

**ARIZONA INDEPENDENT REDISTRICTING COMMISSION**

Friday, January 13, 2012  
9:39 a.m.

Location

**Fiesta Inn (Fiesta Ballroom III)  
2100 South Priest Drive  
Tempe, Arizona 85282**

Attending

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

Ray Bladine, Executive Director  
Buck Forst, Information Technology Specialist  
Kristina Gomez, Deputy Executive Director

Mary O'Grady, Legal Counsel  
Joe Kanefield, Legal Counsel

Reported By:  
Marty Herder, CCR  
Certified Court Reporter #50162

1 Tempe, Arizona  
2 January 13, 2012  
3 9:39 a.m.

4  
5 P R O C E E D I N G S

6  
7 (Whereupon, the public session commences.)

8 CHAIRPERSON MATHIS: Good morning. This meeting  
9 of the Arizona Independent Redistricting Commission will now  
10 come to order.

11 Today is Friday, January 13th, and the time is  
12 9:39 a.m.

13 Let's begin with the Pledge of Allegiance.

14 (Whereupon, the Pledge of Allegiance was recited.)

15 CHAIRPERSON MATHIS: We'll start with roll call.

16 Vice-Chair Freeman.

17 VICE-CHAIR FREEMAN: Here.

18 CHAIRPERSON MATHIS: Vice-Chair Herrera.

19 VICE-CHAIR HERRERA: Here.

20 CHAIRPERSON MATHIS: Commissioner McNulty.

21 COMMISSIONER McNULTY: Here.

22 CHAIRPERSON MATHIS: Commissioner Stertz.

23 (No oral response.)

24 CHAIRPERSON MATHIS: We have a quorum.

25 Other folks at the table include legal counsel,

1 Joe Kanefield and Mary O'Grady.

2 Our mapping consultants, Willie Desmond and Ken  
3 Strasma.

4 And then our staff around the room include chief  
5 technology officer Buck Forst, our executive director Ray  
6 Bladine, our deputy executive director Kristina Gomez, and  
7 Marty Herder who is our transcriber today.

8 So, with that, I think we've got everybody  
9 covered.

10 Our next item on the agenda is discussion and  
11 possible action regarding technical changes to congressional  
12 map.

13 And I see in front of us we just received a big  
14 list of technical changes, and I'm hoping that it's a change  
15 log and I'm hoping that Mr. Strasma or Mr. Desmond will be  
16 talking us through them.

17 KENNETH STRASMA: Thank you, Madam Chair. I'll  
18 give the big picture overview and then turn it over to  
19 Mr. Desmond to talk you all through the details of the  
20 changes.

21 It is a fairly large list of change logs.  
22 However, you'll notice the changes by and large are zero  
23 population or very minor population, so I hope it's not --  
24 there's nothing either substantive or controversial.

25 There were two main types of changes that we were

1 looking at. One was to balance population, and the second  
2 was to do our best to accommodate new county precinct lines.  
3 The counties have been redrawing their precincts at the same  
4 time that we've been finalizing our maps.

5           So we -- we're attempting to move our lines to  
6 match their precincts as much as possible to avoid them  
7 having have separate ballots for the voters in the same  
8 precinct.

9           There were some cases where we weren't able to  
10 accommodate the lines.

11           The smallest we can go -- unit of geography we can  
12 go down to is the census block. There are some census  
13 blocks that slice through houses. You'll see on Google  
14 Earth a line will go right through the roof of a series of  
15 houses that were built on that line, or a census line is off  
16 by 50 feet or so.

17           We have been working with Maricopa County for  
18 three months, and meeting with them last night, just to make  
19 sure that they are able to correctly assign those voters to  
20 precincts.

21           They were going through and testing with the  
22 census TIGER up tool, which lets you enter an address, the  
23 census block it's in, found that all of those were correctly  
24 assigned.

25           They had a number of requests for us in terms of

1 moving lines slightly to match precincts. Most of those  
2 were zero population changes that we were able to make. And  
3 their request relating to areas where the census line goes  
4 through the middle of a house, they just asked for our  
5 guidance in terms of what district those people should be  
6 in, if they find any where it's ambiguous.

7           And thus far they have been able to make a  
8 commonsense determination on all of those.

9           With that, I thought I should turn it over to  
10 Mr. Desmond. He can show you a couple examples.

11           I don't -- doubt if anyone wants to go through  
12 every single one of these, but we can show you examples of  
13 the types and then respond to questions if anyone has  
14 questions on any of the specifics.

15           One of the things we do want to highlight on the  
16 change report, almost all of these changes are zero  
17 population. They're changes -- or, I'm sorry, almost all  
18 district changes don't change more than a tenth of a  
19 percent, so they are within the level -- precision we have  
20 on these reports, they don't show up.

21           Mr. Desmond can talk about one very minor change  
22 between two voting rights districts, that is hard to show up  
23 here, but not substantive.

24           And with that, I'll turn it over to Mr. Desmond.

25           WILLIE DESMOND: Thank you.

1           I was thinking I can just first describe the  
2 process we went through and provide some examples of these  
3 changes, as Ken said, and also to show you some areas where  
4 we can split houses, so you're made aware of that. And go  
5 through all those.

6           But just to start, for the congressional map, the  
7 way I started this was first thing I did was balance  
8 population.

9           So if you look at the change log I gave, the first  
10 changes on there are all designed to balance population  
11 between the districts.

12           Because we have a zero population deviation with  
13 congressional, that was the first step. And then any  
14 subsequent changes that affected any population, I needed to  
15 balance out.

16           If you do look at your packet, with the map on  
17 front, look at the data table on the second page that has  
18 the population breakdown, you will see there is a zero  
19 person population deviation across the districts.

20           The next step I did is I went through the counties  
21 one by one and looked at the precincts that they had hoped  
22 to use for the next ten years, and where possible tried to  
23 match our lines to accommodate theirs so that they have as  
24 few split precincts as possible.

25           There was different, different tradeoffs there.

1           In some cases we ended up taking small tiny  
2 slivers of census places that might introduce new splits.  
3 Those are typically zero population.

4           In working with the counties, particularly  
5 Maricopa, we learned that the census geography is slightly  
6 off in areas, and they had tried to go right to the city  
7 border.

8           And so that was, I guess, working with them.

9           In other cases where it was a little more nebulous  
10 we always defaulted to the other constitutional criteria, so  
11 not splitting census tracts, not splitting municipalities  
12 and things.

13           So if you look at the screen now, you can see this  
14 is the congressional district.

15           The green line is the line -- and I'll make it red  
16 to see if it's a little easier to see on the projector.

17           The red line is the tentative final congressional  
18 lines.

19           The black line is after the technical adjustments.

20           Now, if we get very close, you'll see many of  
21 these technical adjustments are just a census block here or  
22 there.

23           So zero population, just moving one census block.

24           There are some that are bigger changes.

25           Between six and eight, for instance, you see that

1 there is some larger splits.

2           And the reason for this is when you look at the  
3 Maricopa County precincts, you can see that by doing --  
4 changing the lines like this, we were able to accommodate  
5 one, two, three, four of their VTDs. There is still one  
6 that is split up here, and the ones that remain split are  
7 where we balanced the population typically.

8           So this is about as extreme a change as you'll  
9 see. It's probably moved a couple hundred people from one  
10 district to the next.

11           Again, as Ken pointed out, if you look at your  
12 change report, you'll notice there isn't any changes to the  
13 population breakdowns by racial category, by competitiveness  
14 measures, by compactness.

15           So although I did move things, it's not a large  
16 impact on either one of the two districts. So those are  
17 basically the types of changes we made.

18           As Ken had mentioned, there are places where we've  
19 been working with, particularly here in Maricopa County, in  
20 dealing with some of the splits of houses. And what happens  
21 there is that the census geography is just a little bit off.

22           I'll try to show you one of those real quickly  
23 just so you can kind of better understand the issue and how  
24 we've been dealing with it and what still needs to be done.

25           Sorry. Bear with me for one second.



1           Okay. So, this green line represents the Maricopa  
2 County VTD that they'll be submitting to the Department of  
3 Justice. They did not draw their new precincts lines on  
4 census geography. They just drew them where they needed to  
5 be.

6           The black line is our line.

7           So, as you can see we split these two houses in  
8 half and come back through the backyards of these houses.

9           The reason for that is because this is as far as  
10 we can go on this side of South Mountain.

11           If we take just the next census block over, and we  
12 select here, you'll notice it takes quite a bit of land and  
13 goes all the way across the mountain.

14           The same issue exists on the other side of the  
15 census block.

16           So what we're really doing there is instead of,  
17 you know, part of these people's houses being in the  
18 district, on the north side of the same issue exists.

19           So there's no way of drawing a line that does not  
20 split a house somewhere.

21           And, Ken or Mary, if you guys want to talk more a  
22 little bit about how to deal with this going forward, I just  
23 kind of wanted to explain the situation and make you aware.

