

1 **ARIZONA INDEPENDENT REDISTRICTING COMMISSION**

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4

5 October 3, 2011
6 9:15 a.m.

7

8 **Location**

9 Fiesta Resort
10 2100 South Priest Drive
11 Tempe, Arizona 85282

12

13 Attending

14 Colleen C. Mathis, Chair
15 Jose M. Herrera, Vice Chair
16 Scott Day Freeman, Vice Chair
17 Linda C. McNulty, Commissioner
18 Richard P. Stertz, Commissioner

19 Raymond F. Bladine, Executive Director
20 Buck Forst, Information Technology Specialist
21 Mary O'Grady, Counsel, Osborn Maledon

22 **PREPARED BY:**

23 AZ Litigation Support, LLC
24 Michelle D. Elam, CR
25 Certified Reporter
 CR No. 50637

1 Tempe, Arizona
2 October 3, 2011
3 9:15 a.m.

4 CHAIRPERSON MATHIS: Good morning. This
5 meeting of Arizona Independent Redistricting
6 Commission will now come to order.

7 Today is Monday, October 3rd, and the
8 time is 9:15 in the morning.

9 Let's all begin with the Pledge of
10 Allegiance.

11 (Pledge was recited.)

12 CHAIRPERSON MATHIS: We'll begin with
13 roll call.

14 Vice Chair Freeman.

15 COMMISSIONER FREEMAN: Here.

16 CHAIRPERSON MATHIS: Vice Chair Herrera.

17 VICE CHAIR HERRERA: Here.

18 CHAIRPERSON MATHIS: Commissioner
19 McNulty.

20 COMMISSIONER MCNULTY: Here.

21 CHAIRPERSON MATHIS: Commissioner Stertz.

22 COMMISSIONER STERTZ: Here.

23 CHAIRPERSON MATHIS: We have a quorum.

24 Other folks around the room today are
25 legal counsel, Mary O'Grady and our mapping

1 consultant, Willie Desmond.

2 We have a court reporter, Michelle,
3 taking an accurate accounting of today's record and
4 Buck Forst, our chief technology officer.

5 Ray Bladine is our executive director.

6 In the back we have Stu Robinson, our
7 public information officer and Karen, a public
8 outreach coordinator.

9 So I think that covers all of our staff
10 that's here today.

11 Our next item on the agenda is review,
12 discussion, and direction to mapping consultant
13 regarding the development of the congressional draft
14 map based on constitutional criteria.

15 For those of you following us, you know
16 that we spent a lot of time on the congressional map
17 last week.

18 At the beginning of the week I had put
19 together what we're calling the everything bagel,
20 which essentially takes elements from the different
21 maps that we had been creating, these what-if
22 scenarios, and trying to put them onto one map so
23 that all of us could begin looking at one map and
24 working from that instead of a bunch of different
25 ones.

1 So I had given the commissioners the
2 challenge essentially to fill in the Maricopa County
3 area. I left that purposefully blank, unassigned,
4 so that that would allow for some flexibility for
5 folks to be able to carve that up.

6 And commissioners made valiant attempts
7 last week to do so, and I appreciate everyone's
8 efforts in that regard.

9 But at the end of the week, ultimately we
10 still had a map with some issues. And then we got
11 some public comment that confirmed even more issues
12 that people were having with the maps.

13 And at first I thought, well, this is
14 great. If nobody is happy, that means we did
15 something right. But there are some things that I
16 looked at over the weekend that I wanted to address.

17 And so poor Mr. Desmond got to spend some
18 time at 3:00 in the sending the results of that
19 work. And I've had a chance to look at the splits
20 report but, unfortunately, I wasn't able to get it
21 to all of the commissioners earlier.

22 But you see in front of you a map that
23 looks a little different from the one that we had on
24 Friday. You should have both Friday's version as we
25 left it and then Saturday's -- I'm sorry, the

1 weekend -- this new Monday-morning version that has
2 been now created.

3 So let me -- I thought it would be --
4 make some sense to walk through that first so that
5 we could -- I could talk to you about what changes
6 you see on this October 2nd map.

7 And bear with me, because as I think all
8 of you know, even though we had left that donut hole
9 open and available for people to carve up, when you
10 do that, there's other things that get affected.
11 There's just kind of no way to do it cleanly.

12 And the commissioners were challenged
13 last week, because they weren't allowed to change
14 the framework and the rest of the lines. They were
15 only to work within that center section.

16 So over the weekend I took the liberty of
17 making some adjustments because based on public
18 comment and what you have to do in order to fix
19 things on this map, it did require adjustment of the
20 framework.

21 But since I came up with the framework, I
22 figured it was okay if I break my own rule and
23 adjusted the framework accordingly.

24 So let's walk through this a little bit.

25 To recap, I created a map that borrowed

1 elements from the whole counties what-if and the
2 river district what-if. Those two what-if
3 scenarios, and wanted to incorporate the idea of
4 three border districts into it. And that's
5 something that we've heard in public comment. It's
6 also something I know Commissioner Stertz was
7 interested in.

8 As you may have heard Mr. Herrera on
9 Friday suggested that Mr. Stertz has been wanting
10 since he was a baby.

11 I have to be honest, I haven't wanted it
12 since I was a baby. I hadn't even thought about it
13 until it came up earlier when we started doing
14 congressional maps. But I did think it was a good
15 idea. The more I thought about it, I think having
16 an extra voice in Washington on border issues -- and
17 no matter how you feel about border issues, it
18 drives much of the political discussion in our
19 state. And so to me, having an extra voice in
20 Washington is not a bad thing.

21 So we've got these three border, two
22 mostly rural districts that came from public
23 comment. Folks in the rural areas, you know, would
24 love to have pure rural representation. They would
25 love a rural representative on our Commission.

1 Unfortunately, that didn't happen this time.

2 And we've been sensitive to, you know,
3 all public comment. And those are some things that
4 we wanted to incorporate into the map. I think all
5 commissioners felt like rural districts were a good
6 idea.

7 The challenge is there's no way to have a
8 purely rural district. To come up with 710,000
9 people in each of the districts, which is our -- one
10 of our requirements, there's no way to do that
11 without going into and touching some urban areas.
12 But we wanted to do that to the minimal extent
13 possible.

14 However, we did -- we managed to come up
15 with something that I think, you know, does
16 represent some pretty large rural areas. The river
17 district on the left-hand side and then the rural
18 district on the right.

19 And since the outside of the bagel map
20 essentially came up with a competitive rural
21 district, based on the numbers, and a competitive
22 Metro Tucson district, I had given the challenge to
23 commissioners to see if we could strive for a
24 competitive Metro Phoenix district.

25 And Ms. McNulty did last week propose,

1 for those of you following along, I'm sure you
2 recall, that District Number 9 was one that she came
3 up with in terms of developing a straight-up 50/50,
4 no built-in inherent advantage for Republicans or
5 Democrats, and that district is District 9 on this
6 map.

7 So that's kind of the recap of where this
8 map comes from, just to bring us all back to what
9 started it all.

10 We got a lot of public testimony on
11 Thursday and Friday and even over the weekend a
12 little bit and had some really good discussion, too.
13 And so I sought to incorporate ideas from some of
14 that public testimony as well over the weekend, but
15 to still kind of keep it within the framework that
16 we had created last week, and that was challenging.

17 So some lines did have to move a little
18 bit, but I think I managed to create something that
19 still is the framework but that also incorporates a
20 lot of that public comment that we heard the other
21 day.

22 So let's start in the Mesa area, since
23 that was where we kind of were last Thursday and
24 Friday, trying to make Mesa make more sense.

25 I don't know -- sorry, Mr. Desmond.

1 WILLIE DESMOND: Sorry, I just need one
2 minute more to get everything.

3 CHAIRPERSON MATHIS: I'm just going to
4 talk until -- and you guys can see it when it comes
5 up.

6 You have a hard copy in front of you,
7 sort of the general sense.

8 But as you will recall, Mr. Stertz came
9 up with an idea for that metro area last week. And
10 we tried that in the map. However, in working
11 within the constraints I had given everybody, Mesa
12 was split three times, and none of us likes that and
13 we all wanted to make it better. It was just how do
14 you do that.

15 And I have to say in order to do that, I
16 did have to make some minor adjustments to District
17 9, which was the competitive district that
18 Ms. McNulty came up with, but I think I was able to
19 maintain the integrity based on the splits report
20 and numbers I got in the middle of the night because
21 it's still, according to the different averages,
22 around 48.7, 49.6 in terms of competitiveness. So
23 that number is still holding pretty well.

24 But to just show you what happened, I had
25 to take number 9, that competitive district, which

1 is Metro Tempe, Ahwatukee, a little bit of South
2 Scottsdale and a little bit of Mesa, a tiny bit east
3 into Mesa -- and we'll pull up where exactly that
4 line is -- and then I had to move the line in South
5 Scottsdale down to accommodate for that population.
6 So the previous border there was Chaparral and now
7 it's Thomas.

8 And then there's a minor adjustment to
9 the Phoenix part of that. So maybe we can see --

10 What's the line, Willie, between 5 and 9
11 in Mesa, that actual street level?

12 WILLIE DESMOND: The actual street level
13 between 5 and 9 in Mesa.

14 CHAIRPERSON MATHIS: I think it's messed
15 up because they are different -- the tag numbers are
16 -- no, it says 5 and 9. I'm sorry. That's right.

17 WILLIE DESMOND: It's Stapley Drive.

18 CHAIRPERSON MATHIS: Okay. And I can't
19 remember, Ms. McNulty, where yours was before.

20 COMMISSIONER MCNULTY: I think it was --
21 it was west of there because we had -- the first
22 iteration it was right down the middle of Chandler
23 and I had moved it west I think to Mesa Drive to
24 avoid that. So it's just east of that.

25 CHAIRPERSON MATHIS: But the eastern

1 boundary --

2 COMMISSIONER MCNULTY: So the eastern
3 boundary is now Stapley and I think before it was
4 West Mesa Drive.

5 CHAIRPERSON MATHIS: Okay. So I'm not
6 sure how many tracts or streets over that was, but
7 anyway, it's slightly over. But it allowed us to
8 incorporate most of Mesa into a district that I
9 think makes more sense than the other one did
10 because that one is split up three times -- or split
11 Mesa three times.

12 And Scottsdale, that boundary in South
13 Scottsdale boundary that's in 9 changes, as I said,
14 from Chaparral down to Thomas. So there's a little
15 bit of -- less of Scottsdale in there.

16 So let's see. What's the next thing that
17 would make sense to talk about on this map.

18 VICE CHAIR HERRERA: Madame chair.

19 CHAIRPERSON MATHIS: Oh, go ahead,
20 Mr. Herrera.

21 VICE CHAIR HERRERA: Which -- what map
22 were looking at? We have two different versions.
23 One created on 10/1 and one created on 10/2.

24 CHAIRPERSON MATHIS: 10/2. 10/1 is the
25 one that actually is what we left with on Friday.

1 VICE CHAIR HERRERA: Okay.

2 WILLIE DESMOND: Just to clarify, 10/1
3 was the one on Friday, but with -- I changed it to
4 give zero percent population deviation.

5 CHAIRPERSON MATHIS: Right.

6 WILLIE DESMOND: So there's some minor
7 tweaks so that all of the populations have equal
8 population.

9 CHAIRPERSON MATHIS: Right. We had given
10 Mr. Desmond the authority to do some cleanup that
11 would allow for zeroing out population. And that's
12 what he did. So thank you for bringing that up.

13 So that was 10/1 version that you have in
14 front of you, which is essentially what we left with
15 on Friday, and then 10/2 is this new one.

16 So I want to make sure I've covered
17 everything on this Mesa thing that I did.

18 Okay. So essentially, though, this keeps
19 District 5 a compact East Valley district that makes
20 I think a lot more sense in terms of communities of
21 interest together.

22 On District 6, just to the north of it,
23 the Commission received some testimony on keeping
24 Scottsdale as whole as possible. At one point it
25 was split I think four ways, but now District 6

1 keeps all of Scottsdale north of Thomas Road in one
2 district. It also includes Paradise Valley,
3 Northeast Phoenix, Anthem, river -- New River, Cave
4 Creek and Carefree.

5 There was some testimony about not
6 splitting Cave Creek from North Phoenix, and this
7 map accomplishes that.

8 And I recall Commissioner Stertz using
9 I-17 as a boundary and used kind of a vertical
10 orientation, and I incorporated that into this
11 because I think that's a good -- makes a lot of
12 sense for an east -- for a north/south divider. And
13 that comprises most of the boundary between 8 and 6.

14 So moving to the left, District 8, it's
15 -- this makes more sense, I think, from a
16 communities of interest standpoint and it's also
17 more compact and cleaner lines. But I was able to
18 create a district that primarily is the northwest
19 corner of Maricopa County between I-10 and the
20 Yavapai County line.

21 And this district, it keeps Surprise
22 whole, which we got some public testimony on. And
23 in addition, the whole Sun City, Sun City West, El
24 Mirage, Litchfield Park, and Citrus Park are kept
25 whole in this district.

1 Glendale, Buckeye, and Goodyear is kept
2 in two districts, as requested, and the entire
3 Maricopa County portion of Wickenburg is also in
4 that district. So you can see that on the map.

5 So that's sort of the Metro Phoenix
6 upshot. And we can obviously look at some of those
7 boundaries closer as you desire, but that's sort of
8 a summary of what happened there.

9 VICE CHAIR HERRERA: Madame Chair.

10 CHAIRPERSON MATHIS: Yes, Mr. Herrera.

11 VICE CHAIR HERRERA: There appears to be
12 a change in District 1. I think it appears to be
13 Sedona, this area.

14 Am I correct?

15 CHAIRPERSON MATHIS: Yeah. Yes.

16 VICE CHAIR HERRERA: Can you please
17 explain what happened?

18 CHAIRPERSON MATHIS: Yes. If you don't
19 mind, I was just covering Metro Phoenix and then
20 we'll move into the other parts.

21 VICE CHAIR HERRERA: Thank you.

22 CHAIRPERSON MATHIS: So the big change
23 you see on this map besides Metro Phoenix area is,
24 of course, along the border. It looks different.
25 There's now something that looks like the state of

1 Louisiana for District 2 and that's different from
2 what it was.

3 But what happened is, you know, we got a
4 lot of input from the Hispanic Coalition for Good
5 Government and they had submitted proposed lines to
6 us that we had incorporated into the everything
7 bagel map on the west-hand side, but the eastern
8 side of it where Metro Tucson is, I had used whole
9 census tracts starting at the border, moved up
10 through Santa Cruz and then took essentially the
11 I-19 and then I-10 and used that as boundaries in my
12 previous everything version.

13 In doing that, it took some communities
14 in the Tucson corridor, in the urban area, away from
15 District 3 and put them into 2. And Hispanic
16 Coalition for Good Government, even though our
17 numbers I thought looked good from a voting rights'
18 perspective we have to maintain certain levels as
19 everyone knows in terms of Hispanic voting-age
20 population.

21 And we had done that. We had actually
22 increased it on that previous version. It went up
23 significantly; however, there's more to it than just
24 HVAP. You have to look at a bunch of different
25 things and what voters you're replacing and what

1 voters you're bringing into the district in order to
2 ensure that you're not going to have a Section 5
3 violation of the Voting Rights Act.

4 So I used -- I moved back the line so
5 it's very close to what it was in the Hispanic
6 Coalition for Good Government map. So it doesn't
7 follow I-10 anymore, the way it did, but it's still
8 -- it's following a little bit. And it brings them
9 back -- brings back in some of those urban Tucson
10 areas.

