INDEPENDENT REDISTRICTING COMMISSION

HEARING

AUGUST 28, 2001

NOGALES, ARIZONA

ARIZONA COURT REPORTING
177 North Church Avenue
Suite 1006
Tucson, Arizona 85701
(520) 623-3375

Ronald L. Lunsford, R.P.R.
Certified Court Reporter #50394

(Advice given in the Spanish language to audience as to the availability of interpreters.)

MR. LYNN: Welcome all of you to the first in a series of public hearings on the draft maps for congress and the legislature in the first governing independent redistricting in the State of Arizona.

My name is Steve Lynn. I chair the Commission. To my right is Dan Elder. He is a Commissioner and from Tucson as well. We appreciate your being here. Also present is Commissioner Hall.

As is our custom with our public meetings, there will be a brief power point presentation just for orientation purposes, but the real purpose of the meeting today is to hear from the public. We would like to hear from as many of you as wish to address us, and if you would, please, if you wish to speak, fill out a yellow speaker form and hand it into one of the staff people present so that we may get to as many of you as we can. We want to be very respectful of people's time today, but we will stay here as long as you would like to talk to us. We would, however, ask that during the public comment period if you could limit your remarks to approximately 3 minutes, we would appreciate it. If then when everyone has had an opportunity to speak, if you would like additional time

at the microphone, we would be happy to afford you that time.

So, without further ado, let's go through the power point presentation and begin the public hearing.

This is one of the second round of public hearings, and the purpose of this public hearing is to receive comment on the draft congressional and legislative plans. We welcome you and we are talking about the requirements of Proposition 106. Last year the people of Arizona established the Independent Redistricting Commission to provide a new kind of citizen conducted redistricting that would follow very specific criteria. Let's take a look at some of those.

Here are the new rules for redistricting, and as you may know, rules A and B are both federal requirements. It's important to note that Arizona does come under the terms of the Voting Rights Act which requires fair representation for minorities. Before final districts can go into effect, the Department of Justice must preclear them.

Another crucial important federal requirement now written into the law by Proposition 106 is that districts must be as equal in population as practicable. Now, rules C, D, and E establish other

criteria which we have to follow. Compactness, contiguity, respect for communities of interest, visible geographic features, city, town, and county boundaries, and undivided census tracts. Those are all part of the rules.

The last of these rules, rule F, is also a new rule which requires us to make competitive districts. That is to say, once we've addressed the other criteria, we need to adjust the districts to be more competitive so long as those adjustments do not do harm to any of the above criteria that are listed, and if you read Proposition 106 very carefully, that is precisely the way that proposition is worded.

Proposition 106 requires the Commission to begin by designing a grid for use of geometric lines with population equality as the only consideration. We decided that we would use townships, which are 6 miles square, as our building blocks, but we combined those townships with whole census tracts to provide for equal population.

Here are the equal population grids for both congressional and legislative districts, which were developed some months ago. Of course, we knew these grids would have to be adjusted because they really only have equal population, and even that is not

exactly as it should be. They are compact, they use undivided census tract, but they fail to achieve many of the other goals which Proposition 106 speaks to.

So after the task of designing those grids, we then needed to adjust them in order to address the other requirements. To help us adjust the grid, we held 24 public meetings around the state. We invited citizens to come to write their comments in public input forms, to write us at our website, to send us snail mail and e-mail, and summaries of this vast amount of citizen input made it clear that Arizonans have a firm belief in respecting communities of interest and respecting boundaries of cities, towns, counties, local governments. It was clear that these should be basic principles in our guiding approach.

We also learned from the hearings that other citizen and other citizen input that there were three major communities of interest, and we should begin by recognizing Native-Americans, the Hispanic communities of interest, and the state rural and urban communities.

Citizen input helped us also identify what we call Arizona Units of Representation or AURs. These are the communities that citizens identified as especially important to their own part of the state or

to the state as a whole.

Now, we created new districts and dealt with the issue of cities and towns in the following way. We will be showing maps of the adjusted districts in just a moment, but it's worthwhile to emphasize the differences between the drafts and the existing legislative and congressional districts.

Our draft congressional districts split less than a half the number of cities and towns split by the existing congressional districts. Our legislative draft map splits no more than a third of the cities and towns split by existing districts.

Much of the same is also true of counties, and even though the draft plan has to draw lines for 8 congressional districts as opposed to 6, we split only one more county than the existing 6 congressional districts. The draft legislative districts split four fewer counties than the old ones.

Now, how about communities of interest. Perhaps most important, the draft plans respect communities of interest. Major communities that we mentioned earlier are well-respected in both the congressional and legislative drafts. And the drafts also pay attention to the communities of interest identified through the citizen process and the

identification of the Arizona Units of Representation.

Now, let's talk about competitiveness. Proposition 106 did not allow the Commission to consider competitiveness earlier in the process. During the grid process, there was no reason to consider competitiveness because the grids were efficient in a variety of aspects.

Under Proposition 106 competitive districts should be favored where there's no substantial detriment to the other goals. The work on analyzing competitiveness is in its early stages and will be considered more carefully during the final phases of redistricting.

Now, let's take a look at the draft plans, and let's begin with the congressional map.

There are 8 congressional districts. Here you see them and for the purposes of discussion, and I apologize if there's any confusion because as we go through these mapping processes, we are using letters as opposed to numbers. Ultimately, these districts will be numbered but only after we have completed our work and we submit them to the Department of Justice will they actually receive a number. For the purposes of our discussion today, they are lettered, and they

are lettered A through H.

Now, let's take a closer look at the congressional map in the Phoenix area, and you can see how the districts come into the Phoenix area or are contained wholly within the Phoenix area as the map is shown in detail.

Let's now take a look at the Tucson area map, and you will note that there are basically two districts in southern Arizona, both of which make use of Tucson's extensive population.

Now, let's turn to the legislative map. We have designed 30 brand new legislative districts for the state, and here you can see that map. And again, these are lettered rather than numbered, and they are lettered through -- A through I believe DD.

And let's take a look at some detail. In the Phoenix area you can see the legislative districts as they are currently proposed and then in the Tucson area.

Now, we want further citizen input. This has been an open process. It will continue to be one. Our hope is that you will take the opportunity today to let us know your opinion, whether favorable or negative, whether in terms of general comments or detailed. However, we really are looking for detail.

The importance of your comments this time around is not, "Gee, I like it" or "Gee, I don't like it." The importance of the comments this time around are really: tell me what you think should be changed, tell me why, tell us why it should be changed and tell us whether or not those changes have any other adverse impact on districts around the one that you're discussing at the current time. We need that information so that we and the consultant can analyze the efficacy of those changes and decide whether or not those are things that we can accommodate as we move forward.

We would ask you to keep your remarks relatively brief. I had mentioned before that we would like to at least shoot for a 3-minute time limit. Again, we won't have a stopwatch on you, but if you could keep your comments relatively brief, and if you do have written comments that you would like to submit, we would be more than happy to take them and make them a part of the record.

We're also circulating to the audience a form which you may wish to fill out. You can complete it here, hand it into staff, or you can mail it back to us. You can also get this form on our website, www.azredistrictingj.org and can submit it through that

mechanism as well.

We also have some citizen kits which have more detailed information if you still would like to show us how the congressional or legislative lines should specifically be drawn. Those, too, can be submitted tonight or they can be mailed to us or delivered to us at a later date.

Redistricting will determine the kind of representation that we will have in the state for the rest of this decade. It is worthy of all the effort, energy, and goodwill that we can give it. We appreciate your interest, and we certainly are prepared to stay here as long as it takes to hear that input this afternoon.

Let me again ask you to fill out a yellow speaker form if you have not already done so so that we may get to everyone in an orderly fashion. And again, if you would limit your comments first pass and still wish to speak it when everyone has been heard, we will be more than happy to give you additional time.

So with that, I will start public comment and I will ask that our first speaker this evening is the Honorable Mayor of the City of Nogales, Marco A. Lopez, Junior.

