Valley and that in C. This one, with U being contained as to the majority of the City of Tucson, the Foothills, low density, Green Valley, retirement, and Sierra Vista, areas in between, Vail School, we had comments this morning, again, which makes this preferable from that stand point.

The split of the Foothills, as I mentioned three different occasions, as long as Casas Adobes out of that stays whole, going to Ms. Minkoff comments saying if you have 90,000 in the area, and you've got 50,000 in Tucson of which Casas Adobes is 30,000, Casas Adobes still gets overpowered by the City of Tucson in this instance where I think you end up with a better relationship that Casas Adobes may have a chance of having significant representation. You may have lessened the impact on the rural communities, from the rural to urban, and the Foothills are, you know, fairly intact. So I would think that, you know, if this would be a fair compromise between the two issues.

CHAIRMAN LYNN: Are you moving it.
COMMISSIONER ELDER: Yeah. Let's try it.
See what happens. I'll move to accept the map, Casas
Abobes in V2 Map 4 adoption.
CHAIRMAN LYNN: Is there a second?
COMMISSIONER HUNTWORK: For the sake of
discussion, Mr. Elder, I'll second.
CHAIRMAN LYNN: Thank you, Mr. Huntwork.
Ms. Minkoff.
COMMISSIONER HUNTWORK: Mr. Chairman, I
think reasoning Commissioner Elder gave for preferring V2
is going to cause the Judge to not prefer it because when
he explained we're putting all retirement communities
together, all low density communities, all central Tucson
together, that's exactly what he told us not to do,
similar communities together to create homogeneous
districts. Doing so reduces competitive districts by
one. That concerns me a little bit.
I also have a concern, talking about the
conger of Casas Adobes being overwhelmed by Tucson, I'm
not necessarily speaking in favor of the February 23rd
test, that's the one so far on the table, we've been told
by Tucson it is about a third of the district. Casas
Adobes has 30,000 people in that district. My question
is wouldn't Casas Adobes find support for their
positions, in terms of unincorporated areas, trying to be
free of control by Tucson? They're trying to incorporate separately. Wouldn't they find support for that with communities like Oro Valley, Catalina, other communities up there, not Casas Adobes? Many have similar interests, priorities, free from condemnation by Tucson. Wouldn't that allow them to get support for positions important to them?

COMMISSIONER MINKOFF: Okay.

CHAIRMAN LYNN: Huntwork.

COMMISSIONER HUNTWORK: Could I get an answer?

CHAIRMAN LYNN: Commissioner Elder.

COMMISSIONER ELDER: Mr. Chairman, Commissioner Minkoff, the magnitude of population in the City of Tucson, to any politician representing District V, would be so significant that I do not believe that we could avoid significant detriment to the Casas Adobes area. We've got a geographical edge there that is just amazing. And the Towns of Oro Valley and Marana have been annexing as fast as they can from the north down to try and grab as much land as they can to keep the City of Tucson out of it. Casas Adobes is out in middle of it. That's why when I initially put forward the Foothills I included all of Casas Adobes. It appears as though they might become half sections of the west end, don't fit on
the map. The intent is Casas Abodes be whole. That's why I'm almost adamant in doing that.

There were two other maps, 22nd test A had two competitive, but really, when we get down to it, one submitted, you know, the A 21 or whatever it was. We have A which is competitive. That's got better compactness, better contiguousness, people function in that manner. It does do harm to the Foothills from the standpoint of combining the Foothills with the core of the City of Tucson. But the Central Foothills, if there's any, an area as strong a issue as other areas, central area, as strong with a school district, the school district is something that they comprise. And it's separate from Tucson District 1.

Tanque Verde, the edge, Sabino and Bear Canyon, as area everybody knows, is exactly where they are in their community. And even though it combines east of Tucson, I'd rather have this type of split than the split in the 23rd district. So --

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: There's a map, I think, of communities A2.

COMMISSIONER ELDER: B2.

COMMISSIONER HUNTWORK: Communities 2A.

COMMISSIONER HALL: Are you dyslexic today?
COMMISSIONER HUNTWORK: When they flash up that fast, I occasionally miss a thing or two.

CHAIRMAN LYNN: That would be a bad thing.

COMMISSIONER HUNTWORK: I feel good I even remember this map at all.

What I wanted to point out about it, it keeps more of the Foothills together, keeps Casas Adobes together in one area. I think it keeps more of the Foothills together in one area. I think it may keep the red district as rural as possible. I'm not sure about that. And it comes in --

COMMISSIONER ELDER: Just mirror half the City of Tucson, the east half.

COMMISSIONER HUNTWORK: Dan, took the other half and keeps them together, right with the natural --

this will be a competitive district by putting Saddlebrooke -- you know, the opposites together, people fighting to -- to incorporate and people fighting to remain unincorporated.

CHAIRMAN LYNN: Motion on the floor.

Discussion on the motion.

COMMISSIONER MINKOFF: Can I ask Doug to put the February 22nd map up, please.

This one has two competitive districts except for that one little blue area. It looks
reasonably compact, and I'd like to ask if that does
significant damage to the Foothills. Because if not, it
has one additional competitive district.

CHAIRMAN LYNN: Well, Ms. Minkoff, that
problem with that pretty little blue area is it's most of
the City of Tucson.

COMMISSIONER MINKOFF: Compactness, not --
CHAIRMAN LYNN: It puts most of the City of
Tucson with Sierra Vista.

COMMISSIONER MINKOFF: Sierra Vista with
the City of Tucson.

Casas Adobes with Foothills, that's
everybody's concern.

I'm not comfortable going back from eight
we already have. I think we can achieve that. I think
we need to balance as many communities of interest as we
can. I'm not comfortable supporting anything that
retreats from eight competitive districts we have in
February 23rd. This one does not retreat to what
communities of interest it does significant damage.

CHAIRMAN LYNN: Mr. Hall.

COMMISSIONER HALL: Mr. Chairman, I know
I'm just a slow country boy from up north.

MR. RIVERA: With a plane.

COMMISSIONER HALL: But I'm positive there
is nothing more I can learn with any maps, with any
additional discussion. That is probably just because
I've tuned out.

To me this is simple. I read from the
judge's order earlier because that's why we're here. The
question is very simple. Do we have authority, pursuant
to our definitions, to reduce competitiveness by defining
significant detriment. And in all the discussion
occurred last hour, I've yet to hear where significant
detriment caused or was going to competitive districts,
one competitive district.

Mr. Chairman, I wanted to explain my to
vote against and call the question.

CHAIRMAN LYNN: The question is called for.

Further discussion on the motion.

COMMISSIONER MINKOFF: Can we have it
repeated, up on the board?

If you look at it, that is the motion.

COMMISSIONER HUNTWORK: Mr. Chairman,
Mr. Hall raises an excellent point. The key is we've not
made a finding as to whether a particular split of the
Foothills does significant detriment to the Foothills
community of interest. But it certainly is my belief,
any of the splits that have been proposed do significant
detriment. We're talking, in most of these splits, about
taking 30,000, or more, if we unite Casas Adobes -- how
many in that total, 60,000 out of total, dividing
population of the Foothills community exactly in half,
making them a minority in any district they are in, but
the -- but taking, in my view, taking 30,000 out is also
a significant detriment. And that I think is highly
appropriate to Mr. Hall's question. But if we do get
back to the issue that we are required to find at least
one competitive district in the Tucson area, unless we
find somewhere else in our map, and so I'm in the phase
of this analysis of saying where do we do the least
damage.

And based on the arguments that have been
made I am convinced that splitting the Foothills at Casas
Adobes is probably the -- or sounds to me as if that's
the configuration doing the least damage to the Foothills
community of interest. So --

COMMISSIONER HALL: B2 does that, go back
to three competitive. Does not B2 do that.

COMMISSIONER MINKOFF: February 22nd.

COMMISSIONER ELDER: February 22nd.

CHAIRMAN LYNN: B2, keeps Casas competitive
and whole. An interesting connection with Saddlebrooke
and the City of Tucson.

COMMISSIONER HALL: True.
In so doing, you have the 23rd map.

CHAIRMAN LYNN: See, there is something to me which seems to be missing, and maybe it's impossible. In this map, if we say an area that is important to us is split, and it's split between Y, or the red district, and V, the yellow district, is it not possible to trade some of Y into V and take it up at the lower part of V in the city? Is that what you did in Casas Adobes in the whole test or V1 or V2?

MR. JOHNSON: That's exactly what we did in V1, Y came down into Tucson, gave up half of Casas Adobes. The only difference, V1, V2, that area of V2 goes into U and Y picks up on the east side from U.

COMMISSIONER MINKOFF: And you've lost a competitive district.

CHAIRMAN LYNN: V2 is on the table. In other words, that's your motion.

CHAIRMAN LYNN: V2 or V2.

COMMISSIONER ELDER: V1 for compactness, kept --

COMMISSIONER HALL: The motion is V2?

CHAIRMAN LYNN: Yes, the motion is V2.

COMMISSIONER HALL: Yes.

I have a sequence.

CHAIRMAN LYNN: That doesn't help me.
COMMISSIONER HALL: I still call the question.

CHAIRMAN LYNN: The question is called four.

Further discussion?

We need to do it by roll call, I think, so we keep this straight.

COMMISSIONER HUNTWORK: May I ask a question, Mr. Chairman?

CHAIRMAN LYNN: Certainly.

COMMISSIONER HUNTWORK: In terms of procedure, just parliamentary procedure, should this motion, just for sake of discussion, be defeated three to two, it's my understanding that the Chair cannot make a motion to reconsider. Is that correct?

CHAIRMAN LYNN: That is correct.

COMMISSIONER HUNTWORK: And so the, if after further discussion and debate, it turned out that this was the map that three people would prefer to have, unless one of those who voted against it changed their minds, it would be impossible to come back to this map.

CHAIRMAN LYNN: You are absolutely accurate with respect to Robert's Rules of Order which we are operating under.

COMMISSIONER HUNTWORK: Okay.
Well, then, I just would admonish everybody involved in the process that if, if they think this map be the map but aren't sure, that we should continue to discuss it until we are sure one way or the other, because this is going to be a vote yeah or nay on this map, period.

CHAIRMAN LYNN: I think you make a good point. The only way to avoid this would be to perhaps continue the discussion and withdraw the motion, which is certainly an option.

COMMISSIONER HUNTWORK: I would think that until, until we know what other map is going to command a consensus, that it would be wise not to preclude consideration of this particular motion; therefore, I withdraw my second of the motion.

CHAIRMAN LYNN: With the second withdrawn, if there is no other second to the motion, then the motion is withdrawn.

My suggestion would be that we try to narrow the field as best we can. Mr. Elder indicated he has a series of maps he might offer. And we may want to.

COMMISSIONER ELDER: Peek at just a couple and narrow our discussion between or among those in order to arrive at some sort of consensus so we can move ahead.

Mr. Hall.
COMMISSIONER HALL: Mr. Elder, so you understand my frame of reference, while your perspective, and very outstanding perspective relative to this area, and we relied on that very heavily, I think, to produce a good map in 2004, but for me, pursuant to our current procedure, what is relevant is adopting communities of interest and significant detriment to adopted communities of interest unless there are other factors or variables with respect to why we should not favor communities of interest. For me it's a simple discussion. What I'm looking for in a discussion is, versus a tour of the area, how, what constitutes -- why does a certain map constitute certain detriment to an adopted community of interest.

CHAIRMAN LYNN: Mr. Elder.

COMMISSIONER ELDER: Mr. Chairman,

Mr. Hall, we'd probably end up disagreeing until the end of the Commission.

In my opinion, and as was, I guess, discussed or presented by the League of Women Voters at the -- earlier on, we make decisions using our own background. And we're going to resolve disparate issues. We're going to have competing interests.

When I looked at and made the motion for the Foothills communities of interest, it was, I've said
this for the fourth time now, Casas Adobes is key, the most important part of that Foothills district. So if that remains whole and we have to take in some portion, 90 percent, 80 percent, 70 percent left of the Foothills district, that does not do irreparable harm to that community of interest. And on that basis, I can move forward to look at other maps that may not keep that community of interest whole but does maintain Casas Adobes. It's as hot an issue in Southern Arizona as probably the Hopi-Navajo is in Northern Arizona. It is that acrimonious, that strong. There other maps that tend to do it.

COMMISSIONER HALL: I don't dispute that.

Let me clarify. It's not you and I that disagree. A guy by the name of Fields may not agree. We're operating under his directive. I'm simply trying to do that pursuant to his directive.

CHAIRMAN LYNN: Might we move forward and look at the other maps in question? Because we're going to have to pick one.

COMMISSIONER HALL: Today.

COMMISSIONER MINKOFF: Can I ask a question?

CHAIRMAN LYNN: You can certainly try.

I mean I don't think it's a surprise to
anybody in this Commission where I'm coming from in terms of competitive districts.

MR. RIVERA: Vietnam.

COMMISSIONER MINKOFF: Cambodia most recently.

A map, the February 22nd, maintains a number districts, and unifies Casas Adobes. Honestly, the only way I can support changes in these maps is if we maintain at least two competitive districts in the Tucson area. I'm wondering, Dan, if that might be the next map we consider. If so, I'll consider it.

COMMISSIONER HALL: Dan, can I respond real quick?

I don't think I'll absolutely not consider, absolutely not consider any map with less than two competitive districts. What I want to do is fully comply with the constitution to favor competitiveness until I identify significant detriment to any of the goals that has occurred.

Respectfully, we have the most -- a very, very competitive map moving forward at this point now. I don't think you are the only champion of competitiveness.

COMMISSIONER MINKOFF: No.

COMMISSIONER HALL: I'm saying we apply the tests pursuant to what we've been instructed to do.
COMMISSIONER MINKOFF: I would agree with that.

CHAIRMAN LYNN: Mr. Elder, Mr. Huntwork.

COMMISSIONER ELDER: Mr. Chairman, I move we consider map A 21, or the last map reviewed, which had, I guess, 21 or, maybe I'm calling it Y as competitive.