11 As everyone knows, my primary goal in
12 this, and I've stated it a bunch, is that we are
13 going to achieve preclearance, I hope, on the first
14 try.

15 And so we can't have a voting rights
16 violation of any sort. And so I wanted to ensure
17 that we look at those. And I appreciate the input
18 we received on it and think that by essentially
19 putting the University of Arizona area back into --
20 into District 3 and Campbell -- North Campbell
21 becomes kind of the boundary there.

22 And looking at the numbers as they come
23 in, it's looking like we're still pretty good. The
24 HVAP did go down a little bit from the previous
25 version, but it's still higher than the --

1 Let's see. Let's look at the -- I've got
2 some analysis from -- the HVAP in District 3 from
3 the previous version of the everything bagel went
4 down slightly. So it was 55.3 in the first version
5 and now it's 54.9. But more of Pima County is --
6 population is in District 3 than it was before. It
7 went from 203,000 in the previous version and now
8 we're back up to 221,000.

9 So I think those changes will hugely
10 impact the whole -- the voting rights side of this
11 and prove, you know, the situation that we've been
12 hearing about over the weekend. I'm hoping so, and
13 I look forward to getting more feedback on it.

14 The next -- let's see. Oh, and as --
15 District 7, it reaches into -- oh, no, I'm sorry.

16 District 3, the boundaries up in the
17 Maricopa area are taken back down a little bit
18 because we moved back into Tucson. But in moving
19 back into Tucson, there are ripple effects. So that
20 forces us to create what I said was kind of this
21 Louisiana-shaped district, too.

22 We had to go into Cochise County. So now
23 what's interesting is before we kept Cochise County
24 whole, now we are keeping Santa Cruz whole. So
25 there's a trade-off there. But we heard some

1 testimony from folks in Cochise. Cochise, the
2 portion that you see in there in District 2 now,
3 some of that is in the current district and so --
4 and those people I think will -- you know, I think
5 we'll see.

6 I mean, I'm hoping that if we can take
7 this out on the road, that public comment will tell
8 us. Folks in Cochise will say what they like and
9 don't like about that. But essentially now Cochise
10 is split and we still were able to maintain a border
11 district by having District 1 come all the way down
12 to the border.

13 And I'm trying to think what else about
14 -- oh, so you'll also notice there's a difference
15 with the whole Saddlebrooke area, which is also some
16 areas we got some input on.

17 I'll get to that. A lot of notes.

18 So the idea of combining Marana and Oro
19 Valley with the rest of the I-10 corridor,
20 particularly Casa Grande, we heard -- we initially
21 had heard testimony and we thought that those folks
22 all looked to the south and kind of viewed their
23 communities of interest and their interest in going
24 south, but then we heard later that actually they
25 are growing to the north into Pinal County.

1 And so they have also made a lot of
2 compelling cases about keeping Marana, Oro Valley,
3 Saddlebrooke together as a community of interest,
4 that would benefit from common representation.

5 So there's a shift there. And instead of
6 them being in 2 now, they go into District 1. And
7 you can see District 1 dips down.

8 It does reduce a split in Pinal County
9 because before we had it going up and Saddlebrooke
10 came -- coming down into 2, but now Pinal is coming
11 this way.

12 And let me talk about Pinal a little bit
13 because that was some great testimony I thought we
14 heard last week.

15 Those folks made a very compelling case.
16 In the previous version of the everything bagel map,
17 they were split into five different districts. And
18 they only -- there's about 375,000 people in that
19 county. So they need to make up essentially another
20 half in order to be a full district. And they are
21 growing quickly and they've grown I think a hundred
22 percent in the last ten years. So -- and it's clear
23 they will continue to grow being between those two
24 cities of Tucson and Phoenix.

25 And they came in and they weren't happy

1 last week, and I don't blame them. They talked
2 about how they are being split so many different
3 ways and how can five different congressional
4 representatives do them justice, essentially.

5 So the great benefit in dealing with
6 Maricopa the way I did and the border the way I did,
7 it allowed us to actually reduce the splits in
8 Pinal.

9 There are three splits that you see, but
10 one of those splits is only to keep an Indian
11 reservation whole and it represents very few people.
12 So it's the Tohono O'odham Reservation, which you
13 see comes into 3 a little bit.

14 But fundamentally, this map splits Pinal
15 County into two districts, 4 and 1 and the
16 population split is nearly 50/50 between those two,
17 which I think Mr. Herrera brought up last week in
18 order to try to equalize populations between those
19 rural districts would be a good thing. And I think
20 this does that.

21 So there was this great added benefit
22 that really came from making these other
23 adjustments.

24 So let's see. Let me just make sure I
25 stated which towns are where so that everybody

1 knows. And you can probably tell on the map if we
2 look at Pinal.

3 So half of Pinal is into District 1 and
4 includes the town of Coolidge, Casa Grande, Eloy,
5 and Maricopa as well as the entire Gila River Indian
6 Community and Ak-Chin Reservation. And that also
7 satisfies some public comment we received from the
8 Navajo Nation Human Rights Commission last week who
9 requested that that reservation, Gila River
10 Community, be put into CD 1. So that's where it is
11 now.

12 I'm trying to see what else. If we can
13 look at the Gila County area, too, since that's
14 up --

15 Commissioner Freeman had the idea last
16 week of moving the nonreservation portions of Gila
17 from District 1 to District 4 to increase the
18 percentage of rural population in District 4, and
19 yet I heard Ms. McNulty also talk about how that --
20 she had concerns that that was going remove the
21 towns of Globe and Miami from the rest of the copper
22 corridor, particularly in rural Pinal.

23 So this map moves much of the
24 nonreservation portions of Gila to District 4 but
25 the southern portion of the county is kept in

1 District 1 to keep the copper corridor intact.

2 So I'm hoping I'm meeting both those
3 notes from the commissioners last week.

4 And then if we could talk about the part
5 Mr. Freeman, that Mr. Herrera brought up that he has
6 a question about, that Verde Valley area.

7 I'm not sure why on 10/1, the map is
8 showing the way it is on -- between 1 and 4 because
9 I had requested when I had created the everything
10 bagel version for Mr. Desmond to follow the river
11 district version map line all the way down to the
12 Maricopa County border, but I can tell on this
13 version from 10/1 that it's not like that. And I
14 thought we had made that change where the river
15 district -- I had said we're going follow the river
16 district line between 1 and 4 all the way down to
17 the Maricopa County border.

18 WILLIE DESMOND: What happened was that
19 that moved I think an additional 19 or 29,000 people
20 away from District 4, which just kind of exacerbated
21 the problem of it missing population.

22 So I think one of the first steps we took
23 as a group to try to make up that 210,000 was to
24 undo that change and just follow the county line
25 before.

1 So that was a change for a while but then
2 got changed back when we tried to start with fixing
3 District 4 before filling the donut hole.

4 CHAIRPERSON MATHIS: Okay. I hadn't
5 realized that.

6 So now this line -- so what is it --
7 let's see what it's doing now.

8 WILLIE DESMOND: So now it just grabs
9 Sedona and then Camp Verde and then Lake Montezuma.

10 CHAIRPERSON MATHIS: Okay. Yeah, I
11 hadn't realized that that had changed on the 10/1
12 map because I thought it was the way it was on the
13 river district map.

14 So as you can see, changes had to be
15 made. This is what's -- it's incredible when you
16 start just changing things even minutely what it
17 does to all of the other districts and they all end
18 up having to be impacted. And I think commissioners
19 noted that last week and felt a little bit like,
20 okay, we can fill in the donut hole map, but if
21 we're not able to move the other lines, it's kind of
22 -- it's not really that helpful because other lines
23 do have to move if we're going to satisfy all of the
24 public comment that we received.

25 And granted -- again, this is a

1 compromised map. This is something that is trying
2 to bring in as much of the public comment that we've
3 received to satisfy the different requests, to also
4 satisfy the two majority-minority districts and also
5 yet keep three border districts.

6 So the framework is intact as it was last
7 week, but the lines have changed. And so I would
8 just open this up for comment from other
9 commissioners to see what they have to say about it.

10 And I apologize, again, for the lateness
11 of this. It's almost like being in school again
12 where things gets done in the deep of the night
13 because you just run out of time. It takes a lot of
14 time. And then Mr. Desmond had to take everything I
15 did and run the reports on it.

16 So I appreciate, again, his efforts to
17 have this in front of you this morning.

18 It's a lot to digest.

19 COMMISSIONER MCNULTY: Madame Chair.

20 CHAIRPERSON MATHIS: Ms. McNulty.

21 COMMISSIONER MCNULTY: I have a question
22 for legal counsel.

23 What is our HVAP benchmark in District 3?

24 Maybe Mr. Desmond has the answer to that.

25 WILLIE DESMOND: I'm pretty sure it's

1 50.23.

2 COMMISSIONER MCNULTY: Okay. Thank you.

3 VICE CHAIR HERRERA: Madame Chair.

4 CHAIRPERSON MATHIS: Mr. Herrera.

5 VICE CHAIR HERRERA: And the benchmark
6 for 7 was 57.45, just to confirm?

7 WILLIE DESMOND: That's correct.

8 VICE CHAIR HERRERA: Thank you.

9 COMMISSIONER MCNULTY: Would you say that
10 again, Mr. Herrera.

11 VICE CHAIR HERRERA: 57.45 was the
12 benchmark for 7.

13 CHAIRPERSON MATHIS: I'm open to
14 constructive criticism.

15 UNIDENTIFIED SPEAKER: Madame Chair,
16 since we have a pause here, can we get that posted
17 up in -- you're talking about stuff we cannot see.
18 We might as well not be in the room.

19 CHAIRPERSON MATHIS: Sure. I'm sure that
20 it will go up -- and Buck is nodding his head yes.

21 WILLIE DESMOND: Buck has it. He's in
22 the process of uploading it right now.

23 VICE CHAIR FREEMAN: Madame Chair.

24 CHAIRPERSON MATHIS: Mr. Freeman.

25 VICE CHAIR FREEMAN: First of all, I want

1 to thank you for the considerable amount of time you
2 no doubt put in on this, and we all -- since we're
3 all trying to do this, it is time consuming, at
4 times very tedious, at other times it's kind of
5 addicting. When you move the tracts around and one
6 thing affects another and then all of a sudden
7 three, four hours have gone by and -- or the sun has
8 set and the sun has come up.

9 It is a lot to digest.

10 I also appreciate your efforts to
11 incorporate the public comment, as you called out,
12 on a number of these changes.

13 In terms of the information regarding the
14 voting rights' compliance, I mean, I think we
15 perhaps should get some input on that to see what
16 the Hispanic community thinks of these new proposed
17 lines.

18 Also on the competitiveness issue, I
19 still -- I still don't completely understand the
20 measures that we're getting on reports and how they
21 are generated. And, of course, I'm always looking
22 for more data and more robust data set on that.

23 So I would like to spend some more time
24 looking at those numbers as well.

25 But on the whole, thank you for putting

1 this together and I would just like to study it
2 more.

3 WILLIE DESMOND: And if I could just say
4 Ken right now -- I called him at the beginning of
5 the meeting -- he's working on documenting what goes
6 into the different competitiveness measures.

7 As soon as he has that ready, he'll send
8 it to me or Mary and then we'll distribute it and
9 make sure it's part of the record and goes on the
10 website so that everyone can understand what goes
11 into those.

12 CHAIRPERSON MATHIS: Great.

13 VICE CHAIR FREEMAN: That sounds helpful.

14 CHAIRPERSON MATHIS: Comments from other
15 commissioners?

16 COMMISSIONER STERTZ: Madame Chair.

17 CHAIRPERSON MATHIS: Mr. Stertz.

18 COMMISSIONER STERTZ: Mr. Desmond, is
19 that -- when you're saying that the compilation --
20 that's currently the 2008, 2010 out and the
21 algorithm that's attached to that?

22 WILLIE DESMOND: It's 2008, 2010 and in
23 some cases, registration and the algorithms that are
24 attached that blend those together, different
25 appropriations and different ways.

1 So form -- I guess there's three measures
2 that you guys have been looking at so far, and,
3 obviously, you haven't voted on one above the other
4 or haven't picked a competitiveness measurer.

5 Our intent has been so that you guys can
6 use them as a relative measure to compare plans
7 against one another.

8 But there's the one that comes on the --
9 like the data table sheet and that is one blend of
10 those results and then there's two more indexes that
11 come on the competitiveness sheet that's at the end
12 of your packets on the competitiveness report.

13 That's on the website. And those are two different
14 blends. One takes into account registration also.

15 So Ken will document exactly how those
16 are formed and we should have that hopefully by no
17 later than this afternoon.

18 COMMISSIONER STERTZ: Thank you.

19 COMMISSIONER MCNULTY: Madame Chair.

20 CHAIRPERSON MATHIS: Ms. McNulty.

21 COMMISSIONER MCNULTY: So this will be
22 available for us to look at more closely perhaps
23 during a break today?

24 WILLIE DESMOND: The compilation of the
25 competitiveness or this --

1 COMMISSIONER MCNULTY: This map.

2 WILLIE DESMOND: Yes. Buck is working
3 right now I believe to get this posted, and I have
4 the full export, so I can copy over block
5 equivalencies or any other format to your guys'
6 computers, if that's helpful but whatever you need
7 to look into it.

8 COMMISSIONER MCNULTY: Okay. I think
9 that would be helpful.

10 CHAIRPERSON MATHIS: I would like,
11 commissioners, though I've got say, to -- I'm going
12 to emphasize first this is a draft map. We are
13 going to be taking this on the road for three weeks,
14 at least, to public comment.

15 I would like to get something adopted as
16 soon as possible. I feel like we've had a lot of
17 time to study this, but I can appreciate how this is
18 new this morning and you want to look at this
19 further.

20 But I'm hoping that perhaps this
21 afternoon after there's been some time to digest it
22 a little further that we can actually move forward
23 with this congressional map.

24 I think it represents a good compromise
25 of all of the different competing factors. It's

1 based on constitutional criteria that we all used to
2 create our what-if scenarios as well as then
3 additional public comment that we incorporated from
4 last week. And it meets that framework of two
5 rural, three border. It splits Pinal a whole lot
6 less than it was split.

7 And I think it's a good map, and so
8 that's my take. And I would hope that maybe we can
9 think about this today and do something on it later
10 today and actually adopt it, if possible.

11 But regardless, we -- the next item on
12 the agenda -- and I know, Mr. Herrera, you're going
13 to need to step out for a while; is that right?

14 VICE CHAIR HERRERA: That is correct.
15 I'm actually leaving now. So what I'll do is once
16 the meeting is over, I'll be back. Hopefully
17 sometime before lunch.

18 CHAIRPERSON MATHIS: Okay. Lunchtime.

19 COMMISSIONER MCNULTY: Madame Chair,
20 before we move on, could I ask Ms. O'Grady a
21 question?

22 CHAIRPERSON MATHIS: Sure.

23 COMMISSIONER MCNULTY: I think you were
24 looking at the Voting Rights Act issues vis-a-vis
25 the donut hole iteration.

1 Could you just talk a little bit about
2 that and about this -- sort of the relative -- your
3 thoughts about them.

4 MARY O'GRADY: Sure, Commissioner
5 McNulty.

6 We have been looking at the voting
7 rights' issues, comparing the districts to the
8 benchmark, as the chair said. The benchmark
9 district and also looking at the input we've
10 received from the Hispanic Coalition and comparing
11 it to their maps, not just on the surface -- both in
12 terms of the minority numbers in those districts,
13 the voting-age minority numbers, but also looking at
14 how the districts are constructed. Because
15 particularly District -- what is new District 3 on
16 these maps is a combination of various Hispanic
17 populations in different communities. So looking at
18 the relative strength of those -- relative
19 representation of those areas in the maps.