MR. LOPEZ: Thank you, Mr. Lynn, Mr.

Elder, Commissioner Hall. Thank you very much for the opportunity to speak to you this evening.

I rise before you today because I'm concerned regarding the proposed legislative districts Y, W, and DD from the latest proposed draft map that we received. After closely reviewing the information regarding the issue of redistricting, I firmly oppose the Commission's position to break border communities into areas that do not and for that matter will not understand the diverse issues that border communities face.

I recognize the difficult position that the Commission is placed in. However, I do feel that there is a simple and reasonable solution that can build consensus amongst Arizona's southern border communities.

If the Commission would amend its draft map to include what the map on the left, on the far left is calling G, placing Cochise County along with most of Santa Cruz County, thereby joining the cities of Nogales, Sierra Vista, Bisbee, Douglas, and also the reservations of the Tohono O'Odham and the Pasqua Yaqui, a more productive relationship could be developed in finalizing the redistricting process.

Additionally, I feel that the remaining

portions of Santa Cruz County could easily be included with the portion of Pima County, and that, therefore, would develop district K as is symbolized in the far left map over there.

Please consider the changes proposed in my statements. The City of Nogales is prepared to fully support them. The working relationship has been the southeastern Arizona government's organization is critical to our citizens, to their well-being, and for our community's positive progress.

Cochise County cities and Nogales have been working together on many issues critical to our region. Having representation that highlights and demonstrates our relationship in Phoenix is imperative for our continued successes.

Once again, thank you for your consideration, and I commend all of you for the hard work you have undertaken for the betterment of our State and of the State's great citizens.

Thank you.

MR. LYNN: Mayor Lopez, a question. I want to be sure that on the record we have the specific map that you're referring to, and you gave it a letter, but these maps as were presented last evening really have numbers more than letters. And I believe you're

referring to version five; is that accurate?

MR. LOPEZ: That is correct. Version five being the left map that we are seeing here.

MR. LYNN: Mr. Hall?

MR. HALL: Mr. Lopez, can you explain why you prefer map five versus scenario four where it includes all of Santa Cruz County?

MR. LOPEZ: The reason that I select map five versus four is -- is this one over here four? Would be that when we had early meetings with residents of the City of Nogales and residents of the county and city hall, it was brought to our attention that residents of the northern part of the county wanted to be represented or wanted to be in a district that would also incorporate Pima County.

We, therefore, decided that it would be a wise choice to support such an initiative that would also include -- that would give the northern parts of the residents of Santa Cruz County, obviously outside the City of Nogales, that representation that they were expressing at that point.

MR. HALL: Thank you. One more question.

MR. LOPEZ: Sure.

MR. HALL: And your hesitancy in being connected with Tucson is because of?

MR. LOPEZ: Our hesitancy of being connected with the City to Tucson simply I believe that having joint representation across the border cities with being tied with border counties and border communities that understand the dynamic that is lived, that is felt, that is dealt with everyday along the border would outweigh the dynamic that our representatives in Tucson might encounter on a day-to-day basis. Our issues that the mayor of Douglas and the residents of Douglas are facing verus the residents and the citizens of Tucson are a very simple choice.

MR. HALL: Thank you.

MR. LOPEZ: Thank you.

MR. LYNN: Mayor Lopez, could you share with us relative to map five.

MR. LOPEZ: Sure.

MR. ELDER: Which communities are in the district, which Santa Cruz County communities are in the border district as is represented in the green and which communities are then contained to the north?

MR. LOPEZ: Chairman Lynn, it is difficult for me to identify which communities those are. Since I am not familiar with that, I don't want to misspeak when I say, but in my understanding would be that part of the communities of -- part of Patagonia, I believe,

of course I can't see that far, would be in that district. But outside of Santa Cruz County, the other cities that would include would be Ajo, and that's one. And then there's the Tohono O'Odham Nation, and obviously they border the U.S./Mexico border, and that is why their involvement within our district I believe would be very -- it would be a very good relationship with them.

MR. LYNN: Thank you, Mr. Mayor. Our next speaker is Supervisor John Maynard representing Santa Cruz County. Supervisor Maynard?

MR. MAYNARD: Gentlemen, thank you for holding your second meeting here this evening. I attended the first one, and I would like to share with you that I had a phone call late last night from a friend in Sonoita saying he might not be here tonight, that the meeting over in Sierra Vista was rather colorful. So I want to commend you for your bravery.

MR. ELDER: It was spirited. Let's put it that way.

MR. MAYNARD: I think that you will find that our comments this evening are a little bit more friendly, but of course, I'm rather partial to Santa Cruz County, and of course Nogales. And I don't really have prepared comments that Mayor Lopez had this

evening, but I do have a resolution that I would like to read to you, and I've also got copies for the record.

Today the board of supervisors had our regular weekly meeting, and we discussed the proposed districts, and we put together resolution eight for the year, Resolution 2118. I would like to read that to you tonight.

It's the Resolution of Santa Cruz County Board of Supervisors supporting a change in the redistricting map for legislative districts;

Whereas the voters of the State of Arizona that passed Proposition 106 requiring the Independent Redistricting Commission to establish congressional and legislative districts of equal population in a grid-like pattern across the state;

And whereas the Independent Redistricting Commission has considered Santa Cruz County's request be represented by more than one legislative district and has proposed to place Santa Cruz County in legislative districts I and K;

And whereas Santa Cruz County has many issues in common with Cochise County, especially those issues involving the United States and Mexico border;

And whereas Santa Cruz County believes

that we would be better served by legislative districts common to both Santa Cruz County and Cochise County, such as proposed districts K and G in accordance with the map attached hereto and incorporated herein as Exhibit A to your second page there.

Now, therefore, being resolved, Santa Cruz County Board of Supervisors by this resolution does hereby request the Independent Redistricting Commission to change the proposed legislative district map so that Santa Cruz County is represented by proposed legislative districts K and G. Passed and adopted this 28th day of August, 2001.

It was signed by the Chairman, Mr. Robert Damon, who is not here this evening, Manuel Ruiz, who is here this evening, and will have an opportunity to speak a little bit later, and of course myself, John Maynard.

A couple of closing comments. Undoubtedly, you have a difficult task, and you know that better than probably anybody in the room this evening. In our case, I think it's been clear from the very beginning that half of our county would like to be associated with Pima County and the other half of our county would like to be associated with Cochise County.

And the closest you've come to that is

again with the same map that Mayor Lopez pointed out to you. I apologize that I don't remember the number. Was it map number five?

And as far as we are concerned, that's as close as you've come to that, and there's a good portion of folks in the county that I think you will hear from tonight that support that.

So we would like to thank you at this point for your consideration of the two districts, and I have no other comments.

MR. LYNN: Other questions. Mr. Elder?

MR. ELDER: I came down to a redistricting committee meeting, several other meetings in the area, and it literally was almost a 50-50 split. Those people in the meetings that wanted to have one strong voice and the other half wanted to have multiple. You've got really nine representatives as it stands right now for the districts, three senators, four representatives, or six representatives.

Has there been a shift or has there been discussions within the community as to why we're supporting one or the other now?

MR. MAYNARD: I don't know if there's really been a shift. I believe there's something I would like to coin as political realism. We've come to

realize that if we can hang onto two districts that that's great because we've got two distinct communities, the northern half of the county and the southern half of the county. And we feel that being represented either with Pima and/or Cochise in the case we're requesting both, would serve the populations the best.

MR. LYNN: Other questions? Supervisor, thank you very much.

MR. HALL: Mr. Lynn?

MR. LYNN: Mr. Hall.

MR. HALL: Sorry I was a little slow in nodding.

MR. LYNN: Just let me know.

MR. HALL: Sorry. So just to clarify again. You feel like there's a clear, from your perspective, Mr. Maynard, you feel like there's a clear distinction between northern Santa Cruz and southern Santa Cruz County?