No. That one.

MR. JOHNSON: Just for the record, this is the map that came to me as plain "Tucson," no number.

COMMISSIONER HALL: How did you receive it?

MR. JOHNSON: The map came today.

That's --

CHAIRMAN LYNN: That's the motion.

Second to the motion?

COMMISSIONER HALL: What was the motion?

CHAIRMAN LYNN: To accept that map.

Dies for lack of a second.

COMMISSIONER HUNTWORK: The problem is I think we, I didn't realize that we should be discussing a number of these maps before we coalesce to a motion. Unfortunately the best map might get rejected if we -- if we move on it prematurely. I wouldn't mine discussing this map. I'd like to discuss the map, we showed three competitive maps in Tucson, again, and talk about it in
terms of -- talk about it technically in terms of criteria. We're just been all talking to each other about it.

CHAIRMAN LYNN: Perhaps that methodology makes the most sense.

Why don't we do it this way: Discuss Map 3, competitive districts. If in fact we decide, for whatever reason, that map does create difficulties we can document, we'll move to ones that have to, discuss those, and discuss ones that have one, given that's sort of the way we're supposed to be proceeding, maybe, along the way. Sounds like that might work.

Mr. Hall.

COMMISSIONER HALL: My recollection determined, when back on this map, not only significant detriment in the Foothills district, caused significant detriment to the City of Tucson itself that was the, the general basis. I think there are other factors in addition to that, to key factors in my mind for taking this and making the motion and instructions to the Commission, to create the next level of the map.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: That is correct. I want to point out that this, number one, it does keep the Casas Adobes portion of the Foothills intact; number two,
it keeps the rest of the Foothills intact. The thing I see about it that is perhaps the most troubling to me is it takes that central portion of Tucson and puts it down into District W, or whatever it's called in this map, and basically guts Tucson. Now, the thing I would ask is or point out is when we look at some of the other maps they do exactly the same thing. It would be somewhat preposterous to a two district map, two-district competitive map, to that accept it when we're rejecting a three-district competitive map that does exactly the same thing. So I would have to hear some reason why the two or one competitive map treats Tucson better before walking away from a three competitive district map over that issue.

To me the issue was we're dividing the Foothills in half and we're gutting the City of Tucson. So there's no doubt in my mind this map does significant detriment to communities of interest. Of course that's going to eliminate a lot of maps in my mind, if it doesn't do it in yours. Let's be consistent.

CHAIRMAN LYNN: Mr. Hall.

COMMISSIONER HALL: In fairness, part of the confusion, part of your statement, Casas Adobes is intact. We've respected a significant element of the Foothills district. This does it. The reason we went
away from this, we considered the division in the lower
portion of the Foothills community of interest to be
significant detriment. So it may be a situation where
can we -- we may not be able to have both, both where you
respect the Foothills and respect the City of Tucson. I
don't know.

CHAIRMAN LYNN: There are more issues than
that with this map.

Mr. Elder.

COMMISSIONER ELDER: Let me try to bring
Commissioner Elder up to speed with first discussion we
had when this map came up or I made one, the one -- might
even call it a stretch, but I object to the definition
that we had of contiguousness, it has functional
discommunication or linkage between City of Tucson and
the central portion of the Foothills. And then it goes
through the national forest to pick up the retirement
communities.

There is approximately 12 to 15 -- I think
12 miles around, length to populated areas together, too,
the City of Tucson divided into four different sectors,
the northeast sector yellow, the central piece that is
red, another section yellow, and then red again,
connected very tenuously by a narrow area. That area
that is yellow in the South Central is then connected to
Sierra Vista and community of rural and urban, rural urban, the City of Tucson divided at one time for population.

COMMISSIONER MINKOFF: Twice.

COMMISSIONER ELDER: Two pieces, not two pieces 171.

CHAIRMAN LYNN: Not bigger that 340,000.

COMMISSIONER ELDER: What?

COMMISSIONER MINKOFF: Tucson is 140 million.

COMMISSIONER ELDER: Three times.

MR. RIVERA: Doug? Mr. Johnson?

MR. JOHNSON: It has to be split in three districts.

COMMISSIONER ELDER: Oh, it does. So we have the rural-urban issue, we have the bringing the four segments, four pieces of the City of Tucson separately, we've got communities of interest in the Foothills, Casas Adobes being whole a plus, we've got the retirement communities linked to the Foothills, I guess that could be stretched as a plus. If I was to look at the options, you know, if we can't get a better plan with two, I'd say well, heck, let's just go back and take the three. It would be an interesting campaign but Tucson is known for weird and interesting campaigns in the City of Tucson,
puts the University with the Foothills. Hey, it's going
to be fun.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: What is the
population of Tucson?

MR. JOHNSON: According to Tucson, almost
487,000.

COMMISSIONER HUNTWORK: Thank you.

COMMISSIONER MINKOFF: Three full
districts, probably end up with four.

CHAIRMAN LYNN: Mr. Johnson, let's move
ahead from B2, to --

COMMISSIONER ELDER: 22nd, Test A.

CHAIRMAN LYNN: Yeah.

COMMISSIONER ELDER: If I'm on a roll, I'll
state what I said before. The Casas Adobes whole at this
point in V, but where it goes due east of Casas Adobes
along an unknown road because there is no road there,
split the Foothills north to south direction, two
population uses, functions. No way running east and
west. Again penetrate South Central to Tucson and put
with Green Valley, Sierra Vista. It makes again a very
interesting district at that point. So we've split the
Foothills, we've got the urban rural community of
interest, we've got the -- I think -- yeah, that hits it.
CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: Well, it looks to me, a mere Phoenician, as if this doesn't cut Tucson quite as bad. You have the downtown area taken out but that District U is very solidly a Tucson district doesn't take as many people from the west end, the west central part of Tucson up into Foothills area. In that respect it seems as if it may not be quite as bad. That little finger right into the heart of Tucson still looks pretty bad from this distance.

CHAIRMAN LYNN: You know, as much fun as we're having, we do need to take a break.

What I would suggest is we take a 15-minute break, and that we resume this discussion on the other side of that break. Try to hold to 15 minutes, if we may. And within that, and Ms. Minkoff, to your break, I'm sure Mr. Johnson will show you as many times as you'd like to see them the maps you were looking at.

(Recess taken.)

CHAIRMAN LYNN: Back on the record.

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

COMMISSIONER ELDER: Mr. Chairman, I make a proposal we table the discussion on the Tucson map. We table the discussion on the Tucson area so we can go
ahead and deal with Phoenix, deal with any other areas to
try and get that done so people here primarily for the
Phoenix discussion can leave if they so like and we come
back to Tucson.

CHAIRMAN LYNN: I think that's an excellent
idea.

I apologize for waiting to have a clear
disposition of the Phoenix area. I actually thought
Tucson wouldn't take long. Shows how much we know.
Without objection, we'll move, Mr. Johnson,
to the report ordered in the Phoenix area.

MR. JOHNSON: Mr. Chairman, the black line
you see here is the border in the February 23rd test.
And it runs down 35th to Baseline. And the suggestion,
actually from a map submitted by the public, was to come
down 35th to Southern, and come across Southern to 51st
from here over on the west side. Yes. So that moves
about 1,400 people. I have a couple numbers I was able
to put together.

It takes the African American percentage of
District J down from February 23rd from 15.46 and goes
down to 15.30, but it does move the area talked about by
the public this morning. And the petition I also
mentioned came in, the area north of Southern, this area
here stays in the southwestern district as they
Dr. McDonald looked at the competitiveness here.

CHAIRMAN LYNN: Well, did you population adjust elsewhere?

COMMISSIONER HALL: Just a trade.

MR. JOHNSON: Just a straight trade.

COMMISSIONER HUNTWORK: Of what people?

CHAIRMAN LYNN: You mean larger, as opposed to doing significant detriment, to it blowing up.

MS. HAUSER: Like a baseball in Chicago.

COMMISSIONER HUNTWORK: Can we have a blow-up of the particular map, not the whole map, but this particular portion of it?

CHAIRMAN LYNN: Mr. Elder.

COMMISSIONER ELDER: Mr. Elder.

Mr. Johnson, were we out of operation deviation, 1,000, 1,200, increase that, a straight across trade, what does it due to population in the two districts?

MR. JOHNSON: One second, I'll pull up a plan for it.

I have to get the right spread sheets.

Give me just a minute.

DR. MCDONALD: Mr. Chairman. Mr. Chairman, I can say this had no effect on competitiveness.
CHAIRMAN LYNN: Thank you, Dr. McDonald.

COMMISSIONER MINKOFF: What a surprise.

COMMISSIONER HALL: We pay him a lot for that opinion.

COMMISSIONER MINKOFF: I could say that for free.

COMMISSIONER HALL: But not with the same authority.

COMMISSIONER MINKOFF: That is true.

COMMISSIONER HALL: Mr. Chairman.

I assume the population tests --

I move we accept the alteration.

COMMISSIONER HUNTWORK: I second.

CHAIRMAN LYNN: Moved and seconded.

Mr. Johnson, whenever ready.

MR. JOHNSON: J, the February 3rd clean-up map, before, was overpopulated 481 people, one-quarter and one people. After this, 1,900 people or 1.11 percent.

CHAIRMAN LYNN: That's within the deviation of the map that already exists?

MR. JOHNSON: Correct. It does not make it the biggest district.

COMMISSIONER MINKOFF: Mr. Johnson, before you did the population equalization district, J was
slightly underpopulated, maybe just not do some of the
population equalization. You suggested you have less
deviation or does that create other problems?

MR. JOHNSON: It's possible. I'd have to
go back and look at that.

COMMISSIONER MINKOFF: According to initial
figures, J is about 169,009.

MR. JOHNSON: Uh-huh. Yeah. I'd have
to --

COMMISSIONER MINKOFF: Almost right on with
1,400 more people.

MR. JOHNSON: Could very well be it would
work. I'd have to look at that.

CHAIRMAN LYNN: There is a motion on the
floor.

Further discussion on the motion?

I want to ask. Go ahead, Mr. Elder.

COMMISSIONER ELDER: Mr. Chairman, there
was a comment that this came from a citizen that
submitted a map. Was it -- I apologize, was it Thelma?


COMMISSIONER ELDER: Is Ms. Newman still
here.

MS. NEWMAN: Yes.

COMMISSIONER ELDER: Are you familiar with
this plan?

MS. NEWMAN: Yes.

COMMISSIONER ELDER: Maybe a more direct question. This area we're showing here, shifted from N to J, does that meet the Coalition or the group's sense of what you were requesting?

MS. NEWMAN: Yes.

COMMISSIONER ELDER: Okay. Thank you.

CHAIRMAN LYNN: I also ask you one other question, Ms. Newman, recognizing Mr. Johnson indicated even though it's a small deviation, the actual percentage of African American voting age population in the district has actually decreased to a slight extent from 13.42 to 13.30, if I heard Mr. Johnson correctly. In your opinion, is that an acceptable reduction?

MS. NEWMAN: Yes, it is.

COMMISSIONER ELDER: I move the question.

CHAIRMAN LYNN: The question has been called for.

Is there further discussion on the motion? All those in favor on the motion, signify "aye."

COMMISSIONER ELDER: "Aye."

COMMISSIONER HALL: "Aye."

COMMISSIONER HUNTWORK: "Aye."
COMMISSIONER MINKOFF: "Aye."

CHAIRMAN LYNN: Chair votes "Aye."

Carries unanimously and is adopted into our draft map.

Let me indicate to you we'll continue working for the rest of the evening.

I don't anticipate revisiting this part of the map.

Never say never, because things change.

Simply know Mr. Elder and rest of us wanted to be sensitive to your schedules. Please do with the rest of the day anything you wish to do with it. We give it back to you. I don't expect we'll be back to this part of the map. I can't guarantee anything.

Thank you for your participation.

DR. BROOKS: George Brooks. Thank you for allowing us.

CHAIRMAN LYNN: Thank you for your patience.

Back to Tucson. Here we are.

COMMISSIONER HALL: No, please.

MR. RIVERA: I think this ceded from the state.

COMMISSIONER HUNTWORK: During the break I talked to Mr. Johnson. Population outside of the voting
district is approximately 220,000. And I feel because
those districts are essentially fixed by virtue of
previous votes, that that is the number that makes the
most sense for us to work with. That number says that
Tucson has enough population to control two districts.

COMMISSIONER HALL: I don't know about
control.

COMMISSIONER HUNTWORK: 110,000 out of
170,000 voters in each have two districts, or it could
have 110 out of one and 55 out of two others, or have
73.33 out of three, et cetera. But it does matter. It's
just a number we should keep in mind to some extent as we
talk about whether we're doing significant detriment to
the City of Tucson.

CHAIRMAN LYNN: Numbers being but one
measure of that detriment.

COMMISSIONER HUNTWORK: Yes.

CHAIRMAN LYNN: But certainly one.

Back to Tucson. What is your pleasure?

COMMISSIONER HALL: Mr. Chairman, while I'm
sure we can discuss this for a long, long time, I, after
hearing all the argument, I am convinced that the map
that is, that we have presently moved forward in my
opinion best addresses the variety of concerns and still
favors competitiveness without causing significant
detriment to other goals. Therefore, I make a motion we move forward with the February 23rd test map.

CHAIRMAN LYNN: Is there a second?

COMMISSIONER MINKOFF: I'll second that.

CHAIRMAN LYNN: Moved and seconded.

Discussion on the motion?

Mr. Huntwork.

COMMISSIONER HUNTWORK: Well, Mr. Chairman, I -- I believe the other map that we were just looking at, firstly I believe this map does significant detriment to the Foothills area just because of the particular way that it splits that area. Secondly, I think that the other map that we were just looking at before the break has -- does a better job.

COMMISSIONER HALL: Which is the other map before the break?

COMMISSIONER HUNTWORK: B1.

CHAIRMAN LYNN: Probably V2.

MS. HAUSER: Let's have Doug clarify.