24           KENNETH STRASMA: I did allude to this before.  
25 We've been working with Maricopa County, and they have been

1 able to look up the addresses for these houses and determine  
2 what district they're supposed to be in, even though the  
3 house is split.

4           Their policy is going to be based on the census  
5 TIGER conceptual, census block that that puts the house in,  
6 to determine what district they're in. And thus far they've  
7 made a determination for everyone. If they have any that  
8 they're not able to determine, they will look for guidance  
9 from the Commission.

10           This is something that's going to probably only  
11 affect a dozen or so individuals. And I think they're going  
12 to be able to figure it out, and they are aware of this  
13 issue, and they've been working with us on it for about  
14 three months actually.

15           MARY O'GRADY: And, Madam Chair, commissioners,  
16 from a legal perspective, what we advised was we can't  
17 deviate from the census geography. We do have to rely on  
18 the census, because we have to be so precise with our  
19 populations for our congressional maps.

20           And so whereas the counties may have more  
21 flexibility to draw a line that deviates from the census  
22 geography, we really don't. We need to make sure that we're  
23 relying on that.

24           But as Ken said, when we went and tested some of  
25 those houses that Willie showed, okay, where does the census

1 assign those people, they were to the logical place that you  
2 would want them to be.

3           They were with the -- they were assigned to the  
4 census geography on the appropriate side of the mountain.  
5 And -- in every one that we tested.

6           And so, so that's good, because that's where the  
7 Commission intends for those people to be.

8           We didn't see anything that deviated from that.

9           (Phone interruption.)

10           CHAIRPERSON MATHIS: Yes, did someone join the  
11 meeting?

12           COMMISSIONER STERTZ: Yes, it's Rick Stertz.

13           CHAIRPERSON MATHIS: Oh, great,  
14 Commissioner Stertz.

15           Okay.

16           Mr. Desmond, we're still on agenda item two, just  
17 going through technical changes on the congressional map.

18           WILLIE DESMOND: So the other way we've helped  
19 alleviate this problem is -- and there are instances where  
20 moving one census block can unsplit. We've done that and  
21 worked with the county to make sure we've got all those.

22           And the last thing is that just sharing of the  
23 congressional lines, that when they're close, they share the  
24 same boundary, it does kind of alleviate little pockets  
25 where a few houses would be in a different, in a different

1 legislative district than the neighbors and a different  
2 congressional district than the neighbors on the other side.

3           So that's another one of the technical changes.

4           With that, are there questions right away, or how  
5 would the Commission like to proceed? Would you like to  
6 just kind of walk around these lines to see where the  
7 changes are, or would you like to just kind of study the  
8 change reports for a little while?

9           MARY O'GRADY: And, Madam Chair, I have one more  
10 legal point to make.

11           The official action that the Commission will take  
12 when it certifies to the secretary of state, what you'll be  
13 certifying is a report that includes the census geography  
14 district by district.

15           It's not, you know, the picture.

16           And so that's the official list of districts.

17           And that's consistent with what we've described,  
18 where it's the census geography that you're assigned to that  
19 governs where the districts fall.

20           CHAIRPERSON MATHIS: Okay.

21           Do commissioners have a preference? Would you  
22 like Mr. Desmond to walk through the changes one by one, or  
23 are you wanting to study the change report more? Or  
24 questions, comments?

25           COMMISSIONER McNULTY: I'd like him to walk us

1 through the change report and tell us what has changed  
2 first.

3 WILLIE DESMOND: So with the congressional change  
4 report, you'll notice there is some population change, that  
5 is all taking it down to a zero person population deviation  
6 in all the districts.

7 If you look at the last column of the right side  
8 of the first section, you'll see that all the changes have  
9 been -- not been great enough to affect the districts by  
10 more than --

11 COMMISSIONER McNULTY: Mr. Desmond, could you tell  
12 us which chart you're look at?

13 WILLIE DESMOND: Excuse me, I'm sorry. I'm  
14 looking at the change report, on top it says change report  
15 tentative final congressional with technical adjustments.

16 I do have all these files available on a thumb  
17 drive, if anybody needs them, here.

18 And what this is, this is the tentative final maps  
19 that you guys passed right before the holidays compared to  
20 the maps with the slight technical adjustments.

21 So you'll be able to see how different the maps  
22 are with the technical adjustments compared to the maps that  
23 the Commission tentatively approved.

24 The only instance where a metric has changed by a  
25 tenth of a percentage point is in District No. 3. If you

1 look at the bottom two rows of District No. 3 on the second  
2 page, you'll see that both the 2008 presidential Dem and  
3 2010 mine inspector Dem have gone up by a tenth of a  
4 percentage.

5 That is a positive change since District 3 is a  
6 voting rights district. So it's a slight improvement there.

7 All the other changes to the other districts have  
8 been minor enough to not, not bump the percentages more than  
9 a tenth of a percent or even to a tenth of a percent.

10 One thing you'll notice when you look at the  
11 splits report is there are several more splits to census  
12 tracts and census block groups.

13 I think that makes sense. These maps were largely  
14 created at the block group and tract level. When you get  
15 down to real fine detail and slight technical adjustments  
16 moving a block from one side to the other, it's likely that  
17 you would start splitting those a little more.

18 So I don't think there's anything to be too  
19 concerned about there.

20 You'll notice for the congressional there's one  
21 fewer census place split and three fewer census place that  
22 are split into more than two districts.

23 The changes to the competitiveness indexes are  
24 largely unchanged. A tenth of a percent either way in a few  
25 districts, Districts 2 and Districts 3. District 2 using

1 index seven -- excuse me, index eight became a tenth of a  
2 percent more Republican, a tenth of a percent less  
3 Democratic.

4 Index three, using indexes four, five, six, and  
5 nine, became a tenth of a percent more Democratic.

6 So, again, these changes aren't major. Relatively  
7 minor changes.

8 (Phone interruption.)

9 CHAIRPERSON MATHIS: Is that Mr. Stertz?

10 COMMISSIONER STERTZ: Yeah, I just got dropped.  
11 I'm sorry.

12 CHAIRPERSON MATHIS: Okay. No problem.

13 WILLIE DESMOND: The changes are also relatively  
14 small with registration. The only, the only district that  
15 saw any change was the two-way registration in District 3  
16 became a tenth of a percent more Democratic.

17 And the final chart has really been more for the  
18 legislative districts. It gives the comparison to the old  
19 legislative district. So you can pretty much ignore that  
20 for the congressional.

21 We've also prepared for you the full sets of  
22 reports that you're used to getting, the population data  
23 tables, the splits plan components, and competitiveness data  
24 tables, so you have that available in your other packet if  
25 you have any questions about where these districts are.

1           Again, from the change report, you can tell things  
2 haven't moved too much, but just in case you wanted to  
3 reference something.

4           Are there any questions?

5           VICE-CHAIR FREEMAN: Madam Chair.

6           CHAIRPERSON MATHIS: Mr. Freeman.

7           VICE-CHAIR FREEMAN: Mr. Desmond, since my  
8 property is right on a line, I'm particularly interested in  
9 this. I'm right on the Phoenix, Paradise Valley border, and  
10 so that line kind of cuts through a number of communities.

11           And I just noticed that, you know, in some places  
12 it looks like Paradise Valley is split, in some places  
13 Phoenix is split.

14           There's zero population blocks, but -- and I've  
15 been noticing when you've been sending out the updates to  
16 the technical changes that some of those corrections were  
17 made, but others apparently were not.

18           Any reason behind that?

19           WILLIE DESMOND: Yes, absolutely.

20           That was -- so looking at the Maricopa County  
21 VTDs, these are drawn to the -- to the municipal boundaries.  
22 When they look at them on Google earth and using satellite  
23 imagery of the actual streets, they have a slight difference  
24 than us.

25           For instance, as you mentioned, right here is an



1 instance where the boundary comes one block into Phoenix.

2 If we look around, there will be cases where the  
3 boundary comes one block into Paradise Valley.

4 The reason for this is because Maricopa County  
5 asked us to move some specific blocks when working with  
6 Paradise Valley.

7 Initially we had taken it back to the census  
8 municipal boundary everywhere.

9 This was one of the last things we heard from them  
10 last night, asking us to move a few border blocks, you know,  
11 one way or the other, in order to avoid splits to their VTDs  
12 and also some splits to houses like we just showed.

13 All the blocks they had us move were zero  
14 population, but we were responding to the County's request  
15 to do that.

16 COMMISSIONER McNULTY: Madam Chair.

17 CHAIRPERSON MATHIS: Ms. McNulty.

18 COMMISSIONER McNULTY: Mr. Desmond, we've now  
19 heard from all of the counties; we've gotten all of their  
20 input?