MR. MAYNARD: Yes, sir, I do.

MR. HALL: And that dividing line is approximately where?

MR. MAYNARD: I feel that if the communities of Rio Rico, Tubac, and Sonoita were associated with Pima County district and the

communities of Nogales, and I believe you've drawn a portion of Patagonia included with the Cochise County district, that that would serve us very well.

MR. HALL: So for the benefit of the gentleman who is here for the first time, and I might add this is beautiful country.

MR. MAYNARD: Thank you.

MR. HALL: And I'm staying in Rio Rico tonight. You're saying that my current location would be to the north?

MR. MAYNARD: Yes, sir.

MR. HALL: Okay. Thank you.

MR. LYNN: Thank your, Mr. Maynard. Thank you very much. The next speaker -- Mr. Mayor?

MR. LOPEZ: Chairman Lynn, I do have the answer that you asked for in regards to where that --

MR. LYNN: Please.

MR. LOPEZ: If I could find it in my paper clip, here it is. And this is the line dividing Santa Cruz County.

Beginning at the western border, a line east of I-19, then following the northern border of the town of Rio Rico eastward. That then follows the Solero Ranch Road southeast and other roads including the San Pedro Valley Road, a straight line on the far

east to Cochise County, which follows the census block all the way out, and that would be the green area on the map number five, for the record.

And then communities of Tumacacori, Tubac, and Amado along I-19 to the north to the towns of Sonoita and Elgin is the northeast corner of the county, and Patagonia and the north central part of the county are included in the legislative district that is north to Green Valley and east to Tucson. And I will give you this for the record.

Thank you.

MR. LYNN: Thank you. I appreciate that clarification. Next speaker is Dennis Miller, Governor of Relations of Santa Cruz County. Mr. Miller?

MR. MILLER: I will be brief. I think Supervisor Maynard stated our position.

Just by way of background, though, I do want to thank the Commission. At least the county's position was that we would be represented by multiple districts, and I just wanted to say why that was, and that's because it takes approximately 171,000 people to comprise a legislative district.

According to the last census, Santa Cruz County had 38,000. So we will never make or whack anybody out of Santa Cruz County. So we feel that

legislatively we would have a better chance in lobbying more than one legislative district. So I just think that we're so small that, and we got used to being split up three ways. So two seems like it's step towards something in the middle.

MR. LYNN: Thank you, Mr. Miller. Before we go much farther, I should say to Supervisor Maynard, Supervisor Ruiz, that we thank you very much for hosting us this evening. We appreciate the hospitality of Santa Cruz County. It is always a pleasure to come down to Santa Cruz County, and it is very much a pleasure to be in the City of Nogales. It always is a good trip for me, and I've enjoyed many years of visiting here. Delighted that Mr. Hall is being introduced to Santa Cruz County and your hospitality, and I'm sure he will return on many occasions.

MR. MAYNARD: The person that put all this together, of course, from the board and that's Melinda Meek. We get the credit, but she's the one that does all the hard work. But I do want to acknowledge that she's the one that helped put this together.

MR. LYNN: She's done a terrific job, and I'm also sitting in her chair this evening, so I want to thank you for all of your hospitality. I appreciate it.

The next speaker is Gus Arzberger, Mr. Arzberger representing himself and he lives in Willcox. Mr. Arzberger?

MR. ARZBERGER: Thank you, Mr. Chairman, members of the Commission, and all you people out there.

I'm Gus Arzberger. If you don't know how to spell it, it's A-R-Z-B-E-R-G-E-R. I'm a native Arizonan, and I'm also a native of Cochise County. I lived there all my life excepting when I was in the military service for World War II. I won't tell you my age, but I'm getting close to 80 years.

And I'm speaking as a citizen of Cochise County, but I represented southeast Arizona for 16 years in the state legislature. I served 4 years in the House of Representatives, 12 years in the State Senate.

And I represented southeast Arizona, four counties, Graham County, Greenlee County, Cochise County, and Santa Cruz County. This area up there under the present district that we operated in is under the southeast Arizona border communities that we call SEGO, Southeast Arizona -- I guess it's Government Organization.

I would like to see Cochise County

combined into one district. On map number five up here, the only thing that needs to be done there is to put Fort Huachuca and the little portion down in Cochise County that's taken out and that would combine and make Cochise whole, all in one legislative district.

But I would like also to see Cochise County combined and stay, or at least the southern half of it with Santa Cruz County. The reason so is it's a border community. We work well with Santa Cruz County, Cochise County, work well on all the border issues. We have a common interest.

Also, the agricultural communities in Cochise County market much of their produce through the Nogales vegetable industry, produce industry that's here in Nogales, and it ships produce all over the United States. So that's another common interest.

When I was in Sierra Vista last night, and there was two different scenarios, that's three maps, but the two scenarios, that's five, four, and I think they called two in the center, was presented.

Now, if the Commission chooses to go north, and that was the proposal in Sierra Vista, in Sierra Vista with map number two, then they still should combine southern Santa Cruz County within that

district. And I think that's on your map W I believe, isn't that correct? So that's the very least.

Now, the map number five that is proposed, what it would do is take in all of Cochise County if the Commission would choose to put Fort Huachuca in and make Cochise County whole, it would take in the Tohono O'Odham Reservation and the Pasqua Yaqui Reservation.

Now, if you look at the map, that extends the border into Pima County with the Tohono O'Odham Reservation, and they have the same problems that we have in Cochise County and also in Santa Cruz County. Also, it would combine those two reservations, and they would like to be combined to my understanding.

This proposal was developed by trading, and this, Mr. Chairman, what you talked about, working to get those numbers when you shift them around, would develop trading areas between legislative district G, legislative district I, that's indicated on the draft map of August 18th, 2001, and some limited trading within legislative district K.

Now, I think that you have heard I know in Tucson and Pinal County they kind of want to make it whole. I think that this would go a long ways to do so, and I believe that we would be able to maintain those districts in the Tucson area pretty well. I

believe that those numbers come out in pretty good shape. There is one district I think that you would have to do some slight adjustment with to come up with the numbers.

I can't stress enough the need to leave the border communities that border Mexico together because of those issues.

Now, the proposed map five would also maintain the minority/majority districts in southeast Arizona, which the old district was minority/majority districts. And I believe that you would find that the other proposal that you saw in Sierra Vista last night will not do that. And I haven't been able to really pin it down with another county map because I don't have a good overlay, but it looks to me like you cut Greenlee County in half. And if that's so, I believe that was the wishes of the Commission.

And so with that, I would answer any questions that I could, and I think if you will take a look at those that I've mentioned, the districts, it would be easy to trade numbers and make those changes without fouling up these people's hard work that you've done so far. So if there's any questions.

MR. LYNN: Questions for Mr. Arzberger? Thank you very much for coming, Mr. Arzberger. I

appreciate it very much.

MR. ARZBERGER: Mr. Chairman, you can have a copy of that and I'll get a copy.

MR. LYNN: Thank you. Our next speaker is, and I know I'm going to -- if I can read it, I can say it. Jamal Perome Simon. Not even close. Help me.

MS. SIMON: I will. Janelle Cameron Simon.

MR. LYNN: Well, I got one of them right.

MS. SIMON: That's right.

MR. LYNN: My apologies.

MS. SIMON: That's all right. Welcome, Commission, and thank you so much for making this possible.

I would like to state the position of the Nogales Alliance for the Future by reading a letter to you from our Executive Board Director, Harlan Kapin, who wasn't able to be here and is in beautiful San Diego.

It is dated August 28th. Mr. Steve Lynn, Independent Commission on Redistricting, 1400 West Washington Street, Suite 10, Phoenix, Arizona 85007.

Dear Mr. Lynn, the Nogales Alliance for the Future, Incorporated, a community-based nonprofit organization, wishes to make its position on the issue

of redistricting clear and offer its comments for inclusion in the public record.