COMMISSIONER HUNTWORK: Split horizontally.

MR. RIVERA: Let Doug answer, have a good record.

COMMISSIONER HALL: Which was that, Doug?

MR. JOHNSON: There was a motion on the Tucson plan that didn't get second, discussion without a
motion on the B2 plan.

COMMISSIONER HUNTWORK: That's it, way, back.

MR. JOHNSON: Discussion may have moved on without me catching each twist.

COMMISSIONER HALL: That one being --

MR. JOHNSON: The February 22nd test A map.

COMMISSIONER HALL: I'm just trying to clarify the record.

COMMISSIONER HUNTWORK: Thank you.

If we have to -- if we are going to do a two district map, this one appears to me to do less harm and better represent the City of Tucson. However, you know, I honestly, honestly feel we're using the wrong calculus -- most of these maps do significant detriment to multiple districts and that neither one of them is really an alternative that I would personally prefer. But as a to a district map, this one looks to me like the best one we can find.

CHAIRMAN LYNN: Ms. Minkoff.

COMMISSIONER MINKOFF: I second the motion and will vote to support it. I believe the map still splits the Foothills, just splits them horizontally rather that vertically.

COMMISSIONER HUNTWORK: It does.
COMMISSIONER MINKOFF: My major concern is the blue area in the middle, a heavily Metropolitan Tucson now in the district, goes down in Sierra Vista, an urban rural, small town, big city separation, as much as we can. It is achieved here, although Sierra Vista picks up the Foothills, far less urban than Central Tucson.

When weighing them, this works better. I still believe Casas Adobes, even in this configuration, cannot be ignored by a Legislature in District Y, certainly, because there's all the other Foothill communities. Or District V, because there are other communities not part of Metropolitan Tucson allied Casas Adobes, cause them to create Coalition's, alliances, to find people to support positions in both districts that increase and influence the legislature, two Legislative Districts which listen to them rather than one.

MR. JOHNSON: Mr. Chairman, to clarify, this district, the district in motion, the February 23rd test.

COMMISSIONER MINKOFF: Casas Adobes, influence in both of those districts.

CHAIRMAN LYNN: If I may, I haven't spoken a lot on those choices. I guess it's time for me to try to say something about them since I live in the area.

The difficulty I'm having, and difficulty
we're all having, to Mr. Huntwork's most recent point, every single one of these maps does something really horrible to this part of the state. They do it differently and in different ways and do it in different parts and do it for different reasons, but they all do things that really we would not do. And it strikes me that we could make all sorts of findings about each one of these with respect to what does more detriment here or less detriment there, what is split, which isn't, which goes with which other community in which map. But it seems to me that if you balance all of that out, you wind up with one sort of sort of conclusion. If you move from a map that has two competitive districts in Tucson to any map choice that would only have one competitive district remaining in Tucson, you would need to make significant findings that depending on which map you chose different from findings, you make on some other map.

It just has struck me in the last hour as we've tried to discuss this and wrestled through it I'm not going to be happy with any of these maps, none of them, not one of them, because they're not the maps I'd have drawn if I had the opportunity to draw a map that reflects the way Tucson should vote or does vote, should be represented or is represented.

And so given that none of the choices is
good, given that a significant finding could be made on
any number of them, I've come to the conclusion that we
should probably stick with the map that gives us the most
competitive districts. And I've come to that conclusion
because any of the findings that I might make on other
maps reduce the number of competitive districts in my
mind and based on my own reading of the judge's order
would be difficult, not impossible, difficult to do given
other choices of the other maps.

I'm prepared to -- prepared to support this
motion. Frankly, I'm asking the rest of the
Commissioners to think along the same lines as they've
tried to outline and come to their own conclusions about
whether or not other maps really are significantly better
as a whole versus the whole here which does to favor
competitiveness, if we can. And I've come to that
conclusion and I'm prepared to support the motion.

Mr. Elder, then Mr. Hall.

COMMISSIONER ELDER: Could we have the 22nd
test day come up.

As you said, Mr. Chairman, there are some
variations on each map that could be construed or we
could look at as substantial detriment. This plan,
contrary to the 23rd, does keep the Casas Adobes area
intact. For the most part the City of Tucson running
along the southern border of the Foothills stays intact
and only the area in the south central which in several
of the alternatives that Dr. McDonald and Mr. Johnson put
together had penetrations into the city or town. Because
I really believe that the Casas Adobes area is critical,
I prefer to have this map in this manner and we could
support that intrusion or extension into the southern
part of the town which has been there in past districts.
Historically they function together --

COMMISSIONER MINKOFF: Which southern --

COMMISSIONER ELDER: Blue something X --

MR. JOHNSON: District Y.

COMMISSIONER ELDER: District Y. It's wide

enough, unlike what we were looking at a week ago, one
mile wide, 17 miles, whatever it was in Mesa to get to
the two population areas needed there for a competitive
district. It does have that going for it, that it's not
quite as gerrymandered as some districts already

eliminated.

I have a hard time and cannot support the

23rd map because of the split in the Casas Adobes area.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: Mr. Chairman,

making my comments to an audience of one, namely

yourself, I followed your reasoning. I was certain what
your conclusion was going to be, then when you came to
the opposite conclusion, I was astonished.

I want to understand your thinking better.

The conclusion I thought you should have come to, based
on everything you said was, therefore, I'm going to
support the B2 map because it creates -- because it
creates three competitive districts and so far as I can
tell does no more harm, it does make, to Mr. Elder's
point, a more logical break of the Foothills district
and, you know, it passes our compactness tests, it passes
our contiguity test, whether we define contiguity or
compactness correctly or not, passes them, keeps
compactness correctly, as you say, will have to be
divided anyway. Tucson, A very solid Tucson district as
well as influence in two other districts. Why would we
not create three competitive districts as long as we're
doing significant damage anyway?

CHAIRMAN LYNN: I'll be happy to answer
that question because it was directed at me and I'm
pleased to make that distinction.

There are things about B2 I guess go beyond
significant detriment. The problems with B2, if you know
Tucson, by connecting Saddlebrooke with the other side of
the Catalina Foothills it creates a district, and
district there, literally you can't drive from one end of
that district to the other and stay in the district. You have to go into other districts to get from the northern part of the district to southern part of the district.

The second thing it does, within the Central City of Tucson, it has that vertical -- horizontal rather division of the city a number of maps have connect the Center City with the district to the east that goes out the southeast end of Tucson then connects to rural areas in the southeastern part of the state, some of which are even in Cochise County. And the fact that the Foothills is more intact or fact Casas Adobes more intact to me less significant difficulty connecting top part District B to with the rest of that district as it relates to the northern part of Tucson.

And the other thing, I guess -- maybe this is a distinction too late in day to make sense of, but there is a point at which competitiveness only goes beyond just making sacrifices in certain things we believe in, to my mind it's ridiculous, borders on the ridiculous.

When I first saw the map on the 22nd and was told that they were able to create, by our instructions, three competitive districts in City of Tucson where none existed before, I was prepared for some significant detriment to appear. I was confident
significant detriment would appear and in fact this map does that in a number of places. I guess, to answer your question, Mr. Huntwork, all of these arguments are relative, none is absolute, so the argument I'm making is relative to the maps we have developed along the way, there is a point at which significant detriment gets to the place where it's sort of even. Among the maps we've been considering in the last hour, B2 not necessarily among them, at least in my mind, we had moved beyond B2 to a February 23rd test, that wasn't on my radar screen, looking at tests, February 23rd test and beyond, all of that essentially across the board, different and equal value. This one, in order to draw three competitive districts creates, I argue, a district which passes the Polsby-Popper test but may not even be contiguous in the best sense of that determine, being able to drive from one end to other.

I know we've had discussion about very large, rural districts being too big to represent. This is not a matter of being rural. This is a matter of a community on one side of a mountain range being put together with part of the Foothills of Tucson on the other side of the mountain range, not talking about two hills, not small mountains, the Catalina Mountains, altitude of 9,000 plus.
COMMISSIONER ELDER: 9,000 plus.

CHAIRMAN LYNN: As Mr. Elder point out, it would take a five wheel vehicle, four hardly gets it, you cannot drive up the back side of the mountain, must go up the back face.

There's just a point at which the detriment that is causes gets to be beyond what is acceptable under any circumstance. And for me, I guess, I've reached that limit on this map.

The February 23rd test then detriment becomes more blurred in terms of the specific impact on any impact as we move forward with successive maps.

That may not be best the response to your question, Mr. Huntwork. It's all I've got at 5:30 Monday.

COMMISSIONER HUNTWORK: Let me say I appreciate you taking the time to say that. I just want to express my concern that in my judgment the arguments you make, while absolutely correct in terms of the work and this Commission and what we should be doing are -- I think it may be incorrect and inconsistent in terms of what we have been doing. The fact that it's -- that one region does not relate to another has not been a bar to our creating competitive districts anywhere else in the state unless it did significant -- unless that thing that
we were considering is what did significant detriment to a community of interest. Here we have the retirement communities intact and the fact they are being related to or have to cross a mountain is nothing more than common sense, good judgment. That's not the process we've sworn onto or undergone. It does not violate any express criteria.

Here we are eliminating a competitive district. I mean can we do that? I don't -- we've gone to all this trouble to be consistent. We've spent days, weeks, and come down to this choice. And we're actually making a decision based on logic and common sense. It disturbs me. We may get thrown out of court.

CHAIRMAN LYNN: Call me an optimist, Mr. Huntwork, but I would still hope I have that ability.

COMMISSIONER HUNTWORK: I hope so,

Mr. Chairman.

CHAIRMAN LYNN: I just suggest, I think those comments may be more properly directed at Ms. Minkoff.

Ms. Minkoff has made quite clear she wants very badly to have the most competitive districts we can fashion, I assume she means not without regard to completely other interests, certainly those taken with some measure of agreement.
On that basis, if she's comfortable voting this map vis-à-vis your reasoning, I'll be comforted she seconded the motion and I felt compelled to join her in supporting it.

COMMISSIONER MINKOFF: Gosh.

CHAIRMAN LYNN: I know I'm speechless.

Mr. Elder.

COMMISSIONER ELDER: I thought Ms. Minkoff would respond.

COMMISSIONER MINKOFF: I did. My response was "gosh."

COMMISSIONER ELDER: Mr. Chairman, I have to look back. And your comments about every single map has significant detriment to one community of interest, one of the factors brought forth in the definitions, somewhere along the line, and I've got to look at, again, the judge's mandate that unless it did significant detriment to a factor, to a community of interest, to any of the other standards or requirements that we were ordered to follow, that we must favor competitiveness. So it almost seems like we're back to this three-district position.

You know, when I look -- I'm not sure I can figure out how we can get a Polsby-Popper score on the other map, the one we're considering under the motion,
with that long circuitous neck. Or one of the people
came in this morning, a tentacle coming down in.

Again, it doesn't follow, you have to come
out of the district, River Road, curve at La Canada out,
come back in. Nothing -- it follows the same rationale.
The area going from the retirement areas up to the
Foothills area.

So my preference would be, took it in
order, there's obviously another map or two I'd like to
have, only like one competitive district.

If I can't get those, I'll fall, say hey,
three competitive districts. The detriment to the
retirement communities, it doesn't seem to way as heavily
as the detriment we do in the other Casas Adobes 90
stretch rather go the other direction than this way.

CHAIRMAN LYNN: Other discussion?

COMMISSIONER MINKOFF: I certainly won't
say I'm an expert on Casas Adobes. I'm not, don't
understand all the issues. I'll accept Mr. Elder's
concerns about the area even though, as said previously,
I believe they can be addressed.

The map with three competitive districts
and reason I'm inclined to support the one on the floor
as a motion is that there are two significant problems,
at least two in this particular map. In addition to some
of the other minor ones, one is very significant problems
Chairman Lynn has laid out for us of the northern part of
that district being totally disconnected from the
southern part of the district, and you don't have to go
just a little bit out of the district but you have to go
through miles and miles of circuitous driving to get from
Saddlebrook or Catalina down into the Foothills area
which is other parts of the district. I believe that's
significant problem for a district trying to come
together and other serious problems that would be, even
though Sierra Vista doesn't want to be any part of any
part of Tucson and wants to be Cochise County, we can
keep out of the district which includes the most urban
part of Tucson which we are combined with in B2. Those
are the reasons I say go, in this particular instance, I
believe the detriments are significant enough to
sacrifice one competitive district. It still gives us
eight competitive districts, one more than the Judge
mandated. I'm inclined to support it.

CHAIRMAN LYNN:  Mr. Elder.

COMMISSIONER ELDER:  Well, to
Mrs. Minkoff's discussion on the retirement Foothills
circuitous seven, eight miles.

COMMISSIONER MINKOFF:  Or miles.

COMMISSIONER ELDER:  I can't get the Sierra
Vista Foothills map considering, up this through the freeway corridor, two districts, the Foothills eastern boundary district is the City Tucson proper onto the Rita Ranch area which is indeed the National Park boundary. And part of it is, I believe, the national forest boundary. If we're looking for contiguousness, as I explained before, on the functional aspect, that's a dysfunctional district also.

Again, both of them or all of them seem to have appreciation in how they function. I see no difference in that bonus that Casas Adobes, the whole district in the other plan, so the argument of contiguousness flies both ways.

CHAIRMAN LYNN: I think they all fly both ways.

COMMISSIONER HUNTWORK: Mr. Chairman.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: Mr. Chairman, it appears the dye is cast. I don't know it does us any good to continue chewing on this. I think it's time. Record is made. We're under strict scrutiny, and a decision to eliminate a competitive district will be judged on that basis, or higher court will determine we're not subject to strict scrutiny and uphold the original maps. I don't know how they'll how judge eight
instead of nine. So be it. Let's get on with it.

CHAIRMAN LYNN: We have tried to make that record, and we have the ability to exercise more limited but a certain amount of judgment on these things and we as a majority of the Commission, we'll do so, I suspect, if we get to it.

Mr. Hall, why don't you prolong the discussion. Go ahead.