21 WILLIE DESMOND: Correct. All the counties with  
22 the splits, so. . .

23 COMMISSIONER McNULTY: And how many counties is  
24 that? How many counties had splits?

25 WILLIE DESMOND: Well, for the congressional map,

1 for our purposes, we received VTD lines from Maricopa, Pima,  
2 Pinal, Yavapai, and Gila Counties.

3 For legislative it was those counties with  
4 Coconino and Navajo as well.

5 COMMISSIONER McNULTY: Thank you.

6 WILLIE DESMOND: Oh, and Yuma.

7 Excuse me.

8 MARY O'GRADY: And, Madam Chair, when Willie is  
9 referring to VTDs, which is the census geography, these are  
10 precincts, the county precinct lines, that we're adjusting  
11 to. Right?

12 WILLIE DESMOND: Yeah, the VTD is voter tabulation  
13 district. It's just kind of a standard way of calling  
14 precincts or wards or whatever level of geography that a  
15 particular state or municipality calls that. In the -- in  
16 census terminology they use VTD, and that's why I've been  
17 referring to them as that.

18 COMMISSIONER McNULTY: Madam Chair, Mr. Desmond,  
19 so it sounds like there wasn't anything that's controversial  
20 that you think should be brought to our attention. It  
21 sounds pretty straightforward.

22 Are there any particular lines that the counties  
23 were concerned about that you think we need to look at,  
24 or. . .

25 WILLIE DESMOND: I think it's relatively -- I

1 mean, I wouldn't have done anything too controversial  
2 without asking you guys first or being directed to do so.

3           So I think most of these changes, the vast  
4 majority are zero population changes, just moving a block  
5 here or a block there to match up with some of their lines.

6           There are cases where there is population moved.  
7 And all of those, in every case, was in order to try to  
8 remove splits to their VTDs or precincts.

9           And, again, the reason that it's important to try  
10 to remove splits to their precincts is because as they hold  
11 elections for the next ten years, any time we can remove a  
12 split, it saves them from having to print two different  
13 ballots for that precincts, having two different -- you  
14 know, like two different elections actually in the same  
15 location.

16           There's several cases where that's not possible.

17           There's a good faith effort on our part to try to  
18 remove as many of those headaches as possible.

19           Perhaps it would be helpful if I just kind of  
20 showed you the counties, county by county, to see where the  
21 lines changed, and see how it didn't match their VTDs.

22           If it's okay, I'll do that. I'll just start with  
23 Yuma.

24           So in Yuma, again, the green is their, is their  
25 precincts that they're planning to use for the next

1 ten years.

2 The red is our line.

3 You can see, for instance, we moved the line right  
4 here. It went -- the line used to run right here. Now it  
5 runs up here.

6 This was a change. It's a lot of land. There's  
7 nobody that lives there though.

8 So it was just to accommodate not splitting this  
9 VTD as much.

10 When we zoom into the city, we can see that this  
11 line right here was moved to match their VTD. That moves  
12 23 people. So this -- all this area was then moved to  
13 rebalance the population.

14 So it's just 23 people that live down here.

15 Since this VTD was already split, that's why the  
16 population was balanced there and not balanced somewhere  
17 else that doesn't split a VTD.

18 MARY O'GRADY: And, just so our transcript is  
19 clear, could you -- instead of saying here and there, could  
20 you say -- give some street identifiers?

21 WILLIE DESMOND: Sure. If you look in the  
22 change -- change logs, these changes will be identified in  
23 Yuma, but this is the area north of I-8 between  
24 South Avenue 2E essentially.

25 And the population is balanced north of

1 East County 19th Street and east of South AF.

2 So there is still splits in Yuma.

3 Like I said, we did what we could, but all the  
4 other changes would have moved thousands of people, and I  
5 felt like that was a little bit more than we had been asked  
6 to do, so. . .

7 Moving on to Pima County, I have to add that  
8 layer.

9 Okay. In western Pima County, there's nothing  
10 changed because there were no lines that ran through there.

11 There's cases like this where in the  
12 unincorporated area west of Tucson, so the lines were moved  
13 to match precincts. And these changes by and large were  
14 zero population.

15 So, again, the red lines, you can see where the  
16 tentative final congressional map was, the black line is  
17 where it went to, and the green line is where their  
18 precincts are.

19 So just, for instance, if you look at this area.

20 This was 605 people, so one of our bigger, our  
21 bigger moves. So it did keep one of the VTDs whole, it was  
22 also an area that was already split, and the population was  
23 balanced in other places that also were split.

24 I mean, it would have been possible to remove  
25 splits here on the border between Marana and the

1 Casas Adobes, but that would have been splitting a census  
2 place.

3           So the thinking being that even if, even if a  
4 precinct does go over two census places for things like  
5 mayor and other local municipal elections, they will have to  
6 print two ballots, and it's also a constitutional criteria  
7 not to split census, census places, municipalities, so we  
8 kind of made a judgment call in places like this to leave  
9 the line where it was.

10           But by and large most of the changes were minor  
11 and did result in unsplit census or voter precincts.

12           If you look at right here, for instance, between  
13 Catalina and Oro Valley, the line used to run right along  
14 municipal borders. It's been moved out.

15           This looks like it moved maybe -- moved 38 people.

16           So not a major, major change, but it does save  
17 them from having to print two ballots, for all their  
18 elections.

19           So those are the types of changes that happened in  
20 Pima County.

21           CHAIRPERSON MATHIS: Mr. Desmond, can you show us  
22 the change that was 866 people, between Marana and  
23 Casas Adobes?

24           WILLIE DESMOND: Yes.

25           So that was this change right here. It's in the

1 unincorporated area between.

2           So the border ran on Lambert, and then south on --  
3 Camino De Oeste.

4           It did bump out to north Carolanne Drive, and went  
5 north to Potvin Lane, except for this block where it went to  
6 west Turkey Lane, north on Paisano, and Cam Del Norte. Runs  
7 north on Pegasus.

8           And that change was, I believe, a population  
9 balance. And it also helped, I think, remove two different,  
10 two different VTD splits.

11           Let me turn back on the. . .

12           So, move this, this VTD split over here, next to  
13 Tucson, and also this one up here between Oro Valley and  
14 Catalina.

15           Are there questions about that change?

16           CHAIRPERSON MATHIS: No, I was just curious,  
17 because it seemed like it was the one that had the highest  
18 population impact of all the technical changes.

19           WILLIE DESMOND: Yeah, there was a balance between  
20 the border -- oh, also, I should mention, the border  
21 between -- between like two and three down here by Sahuarita  
22 and Green Valley was moved, was also -- yeah, here by  
23 Green Valley to keep, to keep two more VTDs whole.

24           That left District 3 underpopulated.

25           So then District 3 ended up trading with

1 District 1 to keep more VTDs whole between the border  
2 between three and one. And then one made up the population  
3 from Green Valley and Sahuarita with District 2 and also  
4 kept VTDs whole up here.

5 So, all of these changes are kind of  
6 interdependent and things like that.

7 Are there other questions about Pima County?

8 (No oral response.)

9 WILLIE DESMOND: Okay. If not, I'll go to Pinal  
10 County.

11 All right. So in Pinal County, the border between  
12 four and one was adjusted in some places to remove some  
13 splits.

14 Specifically here around the area between Florence  
15 and Coolidge. You can see the red line is where we were.  
16 By moving it over, we were able to remove two splits.

17 These areas in here, where the line differs from  
18 the tentative final, for both population balance areas, in  
19 order to accomplish those two removal of splits,  
20 additionally, the line between one and four in the  
21 unincorporated area in western Pinal County is moved. And  
22 you can see that does follow their county's precinct lines  
23 as best we could.

24 There is an area here where we weren't able to  
25 totally follow, so there is a split here to their precincts,



1 but it followed our line a little bit more carefully.

2 This would be a population balance here, just  
3 south of Superior, to make up for the removal of this, this  
4 split, this VTD in the upper right-hand corner of the  
5 county, the northeastern corner.

6 Are there questions about Pinal?

7 (No oral response.)

8 WILLIE DESMOND: If not, I'll just keep going.

9 There's not as many.

10 So Gila County, it's a relatively large change  
11 here going from one district to the other. I believe this  
12 change only had 11 people though, so, because it is a very  
13 lightly populated area.

14 I turn on their proposed districts -- the proposed  
15 precincts, excuse me, you see that we were able to follow  
16 those exactly. And so they won't have to adjust their  
17 precinct lines at all or resubmit them to Justice or  
18 anything.

19 So there we'll accommodate both the -- both of  
20 their lines at Gila County.

21 And in Yavapai County, there was a few places  
22 the lines changed, but mostly what they asked for was just  
23 that we matched the census -- or, I mean, the congressional  
24 line to the legislative line when they ran close to each  
25 other.