After close and careful consideration of the information regarding the issue of redistricting, it is the unanimous consensus of the Nogales Alliance Executive Board of Directors that the Nogales census county community should remain within one legislative unit and should form part of the district which would include Cochise County.

Both communities share many of the same issues in the area of trade, commerce, infrastructure needs, environment, and cross border activities. It would only make sense to place Santa Cruz County and Cochise County within the same legislative district.

However, we recognize that the formula which has been developed to create new districts may prohibit Santa Cruz County from remaining as one legislative unit. So we therefore feel it important to support the recent resolution adopted by the Santa Cruz County Board of Supervisors, whereby they request that the proposed legislative district map be revised and that the Santa Cruz County be represented by proposed legislative district K and G.

In closing, the Nogales Alliance would like to commend you and the entire Commission on this

invaluable service to the people of the State of Arizona, as well as for your constant willingness to assist our organization in bringing issues of redistricting to the attention of our community.

Sincerely, Harlan Kapin, President of Nogales Alliance for the Future. Copies to the Executive Board of Directors, General Membership, Executive Director, Santa Cruz County Board of Supervisors, and Mayor Marco Lopez. I faxed to you a copy of this today. It's in your office.

Thank you.

MR. LYNN: Thank you, Ms. Simon. Are there questions for Ms. Simon? And we had the opportunity, please thank Mr. Kapin for his input.

MS. SIMON: I will.

MR. LYNN: Thank you. Question. Ms. Hauser.

MS. HAUSER: Could you clarify which of the Cochise County proposals you are supporting?

MS. SIMON: Well, I really don't know, but I'm assuming that it is map five. When I spoke with Harlan, I didn't have the maps in front of me, so I didn't know the numbers.

MS. HAUSER: Okay.

MS. SIMON: So I would think it's map

five.

MS. HAUSER: Okay. Thank you.

MS. SIMON: Thank you.

MR. LYNN: Thank you. The next speaker is Gary Brasher, President of Santa Cruz Valley Citizen Council. Mr. Brasher?

MR. BRASHER: Thank you, Mr. Chairman and members of the Commission.

My name is Gary Brasher, B-R-A-S-H-E-R. I'm President of the Santa Cruz Valley Citizens Council and a resident of the Tubac area.

The citizens council is made up of a group of members including land owners, business owners, and others that just wish membership in the communities of basically Tumacacori, Carmen, Tubac, and Amado. So much of what we would call the northern corridor.

My comments tonight are brief, simply to say that we have had an opportunity to review the resolution that was passed today by the Santa Cruz County Board of Supervisors. With that resolution there was a map attached as Exhibit A, which I believe would represent what's being referred to as map number five, more or less.

It shows two districts being proposed that would include Santa Cruz County. It would include

parts of Santa Cruz County, which Cochise County in district G, and also put Pima County in that district as well, and then other portions of Santa Cruz County in District K, what was being referred to as district K on this exhibit.

And speaking on behalf of the citizens council, we would support wholeheartedly that proposal or that draft map, if you will. I think it has already been articulated by others more clearly probably than myself that there are certain common interests with all of Santa Cruz County, but I think also there are some very distinct interests with the border communities of Bisbee, Douglas, Nogales, etcetera, versus the northern portion of Santa Cruz County, which might be more closely aligned with a rural ranching interest, things of that nature.

And so from that perspective, we would like to encourage you very seriously to revise your drafts to incorporate those changes as supoorted by both the mayor and the board of supervisors.

Those are my comments.

MR. LYNN: Mr. Elder?

MR. ELDER: Mr. Brasher, would you describe the commonality or the communities of interest that that northern piece has with the K section that

you referred to?

MR. BRASHER: Certainly. I think if you were to look at it more from a global, you know, perspective, so to speak, as I mentioned, the City of Nogales and parts of Cochise County, also parts of southern Pima County obviously have a tremendous vested interest in the border issue, and has already been said, those are some real challenges there.

When you look at some of the areas of the northern corridor, I think you see more rural in nature, more residential perhaps in nature. When you look at Nogales, you see a tremendous amount certainly of very good development taking place, but a lot of it is more I think intensive and commercial retail areas and perhaps industrial areas, whereas you get further north, including areas of Sonoita, again, you will see more permits, if you will, you know, cut in residential areas. A little bit of commercial retail certainly to support the residential growth that's occuring, but I think it's maybe much different than a lot of the produce generated and industrial generated and the more intensive commercial and retail leases around the border areas, not to mention just the existence of the border itself.

MR. ELDER: Okay. So it almost sounds as

those you're referring to residential communities like Rio Rico would relate to the Green Valleys, it would relate to other sort of low-density urban, retirement.

MR. BRASHER: Yes. Correct. More so perhaps than the border communities.

MR. LYNN: Other questions for Mr. Brasher? Mr. Brasher, thank you very much.

MR. BRASHER: Thank you very much.

MR. LYNN: The next speaker is Paul Hathaway. Mr. Hathaway?

MR. HATHAWAY: Good evening. My name is Paul Hathaway. I would like to thank the Chairman and the Commissioners for coming down and visiting our community and presenting this hearing.

My background is I'm a native of Santa Cruz County, and I happen to have worked over 20 years in Cochise County, and I have a lot of friends and do some business over in that area. So I feel that I have a good handle on some of these issues insofar as it relates to the two.

The bottom line is I strongly support both what the Mayor said, Mayor Lopez, and also the resolution that was presented by the supervisors on the, I think you're calling it map number five. From my standpoint, that is the best compromise on the table

that deals with these issues. So I certainly would like your consideration. I hope you support that.

Thank you very much.

MR. LYNN: Questions? Thank you, Mr. Hathaway.

MR. HATHAWAY: Thank you.

MR. LYNN: The next speaker is Rich Bowman from the Tubac area. Mr. Bowman.

MR. BOWMAN: Thank you, Mr. Chairman, Commissioners. This will be very brief.

As a resident of Tubac, as you know, Tubac is primarily a retirement community with also professionals and shop owners. Currently, your plan shows us aligned with, with the exception of Nogales, the agrarian communities and reservations to the west of us all the way to Yuma County.

And in light of in order to keep this short, I just would like to say, I, as a citizen or a resident of Tubac, would like to second and concur with what Mr. Maynard and Mr. Brasher stated. In looking at the maps there, it appears that map number five would serve the interest of Tubac from my standpoint the best.

Thank you.

MR. LYNN: Thank you, Mr. Bowman, very

much. Again, anyone who wishes to speak, if they've not yet done so, if you would fill out a yellow speaker slip and hand it to one of the staff. I have two left, which means it will be a very early evening, but we will stay as long as you would like to speak with us.

The next speaker the supervisor from District 2 from Cochise County, Paul Newman. Mr. Newman?

MR. NEWMAN: Thank you, Mr. Chairman, Mr. Elder, and Mr. Hall for having this. This is the second time that you get to see me. Two nights. What a difference a night makes. There were 250 people who voiced those interests and there was a spirited debate about these maps. And so far we've seen tonight there's not much of difference of opinion in Santa Cruz County, and that's one of the reasons why I thought I said to you last night to check what's going to happen tonight in Nogales because we have here I think a situation where two counties want to engage in an alliance.

And what I couldn't talk about last night was what I think was happening with map two is the traditional lines that Cochise County has always had with Graham and Greenlee County. It was changed in the 1993 lines when they were redrawn and Nogales was

included with Cochise County. It developed a lot of relationships and we have a lot of common border issues. But I will list them.

Border infrastructure, border immigration, education, the same sorts of population, water, port of entry issues with Bisbee, Naco, Douglas, and Nogales, and the O'Odham, along with development issues, bilingual issues with the O'Odham and the Hispanic border towns in southern Arizona, commerce and transportation. I mean, those are just some of them. I mean, I'm just about done in a second.