COMMISSIONER HALL: I thought I would.

Let's call the question. I have --

COMMISSIONER MINKOFF: I have --

COMMISSIONER HALL: No, please.

COMMISSIONER MINKOFF: I have, in terms of --

CHAIRMAN LYNN: Ms. Minkoff.

COMMISSIONER MINKOFF: I recognize I have problems driving the Sierra Vista Foothills, the rural districts. Rural districts are larger, require more driving times, sometimes have circuitous routes to another. This should not be as true of urban district.

I'm ready to vote.

COMMISSIONER HALL: Thank you.

CHAIRMAN LYNN: On the motion.

This is -- the irony of this is unbelievable, just for those who follow the bouncing
Mr. Huntwork?

COMMISSIONER HUNTWORK: "No."

CHAIRMAN LYNN: Mr. Hall?

COMMISSIONER HALL: "Aye."

CHAIRMAN LYNN: Ms. Minkoff?

COMMISSIONER MINKOFF: "Aye."

CHAIRMAN LYNN: Mr. Elder?

COMMISSIONER HALL: "Aye."

CHAIRMAN LYNN: Chair votes "Aye."

Motion passes three to two?

I think we're ready for Mr. Johnson to give a report at this point.

COMMISSIONER HALL: I just want to discuss Tucson a little longer.

Maybe not.

I recommend Mr. Johnson to --

CHAIRMAN LYNN: Mr. Elder seeks the floor.

Mr. Elder.

COMMISSIONER ELDER: I wanted to ask that my fellow Commissioners, do we need to or would we like to revisit one of the comments made this morning in the East Valley? Is there any need, is there any value in looking at the East Valley? There's no difference to competitive districts, to voting rights districts, to put
it back the way it was, so that in effect we don't change
districts unneedfully?

COMMISSIONER HUNTWORK: Mr. Chairman --

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: I prefer,

Mr. Elder, we commence the grand tour. As we get to the
area, we can ask those types of questions. That would
work better at this point.

COMMISSIONER ELDER: Perfect.

By law, go through, two, three areas, go
across the state.

If no need to do it, why do it type of
thing.

CHAIRMAN LYNN: Mr. Johnson, there may be a
note the February 23rd was the map under consideration,
was the motion, and was one adopted three to two.

Mr. Johnson, give me some help in planning.

MS. HAUSER: Actually, I think we need to
clarify one thing, because the February 23rd map, the
whole map of the entire state, and made a change in J.

CHAIRMAN LYNN: The Tucson configuration,
which would include the districts in and around Tucson,
lettered on this map: V, U, Y, T, W -- have I missed
anything?

COMMISSIONER MINKOFF: G.
CHAIRMAN LYNN:  G.

COMMISSIONER HALL:  Which represents, if I'm correct, Dr. McDonald, that U and V are competitive districts.

DR. MCDONALD:  That is correct.

CHAIRMAN LYNN:  Okay. Are we clear? Clear on that?

Mr. Johnson, just for planning purposes, how long do you think your presentation will take?

MR. JOHNSON:  I think, just going straight through, probably 15 to 20 minutes.

COMMISSIONER ELDER:  Never happen.

CHAIRMAN LYNN:  Okay, Mr. Johnson.

MR. JOHNSON:  Mr. Chairman, Members of the Commission, this is a process that you've seen twice before, first in 2001, then again in 2002, where we walk through, kind of go back through the map and clean up any errant blocks, city splits, things like that, balance populations so all are more or less perfectly balanced within decisions made earlier.

So this is the first of two steps, the third step, go back to balance districts, look at areas where the Commission previously wanted to a development unified or follow visible geographic feature, improve compactness, that kind of thing.
So, under the process, the third thing at the end, third thing at the end in developing a final map, the first, let me walk through kind of how we got here and where we're at.

This slide was made before today, I'd say it's a little bit, doesn't have today's test on it.

Just to restate for everyone, we started with a grid, we're calling it the judge's decision, and then we looked at a set of four purely competitive maps. And the Commission decided to move forward with the map of A2.

Then we split that into two options, voting rights one, which was essentially an all new district, Voting Rights Act two, kept Southern Arizona districts together pursuant to the Coalition's request. Some more testing was done voting rights one, continued voting rights two. After the Tucson discussion, which everyone is familiar with, communities 2A, Competitive B, B2, the only thing between those two small compactness changes, to small compactness changes, test A, the February 23rd test, now what I'm going to walk you through is the changes between the February 23rd test and February 23rd clean-up, which is a compilation of those three steps I just described.

So in terms of split cities, and city
splits, the number of competitive districts, compactness,
the only difference between the February 23rd test,
February 23rd clean up, three additional city splits, all
are of Phoenix, they are already split. So the number of
cities divided does not go up. The number of cities are
three, two unpopulated areas are created to avoid a
precinct split. The congressional lines, the third will
sound familiar to you, a nine percent block in the
Phoenix, Scottsdale district we visited each time we came
through this. So the clean-up map actually eliminates
that trap so in doing this it creates a third extra split
of Phoenix.

The number of competitive districts,
Dr. McDonald tested this, there is no change in the
number of districts with compactness below 1.7.
Polsby-Popper also does not change. So to do big
picture, give numbers that go into details and show you
some lines moved, the first step of looking at
inadvertent splits, increasing traps, 18 changes made,
only four involved any population at all. The other four
are zero population. I see there the largest were 15
people, nine of 18 were correcting precinct traps. The
other nine corrected inadvertent city splits, essentially
one block in testing in the middle, between meetings I
had missed or lassoed incorrectly. So that was the first
1 step. Just 18 small changes, a very small population
2 move.
3
4 The next step, larger, involved population
5 balancing.
6
7 Pursuant to the Commission's earlier
8 divisions, Southern Arizona voting rights sensitive
9 districts, this map, S, DD, W and T, I did not change
10 pursuant to an earlier decision. The blocks in the
11 Tucson area separate from the rest of Arizona and so
12 balancing took place in the Tucson area and the rest of
13 Arizona. I didn't try to balance between the areas
14 because of that decision.
15
16 The last set of meetings looked at AA and
17 different areas underpopulating AA for voting rights
18 reasons, didn't try to then repopulate AA based on
19 earlier decisions.
20
21 When we got to BB, as we looked at the last
22 week, really bringing to balance, it throws off
23 compactness scores. In that case we also did not
24 balance -- well, did only small balancing of BB, did not
25 take it all the way to a balanced district. That
26 balances north.
27
28 What that leaves us with, in Tucson,
29 balancing three districts, not voting rights sensitive
30 there. As you familiar at this point, three would be
balanced 1,027 people, or minus 0.6 percent.

On the flip side, of kind, of the Southern Arizona districts, the Maricopa region, balancing among those districts, caveats as mentioned already up north, balance each one to be 343 people, or over plus .2 plus percent.

Took all three Tucson districts, flexibility in, minus .6 percent, and took districts in Maricopa listed there and took each to plus .20 percent.

I should note though after doing all the balancing in the overall deviation of the plan, total deviation of the plan, it didn't change 3.5 because the contradict of B and BB stayed unchanged.

The largest districts, the G border district and BB, being the Flagstaff district, this balanced population between two, the overall plan did not change.

Now, as you've seen before, doing the balancing that results in picking specific places, looking for that exact number of people, and it has some noncompact results that can split neighbors. We cannot follow visible boundaries when doing it though, trying to keep all other criteria as best as possible while doing population balancing.

The third step goes back through a balanced
map, detailed in the report this morning. And each change, move by move, is listed there with the resulting impact from that change.

So I can show you any specific spot you want to look at.

So the third step of this process, you go back through and look at where you're taking some small deviation that could allow us to use a major road or other visible feature, allow us to improve the compactness in those districts.

For example, let me show you one, districts Q and R, Q comes south down through Peoria. R -- Q is Sun Cities and coming up in Peoria, and R coming down in Peoria.

When I balanced it, the image on the left, R comes down across Bell Road, in the middle of Bell Road, and picks through different blocks to get right to a population balance point. And then the third step, I went back to Bell Road, the major visible feature, major road, in improving compactness, obviously as see from the graphic there. The result was, in this case, from this and other changes done in this step, P went from .2 balanced up to .4 deviation, and Q as a result, there were other changes overall throughout this process that went from .5 to .7. So that's the scope of the changes
you see in here.

I'll give you one other example. This is the border between P, District P and District E, also in Phoenix, but this time over on the east side of Phoenix, getting close to Paradise Valley.

Hopefully you'll see in red circles here, when I balanced them in single block extensions coming up north and then kind of breaking across major roads along this side as well. When I followed major roads, other visible features, visible compactness, I tried to keep balance as much as I could, each of the changes, put population into P, the blue district, along the western one of these two changes, put it in population E. This, any other changes in districts, E went .20 to .39. That went from .20 to .66, which gives you an example following the major roads to keep compactness and the general approach I followed in this approach.

As I mentioned before, the overall result of the total deviation of the plan stayed the same. One thing I should note after doing this, I came across an issue in the Glendale area, North Glendale area. I wanted to mention to you for your consideration if you choose, once you had done these changes, see here, the district, in both cases with and without a switch, District P being north Scottsdale, North Phoenix, what
happened through the process, E moved north a little bit, instead of one piece, Happy Valley Road, the north border is Happy Valley. What this highlighted, that coming down on three sides of District O. It's both on the west side district, north side of district, and east side of the district. And the northern Glendale area actually comes across the top of O which at the time of the Census was largely uninhabited and comes across northeastern Phoenix.

One thought I want to present because it seemed straightforward as we walked through us, it comes out to 220,000 people, so we didn't include it as a change. District O can shift west. Essentially the area of District O north of, is it Beardsley, Beardsley, would shift over and the freeway would become the boundary of O, and some -- to make up for giving up that population, Northern, Glendale and actually going up to Phoenix, Happy Valley Road would be added. That would be one thing, improves compactness, Glendale, far north area with Phoenix instead of Scottsdale, but it is 20 some thousand people, yes, 26,000 people didn't do it as part of neighborhood clean-up process.

Deviations of O actually goes from the negative .42 positive .04, and P has a lot of things going on, as you've seen from these examples, ends up
positive .05. That community in statistics, it doesn't affect city splits or anything like that.

The East Valley, we can walk through the East Valley. Let me switch over to Maptitude and show you in more detail here.

This version I'll show you, this is without the Glendale switch. The black lines here show the -- no, let me get it so they show the February 23rd test plan. Oh, black lines show the February 23rd test plan, and colors show clean-up after I made those changes. One very noticeable area at the macro level is District CC. You'll remember last week when doing District BB and doing some other changes, brought D into Coconino County and Yavapai in an attempt to make CC compact, comply, compact. This overpopulated District D by over 1,000 people.

What happened last week, made changes in Western Yavapai County and other changes to BB and CC and R also included compactness of CC.

What I found as looking at compactness, improving general criteria was this area of Coconino County south of the Navajo Reservation and going down the freeway, Gila County, it could move back to CC without hurting the compactness of CC.

This would, made this change reduce the
number of city splits, restore back to the EACO community as defined earlier, and so that change is included here for your consideration.

For similar reasons, compactness of C is gone. Take the Yavapai foot, call it, zero populated CC and D, and put back in CC, reducing the city splits as well.

Other changes, let me zoom in, Tucson changes for population --

COMMISSIONER MINKOFF: That's Phoenix.

MR. JOHNSON: Right.

The Tucson area population balancing changes were actually all across major roads and hurt the neighborhood impacts of districts. So step three reversed back, and these districts were unchanged from the February 23rd test.

The Maricopa and Phoenix area highlight one thing, some shifts, thousands of people moving. The largest, 4,800 moving for population balancing. The reason for that is in the February 23rd test plan, generally, East Valley districts are overpopulated and South Phoenix districts were underpopulated.

The options of moving populations around to get off land annexed city voters, the Voting Rights Act, tribal reservations, voting rights and tribal reservation
concerns, what happened is District N was underpopulated so picked up population from District J.

District J, one side has the Tempe city border. The other side has South Mountain. So it picked up, the other side has the reservation. It picked up population needed from A. There had to be population to bring J up to balance, population to then pass through to N.

There is a train of population moving. We then had to pick up population four all three of them, from L and K, given we had extensive discussion last week where the community border between A and K went. A picked up from L.

Then we had the hills, four mountains, pending on the definition, the border between L and E, around to the city border of Paradise Valley and community border of Arcadia, the other size border of Glendale.

K and L pick up L, shuffling through population. That's where the largest population changes. Population comes up, O gets population, P, and pass through Scottsdale and East Valley.

Why even though moving few hundred people per district to get balanced, the number of people to move in a certain stage is thousands in the East Valley,
people up around that come back down through Phoenix. This also contributes both to population balancing and community balancing, a visible change in Phoenix over here. In Scottsdale we had a border cutting really through two different neighbors and now has unified, essentially, Bell Road, the border there.

That is a result both of population balancing, passing population through, and then being able to follow a major road better make a more compact district there, once that population balancing had occurred.

That's the end of the report, the chart saying net compactness changes, clean-up two, population balance act, clean-up three, final clean-up plan, had unifications and major roads, features.

One district, CC, dropped compactness .19 to .18, primarily because of reducing the number splits, Coconino County reducing the number of splits in Yavapai. Other districts were unchanged or went up, P went up .8, .08, as did O went up .18.

I could show you specifics, if you'd like to see, zoom in on any changes, show you Glendale shift if you like to see. Whatever is your pleasure. That's my report. Slides, details on the shift, if you'd like to see it.
COMMISSIONER HALL: What did the Glendale shift do, if anything, to competitiveness?

DR. MCDONALD: No effect on competitiveness.

COMMISSIONER HALL: Did it, however, increase O? I think O was predominantly Republican, is that correct, Dr. McDonald?

COMMISSIONER MINKOFF: Yes.

COMMISSIONER HALL: Thank you, sister McDonald.

DR. MCDONALD: I have to look that up. Bear with me.