20 And what this does is, again, raise the
21 Hispanic percentage in the new District 3,
22 maintains -- essentially maintains the Hispanic
23 representation in the District 4, the urban Maricopa
24 County district and it also retains the core of
25 those areas in terms of the Hispanic population in

1 Tucson and in Yuma and in Maricopa County.

2 So I know there was testimony Friday
3 expressing respecting concerns that the voting
4 rights' analysis isn't done yet, but certainly in
5 terms of fulfilling our constitutional obligation at
6 this point in the process, we have satisfied both in
7 terms of our state constitutional responsibility to
8 make sure that we have considered all of these
9 factors and considered compliance with the Voting
10 Rights Act.

11 And so at this point, I think this is
12 something I'm comfortable saying, that we would
13 avoid retrogression. Certainly we want to do a
14 deeper analysis and certainly that will continue,
15 but it satisfies I think what's necessary at this
16 stage of the process.

17 And just kind of drifting into the
18 constitutional obligation at this stage in the
19 process, as the chair said, this is a draft and your
20 obligation at this stage is to adjust that grid map
21 based on the state constitutional criteria, all of
22 them, Voting Rights Act compliance, which you have
23 been doing, equal population, compactness,
24 contiguity, communities of interest, geographic
25 features, cities, and towns, et cetera, and

1 considering competitive districts -- favoring
2 competitiveness districts where it isn't a
3 significant detriment to the other factors. So you
4 have been considering all of those.

5 There was also testimony Friday about the
6 competitiveness analysis and how that may still be
7 refined by adding older, like 2004, 2006 data, and
8 that can certainly happen.

9 It doesn't detract from the fact that the
10 Commission is fulfilling its constitutional
11 responsibilities at this phase, but considering
12 competitiveness as it constructs these maps and as
13 it adjusts the grid.

14 So overall, I'm comfortable at this stage
15 with both the voting rights' issues that are raised,
16 also certainly we'll continue to look at that and
17 then the Commission can continue to look at that and
18 in terms of the Commission's effort over the past
19 several months to consider all of the constitutional
20 criteria in constructing that. Not that you all
21 agree, but as the Supreme Court said, commissioners
22 may differ on how those apply -- are applied and how
23 these competing factors are put together in
24 developing a map.

25 That's probably more than you wanted, I

1 think, but at this point I think it addressing some
2 those issues.

3 CHAIRPERSON MATHIS: Mr. Desmond.

4 WILLIE DESMOND: I just wanted to
5 interrupt.

6 The website -- the files have been
7 posted. So both of these maps are now available.

8 CHAIRPERSON MATHIS: Thank you.

9 Thanks, Buck.

10 COMMISSIONER MCNULTY: Madame Chair.

11 CHAIRPERSON MATHIS: Ms. McNulty.

12 COMMISSIONER MCNULTY: Mary O'Grady's
13 comments bring to the forefront of my mind one
14 issue.

15 I would understand one of your -- one of
16 the compromised points here would be that -- I was
17 hoping to construct -- hoping to arrive at a -- a
18 potentially competitive district, a second
19 potentially competitive district in Maricopa County
20 based on the established neighborhoods above and
21 around the voting rights District 7 using that kind
22 of as a core for something that might evolve into a
23 competitive district. And I would understand that
24 that's probably not -- when I look at this more
25 closely, I'm probably not going to see that bear

1 out.

2 Is that your understanding?

3 CHAIRPERSON MATHIS: Well, I didn't -- I
4 didn't construct 7 in any particular way to achieve
5 competitiveness. I think competitiveness is a goal
6 that we all -- that we should all strive for.

7 I think everyone likes competitiveness.
8 Objectively it's a very fair thing to think that
9 either party could win at any given election. It's
10 also very -- it's also one of six criteria that we
11 have to balance equally with the others. And it's
12 no lesser but it's also no more.

13 So I personally really would like to see
14 as much competitiveness as possible, but I do think
15 that this map, having a competitive rural, a
16 competitive Tucson metro, as I said, and achieving
17 something close to a competitive Phoenix district is
18 pretty good.

19 And I know there are some who feel that
20 that may fall short, but again, this is a
21 compromised map. I think in order to stay within
22 the framework and do all of the things we've wanted
23 to do and take in as much public comment as
24 possible, it's -- I think three is achievable here
25 and we've shown that.

1 And as for what we can do beyond that and
2 what will happen over the next ten years with growth
3 in this state, and hopefully growth and other
4 things, you know, I don't know what will happen in
5 terms of the future for competitiveness, but I do
6 believe that we are to oversee the mapping of fair
7 and competitive districts.

8 So that's what the Constitution says and
9 I think we are factoring that in, as we should,
10 equally with the others. And it can't be to the
11 significant detriment of the other goals. So, you
12 know, we've talked about it a lot, I know, but --

13 VICE CHAIR HERRERA: Madame Chair.

14 CHAIRPERSON MATHIS: Mr. Herrera.

15 VICE CHAIR HERRERA: I need to step out.
16 So I'll be back.

17 CHAIRPERSON MATHIS: Have fun.

18 COMMISSIONER MCNULTY: Madame Chair,
19 another comment that there are a lot of things to
20 look at and think about here.

21 The changes to Pinal County in
22 particular, they really jump out at me. This is --
23 this is a real improvement in that part of the
24 overall map. And it appears to be -- it makes a lot
25 of sense, I think, the way that line is drawn to

1 keep San Tan Valley and Apache Junction and Gold
2 Canyon and those areas together and then to have the
3 growing parts of Pinal County, the I-10 corridor,
4 and those areas together.

5 CHAIRPERSON MATHIS: Yeah, the Pinal
6 County, I agree, that was one of the wonderful
7 benefits I think of making some of these changes is
8 that it actually did reduce splits in a significant
9 way.

10 So any oath comments or questions?

11 Mr. Stertz.

12 COMMISSIONER STERTZ: Madame Chair, what
13 is your -- being that this is a very large work
14 product that you put together and knowing the energy
15 it takes to put something like this together, it
16 takes equal amount of energy to review it and
17 analyze it.

18 Are you anticipating that you are wanting
19 to adopt this map today?

20 CHAIRPERSON MATHIS: Yes.

21 I think that this map incorporates much
22 of what came out of whole counties and river
23 district in a way that allowed also to have three
24 border districts. And so it's not like it just came
25 out of nowhere. From the beginning, which -- about

1 a week ago today is when it first appeared on scene.

2 And we talked all week about different
3 changes that we all felt needed to be accommodated.
4 We also took in a lot of public input all week and
5 over the weekend, and I think that this map
6 accomplishes most of the goals and we're still
7 meeting all of constitutional criteria.

8 It's still a compromised map, no doubt.
9 There are things that I know people will have things
10 to talk about, and Cochise I'm sure will be one of
11 those counties that probably will have a lot to say
12 about it because now they are split.

13 But again, not everybody -- no one got
14 everything they wanted in this. I guess that's the
15 point. So I realize it's down the middle of the
16 road kind of map. But that's me. That's the
17 Independent.

18 Ms. McNulty.

19 COMMISSIONER MCNULTY: I wonder if it
20 makes any sense to -- do we know when Mr. Herrera is
21 going to be back?

22 CHAIRPERSON MATHIS: He just said
23 lunchtime. And we have a break for lunch today. So
24 we can talk about it more when he returns, but
25 unless there are more comments, we can move on to

1 the leg map.

2 COMMISSIONER STERTZ: Madame Chair.

3 CHAIRPERSON MATHIS: Mr. Stertz.

4 COMMISSIONER STERTZ: Before we jump to
5 that, there is -- if your anticipation is that we
6 are going to adopt this map today, that's going to
7 require a piece of time, a breakaway quiet time, for
8 at least me, to be able to have even the most
9 cursory review of looking at this and the background
10 data that supports it.

11 Again, we're moving forward without
12 having 2004, 2006, so I have to look at populations
13 and registration.

14 In light of not knowing what the -- how
15 the algorithms are written to be able to even have a
16 clear understanding about how the competitiveness
17 analysis that Strategic has put together. I don't
18 know -- what makes that up, so I can't personally
19 use that as anything other than some sort of a
20 low-level benchmark.

21 So I do have to take a look at my
22 knowledge of the state, my knowledge of areas, and
23 I'm going to need some breakaway time in order to do
24 that.

25 CHAIRPERSON MATHIS: Well, one

1 alternative is -- I mean, I don't know -- we've got
2 lunch scheduled. We could also recess, you know,
3 for a while, too, if people felt like that would be
4 a helpful thing to do. But the main thing is to
5 just talk about legislative maps.

6 So what do other commissioners think
7 about that? Do we want to recess during this time
8 when Mr. Herrera is away for a little bit? Maybe an
9 hour or do you want to just keep going and then at
10 lunch take a lunch break or what would be -- what
11 would make sense?

12 COMMISSIONER STERTZ: Well, Madame Chair,
13 since you happen to know this map intimately since
14 it's your creation --

15 CHAIRPERSON MATHIS: And I'm very
16 comfortable with it. Try it. You'll like it.

17 COMMISSIONER STERTZ: There are aspects
18 of this that integrated many of the things that I
19 had begun to go down Friday, some that don't. So I
20 need to -- I need to understand the implications.

21 I'm also really clear that once a draft
22 map -- there's this sort of discussion that once the
23 draft map is approved, that there can be sweeping
24 changes to it. I'm really not believing that that's
25 much the case.

1 I think that once the draft map -- once
2 we start going down that path, that there's going to
3 be tweaks on the edges, not large sweeping changes.

4 I know the contemplation of the approval
5 of this draft map is something that we need to pay
6 close attention to and what they ramifications are
7 now.

8 UNIDENTIFIED SPEAKER: Public comment
9 before you vote.

10 CHAIRPERSON MATHIS: Okay. Any other --
11 Mr. Freeman.

12 COMMISSIONER FREEMAN: Madame Chair, when
13 you look at this -- I mean, one thing that jumps out
14 at me is Pinal County has gotten more whole. So I
15 really like that. And then your eyes also tend to
16 focus on troubling aspects of it like Florence and
17 Coolidge are in two different congressional
18 districts, and I view those a very tight bond
19 between those two cities. Now, maybe there's
20 nothing that can be done.

21 I mean, ultimately, when we draw the
22 lines, there's going to be things like that that
23 happen.

24 But in studying it, you try to go through
25 the mental exercise, and I know you've already done

1 this, but I have to do it, I guess. So whether
2 there is a way that this could be tweaked before we
3 to vote on it.

4 We've got to go through the legislative
5 maps. There's going to take some time.

6 I know you want to vote on this today. I
7 don't know if there's a reason where we initially
8 have to do it today. You're going to call the shots
9 on that -- on that vote today because we got to take
10 30 days -- no matter what, we're going to have to
11 take 30 days after the legislative map is -- draft
12 map is voted on. So that really starts to move the
13 clock, and I don't know if we're really going to
14 save any time on the congressional map at this
15 point.

16 CHAIRPERSON MATHIS: I think there's a
17 psychological advantage, frankly, of putting
18 something to rest for now for all of us.

19 We've all been talking about this for a
20 long time and have given and great deal of time and
21 effort to making it do all of the things we wanted
22 to do and incorporate as much public comment as
23 possible, and I think we've done that.

24 I would like to achieve consensuses on
25 this. If we can't do that, we can't do that. But

1 to me, consensus -- I guess it depends on your
2 definition of consensus, too. But to me, it's not
3 everybody gets everything they wanted. It may not
4 be ideal, but it's something we can all ultimately
5 support and get behind.

6 So that's why I would like to see
7 consensus achieved on the draft map, but if we
8 can't, then we can't and we'll just -- but we have
9 to move on because October 11th is the start of our
10 second round of public hearings and we've got a lot
11 of work to do on the legislative maps.

12 So that's kind of where I'm coming from.
13 And so I would like to -- I'm hoping that
14 commissioners would be able to have a chance to take
15 in this information and be able to support it. But
16 we'll see. It may not be possible, so we'll see.

17 COMMISSIONER STERTZ: Madame Chair.

18 CHAIRPERSON MATHIS: Mr. Stertz.

19 COMMISSIONER STERTZ: As you're aware, I
20 was approaching this in a similar fashion. And as I
21 put in testimony on Friday that we needed to go
22 outside of the design parameters that you had
23 provided to us, which was staying inside the donut
24 to make it work. I think you discovered that this
25 weekend, that you needed to do that. It was a valid

1 attempt to try to work inside the donut but it just
2 doesn't work.

3 I also went to the next step, and that
4 was, as you have already done, which is to break the
5 barriers of the designer district, the District 9,
6 and actually created, which I called my planet Z1
7 map, which was -- which actually created a higher
8 level of competitiveness in a couple more areas,
9 including Maricopa County without sort of picking
10 and choosing the specific areas. Again, designing
11 around many of the other constitutional issues that
12 we've been working with.

13 I also do appreciate that in this map you
14 actually have a way to get to -- in District 4 that
15 you actually have a way to get to Apache Junction
16 and Gold Canyon. Because as it was designed, you
17 had a geographic barrier preventing you from being
18 able to get to it. Now you'll have to take rural
19 roads to get around the Superstitions, but -- there
20 is a mountain range that divided it in the last
21 iteration.

22 I'm pleased that there was some
23 consideration taken there. I'm still a bit unclear
24 on cities that almost tie themselves together.

25 Commissioner Freeman mentioned Coolidge

1 and Florence. There are others that I need to get a
2 better understanding on.

3 So in the short-term, Madame Chair, I
4 might suggest we take a short break. I would like
5 to collect my thoughts on this and then determine
6 whether or not we -- I think there was -- the
7 concept of setting aside public testimony until the
8 end of today with the concept of voting on a map
9 prior to public testimony is disconcerting to me. I
10 would like to at least be able to know that we will
11 able to capture the last piece of public testimony
12 before we place a vote on this map and at the same
13 time I would like to be able -- if the goal is to
14 study this map and to vote on this today, I would
15 like to have the opportunity to give my comments so
16 I can place those into the record.

17 CHAIRPERSON MATHIS: Sounds good.

18 I agree. I would like to have public
19 comment. We can bring public comment into it before
20 any action would be taken. And obviously, we would
21 want Mr. Herrera to participate in the vote. So it
22 won't be happening until later this afternoon --
23 public speaking -- or public comment.

24 Mr. Freeman.

25 COMMISSIONER FREEMAN: Just looking

1 through my crystal ball, here is how I think the
2 legislative map development is going to go.

3 The Commission worked sort of as a whole
4 on two sort of options, as the way the legislative
5 districts could be drawn. And there were two
6 different -- slightly different approaches, but we
7 got to a point where we were -- well, during this
8 iterations of the legislative district maps, we were
9 giving sort of broad instructions to the mapping
10 consultant, but we got to a point where somebody had
11 to really dig in and really start looking at
12 communities of interest and other constitutional
13 criteria in moving those lines around.

14 I went ahead and sent -- I think it was a
15 couple weeks ago -- some detailed instructions as to
16 changes as to the option that I favored developing
17 and Commissioner McNulty did the same thing.

18 I think it was within -- I chose option 1
19 and she ended up choosing option 2.

20 Subsequent to that, we have really been
21 focusing on the congressional map, but I was able to
22 put together some additional instructions at the
23 beginning of last week on the map I have been
24 developing.

25 And to save time over the weekend, that

1 was really my focus, was really making a lot of
2 fine-tuning adjustments, a lot of population
3 balancing, and it's in order of magnitude more time
4 consuming than with the congressional map. And I
5 know Commissioner McNulty has done the same thing.