The other thing I wanted to talk about tonight was something I wasn't able to talk about last night was I think Proposition 106, and you know this much better than I do, and I consulted with the Cochise County Attorney on this issue, it seems that the minority Voting Rights Act element of Proposition 106 is also incorporated in the Arizona Constitution now, as well as, you know, what we get from the federal government. And because of that, that is the reason why these maps were drawn on the two sides of scenario number two because I believe that both scenario number four and scenario number five would make sure that minority voting rights of the people in Douglas and Nogales and Bisbee weren't violated.

I personally -- this is my proposition. I guess the county manager of Cochise County could draw that map. That's my map. I didn't say that last night, but I'm telling you tonight that I thought that it would be great to have a total entirety of Cochise County in with Santa Cruz County and including the Yaqui -- actually it would only have to include Tohono O'Odham, not the Yaquis. It would be a lot cleaner. Conceptually it works.

But these are my friends, and it's up to them where they want to go, and that's why I asked -- well, actually this map comes from other sources. But basically this map is with a lot of consultation with people in Santa Cruz County who knew that they wanted to be in two districts.

Where we messed up last night was this section of Sierra Vista. That caused the most controversy, whether or not Cochise County should be unified. And I'm prepared tonight to say what I would like to see is something like a unification of Cochise County like with whatever Santa Cruz County wants, you know, down in the middle. I think they would be powerful united, but I do understand the dual representation issue, and I mentioned that in last night's presentation.

And so, you know, I will support what the community wants, and I think that this the resolution that the Commission has been named for the last several weeks since that very odd district was drawn. But I think that this is the resolution. You're going to have to consider it. It is amazing the difference between night and day. I can't describe it, you know, from last night to tonight. You must be feeling it too.

But I think that there is cohesion between the two counties. I know that there is. When I represented them as a state legislator for three terms, there's a lot of interaction. There's a lot of common issues. There's sort of a brother/sistership.

And unfortunately, and this is the point I want to close on, the problem with going north, which is what a lot of people in Cochise County would like to do is that, it's just been reiterated to me today, that Graham County would not like to keep the traditional lines that they have. They want to go north into that area in a large rural district. They think that they could elect a representative to that area. That's one of the reasons they're putting all their marbles to go up north, and I think that that's what that community wants. I represented it a long time ago.

But another thing, I think they're also -- I think that something happened in 1993 when Graham County got split into two districts. They got very upset. Their community of interest was to keep Safford and Thatcher intact. And if you draw any sort of map otherwise, it sort of doesn't do that. I mean, you could keep those communities intact, but I just don't think that they want it. I mean, that's the bottom line on this.

And so you could see the difference in spirit and everything. I wish you had another night to go up to Safford and Thatcher to test what I'm talking about, but I think you should make calls to that effect. But I think that it's obvious that this alliance is strong, and I support map five.

Thank you.

MR. LYNN: Mr. Elder, then Mr. Hall.

MR. ELDER: Mr. Newman, you will see us again, and it will be at Thatcher and Safford.

The question, and it may be a combination of questions here. When I met early on in this process, one gentleman got up from Santa Cruz County and said we're like the red-headed stepchild. Nobody wants us. If the issues are the same, we get along very well with Sierra Vista. If the issues aren't the

same, they out vote us every time. We have no representation.

How does that fit with the propositions there?

MR. NEWMAN: Well, which proposition, proposition five?

MR. ELDER: Yes, five.

MR. NEWMAN: Well, that's a point of contention. I am sort of even amending my statements from the previous night. I thought, and I still do think, there are probably different people in Sierra Vista. There's a certain element of people who really strongly think that Cochise County should be united. But there are many, many people I know who have, in Sierra Vista, who have done very well in terms of The University of Arizona funding, working achieving that and having multiple legislators that helps. But obviously they don't want that anymore.

I think, I know that the way the legislature works is that if you have people on both sides of the aisle helping a region, it helps. It helps for appropriation reasons. It helps for a number of reasons. And it's always good that sometimes the governor's in a different party than the majority party is in, and that's the way a legislature works in

teamwork. And that's why I commend them for saying, well, we want to double our votes and our clout and go with five. And that's what they're saying, and it makes eminent sense.

But I actually -- I'm sentimentally tied to this because I think it makes all three areas stronger, but I do understand.

MR. LYNN: Mr. Hall?

MR. HALL: Mr. Newman, good to see you again.

MR. NEWMAN: Good to see you, Joshua.

MR. HALL: We're both able to share our flag jackets.

MR. NEWMAN: Yes, I was the flag man last night. There's no doubt about it.

MR. HALL: Can you describe to me the northern boundary decisions in both scenarios, four and five, as they come into Pina County? Are those reservation lines?

MR. NEWMAN: Which part, right there?

MR. HALL: Correct.

MR. NEWMAN: The map does strange things, and I --

MR. HALL: Am I correct in assuming that's a reservation line?

MR. NEWMAN: I believe that it is, and it's part of the O'Odham -- I forget exactly which village, but one of the villages in here.

MR. HALL: I assumed that but I just wanted to confirm that on the record.

MR. NEWMAN: It's hard for me to know every single part of that. The reason why you have to go out so far on this one is because we've taken population from Santa Cruz County.

MR. HALL: And for our benefit and for the record, with respect to scenario two, which was strongly represented and supported last evening in Sierra Vista, could you for our benefit describe the historical alliance that has traditionally been there?

MR. NEWMAN: With?

MR. HALL: With Graham and Greenlee.

MR. NEWMAN: Yes, it's there. The mayor had mentioned SEGO before. In fact, the truth be known, all these counties have alliance. We have a Southeastern Arizona Government Association. We've been dealing with each other since the '60s, since they changed federal revenue share. And we all know each other.

Economically up north, there is, you know, there's lots of northern Cochise County is

agricultural. I represent part of that area. The Elfrida southeastern valley is a very agricultural valley. And you sort of have an alliance, an agricultural economic alliance.

What we're talking about here, though, is turning a page, going into the new century and saying, "Yeah, we still have agricultural in Cochise County, and, yes, we want to be strong and whole. It's a wonderful place we live, but we also are facing very serious border issues." Which really when I used to campaign out in Graham County and Safford about border issues, they cared about them but they were 100 miles removed from them. It's a different -- considered that way.

But there are many, many families in Willcox who are just a stone throw from Graham County, the Willcox area. So there are alliances that exist, and you'll go to Safford and touch on that, but I really believe that the southern portions of Cochise County, I know are much more aligned in the border community of interest and northern Cochise County understands that.

I think the mayor of Willcox was at the hearing the other night, and I've talked to him privately about this, and he says the same thing I say.

He said, you know, they are our brothers, but if they don't want us, you know, maybe we should be joining in lobbying alliance with us.

And that seems to be their position, I think. They did a resolution, and there was some communications with the county manager today indicating that they didn't want to shift. But that could change. That could change.

And I know it's a long way to the answer, but.

MR. HALL: I appreciate that, and maybe this question is not only for you but also for Mr. Maynard and the other supervisors of Santa Cruz County. But explain to me the desire or describe the desire of your two counties to be rural versus urban?

MR. NEWMAN: Well, we're rural and we're border both. I mean, if you just drove from Sierra Vista though --

MR. HALL: It was a beautiful drive.

MR. NEWMAN: I call that Napachi Graham, which is Spanish for racoon. And but it is rural. You know, they don't grow that many racoons in urban areas, although I know that they're there. This is beautiful areas, the deer and javelina and racoon. It's the most pristine valley left in the state.

We share that common border. We share watershed. As I mentioned the other night, Santa Cruz and San Pedro are the only two rivers that flow from south to north in this part of the world. And the Hispanic community of interest. But we are rural. Cochise County has 117,000 people. Santa Cruz County is the size Rhode Island, and it has 38,000. That's rural.

MR. HALL: Thank you.

MR. LYNN: Mr. Newman, before I let you go, I want to talk about that little anomaly in map five that does not make Cochise County whole. That would be, as I've heard described earlier, basically Fort Huachuca. And it does not, as I understand, include the City of Sierra Vista.