COMMISSIONER HUNTWORK: Is there a spread sheet? I don't have it.

CHAIRMAN LYNN: Handed out today.

COMMISSIONER HALL: I'll sell you my copy.

MS. HAUSER: Wait. This pile of stuff is under my chair.

MR. JOHNSON: An extra set just for you.

COMMISSIONER HALL: Probably in this book.

DR. MCDONALD: Mr. Chairman, Commissioners.

CHAIRMAN LYNN: Dr. McDonald.

DR. MCDONALD: In the February 23rd clean-up, O has a score of 43.43 Democratic performance, and in the Glendale shift O has performance of 42.5
percent.

COMMISSIONER HALL: Thank you.

CHAIRMAN LYNN: Other comments or questions for Mr. Johnson or Dr. McDonald?

Mr. Huntwork.

COMMISSIONER HUNTWORK: A couple places I want to look at in more detail, I'm wondering on how we're doing on time.

CHAIRMAN LYNN: We're pretty close to needing a break. It's just about right for a break.

I appreciate that.

Let's take 15 minutes, and then let's see if we can make our way through the balance of the map.

Without objection, we'll stand in recess for 15 minutes.

(Recess taken from 6:43 p.m. to 7:01 p.m.)

CHAIRMAN LYNN: Back on the record.

All five Commissioners are present, along with counsel, consultants, and staff.

Are there comments or questions four Mr. Johnson on his report with respect to the population balancing and clean up of the February 23rd map or are there other issues that the Commission wants to bring forward. Mr. Huntwork?

COMMISSIONER HUNTWORK: Mr. Chairman, I
would like to know what finally happened in Lake Havasu City. What is that split with population balanced map?

CHAIRMAN LYNN: I'm sure Mr. Foree would like to know that as well.

MR. JOHNSON: Mr. Chairman, Members of the Commission, one thing we looked at were trades, zoom out a little bit, between districts BB, CC, and R to improve the population balancing between the three of them. We looked at rotation of a couple of different areas, Yavapai County south of I-40, looked at taking that out into CC, and area south of 40 into R to try to reduce the population deviation in BB, and also, just anywhere population changes, and what ended up happening in those is that we failed on compactness. I was trying to get population balanced taking people out of BB, giving the testing that had been done last meeting, taking additional people out of Lake Havasu. And the Commission's decision on that, the test was not to increase the amount of people taken out of Lake Havasu into R, did not change a line Lake Havasu, remains where it was at the last meeting.

COMMISSIONER HUNTWORK: And that split was approximately 5,000 taken out?

COMMISSIONER HALL: 5,500.

COMMISSIONER HUNTWORK: Out of 40,000.
MR. JOHNSON: Let me just compare that.

Yes, almost 42,000.

COMMISSIONER HUNTWORK: Okay. Okay.

CHAIRMAN LYNN: Mr. Elder.

COMMISSIONER ELDER: Mr. Chairman,

Mr. Johnson, did you look at a four-way trade? Where I'm looking at is we discussed one time the area just east of the Flagstaff FMPO, what the population was there, to see if it could be rotated around and come out the bottom of Lake Havasu City.

MR. JOHNSON: The discussion about area east of FMPO, we did, we made that change at the last meeting as part of that. If you remember last meeting, split of 5,000, also looked at an additional 2,500, so the split of Lake Havasu, and decided not, the Commission decided not to go forward with that additional split, that was all part of that whole round of testing. So the eastern border of District BB is now the eastern border of the FMPO. So that area already moved.

COMMISSIONER ELDER: And the area east of that where you are cursor is right now, what is the population of that area right there?

MR. JOHNSON: The portion in AA?

COMMISSIONER ELDER: Yes.

MR. JOHNSON: Off the top of my head, 250
people. It's in the record of our last meeting.

COMMISSIONER ELDER: Okay.

CHAIRMAN LYNN: Other comments or questions for Mr. Johnson?

COMMISSIONER HUNTWORK: Mr. Chairman.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: Could we look at the East Valley, Mr. Johnson.

MR. JOHNSON: Did you want to look at the map submitted?

COMMISSIONER HUNTWORK: I probably do. I want to make sure I understand, since our last meeting, did you move population out of the East Valley?

MR. JOHNSON: Let me see.

The small area moved out of B into Z, which is a move into Scottsdale, not East Valley, other than that small changes among the districts in the East Valley. You can see, F came a little further down into the C border, C a little south on that jog, and H went a little further north. Other than that, no, nothing came out of the valley.

Well --

COMMISSIONER HUNTWORK: Mr. Hall, go ahead.

CHAIRMAN LYNN: I wanted you to finish your thought, if there was one.
I'm sorry. I didn't mean that the way it sounded. All I meant was --

COMMISSIONER HUNTWORK: I'm sure you didn't.

CHAIRMAN LYNN: If on a particular line of questioning, I wanted you to finish that.

COMMISSIONER HUNTWORK: I do want to finish the map that goes by Republicans.

Before we go up there --

CHAIRMAN LYNN: Thank you. I meant absolutely no offense by the comment.

COMMISSIONER HUNTWORK: At this point, it's too late. Don't worry about it.

CHAIRMAN LYNN: Oh.

COMMISSIONER HUNTWORK: No, years too late.

MR. JOHNSON: If I may add a little: As soon as it's in the report, a lot of population is moving, population balancing steps of this process, people moved, you yet the details here.

COMMISSIONER HUNTWORK: The question I have is just since our last meeting. I understood the previous step.

CHAIRMAN LYNN: You understand now where that population did move among the districts in the East Valley?
COMMISSIONER HUNTWORK: Yeah.

CHAIRMAN LYNN: Mr. Hall.

COMMISSIONER HALL: Just for the benefit of Ms. Minkoff, I think it's important for us to kind of review how we got here. We ran a couple of tests which I think were February 22 tests A and B which did a couple of things, one of which it created a competitive District C in the East Valley looked kind of like a key, you may recall, and upon my motion, we voted, as a Commission, to reject both those tests.

COMMISSIONER MINKOFF: Both tests.

CHAIRMAN LYNN: A and B.

COMMISSIONER MINKOFF: Both involving competitive C.

COMMISSIONER HALL: Competitive C and H.

COMMISSIONER MINKOFF: Oh.

COMMISSIONER HALL: The explanation was it caused harm to the City of Mesa community of interest, in the City of Mesa. I think it's important to explain our thought. Mesa's population, 396,375 people, which is about two and one-eighth districts, Mesa can clearly dominate three districts with this population. The test created a competitive C. Mesa was split, split Mesa in five or six pieces. Most importantly, all but three of those pieces is an East Valley district. The test
resulted in 16,000 Mesa residents in District I that was
dominated by Phoenix and Ahwatukee. This 16,000 portion
of Mesa is located, approximately, from Southern to Ray
Road and Price to Alma School and is a -- is material and
substantial and in accordance with our definition, is not
a minimal or inconsequential portion of the Mesa
community of interest. So placing the portion of Mesa in
a Phoenix-Ahwatukee district, such as I, where they will
be, in a district, a minority in my view, deprived of
that portion of Mesa of effective representation, and
that was the premise of our motion to reject both tests A
and B. And I think by definition it caused significant
detriment to their ability to achieve effective
representation.

If that is not the understanding of my
three fellow Commissioners, I think it is important for
to you indicate now if I've not adequately provided a
synopsis of where we were.

COMMISSIONER MINKOFF: So that's the
competitive map that was rejected.

COMMISSIONER HALL: That was one of the
tests, correct.

COMMISSIONER MINKOFF: Okay.

CHAIRMAN LYNN: I think Mr. Hall's summary
accurately reflects our thinking on rejection of those
two tests and it does reflect a consistency with respect
to a application of the definition and finding of
significant detriment. And I do believe almost all who
viewed map casually and critically would agree that that
finding is absolutely on point and should have been made.

COMMISSIONER MINKOFF: I would agree with
that. It's interesting to see you can create a
competitive map in the East Valley, ugly though it may
be.

COMMISSIONER HALL: Contrary to testimony
this morning.

COMMISSIONER HUNTWORK: We said if you went
to Democrat houses in the East Valley, connected them up
in the East Valley, you could create a competitive
district houses one at a time. This proved you could do
just that.

COMMISSIONER MINKOFF: It strikes me, based
on what I see, you made the right decision.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: To follow-up on
what I thought.

COMMISSIONER HALL: Thank you for letting
me interrupt you.

I certainly -- what occurs to me now that
I've seen all of this, is that the Mayor of Gilbert
actually submitted a proposed map that was almost identical to our adopted districts. When I put that after the population adjustments had already taken place. When I put that information together with the fact that there are no extraneous issues involved in this area, that is the competitiveness analysis, the voting rights districts, and so on, were simply not applicable, I don't see any reason why we shouldn't consider adopting the map proposed by the Mayor. It actually, as you look at it, and print-outs were handed out earlier, to all Members of the Commission, as you look at it, it certainly captures the city boundaries of Gilbert a lot more closely. And there were some slight adjustments made. The map that was handed out has a white line. The white line shows the boundaries of the two thousand four adopted districts. The colored areas show the districts as proposed by Mayor Berman. As you can see, they are very, very similar, a few slight differences, but it's much closer to the adopted districts than configuration that we have come up with. My feeling on this area is that the originally adopted districts were much closer to the communities of interest that we identified in that area. This is an area where I feel the map is not tainted by the failure to consider competitiveness adequately. I would like to make the motion that we
substitute the lines proposed by Mayor Berman for those
created and recreated, changed again, with new lines now
seen again just now for the first time. Let's use the
ones adopted as close as possible to the adopted line.

CHAIRMAN LYNN: Hearing none --

COMMISSIONER ELDER: Wait.

CHAIRMAN LYNN: Is that a second?

COMMISSIONER ELDER: Yes, a second.

CHAIRMAN LYNN: Moved and seconded.

I have a comment.

If Ms. Minkoff would like a few more
moments, I'll make my comment.

COMMISSIONER MINKOFF: My comment, I see
white lines in all kinds of other parts of the map. It
looks like it rolls through the entire map.

COMMISSIONER HUNTWORK: If you look at the
blue line on here, it shows our 2-23 map. And if you
look, the color districts proposed by Mayor Berman all
fall entirely within the blue line, not a single person,
not one single person is shifted outside of those East
Valley districts. This map has absolutely no impact on
the rest of the map.

COMMISSIONER MINKOFF: White lines, 2004
adopted map, where it may be. The only lines he's
proposing, since no names, colors --
COMMISSIONER HUNTWORK: Graphic maps, contains a number of different information, if you will. If you look at the white lines they show us how closely Mayor Berman's proposal corresponds to our 2000 proposal. If blue lines show us this change of information took place entirely, 100 percent, inside the East Valley districts, there is no impact whatsoever anywhere else on the map.

COMMISSIONER MINKOFF: Blue maps in the February 23rd test.

COMMISSIONER HUNTWORK: Yes.

CHAIRMAN LYNN: Mr. Hall.

COMMISSIONER HALL: Go ahead, Mr. Chairman.

CHAIRMAN LYNN: A question for Mr. Johnson.

Again, I've not studied this map as thoroughly as Mr. Huntwork apparently has, but would we not achieve essentially the same goal as proposed by Mayor Berman if we revert to our own district lines from the 2004 map?

(Note: Dr. Florence Adams, NDC President, consultant to the AIRC, is present.)

CHAIRMAN LYNN: The reason I'm asking that question is as follows. I'm not comfortable and never have been comfortable with taking an entire map from the public and simply adopting it. It's not what we're
about. But I am sympathetic to the testimony of both
Gilbert and other parts of the East Valley that have
suggested certain changes might be made that would allow
the map to return most closely to the 2004 map that we
adopted.

I guess my question is either for
Mr. Huntwork, since he studied it, or Mr. Johnson since
he's most familiar with it, instead of this motion, to
adopt, within the confines of this portion of the East
Valley, if we return to the 2004 lines that we drew,
would it not accomplish essentially the same purpose?

COMMISSIONER HUNTWORK: Well, I can answer
the question because our lines had a 5,000 plus
population over balance in the East Valley which have now
been moved out and so we would be restoring that
population imbalance if we used our line. What this
represents is an effort to accept the -- and,
furthermore, that would then result in ripples all
through the map as we attempt to adjust populations.
What this does is take the February 23rd map and confine
this change entirely to districts C, F, X, H, and I guess
I, and it doesn't get up into B or J, and thereby filter
through the rest of the map at all. I would also say,
Mr. Chairman, we have had people here telling us to move
this block and that block, and we have accommodated those
requests with, I think, good grace. And this is another one where I don't really suspect any ulterior motives other than these, as pointed out this morning. Very frankly, these districts are organized and simply going to be inconvenient to people, why do it. Nothing is tainted about what we did in this area. You know, let's accommodate people as well as we can. We can accommodate Democrats as well as Republicans if we don't have any reason not to.

CHAIRMAN LYNN: Mr. Hall.

COMMISSIONER HALL: Well, Mr. Chairman, the changes we've made in the past in accommodating, adjusting lines, I think, have been primarily, solely for voting rights related issues. And sometimes I feel like the class historian. The reason we're here is this was, when we started from a competitive map, our current configuration was a product of that map, did tests to increase competitiveness, basically came back because of population adjustments Mr. Huntwork alluded to. I'm not so sure I agree with the premise that this map has no agenda to it.

I concur, Mr. Chairman, your concern relative to just adopting, the fact East Valley leaders climbed in SUVs hopped in the HOV lane to be with us here this morning, I'm not so sure means they're not without
some other motive involved. So I'm concerned with that
respect and don't know I concur all conclusions
Mr. Huntwork has drawn.

CHAIRMAN LYNN: Ms. Minkoff.