6 So we've got a map that she's developed
7 that no doubt she likes and is highly refined.
8 We've got a map now -- or will have a map because I
9 gave the files to Mr. Desmond this morning that I
10 have developed.

11 I mean, one of the things I know we had
12 wanted to try to do was look at similarities and
13 differences and ways we could come to agreement.

14 It's a very complicated problem and now
15 we're going to have two maps we're going to be
16 looking at on the legislative district side.

17 It's going to be a lot for us to digest.
18 I think we should look at them, definitely, but
19 we're going to -- tomorrow is going to be a dark
20 day. It may be a study day, again, for us. I am
21 anticipating on a way to try to forge one map and
22 that's where you may come in on that as well on the
23 legislative side.

24 And so then we're looking at Wednesday
25 and Thursday and possibly part of Friday to refine

1 that map. We're still going to be looking at voting
2 on both sets of maps, assuming, that we did not vote
3 on the congressional map today, on Friday.

4 I don't know if that sounds reasonable to
5 you, but that's kind of the way I see things shaping
6 up.

7 CHAIRPERSON MATHIS: Okay.

8 Yeah, I think that is reasonable, but I
9 do also believe that there is some advantage to
10 firming up the draft map for congressional today and
11 getting -- moving on to the next step.

12 So I have been concerned about the
13 process for legislative because we do have -- again,
14 it's kind of like the river district and whole
15 counties thing happening where we've got a Freeman
16 versus McNulty kind of thing, but I hate to say -- I
17 don't want to make it sound like a fight, because
18 it's not, because there's actually some areas of
19 common ground.

20 And in terms of process, I would be
21 interested to hear from other commissioners because
22 this is tricky. There's 30 districts we've got, and
23 I don't know if maybe the best thing to do is for
24 Mr. Desmond, if this is possible, to at least create
25 a map that's got the common areas or, you know, ones

1 that are very close to being the same on the two
2 versions and, you know, start with that. Start with
3 the common ground part and then talk about the other
4 areas.

5 I don't know the best way to do that. I
6 would be open to other idea, but I do worry that --
7 you know I don't want to be put in a position where
8 it's -- you know, I've got to either side with the
9 Freeman map or the McNulty map. I would like us all
10 to be on one map again, just like the other one.

11 So -- and that's -- that is trickier to
12 do. So I'm thinking we're going to have to come
13 together earlier at least on the one map on this
14 legislative piece than we did on the congressional.

15 UNIDENTIFIED SPEAKER: Madame Chair.

16 CHAIRPERSON MATHIS: I don't think we can
17 take comment right now, right?

18 WILLIE DESMOND: I was just going to say
19 today during the lunch break or if we do take a
20 recess, I'll work with what Commissioner Freeman
21 gave me in order to have a packet ready for you guys
22 so you can at least look at those this afternoon.

23 I believe everyone except for
24 Commissioner Herrera has Commissioner McNulty's
25 packet from last week. We can post those files to

1 the website this afternoon. And at least then
2 you'll have the most updated legislative maps.

3 I don't know if you want to each kind of
4 walk through them this afternoon or if you want to
5 take both of them home tonight and study them
6 tomorrow and come back Wednesday and kind of decide
7 how to proceed.

8 I would be able to put an overlay of them
9 together but it's going to be tricky, kind of, I
10 think with so many districts to try to merge them
11 without some serious input from the Commission on
12 where to make those decisions.

13 Does that makes sense?

14 CHAIRPERSON MATHIS: Yeah, it does.

15 WILLIE DESMOND: So depending on how time
16 goes today and if people are comfortable with it, we
17 can look at doing that today or else if you wanted
18 to do that on Wednesday after everyone has had a
19 little time to study the two maps, we could also do
20 it then.

21 CHAIRPERSON MATHIS: Yeah, I would like
22 to move forward to the extent possible. We're all
23 here today and we need to be -- we have very little
24 time left. We have a week from today that we need
25 to be done. So we really need to maximize the

1 amount of time that we have together and so I would
2 suggest we start looking at it today.

3 COMMISSIONER MCNULTY: Madame Chair.

4 CHAIRPERSON MATHIS: Ms. McNulty.

5 COMMISSIONER MCNULTY: I think that makes
6 sense. I think it makes sense to walk through each
7 one today and discuss conceptually areas in which we
8 have agreement and areas in which we don't have
9 agreement.

10 You know, I expect that based on the
11 experience with the congressional maps that certain
12 of the areas of disagreement will -- they are not
13 geographic so much as conceptual, as I said.

14 If we can maybe begin by arriving at an
15 understanding of what our -- what our goals and
16 objectives are and the ways in which we might find
17 some common ground on those and maybe spend tomorrow
18 also really focusing on whether there are ways that
19 we could pull together something that to the extent
20 possible achieves common ground, but, you know,
21 satisfies all of our objectives and then Wednesday,
22 Thursday, and Friday really focus on getting through
23 all of that on the legislative side.

24 CHAIRPERSON MATHIS: That sounds good.

25 So the time right now, which is 10:22,

1 the only other things on the agenda besides the
2 public comment are the standard executive director's
3 report. And there might be a short one from Ray.
4 I'm not sure if he's around right now.

5 I can't say, but -- so it's really public
6 comment and legislative map discussion and a little
7 bit of study time built in, too. So we can either
8 start that study time now or we could start talking
9 about having people walk through their legislative
10 grid maps.

11 COMMISSIONER MCNULTY: Madame Chair, I'm
12 just a little concerned that if we walk through the
13 legislative grid maps without Mr. Herrera here, then
14 it's going to be hard -- we're going to have to --
15 at some point he's going to either have to listen to
16 the stream -- in order to get to the same place we
17 all are. And given the sort time frame we have, it
18 might make sense to begin that process when we are
19 all in the room.

20 CHAIRPERSON MATHIS: Okay. That works.

21 So it's -- that kind of leaves us with
22 the executive director's report, public comment, and
23 recess.

24 So I'm hearing a vote for recess. It's
25 10:24 a.m. Should we take a recess until

1 Mr. Herrera is back, which may mean that you have an
2 earlier lunch. If you could -- so that we're not
3 then taking a hour for lunch, to bump up the recess.

4 I would like to come back when
5 Commissioner Herrera is back.

6 COMMISSIONER MCNULTY: That works for me.

7 CHAIRPERSON MATHIS: Okay. So let's
8 plan -- it's 10:24 in the morning. We'll have a
9 recess until Mr. Herrera returns, which we're being
10 told is around the lunch hour. So he should be back
11 within an hour and a half or so.

12 Thank you.

13 (A recess was taken from 10:24 a.m. to
14 1:06 p.m.)

15 (Mr. Herrera joined the meeting.)

16 CHAIRPERSON MATHIS: Good afternoon. The
17 time is 1:06 p.m. We'll conclude recess and enter
18 back into public section. We had been discussing
19 agenda item 2 before the break and we now have five
20 commissioners back and hopefully people had some
21 time to consider what we discussed. And I also
22 wanted to jump to public comment so that we can
23 obtain some from you all and then I thought we could
24 discuss that map a little further and then we would
25 move on the to the legislative, I hope.

1 So let's start with public comment.

2 Just to remind everyone, if you could
3 contain your comments to three minutes or so, that
4 would be really helpful just so that everyone gets
5 an equal opportunity to address the Commission. And
6 be sure to speak directly into the microphone so we
7 get an accurate accounting of your record and also
8 spell your last name for our court reporter, please.

9 VICE CHAIR HERRERA: Madame Chair.

10 CHAIRPERSON MATHIS: Oh, Mr. Herrera.

11 VICE CHAIR HERRERA: Just a
12 clarification.

13 Are the public comments restricted only
14 to the congressional draft map or is that --

15 CHAIRPERSON MATHIS: Yes, that's great
16 point.

17 They are. So if I read your name and you
18 don't have any comment on the congressional map that
19 we talked about this morning but you do have on an
20 agenda item that's later in the day, I'll come back
21 to you later for that. For instance, if you're
22 wanting to speak about legislative. So this is
23 about the congressional draft map, agenda item 2.

24 Bill Engler, representing self from
25 Anthem.

1 BILL ENGLER: Thank you, Madame Chair,
2 and commissioners.

3 My name is Bill Engler, E-n-g-l-e-r. I
4 am a resident of Anthem, and I speak first very
5 briefly on community of interest.

6 And I see the congressional maps you're
7 drawing, you're showing us in Anthem and New River
8 both, and moving west from there rather than moving
9 east.

10 I know earlier this morning you addressed
11 the Carefree and Cave Creek area. Our local
12 newspaper is actually a Cave Creek/Carefree
13 newsletter -- newspaper, and I believe most of the
14 people in my community would really see themselves
15 as aligned with those folks and North Phoenix rather
16 than the more rural areas to the west of us.

17 We are not a retirement community as are
18 the Sun Cities. I would just like to make you aware
19 of that.

20 I know there's nothing you folks can do
21 to make the area in which I live competitive.
22 Whether you move our district where it is now or
23 move it to the east of my area, it's not going to be
24 competitive.

25 But what I would urge on this Commission

1 is elsewhere in the state, most especially in the
2 Phoenix area, to please try to draw competitive
3 districts. I believe even meeting the other
4 criteria that you set for yourself and the loss
5 that's for all of you, that you could reach one more
6 competitive district.

7 I thank you very much for allowing my
8 comments.

9 CHAIRPERSON MATHIS: Thank you.

10 Our next speaker is Sara Presler, mayor,
11 City of Flagstaff.

12 SARA PRESLER: Is it possible for us to
13 put the map up that was proposed?

14 CHAIRPERSON MATHIS: Certainly.

15 SARA PRESLER: Great. Thank you for your
16 patience.

17 My name is Sara Presler, P-r-e-s-l-e-r,
18 mayor of the City of Flagstaff, Arizona. Address
19 211 West Aspen, Flagstaff, Arizona 86001.

20 Madame Chair, members of the Commission.
21 Thank you for having me here today to testify before
22 you again related today specifically at this time to
23 the congressional district maps.

24 The City of Flagstaff continues -- even
25 during the fire alarm -- to value a redistricting

1 outcome that is first and foremost compliant with
2 the Voting Rights Act of 1965. And we like to try
3 very hard to address those issues on the front end
4 so that we're not addressing them on the back end.

5 And we would like to see the Commission
6 work to not regress in its representation of
7 populations in Northern Arizona, maximizing
8 competitive districts across the state and including
9 Flagstaff in such a district.

10 We value placing Flagstaff a district
11 whose communities share our same transportation,
12 economic, higher education, governance, and natural
13 resource interests such as forest health and water
14 issues and we value placing Greater Flagstaff in a
15 single legislative district.

16 I came today prepared to talk about a
17 different map. And when I got here, I was feeling a
18 little bit surprised and it made me feel nervous as
19 a community leader because I spend, like, an hour
20 getting a gallon of milk at the local grocery store
21 because what happens here with you, I take back like
22 ten times more back at home.

23 And nothing is more representative than
24 being a mayor. And not only that, but I'm vice
25 chair of the Greater Arizona Mayors Association. So

1 I represent mayors from Coconino, Yavapai, and
2 Mohave County in our mayors coalition. And we meet
3 regularly and talk about issues like this.

4 So whether it's -- you know, there's a
5 line for the pastor after church and then there's a
6 line for me after church.

7 So I just want to share with you that I
8 take this moment very seriously and I understand the
9 depth to which you have to respond and work and to
10 be flexible.

11 So after I got over that initial feeling
12 of, oh, my gosh, there's a new map, I really saw and
13 this thought of this moment that Mayor Bavasi, who
14 is a long-time Arizonan and he was mayor of
15 Flagstaff, head of the League of Arizona Cities and
16 Towns, he's now the head of the school board and the
17 hospital board.

18 He told me that when I became mayor, that
19 my job isn't to make everybody happy, but my job is
20 to make everybody equally unhappy.

21 And I thought to myself, well, gee whiz,
22 compromise can be really complicated sometimes. But
23 compromise and building consensus isn't the same
24 thing as being unanimous and having unanimity.

25 So not everybody has to say the exact

1 same thing to know that you are moving in the right
2 direction.

3 So with that kind of perspective and
4 thinking about the people that have mentored me in
5 leadership over the years, I thought to myself, if
6 my community saw this map, what would they say?

7 And I think that -- not only my community
8 but these other communities that I work with
9 representing other mayors and talking to the mayor
10 of Cottonwood and -- I went to high school in
11 Bullhead City and went to elementary and junior high
12 in Tucson, and I think about having lived all around
13 Arizona, and I think to myself, this really does
14 start to move Arizona in the right direction.

15 Does it need to be modified in a couple
16 little places? Maybe so. But in the bigger
17 picture, when I think about representative democracy
18 and my responsibility to speak to you about what not
19 only my community but in representative democracy we
20 should be trying to do, this makes sense to me.

21 So at first I felt caught off guard, and
22 then I thought to myself, there are really strong
23 values here in the idea of you adopting today the
24 idea of a model map for us to take into the comment
25 period.

1 You see, coming from a smaller community
2 in Arizona, predictability is essential. And so you
3 can see how I felt today, like, whoa, that was a big
4 moment, but then I thought to myself, well, imagine
5 if we went through Thursday or Friday and then all
6 of these families getting the trick-or-treating
7 outfits together and, like, trying to run their
8 businesses and I had all of these CEOs lined up to
9 see you tomorrow but now you're not meeting tomorrow
10 so now they are going to come on Thursday.

11 So imagine not only their feelings as
12 business leaders and our feelings as elected
13 officials talking to you, but just the general idea
14 of engaging the citizens.

15 So it may be not be exactly what each and
16 every one of you wants, but when I look at this,
17 having listened to your hearings, and I do find joy
18 in listening to your hearings. I'm one of those
19 weird policy kids. So when I think about it, I
20 really do -- for example, you know, Commissioner
21 Freeman, I hear you when you say you just got this
22 and you have to be able to take a look at it and
23 understand it and understand the data.

24 And you know, Commissioner Stertz I hear
25 you when you say just when you are getting it and

1 all of that time that the chairwoman put into it,
2 you need that kind of time to be able to respond.
3 Us as a community, we need that kind of
4 predictability.

5 And so what I would encourage you to do
6 is to hear from a rural perspective when we say we
7 are moving in the right direction and this is
8 representative of building consensus, not a
9 unanimous position.

10 And it's our job to move Arizona forward
11 and to do it in compliance with the Constitution and
12 the Voting Rights Act.

13 And so when we look at these principles,
14 I say this is something we could bring back to our
15 communities to really talk about. We build three
16 border districts. We have communities of interest
17 related to the city's values, for example
18 transportation issues, economic corridors, higher
19 education, governance, natural resource issues,
20 and -- did we get or does everyone get everything
21 they want? No.

22 But what I would suggest to you is that
23 there is integrity to building consensus. And the
24 community values that integrity because they know
25 that everybody is trying to get to the same goal.

1 And we know that when we share our values like
2 fairness and predictability and collaboration among
3 cities, engaging in an integrative process -- I
4 mean, integrative processes and collaboration are
5 essential points to good decision making.

6 So we as communities have talked, and
7 this is moving in the direction that we think the
8 state should move for redistricting.

9 Our community held six public work
10 sessions, and I think that I more than probably most
11 people in the room know what it means to have to be
12 responsive and flexible as a local leader.

13 I mean, in my first year as mayor we had
14 like a helicopter crash, we had a wildfire, a road
15 closed down between Phoenix and Flagstaff. Local
16 leaders all the time have to be responsive and
17 flexible.