MR. NEWMAN: Maybe a couple streets over on the other side of the fort it may, and that needs to be cleaned up. There's no doubt about it. But I was worried about what you were going to do about Pima County, and I don't know how you're going to resolve that map, but that map sort of helps to get some folks up to Pima County.

I don't want that. I mean, I'm representing Cochise County, and that's not what the people in Sierra Vista want. Although, there may be

some influence coming in late, you might get some comments private or public by letter that's saying that maybe they want to do that, but that's up for Sierra Vista to decide, and I'm not saying there should be any one map or that these lines are absolutely guaranteed. This is concepts for the Commission to resolve a very, very thorny problem that there is.

MR. LYNN: Well, at the heart of all three maps is Cochise County kept intact by and large.

MR. NEWMAN: I think it is, but you saw the flack that I took for even suggesting that some of it come out. I mean, I took the flack for you guys in a sense.

MR. HALL: Thank you.

MR. LYNN: I would be happy to give you half my pay right now, and I know the other Commissioners would kick in half theirs.

MR. HALL: I'll give you double my commission.

MR. LYNN: It's all zeros so it doesn't matter. And I think the other thing that has been most instructive this evening, you know, there are parts of the state that when division occurs, they're most upset by a division. There are two very distinct schools of thought on representation.

One is that regardless of your population, you will have unified clout with a legislative group if you are whole versus some of the testimony we've heard this evening have to some extent in other parts of the state where the numbers do play into your ability to get things done at the state level with multiple representation.

And I think that's an interesting point of view, and it's different from a number of other communities in the state where we heard we don't care, keep us whole, don't split us up, forget it, you know. It hasn't been that cut and dried here, and the thing that impresses me about that is it does give us some flexibility, which Lord knows we don't have enough of around the state to make all the pieces work together. So we appreciate that.

At any rate, Ms. Hauser?

MS. HAUSER: I have a couple of questions for you, and on these two questions I think I would ask anyone else in the audience who would like to comment on it to do so including if Supervisor Maynard is still here, this could be something that's cleared up from you as well.

The focus of I wanted to comment that we're getting in this particular phase now is on

competitiveness, and map number five, which seems to be one of two maps their perspective on different -- there are different viewpoints at this point on competitiveness and, of course, it is to be favored where it causes no substantial detriment to the other criteria. So it's going to be a balancing act throughout the state. Some parts of the state, as you know, it's going to be very difficult to make those particular areas competitive.

So my question to you with respect to map number five is: Do you view that as competitive? I mean, just looking at the registration figures, which is certainly not the only measure of competitiveness, and we're doing some studies with respect to particular elections and cross over voting and all that kind of thing, but the registration gap is wide on that.

Do you view that district as competitive, and if not, why do you think it's okay? That's one part.

MR. NEWMAN: In terms of the not, I think that -- well, this is the most important thing about the maps in four and five I believe is that they protect the minority voting rights on the border. I want to make that clear.

So that answers your not, and that's what

it does. There's some articles out in the Republic and other areas about how there is sort of an exchange that poverty between Hispanic voting strength and competitiveness. I mean, that answers your not.

MS. HAUSER: So your answer is that you don't think it's competitive?

MR. NEWMAN: No, no, no. No, that -- that's why the maps are drawn. And so competitiveness in that principle, that variable is more important than competitiveness. But if you look at the numbers, around 39,000 on scenario five we're talking, right.

MS. HAUSER: 39,252.

MR. NEWMAN: 39,252, Dan, so everyone knows what we're talking about. It's approximately 40,000 Democrats and approximately 25,000 Republicans.

MS. HAUSER: Well, closer to 28. No, you're right, 25.

MR. NEWMAN: 25. So that's what we're talking about, that disparity.

One of the problems with Tohono O'Odham registration rates and voting rates is that they're very low. Another problem in all these border communities that we live in and we've all experienced this, even in Nogales has a high rate of participation and incredible turn out.

My areas of Cochise County, my Hispanic areas do not. The turn out isn't all there because of dual citizenship sorts of things and problems like that. So I don't know how much those numbers shrink, but I know that the shrink.

And I have not looked at the political participation numbers, but I commend that the Commission is looking at the numbers. I think competitiveness is important, and if you can figure out a way to make this more competitive, please do it.

I'm just -- that's why I wanted to start out my important principle, though, is that we're protecting minority voting rights here on the border and their community of interest here, not only on ethnic levels but also on the commercial level.

MS. HAUSER: Okay. So your comment to that then is to try and make it more competitive if possible but not to the detriment compliance with the Voting Rights Act on that particular district?

MR. NEWMAN: That's right. And that these numbers aren't as skewed as you think if you look at the active political participation number. But I hope that you look at that for every district.

And I am going to urge -- I was in support of Proposition 106. I supported the concept in the

legislature for 6 years and never got anywhere on the issue. Then finally it got on the ballot. I'm a supporter of the Independent Commission, and I think that one of the variables you need at are competitiveness.

But in this case -- I mean, I can't -- I'm representing, you know, 18,000 Hispanics in Cochise County out of my district, and in terms of the bond I feel with the Hispanic community in this city, which is over 90 percent Hispanic, it's a very important alliance and an important voice, and I think that they can elect a minority representative with that sort of representation.

MS. HAUSER: My second question --

MR. LYNN: Before you move on, on that same issue, I wondered whatever else you might want to add, Supervisor Maynard, I would like your comments, I would like Supervisor Ruiz's comments, and I would like Mayor Lopez's comments on the same question that was just asked of Mr. Newman.

MR. BRASHER: Like Paul, I would also like to say that I voted for you guys, too. I was a supporter and voted for the proposition.

But getting back to the question at hand, I would like to touch on something a little bit more

clearly and I think more firmly than Paul touched on. That's the communities of interest and why I believe Santa Cruz County is best serviced being represented in two districts.

There is a simple thing, I think I brought it up when I was here earlier in the year, that northern Santa Cruz County relates more to Pima County with some other interests. They go there to shop. They buy insurance. They do things in that part of Arizona and southern Santa Cruz County is more focused and centered around Nogales. It's very true that you've got the common border issues that link us to Cochise County and what's going on in Douglas and what's going on in Naco.

And the other thing that I think that Paul also mentioned earlier that I want to touch on and then I will give the podium to the Mayor or Supervisor Ruiz, is the SEGO concept. We meet once a month with all the other elected representatives and/or town managers, city managers and discuss common issues. We deal with ADOT funding, we deal with welfare issues, we deal with a number of issues. And it's often done in Cochise County because it's somewhat of a center for the region.

MR. LYNN: But what do you specifically

address the question relative to issues along the border and the commonality of interest versus the aspect of competitiveness which we also have a responsibility to look at. That was the question addressed to Mr. Newman that I would like each of you gentleman to speak to, if you would.

MR. BRASHER: Can you give me clarity on competitiveness first.

MR. LYNN: We have, as we showed you in the power point, multiple goals in this process, and many of those goals deal with representation of communities of interest, the responsibility of preserving voting rights of groups in the state to achieve a certain level or representation. Those are critical among the things that we need to do.

We also have the requirement of making districts competitive to the extent that that process does not negatively impact any of the other goals that we are trying to reach.

Now, Mr. Newman spoke very clearly about voting rights issues along the border and the contiguity of this district with respect to minority voting in that district along the border.

And what I'm asking is your opinion of that issue relative to the issue of competitiveness

because at times those concepts appear to be at odds, and we need to understand how others feel about when they are at odds what our choices should be.

MR. BRASHER: Okay. I don't know enough about the demographics of the border in Cochise County or the southerly border in the Tohono O'Odham Nation to be able to really address that accurately, but I do know Santa Cruz County, and I do know if you look at simply how the supervisors, there are two that represent Nogales and there's one that represents District 3, District 3 is basically northern Santa Cruz County. I'm fortunate enough to represent that part of the county. I think the demographics in our county speak for themselves in representation.