COMMISSIONER MINKOFF: Mr. Chairman, I also
have problems with adopting this particular map. Mine
may be slightly different. This map makes lot of
changes, comes not at the 11th hour, certainly the
seventh hour, and I would be reluctant to do that without
time to analyze these changes properly and really examine
what changes they make in cities, well, probably none in
competitiveness, population equalization, none of which
comes with this. My question about the Chairman's
suggestion we revert back to our adopted district map for
the East Valley, the only issue I would see with that is
that it's going to abut our current District I and B. If
the eastern boundaries of those districts are in any way
different from what they would be in our adopted map it
would be difficult to superimpose districts on the East
Valley. Don't know whether they would be or not, would
ask Mr. Johnson.

CHAIRMAN LYNN: Have to ask it again.

MR. JOHNSON: I was consulting with
Dr. McDonald.

CHAIRMAN LYNN: That's why we'll ask it
COMMISSIONER MINKOFF: Chairman Lynn asked rather than accepting the map from an outside source we don't have time to analyze at this late date, if we'd be more comfortable taking the adjusted map. My question is whether it's possible those districts that abut districts B, and I wondered whether the eastern lines of those districts had changed from our, I guess we're calling it the 2004 map.

MR. JOHNSON: It would indeed. I guess the way to best show this is in Maptitude. The easiest way to show this is Tempe. The colors show the map we were walking through earlier, the February 23rd clean-up plan. The black lines show the 2004 plan.

So what is happening is -- we can describe correctly. If we were to switch to the 2004 districts in the area, the border of District B would move north from --

COMMISSIONER MINKOFF: No, not B and I, talking about the districts to the east, but it does look like there's a chunk of I.

MR. JOHNSON: Oh.

COMMISSIONER HUNTWORK: I is primarily involved, not B.

MR. JOHNSON: Stop at whatever point there.
COMMISSIONER HUNTWORK: I and H.

MR. JOHNSON: C, F, H, X border, resolve between H and I.

Picture in ones mind without actually doing it, you have a deviation. Is it clear that it doesn't fit, simply to go to the 2004 map. The other question Mr. Huntwork raised is population deviation of 5,000 people. Which district, Mr. Huntwork.

COMMISSIONER MINKOFF: East Valley, the whole excess population. The earlier stage of the process, our consultants moved out, moved Tempe down into I and rotated that population out into the Phoenix Metropolitan area basically through Tempe. So that was the answer to your original question, see, that was, is why our 2004 adopted map doesn't fit.

CHAIRMAN LYNN: Mr. Johnson, have you had the opportunity to analyze the Mayor's map so that you understand how these adjustments would fit within the context of the February 23rd map we are currently considering?

MR. JOHNSON: Yes. I looked at them on the slide on screen overlays. I see the border, black line, clean-up plan in Tempe, the same border as in the East Valley proposal. Excuse me. So -- same all the way around eastern side southern side as well. These are
contained in the east valley and you could swap them out.
The other part of this I looked at in terms of
deviations, among these districts, this what Commissioner
Huntwork talked about, 2004 to 2002, 2003, two three one
deviation, and one eight six.
The Mayor of Chandler doesn't have Phoenix,
looked to a fixing housing development, and that leads to
a larger deviation.

CHAIRMAN LYNN: Let me understand the last
point. I apologize, it's a long day.

Are you telling me adoption of the Mayor's
plan would do some damage to that portion of the map we
already fixed or did I not hear you correctly?

MR. JOHNSON: The Chandler development, H
and I, the border previously split through it, down here
on the corner, the rough edge coloring there, the Mayor's
map beginning back through that development, allows you
to reduce the deviation, raises that concern you
addressed.

CHAIRMAN LYNN: I take it, then, if we were
to wish to continue to deal with that adjustment, that it
would increase deviation slightly over the Mayor's
calculations still keep it within or below what we had
originally done with our East Valley adjustments.

COMMISSIONER MINKOFF: I don't know.
There's a lot of people.

CHAIRMAN LYNN: Too small. I guess the people in question I'm asking, one point, something you had, and 1.9, or I think exceed 1.97 or .87.

COMMISSIONER MINKOFF: .87.

MR. JOHNSON: In the February 23rd clean-up plan, H and I are the largest and smallest districts in that area, probably close to that. The small difference is the northern portion of I differs, might differ with that, take it apart, you have to look at that and see how it plays.

COMMISSIONER HUNTWORK: Mr. Chairman, let's call the question and see how people feel about this, unless there's something else --

COMMISSIONER MINKOFF: I think we need to know more about it, authorize Doug to test it, but I certainly wouldn't vote to adopt it at this point.

COMMISSIONER HALL: That's why we're going to call the question.

CHAIRMAN LYNN: Before we do that, I'm trying to figure out if I could vote four this motion. I'd like to vote for the motion, but only under circumstances I'm comfortable with.

Mr. Johnson, to the extent you have had a chance already to look at how this suggestion impacts the
map we're currently dealing with, February 23rd, can you, at this point, offer an opinion as to how, other than what appears obvious here, the little corners of the districts, are rearranged, and you've analyzed the impact on population, that much I understand, have you, do you have an opinion with respect to compactness, whether it changes compactness scores, with respect to splitting any other cities in any way? I'm sort of going through the list essentially of due diligence with respect to this option as opposed to other options we have before us.

MR. JOHNSON: Mr. Chairman, I've not yet run a compactness report on this.

Looking at it, unless there is some inadvertent small block, the number of city splits should remain the same relative to our plan. I mentioned the Chandler issue. This would comply with the request we received this morning or over the past few days actually about District 22 and the Queen Creek Chandler issue, but other than that, I would have to run the compactness reports and other reports to check.

CHAIRMAN LYNN: How long do you think that would take to do those things?

MR. JOHNSON: It would be fairly quick to just look at those. As submitted I could look at it in 15, 20 minutes. If you want JudgeIt, that would be --
CHAIRMAN LYNN: It would not change JudgeIt, they're noncompetitive districts, they'd continue to be noncompetitive --
COMMISSIONER HUNTWORK: Maptitude, doesn't Polsby-Popper --
CHAIRMAN LYNN: If BB passes Polsby-Popper --
COMMISSIONER MINKOFF: I'm more concerned about population.
COMMISSIONER HALL: Respectfully, what would further analysis disclose? Population deviation we'll clean up.
COMMISSIONER MINKOFF: Not population deviation, housing area.
COMMISSIONER HALL: I'm one hundred percent confidence Doug can fix it. Principle. We started a process, produced a product, and while much of what we've done is under protest, we're doing this, proceeded on a path. As you indicated, we're at the 11th hour to adopt wholesale a plan.
To me it doesn't mean we adopt the smell test. We don't have a better way to describe that, articulate the reaction, that's why I'm prepared to vote against the motion.
CHAIRMAN LYNN: I understand. My sense is
to do the same thing with the exception we have had ample input from the public on the issue of this portion of our map in a variety of ways. One, like other parts of the state where we've made changes either minor or major where the community has been largely silent on those kind of changes, this one has been not only more vocal but more widespread in terms of the things that were not acceptable or certainly not wanted in this map, in this portion of the map. So I'm trying to get to the place, Mr. Hall, where I cannot be inconsistent but get to the place I feel we are being consistent but look at suggestions by the public.

I would prefer taking the concept and draw the map ourselves. Yes, I'd certainly be more confident in doing that. Is it worth 15 or 20 minutes for Mr. Johnson to do a more detailed analysis? Perhaps. But unless I'm missing something, this is relatively straightforward. I could be missing something. But it seems to be relatively straightforward as to what it does. So I'm disposed in this instance to try to accommodate it for the reasons I've stated because of the concerns that have been heard on the record.

I wonder if the maker and second of the motion might entertain an amendment that would deal with the housing, the housing area we had previously
COMMISSIONER HUNTWORK: Mr. Chairman, I think I was just coming to that same thought, sure, absolutely.

CHAIRMAN LYNN: Mr. Elder.

COMMISSIONER ELDER: Yes. If we come back to it as soon as we get that information.

COMMISSIONER MINKOFF: What information?

CHAIRMAN LYNN: We either adopt it or not. That's the motion.

COMMISSIONER MINKOFF: How many are in that area we'd have to move.

CHAIRMAN LYNN: Which area?

COMMISSIONER MINKOFF: Housing, the little corner we'd move from I into --

CHAIRMAN LYNN: Mr. Johnson, remember the adjustment, housing development in the corner, in terms of how many people we were talking about?

MR. JOHNSON: I don't. I could look it up real quick, 30 seconds or so.

CHAIRMAN LYNN: Okay. Why don't you do that.

My point, Mr. Elder, the motion on the floor is to accept this map, not to order a test on it, to accept it. And all I'm trying to do is get to the
COMMISSIONER HUNTWORK: And fix that area or possibly exchanging for area, a little area up above where some has been added, some has been taken out.

MR. JOHNSON: Mr. Chairman, the area we're looking at, addressed last week, 3,390 people. It's the offset -- the other difference, I guess, on that border. Up on the northern edge of that border there is what we had moved to offset it. They have partially gone back the other way.

COMMISSIONER HUNTWORK: Figure out how many are in that?

MR. JOHNSON: Sure.

COMMISSIONER ELDER: Mr. Chairman, Mr. Johnson, can you get into Maptitude and highlight Chandler, the City of Chandler?

CHAIRMAN LYNN: Relevant to the motion.

COMMISSIONER ELDER: If it affects the town of Chandler, I have to vote against it.

CHAIRMAN LYNN: I see. I have your question.

Let's complete the population analysis and then you can ask that question.

MR. JOHNSON: The area up north, 2,061. So reversing, accepting overall the East Valley plane,
except those two pieces, that actually puts us very
clothes to the previous deviation. Other districts would
be more balanced.

COMMISSIONER HUNTWORK: Net 1,000 people
from District I.

MR. JOHNSON: Net 1,000 from I to H.

CHAIRMAN LYNN: Now to Mr. Elder's question
of Chandler, changes and impact in Chandler in any way.

COMMISSIONER ELDER: Doesn't appear to.

COMMISSIONER HUNTWORK: Both in Chandler.

MR. JOHNSON: Those two changes are both in
Chandler.

COMMISSIONER HUNTWORK: Would you highlight
Gilbert. That border, yes, that area in the border
between pink and green actually follows the Gilbert city
limits, almost, exactly, actually. That would not be
surprising considering this proposal.

CHAIRMAN LYNN: You say you are color blind
but distinguish between pink and green.

COMMISSIONER HALL: Wants to know district
42.

MR. JOHNSON: Big picture change, process
coming through, or North-South district, this bring
further south, nothing into Mesa as much, and in exchange
swing over to pick up Queen Creek. Rotation
counterclockwise rotation going on, as mentioned before, there were comments asking for that.

CHAIRMAN LYNN: Exactly. Any further discussion on the motion?

I'm sorry, did you agree with the amendment, switch on the housing association?

COMMISSIONER HUNTWORK: Switch in and out.

CHAIRMAN LYNN: Switch in and out on two corners.

Further discussion?

All in favor of the motion signify by saying "Aye."

COMMISSIONER HUNTWORK: "Aye."

COMMISSIONER ELDER: "Aye."

COMMISSIONER MINKOFF: "Aye."

CHAIRMAN LYNN: Chair votes "no."

Opposed say "no."

COMMISSIONER HALL: "No."

CHAIRMAN LYNN: Ms. Minkoff?

COMMISSIONER MINKOFF: "Yes." I voted for it.

CHAIRMAN LYNN: Thank you.

Three-two.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: I would like to go
back to look at the -- well, Glendale, kind of northwest Phoenix --

MR. RIVERA: Tucson? Wants to go back to Tucson?

COMMISSIONER ELDER: Direction? Going to make a shift in Glendale from O?

CHAIRMAN LYNN: Yeah. Well, it's already in there. We need to talk about it.

COMMISSIONER MINKOFF: What. What shift is this?

COMMISSIONER HUNTWORK: Mr. Chairman, I'm not sure that this is the -- this is a map I want to talk about, but there's another test map we passed up I want to go back and take a look at. I want to make the motion with respect to the City of Glendale that this particular map with or without the reconfiguration of the north piece of Glendale, because we haven't yet decided whether -- there's this proposed Glendale switch that we're going to look at, correct, Doug?

COMMISSIONER ELDER: Yes.

COMMISSIONER HUNTWORK: Moves a third piece of Glendale from one to another, moves it intact.

MR. JOHNSON: Changes one piece to another.

COMMISSIONER HUNTWORK: The motion in this map, splitting Glendale a third time, does not do
significant detriment to the City of Glendale.

COMMISSIONER MINKOFF: Is that a motion?

CHAIRMAN LYNN: Mr. Huntwork, I'm -- first of all, I'm not often disposed to take negative motions, because they don't have the effect of doing anything, and essentially it's proving a negative.

I'm happy to have you comment on the record as to why you believe --

COMMISSIONER HUNTWORK: Let me explain my motion, the reason I made it as a motion.

Certainly we commented on the record previously that we, many of us commented, I think all of us commented that we felt this split did not do significant detriment to the City of Glendale. However our definition of significant detriment contains this phrase "but does not do" -- "but is not inconsequential," but -- excuse me, it's better if I were reading from this, "but not which the IRC determines to be minimal or inconsequential." But I wanted to simply have a determination by the IRC that that particular split is minimal and inconsequential with respect to the community of interest that is Glendale.

CHAIRMAN LYNN: I'd be happy to take that in an affirmative motion, that that particular configuration, which I would expect would be explained as

LISA A. NANCE, RPR, CCR (623) 203-7525 236
we discussed the motion, would constitute a minimal or
inconsequential split of Glendale.

COMMISSIONER HUNTWORK: Okay. I propose
that the Commission determines that the split of Glendale
shown in this map is minimal and inconsequential.

CHAIRMAN LYNN: Is there a second to the
motion?

COMMISSIONER HALL: I second.

CHAIRMAN LYNN: Thank you, Mr. Hall.

Thank you, Lisa.

CHAIRMAN LYNN: We're looking at the
February 23rd map, clean-up version, and we are
specifically looking at the West Valley portion of that
map.

COMMISSIONER MINKOFF: Are we looking at
the colored districts or the black lines?

MR. JOHNSON: Colors.