18 And so I just want to, you know, say
19 leader to leader today that there are some moments
20 when you don't get every single thing you want but
21 you know that you're moving in the right direction
22 and that the people that you are working for are
23 asking you for predictability, for clear
24 expectations.

25 And so what I want to suggest to you is

1 that -- I really see my role as a mayor, as a
2 servant leader. And as a servant leader I want to
3 have us take a bigger perspective and praise you for
4 the work that you have done. It is meaningful work
5 and it is important work that you are doing and I
6 say that to my core, and I believe that.

7 Now, does everybody out here have a
8 different idea on how we should get there? You bet.
9 But are we moving in the direction that we should?
10 Yes. Is there value to creating predictability by
11 moving toward a compromise that we can then discuss
12 and build consensus around and have a real
13 conversation about rather than figuring out which
14 map has been uploaded at which point or that point?

15 I'm excited that we have three border
16 communities. Do I want to touch Mexico and not only
17 touching Mexico, but respectfully just to share with
18 you, I did a little bit of research and the district
19 as it stands borders Utah, New Mexico, Colorado, the
20 Kaibab-Paiute Tribe, the Hualapai Tribe, the
21 Havasupai Indian Tribe, the Navajo Nation, the Hopi
22 Tribe, White Mountain Apache Tribe, San Carlos
23 Apache Tribe, Gila River Indian Community, Zuni
24 Pueblo and now Mexico.

25 So imagine, right, we as a community are

1 ready for you to be courageous and to tap into your
2 strength as leaders and to give us a predictable,
3 thoughtful map that's moving in the right direction.

4 We understand as a community things are
5 going to need to ebb and flow, but we just ask you
6 to take action today and to create that
7 predictability for us as a community.

8 In closing, I just want to share with you
9 that the Commission's work to unite these tribal
10 communities is a major achievement and we should
11 beware to not be consumed by adding additional
12 issues.

13 For example, you know, the Hopi Tribe and
14 the Navajo Nation being in the same congressional
15 district, that is huge. Right now we're in a
16 congressional district where a third of my
17 congressional district doesn't have electricity or
18 running water.

19 So on the bigger picture, this is a real
20 win. Is it everything everybody wants? No. But,
21 you know, if you look at consensus building as
22 moving in the right direction instead of being
23 unanimous and that it can't be your job to try to
24 make everybody happy but you can work really hard to
25 make everybody equally unhappy, I think we are going

1 to have a much better outcome for our state.

2 So I appreciate you listening to me, and
3 listening to our community. I represent 65,000
4 citizens, and a Flagstaff metropolitan planning area
5 of a hundred thousand.

6 We expect three council members from
7 Navajo Nation to be here today. They have come down
8 to testify before you. They are en route here
9 today, if they are not already behind me.

10 So it's with grace and appreciation that
11 I stand open for any questions that you might have.

12 CHAIRPERSON MATHIS: Thank you.

13 Any comments or questions?

14 VICE CHAIR HERRERA: Thank you.

15 CHAIRPERSON MATHIS: Thank you very much,
16 mayor.

17 SARA PRESLER: Thank you.

18 CHAIRPERSON MATHIS: Our next speaker is
19 Steve Muratore, publisher Arizona Eagletarian.

20 STEVE MURATORE: Thank you, Madame Chair,
21 commissioners.

22 The most important point I wanted to make
23 at this stage of the game is that I think it's
24 significant that when you're preparing to adopt a
25 congressional draft map you do not have a way to

1 measure competitiveness.

2 I think that's a significant issue that
3 needs to be addressed. I would like to see it
4 addressed before you adopt the map. But if that's
5 not going to take place, at least be prepared for
6 more than just tweaks afterwards because if you
7 can't measure competitiveness now, you don't really
8 know what the draft map that you're getting ready to
9 adopt represents for the people of Arizona.

10 I've also mentioned to a couple of people
11 a concern I have with my voting precinct. As it
12 stands now, which is overwhelmingly Democrat, it
13 would be, as it is now, lumped in with a safe
14 Republican district, and I find that troublesome and
15 disenfranchising and I hope that can be addressed.

16 Thanks.

17 CHAIRPERSON MATHIS: Thank you.

18 Our next speaker is John Fillmore, State
19 Representative from Pinal County.

20 JOHN FILLMORE: Thank you for allowing me
21 to speak here this morning. I'd come rather
22 belatedly. I had hoped to have been earlier to have
23 watched the total proceedings, but I thought it was
24 imperative that I do come. I'm off my regular job.

25 I listened this morning when you first

1 went online for a few minutes and it became very
2 clear that I had to come down here and speak up on
3 behalf of Pinal County because the current map
4 creates some very distinct and disturbing issues
5 with me that I would ask that the Commission -- and
6 again, I want to reiterate what I just heard here a
7 few minutes ago.

8 My heart goes out to you people doing
9 your job. You're damned if you do and damned if you
10 don't, and I won't damn you. I'll be the first to
11 tell you that. I wish you guys a lot of luck. I
12 know it's not a good job that you guys have put
13 yourself into, but I say thank you for being willing
14 to do that.

15 But I need to speak about Pinal County,
16 because quite frankly, I've heard from a lot of my
17 people over the weekend and some of the concerns
18 that they have.

19 And when we look at the map as it is
20 currently envisioned by the congressional map, there
21 is no sense of continuity.

22 What does Apache Junction have in common
23 with the sense of community from -- with someone in
24 Yuma or someone up in the Northwestern corner?

25 I mean, the district you've created is

1 one of the largest, and it seems to revolve -- or
2 evolve coming out of a dissected part of Pinal
3 County with Apache Junction.

4 Apache Junction has no similarities with
5 a great portion of those. We're borderline with the
6 copper communities that align our great -- in our
7 mountains.

8 But if we divided Pinal County -- and
9 you're dividing it five different ways. When I look
10 at Pima County, for crying out loud, that's divided
11 only a couple of times.

12 And I heard the opening speaker this
13 morning say that they were talking about the border
14 alignment and how it was a good thing for us to have
15 three congressional seats which are on the border.

16 And I say, well, you know, why don't we
17 just take Apache Junction and leave it in Pinal
18 County and increase some of that area below Yuma so
19 that you would have the ability to have four.

20 And when we say, well, Pinal County,
21 we're giving you five congressional seats that have
22 been based out of there, that is not correct because
23 the reality of it is that we are going to lose all
24 of our congressional strength because you've taken
25 Congressional District 1 and created it into one of

1 the largest -- well, two of the largest in the state
2 and you've diluted it down, increased it, but the
3 geographical area --

4 And I needed to point out that the area
5 that you have included with Apache Junction and the
6 San Tan area was the largest and fastest-growing
7 district in the United States several years ago with
8 the influx of people.

9 This map will be obsolete literally
10 within a year, year and a half easily, because the
11 amount of people that are living in that area right
12 now in the San Tan area, that area unincorporated
13 has more people in it than the city of Casa Grande
14 or the city of Apache Junction as a whole.

15 This does not do any benefit to us. And
16 it is largely empty homes now that are being taken
17 over. And as those people come back into it, that
18 population is going to double within the next year,
19 year and a half.

20 So I wanted to put these issues on the
21 table. I say that as you go forward with a little
22 bit of tweaking, you take that into consideration
23 because Apache Junction and Pinal County as a whole
24 needs to have the continuity of their community.
25 And they are a community that is a little bit

1 different.

2 We are the center of the state. We are
3 like a clogged artery between Maricopa and Pima
4 country -- Pima and Maricopa County. And we are a
5 very important one, but we are the one that's going
6 to fill the fastest, we are being divided the most
7 and there is no sense of community with that.

8 With that, again, I say thank you with
9 what you are doing, and I appreciate that. And I
10 hope that some consideration will be done because
11 there are concerns, as I look at this map, that
12 Congressional District 4 is a very heavily -- I'm a
13 Republican. I make no qualms about it. And it is
14 overwhelmingly for Republican. I'm all for that,
15 but the other side of the coin is that I don't think
16 it's to the benefit of the state of Arizona to do
17 what we are doing up there. And I ask you to give
18 consideration to that.

19 Thank you very much.

20 CHAIRPERSON MATHIS: Thank, you
21 Representative.

22 Am I allowed to speak just briefly about
23 that and the Pinal County area?

24 MARY O'GRADY: Yes.

25 CHAIRPERSON MATHIS: Okay. The map

1 changed significantly over the weekend. We heard
2 loud and clear from all kinds of focus on Pinal --
3 from Pinal County on Friday. They came out in
4 droves, and we appreciated that input because they
5 told us essentially you're splitting us five ways
6 and how can you get good representation? How can
7 five commissioners -- I'm sorry, five congressmen
8 representing your one county.

9 So we tried to reduce splits of Pinal
10 County over the weekend. And working with our
11 mapping consultant, I figured out a way to do that.

12 We've now got it down to three splits,
13 and that third split is only because the Tohono
14 O'odham Reservation comes in and there's 300 people
15 there that have to be with the reservation. And so
16 there is that split.

17 But the rest of the county there's only
18 two splits now. And we have tried to divide the
19 east and west with -- we've got these two rural
20 districts, you know, flanking the state and tried to
21 divide the urban population that has to go into each
22 of those, unfortunately, because we just can't get
23 to 710,000 without going into -- interface with some
24 urban areas, but we divided that evenly between the
25 two rural districts.

1 And so now -- and this was the big
2 conundrum on Friday. That whole Gold Canyon, San
3 Tan Valley, Apache Junction is just growing super
4 fast. And we are trying to figure out how and
5 what's the best way to accommodate them into an
6 area, because they are kind of all similar in that
7 regard and began to do that by putting them into 4.
8 So 4 comes down a little more. It does take
9 Florence but it allowed us to keep the copper
10 corridor, intact.

11 And so this map that's up there now kind
12 of shows you the changes that were made.

13 The other change that happened was we --
14 the Navajo Nation Human Resources Commission -- or
15 Human Rights Commission, excuse me, they had
16 requested the Indian reservation there. And right
17 now that's part of their district as well, which was
18 about 1,000 people.

19 So the splits in Pinal have been reduced
20 significantly from Friday, because -- frankly
21 because your folks came out and educated us in a
22 really good way.

23 JOHN FILLMORE: Commissioner, if I could,
24 first of all, I sincerely appreciate my constituents
25 coming out and raising their corners on that, and I

1 say thank you for any changes you have made, but I
2 would be remiss if I did not add that while I
3 appreciate some of the concerns, I just look at this
4 map -- and this is the first time I've seen that --
5 the map with these changes because I'm still working
6 on the congressional map as of 1/1 (sic), which is
7 even at your back table.

8 But I would say to you on this issue,
9 that if you take Congressional District 8, which
10 would not affect any of the Native American
11 communities or anything, and you did a little bit of
12 an inflow into the far west side of Congressional
13 District 8 -- because my concern is is that when you
14 look at Apache Junction and Gold Canyon and the San
15 Tan area, which is one of the largest growing areas
16 out there is, is that growth, again, is going to
17 make it obsolete very quickly. But it also takes
18 and it separates us from all of the far western part
19 of the state and the river communities that are all
20 down there from Bullhead City all the way down to
21 Yuma.

22 But if you just tweaked them a little bit
23 on 8, which would enable you to then take and bring
24 all of that little duck -- tail that hangs off of
25 this map off, I think that it would be more

1 beneficial to the state overall.

2 And I'm not here to give anybody work,
3 but just to offer a suggestion that I would think
4 that the mapping people could take a look at that.

5 We're talking bodies, and in that -- and
6 I'm also concerned about this because just the fact
7 that a congressional serving member of congress is
8 going to take a look at that and he looks at the
9 geographical area and he looks at the amount of
10 people and where they are at and how they are
11 hundreds and hundreds of miles away and -- you know,
12 will we be able to get the representation that we
13 need?

14 Whereas, if we could do that, you would
15 solve several points. Number one, you would allow
16 Pinal County to have a little bit more continuity in
17 the community. You allow the city of Apache
18 Junction to have the ability to then work within the
19 county a lot more without having to go to different
20 congressional delegation.

21 You would allow San Tan, which is looking
22 at incorporation along with Gold Canyon here
23 shortly, to have that same ability, and at the same
24 time it would aid on the western side of the state.

25 I would just put that forth as a

1 consideration for you.

2 And I say thank you because, Commissioner
3 Mathis, I know you got a good job and my heart is
4 out to you, but these are changes that we need in
5 the state of Arizona.

6 Thank you.

7 CHAIRPERSON MATHIS: Thank you very much.

8 Our next speaker is Tom Ransdell,
9 representing self from Casa Grande.

10 TOM RANSDELL: Madame Chairman,
11 commissioners, Tom Ransdell. That's
12 R-a-n-s-d-e-l-l, Casa Grande, Arizona.

13 I, too, as the mayor of Flagstaff found
14 myself prepared to speak to a different map when I
15 arrived here this morning. So I am very glad at the
16 changes that I see here in Pinal County. I was
17 wiggling out all weekend.

18 CHAIRPERSON MATHIS: Sorry.

19 TOM RANSDELL: This is much better.

20 However, when we talk about
21 competitiveness in the different districts -- by the
22 way, were you able to get copies of that map?

23 WILLIE DESMOND: I believe they are on
24 their way.

25 TOM RANSDELL: Okay. Thank you very

1 much.

2 Now that I see this, I'm a lot more less
3 troubled; however, I'm a rural kind of guy, and
4 looking at the two rural districts, I keep going
5 back to some previous maps, and maybe a hybrid.

6 I noticed -- it appears to me, and I
7 could be wrong because I don't come to all of the
8 meetings, but I've been going to the ones in Casa
9 Grande, that things kind of settled from the north
10 and kind of moved down south. And at the south end
11 of the state it seemed like you were making up --
12 you know, making up work. That's my impression. I
13 could be entirely wrong.

14 But what I'm thinking -- look at CD 1 now
15 and CD 4. They are both rural in nature, that's
16 their intention, but I'm not sure if they are really
17 competitive.

18 If you go back and look at, like, map 7e
19 or 6d, I'm thinking if you could get Coconino County
20 into the CD 4, you would be able to pull up the
21 southern boundary of CD 4 in Pinal County and
22 probably take care of -- and then I think you would
23 have two independent competitive districts.

24 I don't think they really are competitive
25 the way they are right now. And I know you've got a

1 lot to do and the chairman is clearly ready to move
2 on, but if you could just take a look at that before
3 you actually come up with a draft map, I would
4 really appreciate that.

5 Pinal County, as you are -- I'm sure are
6 aware, has 375,000 folks in it and it was the second
7 fastest growing county in the country in the last
8 ten years with basically a hundred percent growth
9 rate.

10 Coconino County has approximately half
11 that many people and I think their growth rate has
12 been somewhere around 15, 20 percent, in that range.

13 So we're real proud of what's happening
14 in Pinal County and we're trying to keep it as whole
15 as we can and then we're trying to keep the two
16 rural districts as rural as we can.

17 So if you would take a look at that and
18 give that some thought, I would really appreciate
19 that.

20 CHAIRPERSON MATHIS: Thank you very much.

21 TOM RANSDELL: Thank you for your time.

22 CHAIRPERSON MATHIS: Our next speaker is
23 Stephen Miller, city councilman from the City of
24 Casa Grande.

25 STEPHEN MILLER: Good afternoon,

1 Commission. Thank you for this opportunity to
2 speak.

3 My name is Stephen Miller, 930 North
4 Lindberg, Casa Grande, Arizona.

5 Miller, M-i-l-l-e-r.

6 I, too, have to echo some of the same
7 things you've probably already heard here.

8 Having been on the city council for ten
9 years, I am the person that they come to at the
10 grocery store or stop at the Wal-Mart and discuss
11 these issues. So I'm presented with questions at
12 times that are hard to explain, but anyway, I get
13 through it.