1           That prevents having a little pocket that would be  
2 different and be its own, its own voting precinct. So we  
3 were be able to do that relatively easily.

4           So they didn't send all their lines. They just  
5 sent little areas that they wanted changed.

6           For instance, they asked that we remove this block  
7 from District 1 and add it to District 4 just to kind of  
8 clean up the line.

9           And they asked things like this block, south of  
10 Camp Verde, be, be taken out of District 1 and added to  
11 District 4 for the congressional to match the legislative.

12           So we were able to accommodate all those changes,  
13 and those lines do match up except for the area where they  
14 go around different census places.

15           And I believe that's it for the congressional  
16 changes of the counties.

17           Are there questions on the plan as a whole?

18           MARY O'GRADY: Madam Chair, if any -- I did have  
19 one question. On the split reservations, there seems to be  
20 some. I was wondering if you could explain those.

21           Like, the splits report for the congressional  
22 seems to show four splits of Salt River?

23           And I'm wondering about any changes that affected  
24 the reservation splits.

25           WILLIE DESMOND: Those were all zero population

1 splits that Maricopa County had asked for.

2 It's areas that they think the -- like, the census  
3 has a slightly wrong definition of where the border is.

4 So if you look carefully, you can see it's areas  
5 like this.

6 It also accommodates their VTDs.

7 If I turn on the census blocks, all these areas  
8 are zero population. So there's no, there's no splits of  
9 people that live on the reservation.

10 And it's just kind of areas along the fringe,  
11 primarily on the border between the reservation and Mesa.

12 So, like, for instance, there's this split now  
13 where they wanted to go at the Mesa municipal border line,  
14 but the reservation is also in that portion of Mesa. So we  
15 did move it up to accommodate, accommodate them.

16 If that's something the Commission's uncomfortable  
17 with, you know, we could always change that back, but there  
18 was zero population areas.

19 COMMISSIONER McNULTY: Madam Chair.

20 CHAIRPERSON MATHIS: Ms. McNulty.

21 COMMISSIONER McNULTY: Ms. O'Grady, I think that's  
22 a good point. I wonder if we're assured that they will  
23 continue to be zero population areas.

24 I don't think there's any way to know that.

25 Have we discussed those changes s with the tribes

1 themselves?

2 MARY O'GRADY: My thinking is -- well, part of the  
3 presentation, this will let people respond to that, so if  
4 people have concerns we'll hear them. And I'm not sure  
5 where they vote now. So if this maintains where they vote  
6 now, that's probably a good thing, rather than changing  
7 where they're accustomed to voting. I think.

8 And Maricopa County has to get their precinct  
9 lines, so they're very sensitive to the tribal issues too  
10 typically, because they have to, they have to get those  
11 precleared.

12 So, and I know we have a meeting scheduled next  
13 week, so then we'll focus on this. And if we have any  
14 concerns, we'll advise the Commission.

15 COMMISSIONER McNULTY: Thank you.

16 WILLIE DESMOND: Also, just show, the blue line is  
17 the current legislative districts.

18 So a lot of these area are places where the  
19 legislative district, I guess, splits the reservation too,  
20 so I think, I think it's possible that there's some  
21 combination of the census reservation line might be, might  
22 be off.

23 I'm not sure.

24 Are there other questions?

25 (No oral response.)

1           CHAIRPERSON MATHIS: Mr. Stertz, just checking,  
2 are you on the line?

3           (No oral response.)

4           CHAIRPERSON MATHIS: Okay. We'll check back with  
5 him.

6           Any other questions or --

7           COMMISSIONER STERTZ: I am.

8           CHAIRPERSON MATHIS: Oh, yes, Mr. Stertz?

9           Okay. Got it.

10          Any other questions or comments on these technical  
11 changes to the congressional map that Mr. Desmond just  
12 walked us through?

13          (No oral response.)

14          CHAIRPERSON MATHIS: Okay. Hearing none. Thank  
15 you.

16          So our next item is number three, discussion of  
17 possible action regarding technical changes on legislative  
18 maps.

19          Do you want to walk through those?

20          WILLIE DESMOND: Sure.

21          All right. For the legislative maps, we prepared  
22 the same information. You have a change report comparing  
23 the original legislative map that was approved before the  
24 holidays, the tentative final and the tentative final with  
25 technical adjustments.

1           You also have the full packet of information with  
2 all the standard reports, splits, components,  
3 competitiveness, and population tables.

4           In addition to the changes in the counties we just  
5 looked at, there was also Navajo and Coconino Counties here.

6           Coconino had just two very minor changes, one  
7 census block between six and seven. And then I believe this  
8 was 13 people, going into seven from six -- or to not split  
9 their, their new precincts.

10           Are there questions on the whole or should we go  
11 through the change report first?

12           COMMISSIONER McNULTY: I do have one question.

13           Did you do population balancing on the legislative  
14 map and will you talk about that if you did?

15           WILLIE DESMOND: I did not do population balancing  
16 to a zero percent deviation.

17           It was something that I kept in mind making these  
18 changes.

19           When I was evaluating whether or not to try to  
20 keep a VTD whole or not or the line should be moved, I was  
21 slightly more in favor of making that change if it was  
22 something that had broader deviations down across the board.

23           COMMISSIONER McNULTY: Is there one of these  
24 charts that you've given us this morning that shows us what  
25 our deviations are on the leg map by district?

1 WILLIE DESMOND: Yes. If you go to the second  
2 page of your packet with the map on it, the population  
3 table, that has your population and your deviation from  
4 ideal population are the second, third, and fourth columns,  
5 left.

6 COMMISSIONER McNULTY: Thank you.

7 WILLIE DESMOND: So if you look at some of the  
8 areas with the highest population deviation that aren't  
9 voting rights districts, I think many of the changes have  
10 been, have been positive.

11 District 12 the deviation came down a little bit.

12 District -- let's see.

13 Some of them got a little worse.

14 District 25, for instance, had 600 more people in  
15 it.

16 But it was something I paid attention to and did  
17 endeavor to minimize. But that's something that wasn't an  
18 expressed consideration.

19 So looking through the change report, there are  
20 more instances of changes that have been enough to impact  
21 the percentage columns, so changes that are a tenth of a  
22 percent or more.

23 I don't believe that there are any changes that  
24 are more than a half percent anywhere.

25 By and large the changes happened that show up in

1 our voting rights districts, and they were, I believe, all  
2 positive. I was careful not to make any changes that did  
3 harm to any of our voting rights districts, particularly any  
4 of the ones that were concerned about.

5 Just going through, you'll notice District 4, it's  
6 a tenth of a percent less White, tenth of a percent higher  
7 total minority.

8 Hispanic registration went up by a tenth of a  
9 percent.

10 Mine inspector went up by a tenth of a percent,  
11 things like that.

12 Districts 2 and 3 didn't really have any changes  
13 that were big enough to show up.

14 District 7 did -- didn't have any changes, except  
15 for that one to Coconino County. So it just, it just lost  
16 18 people.

17 Continuing with our voting rights districts.

18 District 8 wasn't impacted, except for the  
19 deviation from ideal population went from negative  
20 2.3 percent to negative 2.2.

21 District 19 didn't see a drop in several of the  
22 indicators that we like to see increased.

23 It lost two tenths of a percent in Hispanic.

24 It lost half a point in CVAP. I believe that was  
25 our biggest change in the whole report.



1           And it lost about a tenth of a percent in some of  
2 the key indicators.

3           That population, though, did go to a different  
4 voting rights district. You'll notice District 29, those  
5 drops in 19 are increases in 29. So it went up their CVAP  
6 four tenths of a percent, things like that.

7           That was the largest of the changes in any of the  
8 districts.

9           Continuing with the voting rights districts,  
10 District 24 has a tenth of a percent higher Hispanic  
11 percentage, a tenth of a percent higher CVAP total minority,  
12 things like that. Positive changes.

13           That's similar to District 26, which saw many of  
14 its election indicators go up as well as its total minority  
15 percentage and total voting age minority.

16           District 27 lost about a tenth of a percent, some  
17 of the things, some of the Voting Rights Act indicators.  
18 Nothing too serious. That was a very solid district to  
19 begin with.

20           And District 30 wasn't really impacted much at  
21 all.

22           If you look at the splits report, or the splits  
23 and the change report, you'll notice, again, there are  
24 several more split census tracts and split census blocks.  
25 That's the result of us having initially drawn at those

1 levels because that is a constitutional criteria. Adjusting  
2 these lines happened primarily block by block -- or  
3 exclusively block by block, so moving a block from one  
4 district to another to accommodate the county precinct line  
5 is what did a lot of those splits, I believe.

6           And then looking at the competitiveness tables, by  
7 and large the percentages are exactly the same. The places  
8 where they're not usually are voting rights districts where  
9 they're in most cases slightly better, in some cases  
10 slightly worse.