CHAIRMAN LYNN: Colors at this point, you
may want to separate them so you can, even Mr. Huntwork
distinguishes the differences among the districts.

COMMISSIONER HUNTWORK: Yellowish green and
greenish yellow are hard for me to tell the difference.

CHAIRMAN LYNN: You ought to be able to see
that, Mr. Huntwork.

COMMISSIONER HUNTWORK: See what?
No, I have that.

Could you show Glendale on there?

Okay.

MR. JOHNSON: One thing, for the record to know, it doesn't show up very well, the border of M is the Glendale annexation strip. It's Hard to see from shading it's so small. It's part of the City of Glendale.

COMMISSIONER MINKOFF: Luke Air Force Base is part of the City of Glendale.

COMMISSIONER MINKOFF: That's Glendale?

COMMISSIONER HUNTWORK: Mr. Chairman, in this map, we have a district that is very largely, that contains very large portions of City Glendale in District M, District Q that is, also contains a very significant portion of Glendale. Glendale has significant influence. Two of those districts together do a very good job of reflecting the total population of Glendale and assuring Glendale of as much -- as strong a representation I believe as any, as any map that any map drawer with be capable of doing. The piece at the top does not impair the City of Glendale to achieve representation.

CHAIRMAN LYNN: Further discussion on the motion?

If not, all those in favor of the motion
signify by saying "Aye."

COMMISSIONER ELDER: "Aye."
COMMISSIONER HALL: "Aye."
COMMISSIONER MINKOFF: "Aye."
COMMISSIONER HUNTWORK: "Aye."
CHAIRMAN LYNN: Chair votes "Aye."

Opposed "no"?

Motion carries.

COMMISSIONER HALL: The spot for O, the piece -- P does not hook around O, more a sense for O to move to the west as was presented in his presentation, I move we adopt the Glendale swap as part of this map.

CHAIRMAN LYNN: Second?

COMMISSIONER ELDER: Second.

CHAIRMAN LYNN: Moved and seconded. Would you show -- I know that's where you are moving, show the swap.

Dr. McDonald, for the record, changes we're currently considering, my understanding is they have no effect on competitiveness in the overall map. Could you confirm for me?

DR. MCDONALD: Minimal changes to competitiveness.

CHAIRMAN LYNN: Thank you.

COMMISSIONER HUNTWORK: Mr. Chairman.
CHAIRMAN LYNN: Huntwork.

COMMISSIONER HUNTWORK: Clean-up of February 23rd, clean-up compiled 2-27-04.

Does this map show the competitiveness with or without this change?

MR. JOHNSON: At the top, at the top, looking at one that says February 23rd clean-up?

COMMISSIONER HUNTWORK: Yes.

MR. JOHNSON: That's all it says?

COMMISSIONER HUNTWORK: Is there one that shows this change? The answer to that is one I have does not show change.

DR. McDONALD: I was directed by NDC to do a JudgeIt analysis of a Glendale shift, did provide to counsel, don't know if they provided to you.

CHAIRMAN LYNN: How would it be labeled?

DR. McDONALD: Clean-up Glendale shift.

CHAIRMAN LYNN: I don't know if circulated, if somebody has it. We could answer Mr. Huntwork's question.

COMMISSIONER HUNTWORK: I'd like to know, just know --

DR. McDONALD: I could tell you what changes to O and P are.

CHAIRMAN LYNN: Great.
COMMISSIONER HUNTWORK: That's what I want. All I want to know.

DR. McDONALD: Since you have clean-up without the Glendale shift, I'll go through O and P, the only ones affected. District O with clean-up, that will be a 43.3 Democratic Republican District not competitive. Under the Glendale shift, O is 42.5, still uncompetitive Republican. District P is 38.3 noncompetitive Republican. And in the clean-up it is a 38.7, still an uncompetitive Republican district.

COMMISSIONER HUNTWORK: Thank you.

CHAIRMAN LYNN: Thank you, Dr. McDonald. Further discussion on the motion?

On the question of adopting the Glendale shift. All those in favor of motion signify by saying "Aye."

COMMISSIONER HALL: "Aye."

COMMISSIONER HUNTWORK: "Aye."

COMMISSIONER ELDER: "Aye."

COMMISSIONER MINKOFF: "Aye."

CHAIRMAN LYNN: Chair votes "Aye."

Motion carries unanimously.

COMMISSIONER HALL: Mr. Johnson, I want to confirm. Are you done with all your presentation?

MR. JOHNSON: Yes. That's everything I had
to walk through for you.

Other than the Glendale shift, Mr. Johnson,

I think, there may be a question to counsel as well,
we -- I think we probably had, on the record, better
accept the population and trap adjustments. Other than
the Glendale shift, the one you teed up for us, others
essentially were ordered and there was no significant, if
I understood your report, no significant deviation other
than those we've addressed with the Glendale shift and
what we did in the East Valley with respect to that
particular map.

Is that accurate, Mr. Johnson?

MR. JOHNSON: The J adjustment had impact
on population deviation as well. But if we looked at the
time, I'd have to go back and check it.

CHAIRMAN LYNN: What I'm trying to do is
get your report substantially not just in the record but
adopted with respect to population adjustments and trap
adjustments that you've made.

COMMISSIONER HALL: Well, the question is,
in the event Commission were to vote an amend version of
February 23rd clean-up map, I think that would include
all those adjustments and trap adjustments, is that
correct, Mr. Johnson?

CHAIRMAN LYNN: February 23rd clean up as
amended by motion, in other words, talking about Glendale shift, East Valley adjustment, talking about District J,

COMMISSIONER HALL: In fact, Mr. Chairman, if the Commission is ready, I'd be happy to make a motion.

COMMISSIONER HUNTWORK: Mr. Chairman, we're getting a little ahead of ourselves.

CHAIRMAN LYNN: Can't be too far ahead of ourselves. We're pretty much at the end of the day; but Mr. Huntwork.

COMMISSIONER HUNTWORK: I want to go back to a test that, from a couple weeks ago, I would call competitive District O that was at a point that we chose one version of the map versus another, and I don't recall the --

MR. JOHNSON: I can bring that up. That was included in February 22nd test B.

COMMISSIONER HUNTWORK: Yes.

Once again, can we impose the City of Glendale on it.

MR. JOHNSON: It's a little hard to see here, white shading in north portion of Q, central portion split M and K coming down through here, western portion in M.

COMMISSIONER MINKOFF: What map is that
that we're looking at Doug,

MR. JOHNSON: February 22 test map B.

COMMISSIONER MINKOFF: Is there a

competitive O we decided not to pursue. Oh, I see it.

COMMISSIONER HUNTWORK: Mr. Chairman.

CHAIRMAN LYNN: Mr. Huntwork.

COMMISSIONER HUNTWORK: I would like to

make the motion that the Commission determines that this

map does do -- does have significant detriment to the

City of Glendale community of interest.

CHAIRMAN LYNN: Is there a second?

COMMISSIONER HALL: Second.

CHAIRMAN LYNN: Discussion on the motion.

Mr. Huntwork.

COMMISSIONER HUNTWORK: Mr. Huntwork. The
distinction here is that competitive District M, I

appreciate the color contrast. This one so dark it is M,

right?

COMMISSIONER MINKOFF: Yes.

COMMISSIONER HALL: Actually that's Andi's

head.

COMMISSIONER HUNTWORK: Doesn't help me to

see it very well, either.

This one moves this one further out of

Glendale, includes a smaller piece of Glendale on the
eastern end, and it also divides the heart of Glendale at
a place that is very significant -- excuse me -- well,
very significant to the ability of Glendale to have
representation in that District M. Also, it, you know,
it divides the other to into pieces that are less
workable for the City of Glendale. So my feeling is that
this map divides Glendale up in a way that is less
protective of the city and dilutes the ability of the
city to have representation in two solid districts.
That's why I believe this map has significant detriment
to the City of Glendale.

CHAIRMAN LYNN: Thank you.
Other comments?

MR. JOHNSON: Mr. Chairman.

CHAIRMAN LYNN: Mr. Johnson.

MR. JOHNSON: One thing rather than further
west difference goes further north and takes larger chunk
of City of Peoria, that's a difference, too.

CHAIRMAN LYNN: Other comments.

Ms. Minkoff.

COMMISSIONER MINKOFF: Mr. Chairman, I
wasn't here for initial discussion of this, not sure I'm
fully following this, so I don't really feel comfortable
voting on this. I'd like to abstain and let you vote on
this.
CHAIRMAN LYNN: The real record, no vote if we get to vote.

Further discussion?

I think Mr. Huntwork articulated the difficulty we had with this map, this portion of the map, when we saw it on the 22nd. And it, it does reflect, I think, a significant detriment in Glendale. I certainly concur with that finding.

Further discussion on motion?

All in favor of the motion say "aye."

COMMISSIONER HUNTWORK: "Aye."

COMMISSIONER HALL: "Aye."

COMMISSIONER ELDER: "Aye."

CHAIRMAN LYNN: Chair votes "Aye."

Record one abstention.

(Commissioner Minkoff abstained.)

CHAIRMAN LYNN: Passes foresee row and one. With the traps recently identified in Maricopa County, please let us know what adjustments those represent.

COMMISSIONER HALL: While pulling that up, a 10,000-foot perspective, Maricopa County identified traps, very small population, too, within the heart of the city, that would clean the map up a little bit. Is that kind of a general overview?
MR. JOHNSON: What happens, just as familiar general Congressional lines precinct maps, same thing Justice of the Peace districts and supervisorial districts, it was their request we not create these, for lack of a better term, mini precincts, most zero population, some zero population.

Very quickly -- numbers coming up on the screen, 12 people affected on the border of E and P, a come near the Phoenix Scottsdale border, a couple up here, oh, this is I guess they've used river up here next to Sun City Grand rather than, rather than Sun City Grand border, drew other district lines creating a trap here, how many people involved -- oh, that area, that's about 51 people in there that we would be moving, 35 people down on the border of Tempe and, what is it -- oh, Tempe, oh, yes, about 35 people in Tempe where don't come quite all way down to southern city border, and some other district did, so there's 74 people affected there. So that's the flavor of them.

I haven't gone by one by one to look at them. They just came in this morning.

COMMISSIONER HALL: Mr. Chairman, I think part of this, it's an expedited process for everybody. To minimize the process upon officials, elected officials, I move we accept adjustments for trap
adjustments.

COMMISSIONER ELDER: Second.

CHAIRMAN LYNN: All in favor?

COMMISSIONER HUNTWORK: "Aye."

COMMISSIONER ELDER: "Aye."

COMMISSIONER HALL: "Aye."

COMMISSIONER MINKOFF: "Aye."

CHAIRMAN LYNN: "Aye."

Motion carries unanimously.

COMMISSIONER HALL: I don't know if my fellow Commissioners are done analyzing the motion, but with all due respect, if we're going to move an adoption for purposes of complying with the court order, I guess I would ask my fellow Commissioners, wouldn't it be appropriate to hear from the public before we do that. And I'd certainly want to.

CHAIRMAN LYNN: Uh-huh.

COMMISSIONER HUNTWORK: Sure.

CHAIRMAN LYNN: Are there members of the public that wish to be heard on this so late? Is this a mural?

Well, if not. They seem fairly content.

If not.

COMMISSIONER HALL: Mr. Chairman, it proves the principle a job tends to expand to the time allotted

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to complete it.

COMMISSIONER HUNTWORK: Mr. Chairman, I'm more adamantly opposed to what we're doing than Mr. Hall is. I'd like to make the motion to approve it.

COMMISSIONER HALL: Great.

COMMISSIONER HUNTWORK: I'm just kidding.

Go ahead, Josh.

COMMISSIONER HALL: Jim, you are welcome to. If only you'd gotten to it four hours ago, we'd be better off.

I move -- this is a long motion -- I move we adopt the February 23rd clean-up map as amended with the J alternative, the East Valley Berman map with population adjustments, the Glendale shift, as our March 1st --

MS. HAUSER: Add in Maricopa trap adjustments.

COMMISSIONER HALL: Oh, that's right.

Start over:

March 23rd clean-up map with Maricopa trap adjustments, as amended with the J alternative, the East Valley Berman map, the trap adjustments, and the Glendale shift, as the March 1st Legislative Redistricting plan solely for the purpose of submitting it to Judge Fields in compliance with his January 16th order, further
understanding by doing so we are not repealing the final
2002 Legislative Redistricting Plan currently enjoined by
the trial court in order to order to continue our appeal
of the trial court's decision.

CHAIRMAN LYNN: Second?

COMMISSIONER HUNTWORK: Second.

CHAIRMAN LYNN: Second on the motion.

MR. JOHNSON: Reference the Chandler change?

COMMISSIONER HALL: Yes.

CHAIRMAN LYNN: Is the rest of motion clear to you?

MR. JOHNSON: Yes.

COMMISSIONER HUNTWORK: Mr. Chairman, out of all the reasons why I think it's sad that we are compelled to adopt this plan, the saddest one for me is that I feel that the Commission did not recognize a number of communities of interest that I feel clearly exist and I think in retrospect we should have recognized. I feel strongly the Mohave County, North and South, and Kingman with the River Communities were a community of interest. I feel strongly that there are numerous communities of interest inside the City of Phoenix which we have not recognized. I personally believe that had we recognized those, we would have found
significant detriment in this map to the Mohave County community of interest, we would have found significant detriment to a number of communities of interest inside the City of Phoenix and ultimately ended up with, essentially, three or four naturally competitive districts that did not impinge on or impair communities of interest. I believe if the Commission had had time to really discuss these areas and make decisions freely, and if the Commission had not felt that doing so might be considered, what is the word used, pretextual, had not been considered pretextual by the Judge, we would have been able to provide a very clear demonstration to the court and the public that what we did, and the order in which we went about it produced, essentially, the same result in terms of competitiveness as the map that we are about to adopt. And I feel that our inability, I won't call it failure, exactly, because I honestly acknowledge that we didn't have time, and I know that on the record my, some of my fellow Commissioners voted against some of the proposed communities of interest, specifically on the grounds we didn't have time. We didn't adopt them the first weekend when we first considered communities of interest, and after that it would be considered pretextual. So I just wanted to make that clear.