14 The -- I think the testimony from last
15 week was to keep Pinal County as whole as possible.
16 And as the rumors were flying that it was divided
17 into five and we see now that we are in three, we
18 are looking better there.

19 But I would say that the community
20 interest is whole as far as the rural areas of the
21 state. I think that goes hand in hand with the CD
22 1.

23 So -- and I can see the division as far
24 as the San Tan Valley maybe being closer to the
25 upper Valley or the central Valley.

1 I would suggest that Florence might be
2 cut into with Coolidge. They have more common
3 interests there. That seems to be a more natural
4 fit.

5 I don't know what that does to the
6 numbers. I think in today's computer age, we could
7 probably find that out pretty quick.

8 But my last point is I would -- I like
9 this map as long as it is competitive. I think
10 without having competitive numbers or the numbers to
11 look to see how competitive that 4 and 1 are, we
12 need to see those numbers before a vote is taken on
13 them.

14 And again, give everybody an opportunity
15 to really analyze this to whether or not it is
16 competitive or not.

17 With that, I thank you for your time.

18 CHAIRPERSON MATHIS: Thank you.

19 COMMISSIONER MCNULTY: Madame Chair.

20 CHAIRPERSON MATHIS: Ms McNulty.

21 COMMISSIONER MCNULTY: I would just like
22 to clarify, as we seem to have a little
23 misunderstanding.

24 On the back page of these maps we do have
25 a competitiveness report that has two pretty

1 sophisticated analysis of the competitiveness of
2 these maps and what we've done and then also a
3 statement of the distance from state average of
4 competitiveness using each of the measures.

5 So you have two measures that kind of
6 show you head to head Democrat versus Republican,
7 and I think in a two-way manner, is that correct,
8 Mr. Desmond, the competitiveness of the districts,
9 that's the first column.

10 The second column shows the distance of
11 that from statewide average.

12 The third column has party registration
13 factored into it.

14 The fourth column has the distance of
15 that measure from the statewide average and then the
16 final three columns show registration.

17 Strategic Telemetry is in the process of
18 adding the 2004, 2006 numbers to these numbers and
19 so that will further refine these measures but
20 they -- what we have already still is, I think, a
21 very good indication of the competitiveness of each
22 of the districts. And we will only get during the
23 next 30 days more information.

24 So I didn't want folks thinking that
25 there is no measure. There is some pretty good

1 measures and you'll find them on the last page of
2 your packet of each map.

3 UNIDENTIFIED SPEAKER: We don't have the
4 recent map.

5 UNIDENTIFIED SPEAKER: We don't have it.

6 WILLIE DESMOND: That report isn't
7 available.

8 COMMISSIONER MCNULTY: Can you put that
9 up, Willie?

10 WILLIE DESMOND: It's up.

11 COMMISSIONER MCNULTY: It is up online.

12 UNIDENTIFIED SPEAKER: It's up where?

13 COMMISSIONER MCNULTY: Let's put it up
14 here and maybe when we're done with public comment
15 when we get back to that map, if the chair thinks --
16 if we have a lot of questions about that, we can
17 just walk through that.

18 CHAIRPERSON MATHIS: Sure. Good idea.

19 WILLIE DESMOND: It's on the website. If
20 you look under the links that are supplied for every
21 map, there is a link to competitiveness report
22 .XLSX.

23 CHAIRPERSON MATHIS: I see it.

24 WILLIE DESMOND: And that is the piece of
25 information that Commissioner McNulty was

1 referencing.

2 CHAIRPERSON MATHIS: Thank you.

3 COMMISSIONER STERTZ: Madame Chair.

4 CHAIRPERSON MATHIS: Mr. Stertz.

5 COMMISSIONER STERTZ: In speaking about
6 competitiveness, and as Commissioner McNulty was
7 describing in 2004, 2006, being added in, one of the
8 things that we've asked -- or I've asked the --
9 Strategic Telemetry for is actually the algorithm
10 about how these numbers are actually calculated.
11 Because currently we have -- I as a commissioner,
12 unless the other commissioners have some insight
13 that I'm unaware of -- I as commissioner had no clue
14 about how these numbers were created.

15 I know the pieces to them, but there is
16 an algorithm that was created by the mapping
17 consultant, which we have yet to receive.

18 So even though these are numbers and they
19 show something, I have no idea what this something
20 is.

21 So until I have that information, I'm
22 sort of discounting that from my perspective and
23 looking purely at registration and registration
24 advantage one way or the other to give myself an
25 indication of competitiveness.

1 I'm looking forward to getting more
2 information from the consultant. I'm looking
3 forward to this Commission picking a range or
4 picking a method. I'm looking forward to the 2004,
5 2006 race data being included in to this data. I'm
6 also looking forward to knowing how the data was
7 compiled.

8 CHAIRPERSON MATHIS: Mr. Desmond.

9 WILLIE DESMOND: I've been waiting for a
10 confirmation from Ken, but just in the last maybe 20
11 minutes or so I looked back at his competitiveness
12 presentation that he gave and I believe he explains
13 what the things are there.

14 So I'm not positive these are what
15 comprise that. I haven't received a confirmation
16 yet, but I believe if you look at the
17 competitiveness presentation that he gave, he kind
18 of lists what goes into those different measures.

19 But I'll update you once I've confirmed
20 that information.

21 CHAIRPERSON MATHIS: And that
22 presentation is online, right, for folks to see?
23 Because if they pull up the meeting, we should
24 probably give the date of when that occurred.

25 WILLIE DESMOND: I believe so.

1 CHAIRPERSON MATHIS: Maybe someone can do
2 some research for us and tell us.

3 VICE CHAIR HERRERA: Madame Chair.

4 CHAIRPERSON MATHIS: I'm sorry,
5 Mr. Herrera.

6 VICE CHAIR HERRERA: What I would like to
7 do -- I remember that presentation that Ken Strasma
8 gave over -- probably a little over a month ago
9 probably now.

10 CHAIRPERSON MATHIS: Right.

11 VICE CHAIR HERRERA: It was extremely
12 detailed. Why don't we do it again if we need to be
13 refreshed. I think it answered all of our
14 questions. But if we need a refresher, I wouldn't
15 mind hearing it over again.

16 CHAIRPERSON MATHIS: Sure. I don't know
17 if he's --

18 VICE CHAIR HERRERA: I think he's focused
19 on two different areas, so competition and also
20 compactness, I think was the presentation.

21 So if he could focus on the competitive
22 piece, it should hopefully help us out again.

23 CHAIRPERSON MATHIS: Great.

24 So you'll keep us posted if you hear
25 anything different?

1 But that's a great suggestion that this
2 was presented online in a previous public meeting,
3 an entire presentation on competitiveness.

4 WILLIE DESMOND: And I just want to
5 stress that the measures that are in the reports is
6 something that Ken and Bruce -- I'm not positive
7 that that's what those indexes are. I'm just --
8 I'll let you know when I've confirmed that. But I
9 think that's what they are. So --

10 VICE CHAIR HERRERA: Madame Chair.

11 CHAIRPERSON MATHIS: Mr. Herrera.

12 VICE CHAIR HERRERA: When will
13 Mr. Strasma be at the next meeting?

14 WILLIE DESMOND: I'm not sure. I think
15 he was available to come this week if needed.

16 VICE CHAIR HERRERA: What I would like to
17 do, whenever he's going to be here next, have him
18 present at the next meeting that he'll be in town
19 for.

20 WILLIE DESMOND: Okay.

21 CHAIRPERSON MATHIS: Our next speaker is
22 Jonathan Nez or Nez, I'm not sure, N-e-z, council
23 delegate for the 22 Navajo Council.

24 Okay. I'm getting handed signals but I'm
25 not sure what they mean.

1 Oh, okay. We could do another speaker if
2 they are not ready. Would that be okay?

3 Okay. We'll continue to the next one and
4 come back to Mr. Nez.

5 Tom Miller, representing self from Pinal.

6 TOM MILLER: Good afternoon. I'm Tom
7 Miller, from Casa Grande, Arizona, Pinal County. I
8 live at 1102 East Avonita Grande, Casa Grande.

9 Miller is M-i-l-l-e-r. No relation to
10 Steve who just spoke a few minutes ago.

11 But in my original testimony down in Casa
12 Grande when you had your first meeting down there I
13 was very heavily in favor of keeping Pinal County
14 whole. And obviously, I was a little bit disturbed
15 when I -- we saw the maps that came out the other
16 day that has five different representatives. I'm a
17 lot more relaxed now that we're at least down to
18 three and basically two.

19 But I -- pretty much what Tom Ransdell
20 and Steve said, I'm pretty much in agreement with
21 them, although I would like to see the numbers that
22 verify the competitiveness, especially between
23 districts -- proposed Districts 1 and 4.

24 This is something that we felt was needed
25 to be -- needs to be verified before you vote on the

1 final map.

2 So that's pretty much all I've got to say
3 now, but, again, thank you very much for the work
4 you've done and at least I feel like we're making
5 progress, anyway.

6 CHAIRPERSON MATHIS: Thank you.

7 Jonathan Nez, council delegate for 22
8 Navajo Nation Council.

9 VICE CHAIR HERRERA: Madame Chair.

10 CHAIRPERSON MATHIS: Mr. Herrera.

11 VICE CHAIR HERRERA: It would probably be
12 best if people don't give us their address at all
13 because I'm always nervous to see -- like an elected
14 official that needs to not provide us with his or
15 her address. What if we don't take an address from
16 anyone?

17 CHAIRPERSON MATHIS: That's a good
18 suggestion. I like that.

19 We are not to consider, you know,
20 addresses of incumbents in any of our decision
21 making.

22 So just to keep it safe, if -- even if
23 you're just representing yourself, don't provide us
24 with your complete address. You can tell us what
25 city or town you live in or county but you don't

1 need to give us a street-level address.

2 Sorry about that.

3 JONATHAN NEZ: Good afternoon, Madame
4 Chair, members of the Commission.

5 For the record, my name is Jonathan Nez,
6 Navajo Nation council delegate for the sovereign
7 nation of the Navajos.

8 We come before you today with a
9 delegation of Navajo Tribe from Navajo Nation in
10 support of the current CD 1 proposed map that was
11 developed today.

12 There are nine Native nations in this
13 proposed map which we support pursuant to the
14 communities of interest. And I believe the
15 communities of interest of Native tribes are similar
16 in what pertains to federal issues, Washington D.C.,
17 particularly trust relations, water rights,
18 international drug trafficking.

19 I see that proposed map for the new CD 1
20 goes south and reaches the border. And there has
21 been issues with drug trafficking up on the
22 reservations, as they know a lot of the trafficking.
23 Drug traffickers are utilizing secondary routes now
24 and a lot of those are in tribal communities.

25 So we appreciate that and I believe that

1 will open up some funding, especially under the
2 high-intensity drug trafficking area, high
3 designation, as Navajo County has been recently
4 dealt -- distinguished and certified under.

5 And again, we mentioned here testifying
6 before you that we do support the current map. And
7 I think it brings up the Native American Voting
8 Rights Act for citizens in Native American
9 communities as well as the Northern Arizona.

10 And we do -- have done a lot of work on
11 creating some of our numbers for the congressional
12 map. And I believe our Navajo Nation employees and
13 other elected officials have testified at a couple
14 of the maps being proposed to you.

15 And as we look at this new proposed map
16 today, it is something that we can pretty much live
17 with. I think a lot of our proposed recommendations
18 are encompassed in this map as well.

19 As always, Navajo Nation is always at the
20 forefront with other Native American communities and
21 helping out in the redistricting process for
22 Arizona.

23 The Navajo Nation aims to be a
24 participant in Arizona and congressional elections
25 as well and we do look at the new -- the proposed

1 congressional map here is very equitable and we just
2 wanted to state that position for the record, Madame
3 Chair and members of the Commission.

4 And I appreciate your time. Appreciate
5 your listening to me today.

6 God bless you.

7 Thank you.

8 CHAIRPERSON MATHIS: Thank you very much.

9 Our next speaker is Jerry Brooks, former
10 mayor of Chandler.

11 JERRY BROOKS: Thank you, Madame
12 Chairman.

13 I would like to express my appreciation
14 for what the Commission is doing.

15 My is Jerry Brooks. Last name is spelled
16 B-r-o-o-k-s.

17 I'm here to talk about continuity as a
18 and community of Chandler.

19 The city of Chandler has been divided
20 roughly along the lines that you are proposing now
21 in the last review, and a major part of Chandler has
22 been -- the western part of Chandler has been
23 exempted from the core of our city.

24 I would like to ask you to take a look
25 and see if you can't do for Chandler what you

1 apparently have done for Mesa, Tempe, and Gilbert.
2 A little more integrity for the continuity for the
3 city of Chandler.

4 It's our interest -- we have vital
5 industrial complexes in Chandler and they all tie
6 together. It's important that they be represented
7 by one congressman, in my opinion.

8 Thank you very much for your time and
9 consideration.

10 CHAIRPERSON MATHIS: Thank you.

11 Our next speaker is Wes Harris, PC
12 Captain LD 6-28.

13 Madame Chair, commissioners, thank you
14 very much.

15 Before someone can be critical, I think I
16 firmly believe that you have to walk a mile in their
17 moccasins. So this weekend, I again, endeavored to
18 redraw the state and it is coming up here.

19 Madame Chair, you mentioned when you
20 started with your new map this morning that one of
21 the reasons you wanted that map was that you had
22 three congressmen on the border.

23 The previous map had three on the border.
24 This map has four on the border. That gives us one
25 more voice to deal with the border issues.

1 The 500-pound gorilla in the room has
2 always been the Voters Rights Act and it's been
3 treated somewhat like the holy grail.

4 Whenever the Hispanic Coalition makes a
5 suggestion, it seems like we jump through hoops to
6 make that happen, when, in fact, there's other ways
7 to skin that cat.

8 And I found them to be not easy but
9 doable. And one of the other issues that -- as
10 you'll recall that I've been promoting is the Native
11 American tribes to be all in one district. There
12 are 175,000, as I recall, Native Americans. They
13 cannot be a majority-minority in any one district.
14 They certainly are the majority when you break them
15 into nine different district.

16 So if you put them all in one district,
17 they have a much better voice. And I have combined
18 them all with the exception of the river district
19 into District 1.

20 What this map doesn't reflect is in the
21 upper left-hand corner in the Arizona strip area.
22 If you look at a map, in order for a congressman in
23 District 4 to service that area, he literally has to
24 drive to Las Vegas, then back through Utah to get
25 down to the Arizona strip, when, in fact, if it were

1 in District 1, he would just go up through Jacobs
2 Lake and he would be there by car, not by plane. So
3 that's one of other issues.

4 Now, I've heard many comments about Mesa
5 and Gilbert and Apache Junction. And if you get
6 into the details of this particular map, you will
7 see that on a horizontal basis, I have combined
8 those.

9 Ahwatukee does not want to be with Tempe.
10 That, I know because I know a lot of people in
11 Ahwatukee. They want to be with Chandler and this
12 map actually does that and it actually makes a whole
13 lot of sense as far as the community of interests
14 are concerned, at least from my vantage point.

15 So again, I want you to take a -- I urge
16 you to take a look at that and look also at the
17 treatment of CD 3 because you can do this. You can
18 get the 52 percent that you need in the
19 minority-majority district without having to split
20 up Yuma.

21 And the advantage you have there, of
22 course, by not splitting up Yuma is you have another
23 congressman on the border there.