11           In the cases where it's worse, I don't think  
12 there's anything that we would be concerned about.

13           That holds true also with the registration  
14 indicators.

15           And, again, the table at the end shows you the  
16 population, where it comes from. So if you go to the  
17 final table where it says population from existing 2010  
18 districts, towards the back you'll see that District 1, for  
19 instance, the existing district is District 30. That makes  
20 up 41.9 percent of this new district. So you can tell  
21 where, where these districts came from in the current  
22 legislative map.

23           Are there any questions on the change report?

24           CHAIRPERSON MATHIS: For me, just that we didn't  
25 make the district numbering change yet between 1 and 14.

1 WILLIE DESMOND: That's correct. That's something  
2 we'll have for Tucson's meeting, or I can probably --

3 CHAIRPERSON MATHIS: I do like the smaller labels  
4 that you've incorporated into these maps.

5 You can actually see every district this time.

6 VICE-CHAIR FREEMAN: Madam Chair.

7 CHAIRPERSON MATHIS: Mr. Freeman.

8 VICE-CHAIR FREEMAN: Just on the issue of district  
9 numbering, which I couldn't really hear most of the  
10 discussion on Tuesday. And I apologize, I was not able to  
11 attend in person on Monday and Tuesday.

12 But just as an aside, I received less actual  
13 notice of those hearings than the public received,  
14 constructive notice of them.

15 While today I gave the Commission notice on  
16 November 21st that I had a conflict with today, could not  
17 make it, and now we have a hearing today, which is in a way  
18 sort of illustrative, I think, of how much sort of window  
19 dressing the Republican commissioners have been on this  
20 Commission.

21 But putting that aside, on the issue of the  
22 numbering of the districts, I would like to speak out again  
23 in favor of numbering them in some sort of systematic way  
24 that when the voters here in the state hear of a certain  
25 number of a district, they may not know exactly where it

1 lies in the state, but they may develop sort of an intuitive  
2 sense of that's a high number, that's probably in southern  
3 Arizona, or that's a number in the teens, that probably  
4 falls in Maricopa County.

5           And in a way, to sort of -- I know we are to start  
6 with a clean slate and draw the districts anew, but to the  
7 extent those numbers could line up with the old districts, I  
8 think that makes a lot of sense.

9           It avoids confusion with the public.

10           It probably in some small way saves people in the  
11 state money for having to renumber everything.

12           Even you go down to campaign signs. I know a lot  
13 of candidates don't put the numbers on their signs, but some  
14 of them do.

15           And they have to either buy new signs, I guess,  
16 now or put stickers on them or something.

17           And, you know, I think the function of government  
18 should be -- you know, the core function is to protect  
19 liberty, of course, but it's not to create unnecessary busy  
20 work for everybody.

21           And right now we've got -- and I know we're well  
22 intended, and, you know, these numbers kind of shook out the  
23 way -- after the grid map was developed, and we started in  
24 the southeast corner of the state.

25           And maybe in hindsight we should have started out

1 with letters or something like that so we wouldn't be sort  
2 of -- think that we're committed to a numbering scheme.

3 But I would just -- right now we've got 14 in the  
4 southeast corner, which is bordered by two and nine and  
5 seven, and then we've got 11 next to eight, and, you know,  
6 in some places the numbers are grouped in a systematic way,  
7 but in a lot of areas they're not.

8 And I would just favor, you know, give Prescott  
9 No. 1. That's a hat tip to Arizona history. I think it's  
10 appropriate.

11 And then perhaps proceed in a systematic way,  
12 maybe left to right across the state, and then up and down,  
13 something like that. And that probably would give us  
14 districts that by and large we would end up with numbering  
15 that kind of -- because I think that's the way the last  
16 Commission did it.

17 And so we'd probably end up with districts that  
18 kind of sort of -- you know, I know they're different  
19 districts and there's going to be probably in some areas  
20 really significant differences in where the districts lie,  
21 but, you know, I might -- right now I'm going to be in 28.  
22 I was in 11. You know, maybe I end up in 11 again.

23 And that, I think, would save a lot of people some  
24 bother.

25 As for the voting rights issue, which I know I

1 couldn't hear all of that, but I know that was raised as a  
2 concern. You know, I think, I don't know this for sure, but  
3 I think whoever looks at this, whether it's the DOJ or a  
4 court, they're going to look at the old maps and those  
5 numbers versus what maps this Commission produces. And  
6 probably not delve into what's in between, but if they do  
7 have to delve into what's in between, you know, I think the  
8 people in Washington, D.C., can probably figure it out.

9           And, you know, we're -- you know, I want to  
10 look -- try to -- I think we should try to look after the  
11 people here and we can expect the smart people back there to  
12 know, you know, that -- to figure out that the numbering got  
13 changed here at the end.

14           So that being said, I guess I would favor if we're  
15 going to -- if there's going to be any more changes on the  
16 numbering scheme for the legislative map, you know, I would  
17 be in favor, still be in favor of starting with Prescott as  
18 No. 1 and then move, like I said, left to right and up and  
19 down, and, and put out a just sort of coherent, logical  
20 numbering scheme for the legislative districts. Thanks.

21           CHAIRPERSON MATHIS: Other thoughts from other  
22 commissioners?

23           VICE-CHAIR HERRERA: Madam Chair, I'm assuming  
24 that Mr. Freeman is talking about the congressional map. I  
25 may have not understood him, but if he is -- is that

1 correct, the congressional map?

2 VICE-CHAIR FREEMAN: No, that's incorrect. I was  
3 talking about the legislative map.

4 VICE-CHAIR HERRERA: Oh, I apologize.

5 VICE-CHAIR FREEMAN: I would support something  
6 like that on the congressional too, but I think we were just  
7 talking about legislative.

8 CHAIRPERSON MATHIS: Any other comments on that?

9 (No oral response.)

10 CHAIRPERSON MATHIS: Hindsight being 20/20, I wish  
11 we had actually used letters or something, because I think  
12 it does -- it would have been probably a better way to  
13 approach this so that people didn't get wedded to certain  
14 numbers early on.

15 And you're right. This came from the grid map.  
16 It came -- this numbering that's on there now is very  
17 reflective of our grid map and how that shook out.

18 So, I think it is confusing.

19 It's just my personal opinion that to go and  
20 change these now would be confusing. And, you know, from a  
21 cost perspective for each of the districts, I don't know  
22 enough about how much of an impact that is for them.

23 But just from a sanity factor, it seems like it's  
24 confusing to change these.

25 And not just for the folks in Washington, but for

1 people here on the ground that have been following the  
2 process, and -- but, that's my perspective.

3 So, I'm one commissioner.

4 Any other commissioners got -- have any input on  
5 that one?

6 COMMISSIONER McNULTY: Madam Chair, I think I, I  
7 gave my input at the last hearing, and I still feel the same  
8 way.

9 I think it's, I think it's reflective of the grid  
10 map.

11 I think we start fresh every time.

12 I think folks will learn the new numbers quickly,  
13 as they already have as they've been following the process.

14 I don't think it would be a simple task to try and  
15 equate the current districts with the old districts, and I  
16 don't think that's something that we should do because the  
17 constitution requires us to start anew.

18 And I also am concerned about the cost in terms of  
19 time and the potential for human error in requiring the  
20 Justice Department to have to use a key to understand the  
21 thousands of pages of transcript and hundreds of thousands  
22 of pages of charts that we've done.

23 So I like the way that we've approached it.

24 Those are my thoughts.

25 CHAIRPERSON MATHIS: Mr. Stertz, if you have any



1 comments, feel free to jump in too.

2 COMMISSIONER STERTZ: Madam Chair.

3 CHAIRPERSON MATHIS: Mr. Stertz.

4 COMMISSIONER STERTZ: I understand the task of the  
5 DOJ, and I understand the task of putting together this  
6 package, but I also understand that what we're doing is  
7 really disenfranchising a lot of voters who have history.

8 And, Madam Chair, just three days ago you were  
9 talking about you respected history in regards to the  
10 Prescott district.

11 There's no less history in the other parts of the  
12 state where residents and voters have become connected to  
13 their district by number. And by doing -- by renumbering  
14 this, it might be very inconvenient for DOJ, it might be  
15 inconvenient for dat, it might be inconvenient for  
16 consultants and attorneys, but we are really disfranchising  
17 our voters, and that's what we took the heat as a Commission  
18 to not do.

19 So I think Mr. Freeman is right on. We need to  
20 start looking back a little over our shoulders and say,  
21 let's make these -- let's not disfranchise our voters, let's  
22 not disfranchise the people that have been living in certain  
23 districts for 20 years that recognize them by number, let's  
24 take an evaluation of that.

25 I'm all in favor of making a change in the

1 numbering system to get them closer to the district  
2 numbering as they currently lie.