I think we found four competitive districts
on our approved maps. I think had we had time we would have found approximately the same number of competitive districts on this map. And that we could have, we could have manipulated either map to produce seven, eight, nine competitive districts. If someone tells us how many competitive districts we have to produce, well, you know, we can produce that number. But there is nothing superior about the method that we have followed to produce this map compared to the method we produce the other in terms of honestly producing competitive districts that emerge from the natural competition of the populous that was promised by, in the original movement to adopt Proposition 106.

Thank you.

CHAIRMAN LYNN: Thank you, Mr. Huntwork.

Further discussion on the motion?

Mr. Hall.

COMMISSIONER HALL: I just want to say that while, while Dr. McDonald does an outstanding job in his competitive analysis, we agree, Jim, the definition of competitiveness has to do, as we’ve all said, and Chairman Lynn has repeated on more than one occasion, has to do with people, running a campaign effectively, persuading others their voice is — their voice and opinions will represent their best interests. And I
think there are many areas a lot of us agree with what
you've said with respect to what really is best for the
State of Arizona. And it will be interesting to see in
the event that, in hopeful the unlikely event an election
is held under this map it is more competitive, frankly in
some areas it, quote unquote, fits the definition, I
don't think it is. Nevertheless, I want to compliment my
fellow Commissioners. I appreciate the fact we've been
placed in a very accelerated position, and to comply with
the order of the court. And I compliment my fellow
Commissioners on their efforts.

CHAIRMAN LYNN: Further discussion on the
motion?

Ms. Minkoff.

COMMISSIONER MINKOFF: Once again, I'd just
like to express a minority opinion. I really do believe
we can recognize communities of interest and create
competitive districts. However, I believe that we can
also create a situation where it is impossible to create
competitive districts by recognizing so many communities
of interest or such large communities of interest that we
make it impossible to do so. I believe that a balancing
act is necessary. I'm sorry for the reasons why we had
to go through this exercise, but I believe that it was an
appropriate exercise. And I, for one, am pleased that we
do have more competitive districts in the State of Arizona. I'm sorry for the reason we were forced to do it, but I believe that competitive districts serve the people best because they moderate the political discussion and lesson extremes. And I believe that all of the people of Arizona, whatever their political party affiliation, are better served by a Legislature that works towards the middle rather than towards both sides.

CHAIRMAN LYNN: Up to me, then.

First of all, I want to thank my fellow Commissioners. This has not been easy, as those of you who follow the process know. This is a very difficult task even when done without additional rules and regulations. This is a state difficult state to redistrict under the best of circumstances due to the large areas of population separated by many miles with very few people with very little in common one with another. It is difficult to be fair to all in this process. The additional rules imposed by the court make it even more difficult in some ways to be fair to certain interests in the state while favoring other interests which we may have been directed by the court to take priority over those that I think occupy at least equal position in the Constitutional Amendment and in the intent of those who put the amendment on the ballot. The
frustration that often you witnessed, if you were with us
for this month and a half, was real. It was not in any
way a "pretext," to use that term, nor was it, was it
conjured up by anything other than the members of the
Commission trying their level best to reconcile what they
believed to be what was right with the rules that they
believed to be very, very difficult, if not impossible,
to follow.

I need to commend them for coming to terms
with the task at hand, for doing the level best they
could under the circumstances, for respecting the
communities of interest that we were allowed to respect,
for balancing the differences in the various aspects of
Proposition 106 that at times are inherently at odds with
one another. And it was, certainly wasn't easy to do. I
don't -- I guess save Ms. Minkoff, whose comments stand
on their own, I think those of us that went through the
bulk of the process this month, I mean no slight by that,
none of us is happy with this map, having struggled with
this as it is.

I want to thank all of the people who
helped us do this, the staff of the Commission, certainly
our court reporter who was with us every step of the way,
our consultants from NDC, and certainly Dr. McDonald as
he has always been very efficient putting together his
analysis on the competitiveness aspects of what we were
discussing. But most of all, I want to thank the public
for understanding how difficult this was and sticking
with us in this regard. I appreciate when we come to
this point in the process and we ask if there is
additional public input, not that you said nothing,
because that could just be a function of fatigue. And I
understand that, but I understand the interests in this
room have been discussed for 45 days. I take your
silence to mean even under trying circumstances the
Commission has dealt as fairly and honestly with those
interests as we could. I expect understanding we are
doing two things today: First, foremost, we are renewing
our objection to doing this process this way and we are
renewing our commitment to an appeal process that we need
to have finished in due course to determine how this
Commission and -- and future Commissions will operate
under the law, but that we have made an honest attempt to
fully comply with the order of the court in the time
frame we were given and the rules which were imposed, and
that by adopting this map under the circumstances and the
conditions in the motion, that we have done so.

With that, I will give Mr. Elder one other
opportunity.

I don't want to put you on the spot but I
want to give you a chance to say something if you want

to.

COMMISSIONER ELDER: Mr. Chairman, I'm
afraid if I said what I really want to say I'd be in
contempt of court or something else. I respectfully
decline. I'm so livid about this process I can't see
straight.

CHAIRMAN LYNN: I appreciate that,
Mr. Elder. I certainly understand.

With that, on the motion, roll call:

Mr. Huntwork?

COMMISSIONER HUNTWORK: "Aye."

CHAIRMAN LYNN: Mr. Hall?

COMMISSIONER HALL: "Aye."

CHAIRMAN LYNN: Ms. Minkoff?

COMMISSIONER HUNTWORK: "Aye."

CHAIRMAN LYNN: Mr. Elder?

COMMISSIONER ELDER: Abstain.

No, no. "Aye, what the hell."

CHAIRMAN LYNN: Record that as an: "Aye,
what the hell."

CHAIRMAN LYNN: Chair votes "aye."

By a vote of five to zero this map is
adopted under the conditions and for the purposes stated
in the motion.
Mr. Hall.

COMMISSIONER HALL: I'd like to make another motion we ask counsel to ask the trial court for 30 days public comment pursuant to the Constitution and for sufficient opportunity for the Commission to react to that comment prior to its implementation.

THE REPORTER: Would you repeat that.

COMMISSIONER HALL: I would move we direct counsel to ask the trial court to allow 30 days of public comment pursuant to the Constitution on this map and allowing the Commission the opportunity to react to that comment before the Court orders implementation of this map.

Is there a second?

COMMISSIONER HUNTWORK: Second.

CHAIRMAN LYNN: Discussion on the motion.

Mr. Huntwork.

COMMISSIONER HUNTWORK: Mr. Chairman, my earlier remarks about our inability to recognize communities of interest are simply underscored and exacerbated by the fact that the Court's time table for implementation does not include any opportunity for public comment after this map is adopted nor, for that matter, does the court's alternative plan of having a Special Master create a map in the back room of the LISA A. NANCE, RPR, CCR (623) 203-7525 258
Maricopa County Superior Courthouse, rather than at least out in the open under the lights in front of the people of Arizona, as difficult as this process might be. The Court's, I digress a little, but the Court's alternative way of doing this with a Special Master is as far from the open and balanced process with five individuals with different viewpoints, politically, geographically, and so on, five ordinary citizens, not experts in redistricting, versus one man in the back room who is an expert, there couldn't be a more stark contrast between the goals and purposes of Proposition 106 and what the court has proposed to do or threatened to do. But I do digress a little bit there simply in saying that the period four public comment is an integral part of this process. It wasn't put there by coincidence. It's there so the public will have a chance to react to our maps. And I know that there is a tremendous latent reaction to what we are, what we have just done. And I think it would be a complete violation of the Arizona, the constitution of the state of Arizona for the judge not to allow that time period for public comment to take place.

CHAIRMAN LYNN: Thank you for that, Mr. Huntwork.

Further discussion on the motion?

If not, all those in favor of motion
signify by saying "Aye."

COMMISSIONER MINKOFF: "Aye."

COMMISSIONER HUNTWORK: "Aye."

COMMISSIONER ELDER: "Aye."

COMMISSIONER HALL: "Aye."

CHAIRMAN LYNN: Chair votes "aye."

Mr. Hall.

COMMISSIONER HALL: I move we submit to DOJ for preclearance upon order of the trial court.

CHAIRMAN LYNN: Second.

COMMISSIONER MINKOFF: Second.

CHAIRMAN LYNN: It is moved upon order of the trial court to submit to Department of Justice for preclearance.

Discussion on the motion?

COMMISSIONER HUNTWORK: Mr. Chairman, I feel that before we submit this Map for preclearance, that we need to bring further motions before the Court of Appeals and the Supreme Court of Arizona in an effort to determine which map will be used for the November election. I don't think that the issue in those motions is preclearance or not preclearance. I think the issue is that the trial court erroneously said that this Commission is subject to strict scrutiny when I believe, absolutely and completely, from the bottom of my heart,
that this Commission has very broad discretion and that
that is a fundamental and obvious error of law in the
ruling made by the trial court which is determinative of
the outcome of the proceedings in the trial court. If
our discretion had been recognized, I do not believe that
the trial court could have come to the conclusion it did
regarding the original maps and I believe the appellate
courts will recognize that. Therefore, I would like to
have that issue presented to the appellate courts to see
which maps they want to have used in the fall election
before we have this submitted for preclearance. I don't
believe this is the one for the fall election to preserve
our right for appeal and I want it ordered to be used
before we submit it for preclearance.

CHAIRMAN LYNN: I understand your concern
and certainly share much of the concern you have. I take
it the purpose of the motion is to be direction to
counsel if the trial court orders a map immediately be
submitted to Department of Justice, we need not meet
again in order to allow counsel to comply with the trial
court's order. That's why I'm prepared to vote in favor
notwithstanding it does not have any negative impact on
our ability or our issues at trial in the appellate
court. And I'm convinced that that was Mr. Hall's
intent. And I'm fine with that. Mr. Huntwork.
COMMISSIONER HUNTWORK: Mr. Chairman, I'd be less opposed if the motion stated if ordered by the trial court.

COMMISSIONER MINKOFF: It did.

COMMISSIONER HALL: It did.

COMMISSIONER HUNTWORK: Let me ask counsel, they don't have to answer in public if don't want to: Can we have two precleared maps at the same time so if we submit this and the precleared it will take away preclearance of the other precleared?

MS. HAUSER: No. You can have two precleared.

COMMISSIONER HUNTWORK: Somebody said you can't.

MS. HAUSER: Yes.

MS. LEONI: Under these circumstances, yes.

COMMISSIONER HUNTWORK: The answer is yes you can.

CHAIRMAN LYNN: Further discussion?

If not, all in favor say "Aye."

COMMISSIONER HUNTWORK: "Aye."

COMMISSIONER HALL: "Aye."

COMMISSIONER MINKOFF: "Aye."

COMMISSIONER ELDER: "Aye."

CHAIRMAN LYNN: Chair votes "Aye."

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Motion carries unanimously.

Further motions by the Commission?

If not, further motions or considerations from counsel?

Mr. Johnson, you are clear on instructions from this point forward?

MR. JOHNSON: All set. And thank you to all the Commissioners.

CHAIRMAN LYNN: No, thank you, Mr. Johnson.

MR. JOHNSON: It's been a long 45 days.

COMMISSIONER HUNTWORK: You'll send all the Commissioners a packet of maps and summary?

COMMISSIONER HALL: You'll be sending a packet of maps and a summary matrix?

CHAIRMAN LYNN: You'll be sending something to us, a summary packet to discuss with people that stop us on the streets and accost us?

MR. JOHNSON: Yes.

CHAIRMAN LYNN: Anything from the Executive Director, Mr. Echeveste?

MR. ECHEVESTE: Mr. Chairman, Members of the Board, I'll continue to send you the monthly report about the third week after the close of the month so that you have a continuous record, a monthly, continuous record. In addition to that, I'll send you and Mr. --
CHAIRMAN LYNN: -- Hall.

MR. ECHEVESTE: An update, the exact month on what we have in the bank when we receive major invoices from attorneys and consultants.

CHAIRMAN LYNN: Thank you, Mr. Echeveste.

COMMISSIONER HUNTWORK: If you can estimate how much money we have left in the allotment in order to continue the appeal?

CHAIRMAN LYNN: There's no way for Mr. Echeveste to estimate.

COMMISSIONER MINKOFF: No bills.

CHAIRMAN LYNN: No bills are submitted.

COMMISSIONER HUNTWORK: I see.

CHAIRMAN LYNN: 980.

MR. ECHEVESTE: 980,000 plus, I'd say ballpark, probably, on our -- close to 700 or less.

CHAIRMAN LYNN: Less, probably.

COMMISSIONER HUNTWORK: Thank you.

CHAIRMAN LYNN: For the information of the Commission, I requested, and we're awaiting meetings with leadership at the Legislature to continue funding of the remainder of the work of the appeal.

Is there further business to come before the Commission?

If not, the Commission will adjourn pending
call of the chair. Call of chair will depend on how the
court receives our request for 30 days' review and our
ability to deal with the comments of the public
subsequent to that 30-day review.

So without objection, the Commission will
stand adjourned.

(Whereupon, the Arizona Independent
Redistricting Commission adjourned at
approximately 8:29 p.m.)
BE IT KNOWN that the foregoing Arizona

Independent Redistricting Public Hearing was taken before

me, LISA A. NANCE, RPR, CCR, Certified Court Reporter in

and for the State of Arizona, Certificate Number 50349;

that the proceedings were taken down by me in shorthand

and thereafter reduced to typewriting under my direction;

that the foregoing 265 pages constitute a true and

accurate transcript of all proceedings had upon the

taking of said hearing, all done to the best of my

ability.

I FURTHER CERTIFY that I am in no way

related to any of the parties hereto, nor am I in any way

interested in the outcome hereof.

DATED at Phoenix, Arizona, this 12th day of

April, 2004.