24 Now, we talk about competitiveness. If
25 we are going to be jumping into the legislative

1 districts here shortly, just on the two maps that
2 you have here and the data that you have provided in
3 the back of those maps, it is literally impossible
4 to be competitive. The numbers just aren't there.

5 One of the problems we have on this
6 particular map, District 1 would be 37 percent
7 Democrat, 32 percent Republican. And the one that
8 we always don't talk about is the Independents.
9 It's 30 percent in District 1.

10 District 2 would be 34 Republican, 34.8
11 Democrat. That's a competitive district, it's 30.6
12 Independent.

13 In District 3 it would be 24 percent and
14 then 48 -- 41 percent for Democrats and 35
15 Independents.

16 And to Mr. Stertz's comments,
17 mathematically, it just doesn't work when you pack
18 so many Democrats into two districts, District 7 and
19 District 3, you take a whole chunk of that majority
20 of Democrats, put them into two districts, there's
21 not enough left to make them competitive in the
22 other districts. It simply doesn't work
23 mathematically unless you gerrymander the whole
24 thing like -- that was done with District 9.

25 And moving right on down, we have

1 District 4, would be 41 percent. That's very
2 heavily Republican, 24 and 34 respectively.

3 District 5 would be 38 percent to 26 and
4 35.

5 District 6 would be 39 percent to 27 and
6 33.

7 There are -- in many cases you are
8 running down through these other districts that
9 don't have them packed with Democrats, you have the
10 Independents outnumbering the Democrats, and in some
11 cases, outnumbering the Republicans.

12 So it's a faction that really needs
13 consideration when you're doing this. And by just
14 splitting it with the two major parties I think is
15 misleading. And I think with current situations
16 going on within the state and at the federal level,
17 it's not difficult to understand why a lot of people
18 are departing from these major parties and becoming
19 Independent.

20 So again, there's different ways to do
21 this. It is extremely difficult. I spent all day
22 Saturday, all day Sunday, and, in fact, I missed
23 dinner on Sunday night doing this. My wife is
24 saying, why are you doing this? She said it's an
25 effort in futility because they are not going to

1 listen to you anyway.

2 They may not listen, but I have to know
3 how they do it and I have to be able to present my
4 ideas on the record because there are different ways
5 to do it.

6 Now, one other thing. I was here last
7 Friday. I won't say anything about this. Lord
8 knows our two Republican commissioners don't need me
9 to defend them.

10 I left early only because I became so
11 incensed and so angry at the personal attacks levied
12 by the two Democrats against the two Republicans.
13 This is not professional. It is not what you were
14 sent here to do. Being childish and calling people
15 names just doesn't get it in my book.

16 Rather than make a scene, I decided I
17 would leave. That's why I left before you went to
18 the end.

19 Thank you very much.

20 Have you got any questions?

21 CHAIRPERSON MATHIS: Any questions?

22 Thank you.

23 Our next speaker is Peter Limperis,
24 lawyer representing Hispanic Coalition for Good
25 Government. Forgive me if I mispronounced your

1 name.

2 PETER LIMPERIS: You got close.

3 I'll help you out a little bit. It's
4 Peter Limperis. It's L-i-m-p-e-r-i-s, on behalf of
5 the Hispanic Coalition for Good Government.

6 Not unlike some of the speakers that
7 spoke before me today, my comments are going to be
8 quite brief and frankly, are not what I had planned
9 on prior to this morning's activities.

10 You know, really my first comment on
11 behalf of the Coalition is thank you. We know that
12 this process is not easy for any of you. We know
13 it's hard. We know there are a lot of different
14 facets to it and a lot of public comment and other
15 things that you have to deal with.

16 And we know that the process isn't
17 finished. We know there's a lot of work still to be
18 done, but we're certainly very encouraged by the
19 meeting today and what's been going on in terms of
20 the adjustments to the map. And so we thank you for
21 that.

22 We believe that we can be useful to you
23 and work with you in terms of eventually tweaking
24 any draft map that is approved. And we really do
25 look forward to engaging in that process with you.

1 We'll make ourselves available and whatever works
2 for all of you in terms of timing in terms of
3 procedure.

4 As you probably know, we've had a number
5 of correspondence that's gone to the Commission
6 during the course of the last several days,
7 including the weekend. Based on what's occurred
8 today, I think some of the requests that we had in
9 those letters has changed.

10 The first is -- and I just noticed by
11 e-mail that the agenda went out for Wednesday. The
12 first is really probably moot, but we don't request
13 that we be on the agenda for Wednesday.

14 You know, our initial sort of thinking
15 and we put that in our correspondence, too, we
16 really felt based on what we were seeing last week
17 that we probably needed to bring in our mapping
18 expert. We just didn't feel we would be able to do
19 that in a way that would be useful for you all
20 during a public comment session.

21 I think we probably will not bring in our
22 mapping expert in. I don't think we need to do that
23 at this point.

24 But there was sort of a second facet, as
25 I think you saw with our correspondence in terms of

1 the things that we would request and would like, and
2 one of those and still continues to be so, is we
3 really would like the Commission earlier rather than
4 later to come back down to Tucson. We certainly --
5 if you wish to do so on Thursday, we've arranged to
6 have an appropriate facility available -- that is
7 available. And I've communicated with counsel
8 regarding that. And it is available on Thursday.

9 We think it would be a tremendous
10 opportunity to have the public come in and talk
11 about some of the new things that you've done here
12 today that we are certainly encouraged by.

13 And so we would welcome the opportunity
14 to see you all on Thursday, if that's what you agree
15 to do.

16 You know, in closing, I kept my promise
17 about being brief. We really are encouraged by what
18 we've seen today. We appreciate the work that you
19 have done all along through the process, certainly
20 since the first time we've come in since I guess
21 August 23rd when we presented our first map. We
22 have seen the process happening and we appreciate
23 all of the efforts that you are making.

24 I think ultimately the Coalition is
25 looking forward to working with you to the extent

1 you allow us to do so. And we would like to do that
2 so we can assist you in any way that we can in terms
3 of protecting communities of interest and in terms
4 of respecting the Voting Rights Act.

5 So I want to thank you for the
6 opportunity to speak here today on behalf of the
7 Coalition.

8 CHAIRPERSON MATHIS: Thank you.

9 Our next speaker is Pete Bengtson,
10 representing self from Pima.

11 PETE BENGTON: I'll pass until later.

12 CHAIRPERSON MATHIS: Oh, okay.

13 Our next speaker is David Cantelme,
14 representing FAIR Trust from Cave Creek.

15 DAVID CANTELME: Good afternoon, members
16 of the Commission, Madame Chairman. I want to say I
17 like you all, too. I don't like everything you
18 you've done, but I do like you.

19 I'm going to start off with points that I
20 have been making, and that is that the simpler map
21 is the better map. That's an old principle of
22 logic. If you have two results achieved, the
23 simpler way is the better way.

24 Second, the greatest good for the
25 greatest number of people.

1 Third, I think the earth may shatter, the
2 windows make shake, but I find myself actually
3 agreeing with Muratore on something, and that is
4 competitiveness needs to be completed before you go
5 to phase III and publish this to the public.

6 In fact, I would even go so far as to say
7 that if you go to phase III, which is the 30-day
8 comment period, with a map that is not complete in
9 itself, you have not followed the Constitution.

10 And to that end, I would like to refer
11 you to an error that the predecessor Commission had
12 made and that was that it had gone to the public in
13 phase II without having done any competitiveness
14 analysis.

15 Now, that, of course, differs from this
16 because you have done some but you haven't finished
17 it. And the Supreme Court said you can't do that.
18 It should be complete in itself.

19 You need to complete phase II before you
20 get go to phase III. And you cannot have completed
21 phase II until the entire competitiveness analysis,
22 whatever you choose it to be, you define it, but
23 once you've defined it, you have to complete it
24 before it goes to phase III.

25 And the same with the voting rights'

1 analysis. Otherwise, you're going to have to put an
2 asterisk on this to the public and say this is not
3 complete. It's subject to later revision in terms
4 of both competitiveness and the Voting Rights Act as
5 the 2004 and 2006 information comes in on
6 competitiveness and as the expert's analysis is done
7 with the Voting Rights Act.

8 Beyond that, I agree it's very difficult
9 to balance. And I will concede, Madame Chairwoman,
10 you have tried your best to balance as you see it.
11 Of course, I differ with you, but reasonable minds
12 can differ.

13 But I don't see how keeping Coconino
14 whole at the risk of cutting Yavapai, still cutting
15 into Pinal more than is necessary, going into
16 Maricopa, adding Fountain Hills to the river
17 district -- it doesn't make a whole lot of sense
18 when it can be done completely without bringing the
19 river district into either Pinal or Metro Phoenix.

20 Seems to me having two rural districts
21 entirely outside of Metro Phoenix and Metro Tucson
22 is preferred -- preferable to almost anybody in
23 rural Arizona to going into Phoenix, going into the
24 San Tan Valley and so forth.

25 My last point.

1 District 1 is not competitive. The
2 definition of competitiveness that I heard several
3 times last week was where no major party has an
4 advantage over the other.

5 The fact is, you have a greater
6 registration disparity today than you did on Friday.
7 Not by a whole lot, by several points -- or tenths
8 of a percentage, but yet it's a fact.

9 A 9 -- greater than 9 percent Democratic
10 advantage in District 1 is not competitive. There
11 is no way you can dress that up. You can dress a
12 mule in a horse harness; it's still a mule.

13 It's not competitive at 9 percent and
14 it's never going to get competitive at 9 percent.

15 I do appreciate your reverence with my
16 remarks. While we differ, I do assure you I really
17 do like you all, and I do appreciate and commend the
18 efforts that you have made. It really truly is a
19 sacrifice on the part of Arizona.

20 And so I thank you for that; even though
21 I disagree with the results.

22 CHAIRPERSON MATHIS: Thank you.

23 Our next speaker is Sandie Smith,
24 representing self. It says from PC. Is that Pinal
25 County. Of course.

1 SANDIE SMITH: Thank you very much. I
2 know I came here Friday, and I wanted to tell you my
3 frustration on Friday was sitting in the audience
4 and it kind of reminded me of Thanksgiving and you
5 have a pie and you're trying to make enough for
6 everybody and you're cutting it up in pieces and you
7 give everybody a piece of pie and there's one piece
8 left over, so you decide to divide that piece up and
9 then make everybody else have a little bit more.
10 And I kind of felt like the last piece of pie.

11 So I do appreciate you very much that you
12 listened to the elected folks that came, the
13 governmental alliance that has proposed a map to you
14 as well as the citizens that have come and explained
15 to you not only their needs but their frustrations.

16 We've been cut up so many times to make
17 the other parts work, that we hope that you will
18 continue in this same --

19 I am so amazed at the difference in the
20 map that you are showing today than what was on
21 Friday and appreciate very much the work that you
22 put in when a lot of us were enjoying our weekend
23 and you were toiling at the drawing block.

24 But I will tell you that while -- not
25 while, but we would rather be whole like most of the

1 rural counties are. We work together as a complete
2 count on transportation, economic development,
3 trails, parks and open space. We are working on
4 those plans now and the governmental alliance is
5 united in what their desires are.

6 We do wonder that when you do change
7 lines that -- what about those competitive figures,
8 and we don't have those today.

9 Did that change any? And so we would
10 like to look at that.

11 At the break, I also spoke with Florence.
12 I talked to the mayor as well as the city manager
13 and both of them said that they do believe that if
14 you did continue and not put Pinal County as a
15 whole, which we would all rather, that Florence
16 should go in with the Coolidge and Casa Grande area.

17 And so again, I thank you so very much
18 for listening and really trying to make those lines
19 work. And I did have -- Supervisor Martyn was here
20 on Friday all day with you and he did text me --
21 they are at the Association of Counties CSA meeting
22 and retreat and he did say thank you for listening
23 and, you know, continue to keep your pencils
24 sharpened. We would still like to move that line on
25 up and be completely whole.

1 Oh, and one of the other questions I need
2 to ask.

3 I heard -- I'm not sure exactly which
4 commissioner said it but they said that you could
5 get to -- into Congressional District 4, that you
6 could get there on a rural road from Apache
7 Junction, Gold Canyon.

8 I've lived there 41 years and I know of
9 no rural road that goes -- I mean, it's Tonto forest
10 borders us on that line at the McDowell Road
11 alignment.

12 And so I can't imagine where that rural
13 road is, without going into the other districts.
14 And maybe that's the caveat, it does go into the
15 other districts.

16 Okay. There you go.

17 So it would be really hard for anybody to
18 come down and really focus on us, coming down --
19 having to come through two or three congressional --
20 other congressional districts.

21 But thank you very much for hearing us.

22 CHAIRPERSON MATHIS: Thank you.

23 VICE CHAIR HERRERA: Thank you.

24 CHAIRPERSON MATHIS: Our next speaker is
25 Paula Linker, representing self.

1 PAULA LINKER: Thank you very much.

2 Paula Linker, L-i-n-k-e-r, and
3 representing self, yes.

4 My comments have changed a good deal. I
5 had to change my comments quite a bit because they
6 were based upon the old map and the maps have
7 changed.

8 But my main comments regard community of
9 interest and compactness.

10 As you can tell, I am originally from New
11 York. Now, in New York, an apartment building
12 constitutes a precinct and it is varied in its
13 ethnic makeup. So you don't have to go looking
14 around to make competitiveness and all of these
15 other silly things you're putting in.

16 It's a community of interest. People
17 move there because they like the building, they like
18 the surroundings, they have a lot of common values
19 and everybody is happy.

20 I was a teacher. Communities are
21 incredibly important to teachers because it is
22 really -- it's not that it takes -- it's very int-
23 -- it's very important for the youngsters to have a
24 foundation and neighborhood where they know -- they
25 feel comfortable and the neighborhood has the same

1 expectations of excellence.

2 And I'll address that a little bit more
3 when we get to legislative districts.

4 But what I did want to say was as I
5 followed the maps that were constantly changing -- I
6 said a math teacher, I can read a map, but some of
7 this just defies rationality because it seemed to be
8 scalpel-like precision, counting who was here and
9 who was there. And it really made no sense to me
10 whatsoever.

11 And I am from -- we chose to move to
12 Scottsdale. We could have moved anywhere. We chose
13 Scottsdale. When we were here, we visited
14 Scottsdale, Fountain Hills, Tempe, surrounding
15 communities. We liked the community.

16 It should can be kept as whole. You
17 chopped off a piece down on Thomas, or maybe with
18 your new map further. I can't read that far away.
19 And that just makes no sense. You're taking part of
20 Scottsdale and shoving it somewhere else when the
21 part of Scottsdale that you are taking away is a
22 diverse part of Scottsdale. It's a nice place to
23 go, if you ever take a trip there.

24 I urge you to keep Scottsdale whole,
25 please. It matches up nicely with Fountain Hills,

1 Carefree, Cave Creek. Those are all communities
2 that have the same interests and they are all
3 attached. They don't snake around.

4 Just as a closing comment, if you take a
5 look at this map and you showed it to my mother, she
6 would have taken a look at it termed it also and
7 said "go figure."

8 So being a dutiful daughter, I would go
9 and figure, and I did go and figure. And what I
10 figured was not too nice because it looks like an
11 awful lot of gerrymandering to me.

12 And competitive -- competitive is good
13 because it forces everybody to be excellent, but it
14 also forces people to ponder. And I think if this
15 map goes into effect, the next election cycle I'm
16 going to get Dish TV because I don't want to see
17 cable. I don't want to see radio or TV. We're
18 going to get bombarded with ads.