MR. LYNN: Thank you, Mr. Mayor.

MR. BRASHER: Thank you.

MR. LYNN: Supervisor Ruiz, if you would?

MR. RUIZ: Thank you, Chairman Lynn, Commissioner Elder and Hall.

I would tend to agree with what my colleague has said. You know, District 1 is mainly represented most of the Nogales area, a little bit of the, you know, streams area.

You mentioned competitiveness, and competitiveness in what sense, that you have a 50

percent Democratic and a 50 Republican registration or are you saying that a minority person get elected over an Anglo. Please elaborate, and maybe I can try to add my two cents to the mix.

MS. HAUSER: Typically, the competitiveness criteria would be viewed as parties, and probably the best way to explain something that's not competitive is district where the election is over at the primary. It's essentially a one-party dominated district.

The level of domination varies from place to place in the state. That is one of the other things that the Commission is working on at this point to determine what is competitive in a particular area.

Again, it's one of those things where, you know, some parts of the state a larger spread may be so competitive given whatever turnout there is. So that is the issue.

MR. RUIZ: What I believe in the way the districts are right now, I believe they're very competitive. Certainly with the three districts that are in here, we've had Democrat, Republican. There have been some good races. And Independents as well. He wants to make sure that I put a plug in for him.

MR. NEWMAN: One district was 58 percent

majority/minority and heavily Democrat. Hal Griffin represented this area.

MR. RUIZ: And so you can see that certainly, you know, there has been competitive races here. The scenarios that are being pointed out I think would make it equally competitive. I don't believe that there would be a change, personally. And I do want to thank the persons in the community that have spoken here today supporting the two legislative districts for Santa Cruz County, and I do want to thank our friends with Cochise County that have been here to support, and we're supporting them.

I believe that if map five would be the scenario, I think that we could have that competitiveness. I don't think that the Commissioners would find that there would be too much problem with the way it stands.

So certainly, you know, when the candidates go out there, they need to make sure that they do their homework. They need to make sure that they pound the pavement, and they need to make sure that they get the message out. That's what makes a competitive election.

I know what you're talking about where, yes, there's some races that it's over in the primary

maybe because of the situation, but I believe in this instance I think that once you get the numbers, I think that it would be so close that I personally feel it wouldn't be an issue.

And I hope that answers your question.

MR. HALL: It does. One more, though.

MR. RUIZ: Okay. Shoot.

MR. HALL: Good to see you again, by the way.

MR. RUIZ: It's good to be seen. It beats the alternatives.

MR. HALL: So we talked basically about three issues within the last few minutes. Voting rights issues, communities of interest, and competitiveness. For the benefit of us as Commissioners and for the record, could you rank in your feeling the priority in your mind of those three issues.

MR. RUIZ: Well, certainly I've always said, and Commissioner Elder has been here when there was a group that wanted one district and we wanted two districts, I believe that if we have the two districts, we can achieve the three, the community of interest, we can achieve the competitiveness, and we can achieve what the residents and the community members have

spoken to here tonight.

That's what we're asking you, and I know that you're very patient. I don't envy the position that you're in. I really can't rank them, but I would say that if we get these, I think that all three would fall into place. And that's my personal opinion, and I think that that is the best way that I can put it.

Certainly as Mr. Newman and Mr. Arzberger and the Mayor and my colleague and I, the way the map is, but that would help us address a lot of the issues that really affect us. It would also give us I think the power maybe more of the minority people to get involved in seeking higher office or doing something positive for their community.

So I see the situation as being we win. I know that we don't want to have a win-loss or a win-draw, but certainly the one that we can accomplish here I think tonight we have spoken with one unified voice. One of the Alliance has been here to support it. I know Mr. Miller has been dealing with the legislature has also pointed out that it's better that we have that kind of to fall back on because the two legislative districts as opposed to one.

I think we would be able to get a little more clout, maybe get more things done in, you know,

the greatest county I believe in the State of Arizona, and that's Santa Cruz County.

And certainly we can move from there, and I hope that you take this testimony into account and you present it to the people that are working with you at helping you develop these maps that it will weigh heavily.

Certainly we weren't able to attend the Sierra Vista meeting. I'm glad we didn't, but --

MR. ELDER: There wasn't room.

MR. RUIZ: Maybe that's why we didn't. But I'm glad that you're here tonight and I'm glad that you're seeing a different atmosphere, and certainly I want to commend all the people that have turned out here tonight for the second meeting, which is a lot better showing than we had the first time, and you can tell that we are concerned, and I'm glad that -- some of our students have just left, but they were probably here for a class, but it's good that they see this process and I think the voters of Arizona made a wise decision when they took the redistricting out the legislature's hand, put it with a commission that could make a recommendation and hear the input from residents from Nogales, Santa Cruz County, and throughout the state because I think it's very important the charge

that you have been given.

And, again, you can see that Nogales and Santa Cruz County are speaking with a unified voice, which too many times we've been criticized for not doing, but I believe that -- even Mr. Brasher, I forgot to mention Mr. Brasher who was talking for the Tubac people, that we do believe in the two legislative districts.

And I hope that answered your question. And I know that I made it really long and it's not to confuse you.

MR. HALL: Mr. Lopez, did you have any agreement or disagreement with what has been said?

MR. LOPEZ: Thank you, Mr. Chairman.

To rank them for you, Mr. Hall, I would rank voting rights first, community of interest second, and competitiveness third. And I think that when I was looking at your slide what was missing for this region and for that proposed map number five would be the community interest of the border. That has to be the denominator that we are talking about here today, and when the decision is made, that has to be kept in mind for our area, the border.

The competitiveness issue in Santa Cruz County certainly does exist. I believe that this is

one of the unique areas that the people vote for a person as an individual versus a party, and I think that that needs to be taken into consideration. It should weigh a lot because that demonstrates a greater competitiveness than the numbers might or might not show.

So that's what I would add to that.

MR. LYNN: Thank you, Mayor Lopez, very much. Ms. Hauser?

MS. HAUSER: The second question I had is everyone is focusing on the legislative districts. How Santa Cruz County is treated is different in the congressional district.

So I would like to get some idea from, again, from anyone in the audience but also from those who already spoke to the competitiveness issue on your views on the proposed congressional districts.

MALE SPEAKER: You know, this is an issue that is important to us obviously. I have a special appreciation having worked with both congressman that currently represent us over this weekend, Congressman Kolby and Congressman Pastore.

I believe that being, once again here, I'm talking about G, congressional district G being put along the border. Here obviously it would be San Luis

and Yuma and incorporating once again parts of the Tohono O'Odham Nation, and then going to south Tucson and then up onto the west would certainly once again be in compliance basically with our concerns.

I believe that in that district G, Nogales would have a good opportunity, an equal opportunity to have someone from this area, from this region, from the region of the border represent us in congress and do it in an efficient manner.

I believe that H obviously would not include the City of Nogales, and I would allow Mr. Newman to comment on how he feels about that, but as far as G, the City of Nogales and me personally I would be in agreement with how that one is broken up.

MR. LYNN: And is that the map that's outside that shows Santa Cruz County split in half as well?

MALE SPEAKER: Yes.

MR. LYNN: Okay.

FEMALE SPEAKER: Split diagonally.

MALE SPEAKER: Yes, and, you know, I feel that this certainly would be beneficial. We gain two congressional people that we can lobby. I believe that this does exactly what we need as far as border issues are related, for illegal immigration, and reimburse for

costs for whatever medical or criminal justice.

I think this is something that's great. I think it's very beneficial. That leaves probably one member that's represented this area, and I believe that will be Congressman Kolby, and then it allows for someone to run the southern district. I find that it's going to be good and be beneficial to this area.

FEMALE SPEAKER: Where does the split occur?

MALE SPEAKER: Well, it's hard to tell unless you kind of try to make this the Santa Cruz River, but I mean if we could get it more detailed we could certainly make up a better comment. I think as it stands now, I believe it's positive.