3 VICE-CHAIR HERRERA: Madam Chair.

4 CHAIRPERSON MATHIS: Thank you.

5 Mr. Herrera.

6 VICE-CHAIR HERRERA: You know, I agree with  
7 Commissioner McNulty. I think, you know, we started this  
8 whole process, we started with a brand-new slate, a clean  
9 slate, and we're following, you know, the guidelines that  
10 were set for us.

11 But I think the issue of disenfranchisement is  
12 really, you know, not with the numbering of the districts.  
13 I would guess that probably most people don't even know who  
14 their congressmen, especially their legislators are.

15 But I think the issue of disenfranchisement to me  
16 goes with not creating as many competitive districts. To me  
17 that's disenfranchising voters where they feel that their  
18 voices are not being heard, not with the numbering of the  
19 districts.

20 So thank you.

21 CHAIRPERSON MATHIS: I have a question. I have a  
22 question for Mr. Kanefield, just as former state elections  
23 director.

24 Do you have any comment on costs associated with  
25 renumbering or just things around this issue that we might

1 want to consider?

2           JOSEPH KANEFIELD: Madam Chair, I really don't.  
3 It's not a legal issue. It's a policy decision for the  
4 Commission.

5           And as former state election director, I just  
6 can't see what the legal issues would be. Whether the  
7 Commission decides to renumber or making numbers consistent,  
8 I think that's a decision to be left to the Commission.

9           VICE-CHAIR FREEMAN: Can you take your counsel hat  
10 off and just answer as. . .

11           JOSEPH KANEFIELD: Madam Chair,  
12 Commissioner Freeman, taking my counsel hat off, it would  
13 create less confusion, in my humble opinion, if the numbers  
14 were somewhat consistent.

15           And that was certainly the case with the last  
16 Commission, when they chose not to align the numbers with  
17 the numbers as they had been for I don't know how many  
18 decades before.

19           But I grew up in District 18, which became  
20 District 11, but I still think of it as the old guard  
21 District 18 district.

22           So, but everybody learned to adjust, and it didn't  
23 create any issues, as I can recall as election officials,  
24 other than, you know, dealing with some voter confusion at  
25 the front end.

1           But that was obviously as time went on voters  
2 learned where their districts were.

3           So, again, it's not, it's not a legal question.  
4 It's a policy question.

5           And administratively, it certainly can -- the  
6 election officials will accommodate whatever numbering  
7 system the Commission decides to put in place.

8           CHAIRPERSON MATHIS: Thank you.

9           Sorry, I'm locating my agenda.

10          (Brief pause.)

11          CHAIRPERSON MATHIS: Well, other than the  
12 numbering issue, is -- are there any other technical changes  
13 for either of the maps that need to -- any issues or things  
14 that are outstanding that we need to still address? Or is  
15 it all, all ready?

16          WILLIE DESMOND: I think other than the numbering,  
17 I don't think there's anything else that needs to be done.

18          Obviously Ms. O'Grady has mentioned these maps  
19 will be out there for a while, over the weekend, so if  
20 anybody has anything that causes any big red flags we can  
21 address that the next time the Commission meets.

22          MARY O'GRADY: Madam Chair, on that point, I know  
23 Maricopa County is still -- their, their verification is an  
24 ongoing process, and they'll look at what we do today and  
25 continue to verify.

1           And so we might have some more technical changes  
2 recommended Tuesday.

3           VICE-CHAIR HERRERA: Madam Chair.

4           CHAIRPERSON MATHIS: Mr. Herrera.

5           VICE-CHAIR HERRERA: With the splits of the  
6 Native American reservation in the Salt River, should we  
7 reach out to them just to make sure they -- that they're  
8 aware of this, in case they're not -- most people think that  
9 we're not -- so I think it might be a good idea.

10          CHAIRPERSON MATHIS: I agree. That's something  
11 that we'll do. Staff and legal will reach out and make sure  
12 those are okay, those technical changes.

13          Okay. Well, it's 10:53, and why don't we just  
14 take a ten-minute break and come back.

15          And -- let me make sure.

16          Oh, we have public comment too, so -- I have one  
17 request to speak form. I don't know if others are going to  
18 want to speak, but maybe we can do that, but we'll take a  
19 just a short ten-minute break and then come back and finish  
20 up.

21          (Brief recess taken.)

22          (Whereupon, Mr. Kanefield left the meeting.)

23          CHAIRPERSON MATHIS: Okay. We'll enter back into  
24 public session.

25          The time is 11:11.

1           And I now have two request to speak forms.

2           And we were in the midst of discussing technical  
3 changes for both the congressional and legislative maps, and  
4 possible renumbering of the districts that was requested by  
5 Commissioners Freeman and Stertz.

6           Any other comments on anything with technical  
7 changes, whether numbering or anything?

8           COMMISSIONER McNULTY: I have a question for legal  
9 counsel.

10           Would we -- we need to wait until Maricopa County  
11 gives us more feedback before we approve the technical  
12 changes?

13           MARY O'GRADY: Madam Chair, Commissioner McNulty,  
14 my recommendation would be to adopt the technical changes  
15 that Mr. Desmond presented today. And I just wanted to let  
16 the Commission know there may be more, there may be a few  
17 more.

18           But I think it would be good to adopt those we've  
19 been presented with today, so that those are then out there  
20 and people can see what the map looks like, you know, with  
21 those technical changes included.

22           COMMISSIONER McNULTY: And what if -- if we were  
23 to do that, if there were to be an issue raised by one of  
24 the Indian nations, one of the tribes, we could address that  
25 if we felt it was necessary next week, notwithstanding that

1 we'd adopted these today.

2 MARY O'GRADY: That's right.

3 I would say just adopt the technical changes.

4 We had another agenda item for adoption of the  
5 final map. I would say let's not to do that today. Let's  
6 adopt -- just I would recommend that you just adopt the  
7 technical changes and there might be further technical  
8 changes Tuesday, but hopefully not as many as we had  
9 presented today.

10 COMMISSIONER McNULTY: And would we need separate  
11 motions for the two maps?

12 MARY O'GRADY: I would recommend, yeah, separate  
13 motions, one for congressional technical changes and one for  
14 the legislative technical changes.

15 COMMISSIONER McNULTY: Is that a separate agenda  
16 item?

17 CHAIRPERSON MATHIS: Well, I would entertain a  
18 motion to accept the technical changes as Mr. Desmond  
19 presented on both the legislative and congressional maps.

20 Any other comments?

21 COMMISSIONER McNULTY: I would move that we adopt  
22 the technical changes recommended by our mapping consultant  
23 on the congressional map.

24 VICE-CHAIR HERRERA: I second that motion.

25 CHAIRPERSON MATHIS: Any discussion?

1           And I should check in on Mr. Stertz.

2           Are you on the line?

3           (No oral response.)

4           CHAIRPERSON MATHIS:  Actually is anyone on the  
5 line?  Is Mr. Kanefield on the line?

6           He is going to try dialing in possibly.

7           (No oral response.)

8           CHAIRPERSON MATHIS:  It doesn't sound like  
9 Mr. Stertz is available --

10          (Phone interruption.)

11          CHAIRPERSON MATHIS:  Who is this on the line?

12          COMMISSIONER STERTZ:  Rick Stertz.

13          CHAIRPERSON MATHIS:  Oh, great.  Sorry,  
14 Mr. Stertz.

15          We were just talking about the technical  
16 changes and --

17          COMMISSIONER STERTZ:  Madam Chair.

18          CHAIRPERSON MATHIS:  Yes.  Can you hear us?

19          COMMISSIONER STERTZ:  I am following online, and  
20 somehow I was disconnected, so I am aware of the motion and  
21 second.

22          CHAIRPERSON MATHIS:  Oh, great.  Okay.  Thank you.  
23 Any discussion for anyone?

24          (No oral response.)

25          CHAIRPERSON MATHIS:  Okay.  All in favor?



1 VICE-CHAIR HERRERA: Aye.

2 COMMISSIONER McNULTY: Aye.

3 CHAIRPERSON MATHIS: Aye.

4 Any opposed?

5 (No oral response.)

6 CHAIRPERSON MATHIS: Okay. And I think -- does  
7 that mean we have two abstentions?

8 Mr. Stertz?

9 I got a yes from Mr. Freeman.

10 He'll dial back in, I'm sure.

11 (Phone interruption.)

12 CHAIRPERSON MATHIS: Mr. Stertz.

13 COMMISSIONER STERTZ: Sorry, Madam Chair, I was  
14 disconnected again.

15 CHAIRPERSON MATHIS: No problem.

16 So we were just in the middle of voting. There  
17 were three ayes, one abstention from Mr. Freeman. And your  
18 vote is?

19 COMMISSIONER STERTZ: I would have to abstain.

20 I got the maps last night and haven't had a chance  
21 to look at them, so I'd have to abstain.

22 CHAIRPERSON MATHIS: Okay. So the motion carries,  
23 three ayes and two abstentions.

24 And that was for the congressional map in terms of  
25 accepting the technical changes that were presented today by

1 Mr. Desmond.

2 COMMISSIONER McNULTY: Madam Chair.

3 CHAIRPERSON MATHIS: Ms. McNulty.

4 COMMISSIONER McNULTY: I would move that we accept  
5 the technical changes recommended by our mapping consultant  
6 on the tentative final legislative map.

7 CHAIRPERSON MATHIS: Is there a second?

8 VICE-CHAIR HERRERA: Yes, ma'am. I would second  
9 the motion.

10 CHAIRPERSON MATHIS: Any discussion?

11 (No oral response.)

12 CHAIRPERSON MATHIS: All in favor?

13 VICE-CHAIR HERRERA: Aye.

14 COMMISSIONER McNULTY: Aye.

15 CHAIRPERSON MATHIS: Aye.

16 Any opposed? Any abstentions?

17 VICE-CHAIR FREEMAN: Yes.

18 COMMISSIONER STERTZ: Madam Chair.

19 CHAIRPERSON MATHIS: Mr. Stertz.

20 COMMISSIONER STERTZ: Unfortunately again I have  
21 to abstain because I haven't had the opportunity to review  
22 these thoroughly.

23 CHAIRPERSON MATHIS: Okay.

24 So the motion carries, three ayes and two  
25 abstentions.

1 WILLIE DESMOND: Could I just mention that the  
2 maps are all available on the website now, the maps tab, and  
3 the reports as well.

4 CHAIRPERSON MATHIS: Great. Thank you. All the  
5 maps and the change reports are on the website.

6 And the change log as well?

7 WILLIE DESMOND: I believe so.

8 CHAIRPERSON MATHIS: That would be helpful.

9 WILLIE DESMOND: Yes, yes, it is.

10 CHAIRPERSON MATHIS: Okay. Thank you.

11 Okay. So in terms of the next steps on these  
12 maps, it sounds like we're going to do some outreach and  
13 make sure the tribes are okay with the technical changes.  
14 And there's some ongoing work with Maricopa County.

15 MARY O'GRADY: Yes. We're doing both the outreach  
16 with the Salt River, and we'll be hearing more from Maricopa  
17 County.

18 CHAIRPERSON MATHIS: Anything else?

19 (No oral response.)

20 CHAIRPERSON MATHIS: Okay.

21 VICE-CHAIR HERRERA: Madam Chair.

22 CHAIRPERSON MATHIS: Mr. Herrera.

23 VICE-CHAIR HERRERA: I think we're meeting next  
24 week.

25 I don't know if it's something that will be an

1 agenda item that we discuss later on. If we were to meet on  
2 Tuesday and we were to adopt the final map, what happens  
3 after this?

4 MARY O'GRADY: Procedurally, you adopt the final  
5 map and then you need to vote to certify whatever is adopted  
6 to the secretary of state.

7 And for the certification, the mapping consultants  
8 will generate a list that describes -- that includes the  
9 census geography district by district, and then we'll give  
10 that information to the secretary of state, and then we will  
11 work on the submission. And, for both congressional and  
12 legislative. And so that would be the next step.

13 VICE-CHAIR HERRERA: Madam Chair, one more  
14 question for Mary O'Grady.

15 How long does the submission take for you to work  
16 on it and to actually sent it out to the Department of  
17 Justice?

18 MARY O'GRADY: Well, we are working on them now,  
19 and staff has been working on them now.

20 And so our hope is we'd probably get -- and we're  
21 following up with Dr. King also for the preparation of his  
22 final report. He'll need the final numbers.

23 So, you know, that will happen after, after the  
24 final adoption is done Tuesday.

25 And we're hoping that last week of January for the

1 congressional, and probably realistically it'll take a  
2 little longer for the legislative to get in. But that's --  
3 those are our targets.

4 A couple weeks for congressional and then a couple  
5 more weeks for legislative.

6 And if we can get it done faster, we'll get it  
7 done faster.

8 And we are planning on submitting a request for  
9 expedited consideration, expedited review, and we'll let  
10 them know about our election timetable that we have here in  
11 Arizona so they're aware of the time constraints that folks  
12 are under.

13 And along those lines, in terms of the election  
14 calendar, as I think Joe Kanefield mentioned at the earlier  
15 meeting, one of the issues in the past has been candidate  
16 signatures. They need to know where to collect the  
17 signatures, but that was dealt with legislatively last  
18 session for legislative candidates where they can collect  
19 from either the old lines or the new lines and all those  
20 signatures will be valid.

21 And there's legislation moving through the process  
22 now to make the same change for congressional candidates,  
23 which takes some of the pressure off. And that certainly  
24 needs to be done so they know -- they also need to know  
25 where to new lines are so they know how to calculate the

1 number of signatures that they need for the candidate filing  
2 deadline that's the end of May.

3 So, hopefully that's within an acceptable time  
4 frame for the Commission.

5 COMMISSIONER McNULTY: Madam Chair.

6 CHAIRPERSON MATHIS: Ms. McNulty.

7 COMMISSIONER McNULTY: Ms. O'Grady, if the  
8 congressional submittal is put together first, can that be  
9 sent to the Department of Justice independently so they can  
10 begin working on that?

11 MARY O'GRADY: Yes. That's our, that's our plan.

12 CHAIRPERSON MATHIS: Any comments from  
13 commissioners on the timing proposed?

14 COMMISSIONER McNULTY: My only comment would be I  
15 would like to see the legislative map done in less than  
16 two weeks after the congressional map.

17 And anything that we can do to help with that, I  
18 hope you'll let us know.

19 I view this like a construction project. You  
20 know, we just need to put people on it to get it done.

21 MARY O'GRADY: Okay. And part of it also we are  
22 working with Dr. King to get the expert report done and then  
23 trying to save all that time and work.

24 COMMISSIONER McNULTY: You're working on the  
25 narrative, will you be providing that to us to review as far

1 in advance of the date on which you want to send everything  
2 off as possible?

3 MARY O'GRADY: Sure. We'll do that. When we get  
4 something that's comfortable worth your time reviewing, we  
5 will send it to you. And we are -- you know, we'll see the  
6 final numbers plugged in so that we can construct the tables  
7 and that sort of thing.

8 COMMISSIONER McNULTY: Thank you.

9 VICE-CHAIR HERRERA: Madam Chair.

10 CHAIRPERSON MATHIS: Mr. Herrera.

11 VICE-CHAIR HERRERA: I agree that we should be  
12 getting the information, especially the narrative, before  
13 final submittal. But I also agree that we -- that giving us  
14 this information, that there should be nothing that we do in  
15 our end, the commissioners, that delay the process. So you  
16 would give us a date when you would submit the information  
17 to us and also a deadline of when we would get back to you  
18 on comments so we aren't delaying anything at all.

19 And also if the -- if it would help if the staff,  
20 Mr. Bladine or Ms. Gomez, to hire more staff to -- if that  
21 helps at all, to speed up the process, to do any of the  
22 dirty work, that I would recommend we do that.

23 MARY O'GRADY: Madam Chair, and I think we're good  
24 in terms of staffing levels.

25 And staff has been great in terms of their

1 support.

2           And we're -- one of the things we're doing is  
3 picking a date when the record is closed in terms of the  
4 meeting articles and public input that we've been  
5 collecting.

6           But that will be after final adoption is done.

7           We'll leave the record open for a day or two, and  
8 then shut that also so we can start putting those exhibits  
9 together.

10           CHAIRPERSON MATHIS: Any other comments from  
11 commissioners?

12           (No oral response.)

13           CHAIRPERSON MATHIS: Okay.

14           Thank you.

15           That takes us to review and discussion of possible  
16 future agenda items.

17           The Commission is again meeting next week on  
18 Tuesday at 9:00 a.m., at the Fiesta Inn.

19           VICE-CHAIR FREEMAN: No.

20           CHAIRPERSON MATHIS: Where are we meeting?

21           VICE-CHAIR FREEMAN: Not here.

22           CHAIRPERSON MATHIS: We're not meeting at the  
23 Fiesta Inn.

24           Mr. Bladine's coming up. I'm so used to meeting  
25 here that I just assume it's here.



1           RAY BLADINE: Madam Chair, it is at the Sheraton  
2 just right down the block where we met once before.

3           There wasn't room here to accommodate us on  
4 Tuesday at 9:00.

5           CHAIRPERSON MATHIS: Okay. And it's at 9:00 a.m.  
6 Okay.

7           And any agenda items that anyone wanted to add?

8           VICE-CHAIR HERRERA: Madam Chair.

9           CHAIRPERSON MATHIS: Mr. Herrera.

10          VICE-CHAIR HERRERA: If we do indeed approve final  
11 map that day, I would recommend -- you know, I'm happy to  
12 bring a cake, because I think that will be a big day for all  
13 of us, considering all the time that we've put in, the  
14 staff, the attorneys, and also for the rest of the  
15 Commission.