MALE SPEAKER: Yes. I mean, I would just like to reinforce what Supervisor Ruiz said. Community of interest, I think it supports that as well as the competitiveness issue. I think it supports it very well. I don't know where the boundary line it. I can't tell exactly from the detail of the map. But it's obvious to me that Nogales is located with the southwest of the border area, and that San Rafael Valley and Sonoita would be located with Cochise and part of Pima County.

And the only thing that I would like to

add to that is that I believe, and I would like to hear from a few folks from Tubac on this, but my feeling is that they would probably like to be included in district H. But that's just been the sense of conversation over coffee with a few folks.

MR. LYNN: Thank you. I had one more slip, and I want to commend this gentleman for his patience because we got off on a tangent, and I didn't intend to not call on him until we had this opportunity, but this is the last slip I have. If there are others who wish to speak and you have a slip, let me know.

I would ask Marshall Magruder, and again, Mr. Magruder, thank you for our patience. We appreciate it. We're happy to hear your comments.

MR. MAGRUDER: Thank you very much. I'm Marshall Magruder, M-A-G-R-U-D-E-R, and I'm from Tucson.

For the legislative districts I agree with number five, and that's been discussed. And I disagree, though, with the congressional districts, and I have a couple of reasons that I disagree with them.

First, they're dividing the county, and the county is 37,000 people and it's 171,000 for a legislative district. You should be able to keep

37,000 people together. That's my first parentheses.

The second thing is that the district is being divided in a vertical slice instead of a horizontal slice. The vertical is different than the horizontal slice that was discussed with the legislative. And because there are a larger number of people in a congressional district, you could keep the whole community, the whole county together. In fact, I really think you want to keep all of Santa Cruz Valley together because it is a unified general area that works and lives together.

And then the other thing is that the G and H districts zigzag three times across I-19 is our principal way in and out of Nogales, and a three-time zigzag across that is a problem.

And the next is, and I will show you our telephone book. This is our telephone book. It's not a big telephone book. It's a small telephone book. It's the type of telephone book that's used by all the people in this room. It's a small book. It does include Arivaca, though, which is a little bit outside the rest of the people in this room.

And I so think we ought to look at the telephone book because a lot of effort went into the people who put the telephone book together. And how do

they have the communities in there. There are two cities. Nogales, Green Valley which includes Sahuarita. It's not split as your district splits it.

And then it has two other supplements, one for the small communities onto the west and another one for Tubac, Tumacacori, Carmen, Amado, and little places like that. Those are a total of 8 pages each in this little book for those communities. So they're small communities.

So I think the telephone book is important and keeping the county together is important. The vertical split is different than the horizontal split. And I had one more. And in the number of people in the phone book there are probably less than 60,000 total names, which still is enough to fit inside your 171,000 names.

And how would I suggest that you solve the problem because I'm trying to give you something that has to be solved. Well, area G goes way up to the north. It goes way out to the west. And area G cuts right through the City of Tucson. So for your ability to balance and your ability to do other things, move the G/H boundary in a very highly populated area, and a number of people in this county won't even know you moved the line and the other people -- and you will

solve that problem when you go to Tucson.

And so I think you can keep us together, keep the I-19 corridor together. You can keep the county together, and if you move us into I believe it's H, which is Cochise County, then we stay together. The two border communities stay together, and I really think having one congressman that knows that the whole county is in his -- two counties are in that congressman's bag that he has to worry about all the voters of, he'd worry a lot more about that county than just half the voters in the county because right now, I don't think there's very strong representation from somebody like Mr. Pastore who doesn't quite live close to here.

MR. LYNN: Mr. Magruder, before you go, I want to ask a question about --

MR. MAGRUDER: Yes, sir.

MR. LYNN: Your concept of the horizontal versus the vertical or diagonal split. And not knowing how the two supervisorial districts line up geographically within the county, but would it be fair to say that you would favor, if you were going to split, and I understand your point about trying to keep it together.

MR. MAGRUDER: Yes.

MR. LYNN: If you split it as that northern supervisorial district goes across the county, would that be what you're talking about in terms of horizontal split.

MR. MAGRUDER: No, I want to at least keep the county together. The angle, I'm talking about the angle.

MR. LYNN: I understand.

MR. MAGRUDER: The horizontal split that's in five, that's a horizontal split, sir. This is due to a lot of other factors that people have already discussed, and that's sort of logical but that's because the districts are small.

When you go to congressional, you have 171,000. Now we can combine, and I think it's good for the community to be combined.

MR. ELDER: 641 congressional.

MR. MAGRUDER: 641,000. Okay. I'm sorry. It's a much larger number. So our 38,000 is lost, and you can keep us together a lot easier. And move just a few blocks in Tucson and you will have it.

MR. ELDER: Other questions for Mr. Magruder. Thank you, Mr. Magruder, very much. Do we have anybody else who would like to speak?

MALE SPEAKER: I am also a Republican

member of the legislature, and I totally agree with number five, but I think the proposal that Mr. Maynard has made, but the question specifically of competitiveness, that's a Democratic district. That's really not a competitive district. It's important from my point of view, not necessarily I like it, but there is one -- I think we elected a Republican, but I think that district would not be competitive from the partisan point of view. It's a conservative Democrat.

MR. LYNN: Thank you. Are there others wishing to be heard this evening? If not, anyone who has already spoken wish to add to their comments. Mr. Elder?

MR. ELDER: This isn't really a question. This is more of a statement. I've been around the state from I guess here to Yuma to Bullhead City to the northeast to the southeast, and I guess when I speak from the heart, I don't speak very well. Santa Cruz County and the people that I've met here have put a joy back into the process that we entered into here back in February.

Partially because as I got further and further into the process, it seemed like the process was designed to create walls, designed to separate and put edges on people. And the more and more I talk with

the people in Santa Cruz County and Nogales and the leaders that they've elected, the more I realized that it is possible for a community to have diversity, to not really have edges, to enjoy each other, work together for common goals, and I really appreciate the opportunity to come down and talk with you, hear you. Hopefully we can resolve the issues that pertain to Santa Cruz County and Cochise and do our job well. And I appreciate this opportunity. Thank you.

MR. LYNN: Mr. Hall?

MR. HALL: Mr. Chairman, as long as we're passing out platitudes, I'm a rancher. And I would just like to say that this is some of the prettiest grasslands I have seen. And I have a truck already hired. I'm moving my cows here.

I appreciate the opportunity to be here. It's beautiful country. And I spoke with my wife and said that I'd be happy to move to Sonoita or somewhere along that valley there where no one could find me, especially my employees.

And I just again would like to reiterate what Mr. Elder said and Mr. Lynn that we are grateful to be here amongst you. In light of a variety of spirits that we feel in a variety of communities, there certainly is a warm and welcome feeling here, and thank

you for allowing us to be here.

MR. LYNN: And to Mr. Newman his colleagues in Cochise County, much has been said tonight about the meeting last night. I need to be clear about this on the record.

Last evening was a very good experience, at least for me personally. It was a room full of very committed, very interested citizens of this state, many of whom have not come together over an issue in a long period of time. And to the extent that they were united on the issue last evening of letting us know how much they didn't like the district that we had shown them in the draft map, I think it was a very important thing for the community and I know it was a very important thing for the Commission.

So, again, I add to the comments it's always good to be in Santa Cruz County. The hospitality is overwhelmingly positive and it always has been, and we will look forward to visiting many times in an unofficial capacity since this may be our last official visit.

But again, thanks to the mayor, to the mayor and the board of supervisors. As the Independent member of the Commission, I'm delighted to know Independents can get elected anywhere. That is a very

useful piece of information, Mr. Maynard. You and I need to talk.

MR. ELDER: You can't run for 10 years.

MR. LYNN: I don't intend to run ever. There's someone who doesn't have a major party affiliation could get on the ballot and win.

Thank you again for coming. The Nogales public hearing is adjourned. Thank you very much.

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