16          It doesn't have to be agenda item.

17          CHAIRPERSON MATHIS: It's on the record now  
18 though.

19          RAY BLADINE: Is he telling me to go eat cake?

20          COMMISSIONER McNULTY: Do we need to have the DOJ  
21 submittal as a separate agenda item for any reason, or is  
22 that something that we can discuss in conjunction with  
23 approving the maps if we do so?

24          MARY O'GRADY: Madam Chair, I think -- and,  
25 Commissioner McNulty, I think that's part of the discussion,

1 approval of maps. But we can add it. If there's time, we  
2 can -- there's not time. I think that's part and parcel of  
3 our work on the final maps.

4 RAY BLADINE: Madam Chair, I was shaking my head  
5 no. And I guess we do have -- we could -- if we were to  
6 change it, we have to use Sunday and Saturday again for the  
7 48 hours.

8 But if it's a part of the approval, it would seem  
9 to me to be better.

10 COMMISSIONER McNULTY: Oh, I'm sorry, you already  
11 did the agenda.

12 RAY BLADINE: Yes.

13 COMMISSIONER McNULTY: Oh, okay. I don't care.  
14 Thanks.

15 VICE-CHAIR HERRERA: Madam Chair, I do have one  
16 agenda item.

17 CHAIRPERSON MATHIS: Go ahead.

18 VICE-CHAIR HERRERA: The -- and, Mr. Bladine, if  
19 you can on Tuesday at that meeting give us a final wrap-up  
20 of the number of people that, you know, we've have reached  
21 out to, whether it be watching the meetings by streaming,  
22 the people -- anybody that has sent us e-mails, the number  
23 of organizations that have sent correspondence to us,  
24 anything like that, that will give us at least a close to  
25 final picture as possible on the number of people that we

1 have reached out to, just give us a nice summary.

2 RAY BLADINE: Madam Chair, we're -- and  
3 councilman -- councilman, boy, am I going back --  
4 Commissioner Herrera, we have started to pull that together,  
5 and thought we would try to get a press release right after  
6 your final meeting.

7 But we can certainly pull together what we have at  
8 this point, which would be like you said most of it.

9 I can't resist. I saw a statistic just this  
10 morning that during the hearings we traveled 28,000 miles on  
11 state vehicles. The last Commission traveled around  
12 10,000 miles.

13 No wonder we're all worn out.

14 VICE-CHAIR HERRERA: Especially, you know, as much  
15 information as you can give us on majority-minority  
16 districts, congressional and also the legislative. What I  
17 want to do is put as much on the record as possible.

18 RAY BLADINE: Okay.

19 VICE-CHAIR HERRERA: Thank you.

20 COMMISSIONER McNULTY: Mr. Bladine, did you just  
21 say state vehicles?

22 RAY BLADINE: Yes.

23 COMMISSIONER McNULTY: That doesn't count, our own  
24 personal vehicles?

25 RAY BLADINE: No.

1           COMMISSIONER McNULTY: Well, then we've been to  
2 the moon and back.

3           RAY BLADINE: Amen.

4           CHAIRPERSON MATHIS: Any other comments?

5           (No oral response.)

6           CHAIRPERSON MATHIS: Okay.

7           RAY BLADINE: Thank you very much.

8           CHAIRPERSON MATHIS: Thank you.

9           So we'll go to public comment now. I have two  
10 request to speak forms.

11           Our first speaker is Steve Muratore, publisher  
12 Arizona Eagletarian.

13           STEVE MURATORE: Madam Chair, commissioners, my  
14 name is Steve Muratore, M-U-R-A-T-O-R-E.

15           And I just wanted to speak briefly to the issue of  
16 renumbering districts.

17           The thing that occurs to me is that during the  
18 discussion earlier I don't recall that, that you had asked  
19 Strategic Telemetry for their input on that discussion and  
20 that decision.

21           I think that if the -- if there is no material  
22 obstacle that making the changes would present, it seems  
23 like it would be advantageous for people feeling inclusive  
24 to accommodate as much as possible.

25           CHAIRPERSON MATHIS: Thank you.

1           And our next speaker is Bill Roe, representing  
2 self, from Tuesday.

3           BILL ROE: Madam Chair and commissioners, I'm Bill  
4 Roe, R-O-E. From Tucson.

5           And, I just wanted a comment for a minute or two  
6 on the history of this saga.

7           For me it began 27 months ago in the fall of 2009  
8 at the meeting of the Commission of Appellate Court  
9 Appointments where they dusted off their rules from  
10 ten years ago.

11           And they talked about how are we going to do this  
12 next redistricting process from their role in choosing  
13 Commission nominees.

14           And I would just reflect some changes in how we  
15 operated as a society.

16           There were three points of discussion. They  
17 didn't think they needed to change their rules very much.

18           One was they had concern in that first Commission  
19 about public awareness of the process and how were they  
20 going to get enough people to apply to be commissioners.  
21 And this is for ten years ago.

22           And so they actively on the Commission on Judicial  
23 Court Appointments, they actively had the Commission members  
24 solicit people to apply.

25           They had 380 applications in that first cycle.

1           This cycle, they did not do that. They decided it  
2 was well covered in the press and they would not. And we  
3 ended up with 79 applicants.

4           California had 38,000 applicants this go-around  
5 and their first go at it.

6           So that was one, one change.

7           Then they talked about at some length what's the  
8 relationship of the commissioners and the Commission of  
9 Appellant Court Appointment to people who talked to them  
10 about applying.

11           And they set the same rules. Clearly the deal  
12 with judge -- judicial applicants, where every single  
13 contact is reported at the beginning of a meeting.

14           And I think those of you who were all at those  
15 meetings when you were interviewed you will remember at the  
16 beginning of each meeting they identified who they had  
17 spoken to, even if it was a really remote connection.

18           And the third item of interest was in their  
19 discussion of their rules from ten years ago, ten years ago  
20 there was absolutely no mention of internet in the rules.

21           The internet was not utilized at all, and it  
22 wasn't discussed in the rules for the Commission of  
23 Appellate Court Appointment.

24           I think that's a dramatic difference in the world  
25 from ten years ago and now.

1           I just wanted to thank all of you. I often thank  
2 my lucky stars that I ended up not being appointed. I can  
3 sit back and observe this process. But it has been  
4 extraordinarily instructive over the last 27 months. It has  
5 been interesting.

6           And I -- all of you, both staff, lawyers,  
7 Strategic Telemetry, and commissioners, you deserve our  
8 thanks of the state for persevering through to a conclusion  
9 that we have now.

10           And just two sartorial notes. Last summer when we  
11 were in the third floor of the executive tower and the air  
12 circulation did not work well and the air conditioning did  
13 not work well, we were in a packed room, Mr. Strasma looked  
14 so uncomfortable that day in his tie and his suit, and today  
15 he looks far more comfortable.

16           And then, likewise, just an award for I think the  
17 best dressed person goes to Mr. Herrera, who I often felt  
18 strongly had the best choice of shirts and neck ties. And  
19 when I complimented him on them, he said, oh, he didn't  
20 choose them, it was his twin brother in New York.

21           But, anyways, thank you very much for your  
22 perseverance.

23           I've learned a lot.

24           I think many of us have learned a lot, and the  
25 state of Arizona should be extremely grateful for all of

1 your hard work.

2 Thank you.

3 CHAIRPERSON MATHIS: Thank you.

4 Is there anyone else who wanted to address the  
5 Commission?

6 (No oral response.)

7 CHAIRPERSON MATHIS: Okay. Well, seeing, hearing  
8 none, I want to thank Mr. Strasma. He won't be here on  
9 Tuesday when we meet again, so thank you very much for all  
10 your assistance and for being here this week, and of course  
11 all previous weeks.

12 And anything else from other commissioners before  
13 I hang it up?

14 (No oral response.)

15 CHAIRPERSON MATHIS: Okay. The time is  
16 11:38 a.m., and we will adjourn this meeting.

17 Thank you.

18 (Whereupon, the meeting adjourned.)

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1 STATE OF ARIZONA            )  
  )  
2 COUNTY OF MARICOPA        )            ss.  
3

4                    BE IT KNOWN that the foregoing proceeding was  
5 taken before me, Marty Herder, a Certified Court Reporter,  
6 CCR No. 50162, State of Arizona; that the foregoing 64 pages  
7 constitute a true and accurate transcript of all proceedings  
8 had upon the taking of said meeting, all done to the best of  
9 my skill and ability.

10                   DATED at Chandler, Arizona, this 19th day of  
11 January, 2012.

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C. Martin Herder, CCR  
Certified Court Reporter  
Certificate No. 50162