19 I think the TV programs are probably
20 going to go down to ten minutes per half-hour and
21 the rest with special interest ads trying to pull me
22 every which way.

23 Please consider community of interest.

24 Thank you.

25 CHAIRPERSON MATHIS: Thank you.

1 Our next speaker is Leonard Gorman,
2 executive director for Navajo Nation Human Rights
3 Commission.

4 LEONARD GORMAN: Good afternoon, members
5 of the Commission.

6 It's good to be back from the weekend.
7 Some real good work that you have done in the
8 absence of Navajo in the session this morning.

9 I just want to introduce the Navajo
10 Nation delegation that's here from Navajo Nation.
11 Some of us drove from the four corners area, it's
12 drivable, and probably to the New Mexico
13 international line is drivable, too.

14 Mr. Leonard Tsosie, he's from New Mexico.

15 Mr. Alton Shepard, he's from Arizona and
16 also Mr. Jonathan Nez, who spoke to you earlier.

17 And we have two other members that are on
18 the team from the Navajo Nation council.

19 Mr. Kenneth Maryboy. He represents the state of
20 Utah, and also Mr. Lorenzo Bates. He's a member
21 from the state of New Mexico.

22 So Navajo Nation has put together a
23 legislative team to work on redistricting. So what
24 you've heard this morning -- or this afternoon from
25 Mr. Nez is the position of the Navajo Nation with

1 regards to the map that's on the screen.

2 And just to briefly talk about the map
3 aspects, the numbers -- it's certainly encouraging
4 to increase the Native American voting-age
5 population in the current map that's on the screen.

6 Navajo Nation submitted two iterations,
7 Indian 1 and Indian 2 on the congressional side.
8 Indian 1 has 21.5 percent Native American voting-age
9 and then Indian 20.88 percent Native American
10 voting-age population.

11 The iteration that you're looking to
12 endorse is something that's in the neighborhood of
13 the Indian 2 proposed Navajo Nation forwarded. It's
14 20.5 percent Native American voting age.

15 And we've always indicated that Native
16 American voting-age population is a significant
17 aspect for the Navajo Nation to present.

18 And the community of interest aspects,
19 the city of Flagstaff is a significant community of
20 interest to the Navajo Nation and the Navajo people
21 because we do a lot of common risk and development.
22 We have education facilities in the community,
23 Northern Arizona University.

24 Significantly, a lot of Navajos go there.
25 There's millions of dollars that go to that school

1 on an annual basis. A lot of Navajo students go to
2 school there.

3 We have common interests and cultural
4 issues on the sacred site.

5 So in that regard, Flagstaff is a
6 community of interest to the Navajo Nation and
7 Native people.

8 So the final vote that you are going to
9 give for this particular plan that's on the map, we
10 appreciate the opportunity to have Flagstaff as a
11 part of the Congressional District 1.

12 And with regards to the iterations that
13 have been made this morning, we presented
14 recommendations and comments to you in the past
15 couple of weeks that Gila River be a part of CD 1.

16 Thank you for making that a favorable
17 consideration and adding the Ak-Chin Community to
18 our CD 1. That's just added value to our CD 1
19 proposal.

20 And finally, legislative district, we
21 just want to remind you that Navajo Nation has a
22 significant stake in the legislative district. We
23 are Section 1, Section 2, Section 5 community and
24 certainly that would be the utmost concern.

25 Again, we want to ensure that there's an

1 increased Native American voting-age population in
2 the legislative districts just as well as the
3 congressional district.

4 So in closing, we look forward to having
5 you come up to Window Rock on October 14th. And
6 please don't change the date again. We have made
7 numerous reservations and canceled those
8 reservations. So hopefully the October 14th will be
9 a final date in which you come to visit us again.

10 Thank you very much.

11 CHAIRPERSON MATHIS: Thank you.

12 Our next speaker is Bill Roe,
13 representing self from Pima County.

14 BILL ROE: Good afternoon.

15 Bill Roe, R-o-e, from Tucson, Pima
16 County, Southern Arizona.

17 And I, too, was caught off guard by the
18 changes, but at the maps that were finished on
19 Friday, three things jumped out at me. And I
20 haven't had a chance to really see how much those
21 have changed.

22 One was that it was a distinct
23 possibility that Tucson would be reduced to one real
24 congressional district. And I think that needs
25 further analysis and to make sure that Tucson, if at

1 all possible, has two congressional districts rather
2 than just one.

3 The second thing that jumped out was on
4 moving sort of what's now listed as CD 3 further
5 north of the Maricopa County, then moving the 7
6 further north again. It reduces the ability to have
7 a competitive district -- additional competitive
8 district or a competitive district in Maricopa
9 County.

10 There just aren't enough Democrats to go
11 around if you bump people up. It's sort of like
12 hitting a waterbed mattress. You hit it one place,
13 it depresses and it pops up somewhere else. And
14 you're all well aware of that issue, as you have
15 been playing with this.

16 The third thing that jumped out at me --
17 this did not jump out of me until I got phone calls
18 from friends in Cochise County, if that map, and
19 this again, I think it's changed dramatically, but
20 if Sierra Vista was included in that huge district,
21 you know, where would the district office be?

22 Congressional offices can only have one
23 real district in a satellite. The funding is short.
24 So are people going to have to go from Sierra Vista
25 to Flagstaff, from Flagstaff to Sierra Vista or

1 somewhere in between?

2 And those three considerations really
3 jumped out. And they may have been taken care of,
4 but I would ask for your attention to those three
5 issues. But predominant among those is the concern
6 as a Southern Arizonan, to make sure that the
7 Southern Arizona area, the Greater Tucson
8 metropolitan area, definitely has two congressional
9 districts instead of just one.

10 Thank you very much.

11 CHAIRPERSON MATHIS: Thank you.

12 Our next speaker is C.J. Briggie,
13 representing self, and you'll have to tell us where
14 you're from.

15 C.J. BRIGGLE: C.J. thank you, Madame
16 Chair. I'm from Ahwatukee.

17 And I am going to be brief. There are
18 three communities of interest that I am very
19 encouraged about that you've retained. One is the
20 entire Ahwatukee area. Thank you for doing so.
21 This overlaps and extends into Chandler and Tempe
22 with the Kyrene school district, and that, too, is
23 very important to our community.

24 We also have in our congressional
25 district a light rail system that is being

1 maintained on a transportation segment that goes all
2 the way through to Dobson. This is really very
3 valuable, and I thank you for that. Those are
4 encouraging reconditions of the map that I
5 appreciate.

6 However, if there is anything that you
7 can do to tweak this map to create one more
8 competitive district, I would be eternally grateful
9 and would tout your names as heroes for the next ten
10 years.

11 Thank you very much.

12 CHAIRPERSON MATHIS: Thank you.

13 Our next speaker is Carol Jean Kennedy,
14 representing self. And if you could tell us where
15 you're from.

16 CAROL JEAN KENNEDY: Good afternoon. My
17 name is Carol Jean Kennedy, K-e-n-n-e-d-y, and I'm
18 almost from Ahwatukee.

19 And I just want to thank you again for
20 keeping Ahwatukee as a whole community and for all
21 the work that you have done to create competitive
22 districts.

23 I appreciate it very much.

24 CHAIRPERSON MATHIS: Thank you.

25 Our next speaker is Barbara Ann Olbinski,

1 representing self.

2 You can tell us where you're from.

3 BARBARA OLBINSKI: Thank you very much.

4 Ladies and gentlemen of the Commission, I appreciate
5 your effort on your part. I know it's voluntary and
6 thankless, and I'm sure when this is all over you're
7 going to be thinking what I was thinking 32 years
8 ago on the delivery table, I won't be doing this
9 again.

10 I'm speaking for competitiveness.

11 My community of interest is probably one
12 of almost the most valuable of all. In two months
13 my son is going to be deployed for the third time.
14 They just don't go to war. He's in the Navy. They
15 do interdictions. There's probably dozens of them
16 going on today. And if you don't know what an
17 interdiction is, you get on another ship not knowing
18 what's going to confront you.

19 I think my area of -- if that's my area
20 of interest, I think it's one to be considered.

21 I'm also representing like citizens of
22 the state who have been outspent, outshouted,
23 outsourced, outmaneuvered, and left out.

24 I've been here 32 years. Very, very
25 rarely has my vote ever counted. I was raised and

1 educated in Ohio, which is a truly competitive
2 state, and in which much of the nation's attention
3 is often gravitated, be it sports or politics.

4 I'm a former high school teacher. I'm
5 passionate about history and government. I
6 confronted senior high students who were very
7 cynical about government. I couldn't understand
8 why. I was appalled and confused by their attitude
9 because I was idealistic and young.

10 I could not comprehend the disinterest in
11 both my students and faculty colleagues. In fact, I
12 realized only 60 percent of the electorate votes in
13 national elections and much, much less in local
14 elections.

15 I still find this astounding. Seeing the
16 faculty cared more about sports in the lounge and
17 fought over the sports section of the paper, as I
18 bet many of you gentlemen here -- gentlemen in our
19 state and in this room still do today.

20 Well why? Well, as I am informed,
21 competition breeds interest and excellence and that
22 leads to awareness.

23 It could also lead to fraud and
24 corruption, those being had, fight back, and that
25 leads to, again, awareness, participation, and

1 reform.

2 Think about it.

3 I'm not done.

4 Which teams will get the most attendance
5 during the season? The most competitive, those
6 vying to be champions do.

7 In addition, what occurs at the season's
8 end? A draft, to make those teams not making it a
9 chance to make the next season more competitive.
10 And hence, you guessed it, raise the bar.

11 When I moved to Arizona in 1974, I became
12 involved in the GOTV effort. I spent all day
13 transporting people to polls only to have the
14 national media project winners with only a fraction
15 of the votes counted. Arizona polls were still open
16 and I still had people in my car.

17 Today the announcements are postponed
18 until all of the polls close, yes, however, races
19 are still called precipitously because of the
20 science of calculating the so-called key districts.

21 However, which areas capture the
22 attention by standards? You guessed it. Those
23 toss-up areas do.

24 These are the areas keeping us up all
25 night. These areas truly compete. These are the

1 areas in which dialog and critical evaluation takes
2 precedence. These are the areas where turnout is
3 heaviest. These are the areas creating
4 excitement -- excitement and intensity. And these
5 are the areas determining our future.

6 Think about it. Arizona can be great and
7 is a growing state. Many citizens conclude votes
8 are for purchase and districts are rigged.

9 Competitiveness evens the playing field,
10 garners attention and sometimes goes into overtime
11 or late nights.

12 However, that's okay. How about some
13 positive attention for Arizona for a change. This
14 has not been the case of late. Let us not be
15 conditioned to be outclassed.

16 Thank you.

17 CHAIRPERSON MATHIS: Thank you.

18 Do you mind stating where you're from,
19 I'm sorry. City or county.

20 BARBARA OLBINSKI: I am from a district
21 whose current representative in congress has
22 proposed 26 bills in congress, none of which have
23 made it out of committee. I am from nowhere, I
24 suppose, because I am not represented.

25 I'm from Peoria.

1 CHAIRPERSON MATHIS: Thank you.

2 Our next speaking is Shirley Dye,
3 representing self from Gila.

4 SHIRLEY DYE: Thank you, Mr. and Mrs.
5 Commissioners.

6 Shirley Dye, D-y-e, from Gila County.

7 In looking at this new map, the
8 congressional -- the congressman I have had is not
9 the congressman that I probably will have then.

10 My big thing is, you know, this nation
11 was built as a melting pot of people that had an
12 equal vote, one person, one vote. And it seems to
13 me in our county district, I was accused of being a
14 segregationist because people wanted a competitive
15 district and I said, okay, well, we can add some
16 more people over here to help build up the Hispanic
17 vote, and was called a segregationist, even though
18 our attorney said we needed to add people into that.
19 But because I said it, I was a segregationist.

20 And I didn't think that was quite fair to
21 say of me because I love Hispanic people, I love
22 black people, I love Indian Native American people,
23 I love Chinese.

24 I grew up just north of Los Angeles where
25 we really have mixed people. So I am certainly not

1 a prejudiced person.

2 However, in looking at this map, Pinal
3 County is not the only one that's getting chopped
4 up. Gila County is chopped up into two pieces, and
5 I almost kind of wonder why the Native American's
6 voice is taking total priority in how that district
7 is made up?

8 Why can't you have Native Americans in
9 the western district? Why do they all have to be in
10 the eastern district?

11 Whatever congressman gets voted into that
12 district on the east side, talk about
13 gerrymandering, they are going to have hours and
14 hours of driving and they are not going to be able
15 to represent us because they cannot be in all of
16 these places when they've got a job to do. And, you
17 know, that is really crazy to me.

18 Compact and contiguous are one of the top
19 two things on your list of priorities and
20 communities of interest.

21 Now, Flagstaff is way more urban than the
22 whole rest of that east side. We have tons and tons
23 of mountain, ranching, and rural districts, and I
24 understand that they have been the driving force on
25 that.

1 Well, you know, I'm sorry, maybe the rest
2 of us rural people who are busy working and doing
3 our thing have not had the numbers of people to come
4 and speak to you like the Flagstaff people do.

5 But the fact that they have pushed for
6 greater than 9 percent, you know, Democratic
7 advantage to this really rural district is
8 absolutely crazy.

9 Also I want to comment that the only
10 plans that I have seen that have been submitted by
11 outsiders besides the IRC people are the Mexican --
12 or the Hispanic Coalition, the -- all of these
13 different coalitions of Democrats, left-wing,
14 whatever and yet none of the maps that we people
15 from rural Arizona have submitted are shown up that
16 other people considered. And I think that's kind of
17 wrong, that the maps that we presented all the way
18 back in in the first public meetings are not posted
19 on the website and yet other people's maps are
20 posted for consideration.

21 So I guess that's it. I don't like to
22 see Gila County split in that. I don't like to see
23 Pinal County split. I don't like to see the
24 surrounding people -- San Tan Valley put in with
25 Mohave County and La Paz. Those are crazy, crazy

1 things to do.

2 So, you know, I'm for one person, one
3 vote. And if a person wants to live in a different
4 district and be able to vote with the people that
5 they feel like they have common interests, they can
6 move across and go to another city, you know, if
7 they feel like they are being underrepresented.

8 But, you know, I'm feeling by this
9 gerrymandered mess that you're doing that I am going
10 to be underrepresented.

11 Thank you.

12 CHAIRPERSON MATHIS: Thank you.

13 Our next speaking is Benny White,
14 representing self from Pima.

15 BENNY WHITE: Thank you.

16 My name is Benny White. I live in
17 Tucson.

18 And Madame Chairman and commissioners, I
19 appreciate the opportunity to speak before you
20 today. I'm not a perpetual inhabitant at these
21 hearings. And it's been interesting to listen to
22 some of the comments of people that seem to have
23 been here throughout all of the hearings.

24 It's my understanding that there's a
25 proposal that you vote on adoption of a map that was

1 presented this morning.

2 I would strongly encourage you not to
3 take that vote today. It would be in violation of
4 the open meeting law.

5 And I understand that you have a dispute
6 with the Attorney General as to whether or not you
7 are required to comply with the open meeting law.
8 But your public notice says -- your agenda -- your
9 ability to offer opportunities to speak indicates to
10 me that you think yourselves that you are required
11 to comply with the open meeting law.

12 And the objection there would be that if
13 you do adopt this map today and you are in violation
14 of the open meeting law, that vote would be
15 rescinded and we would be into December and January
16 with elections next year and not having any maps.

17 So please don't do that. Please allow at
18 least a 24-hour notice to the public.

19 I tried to get a map back here of the map
20 that you are talking about and it's not available.
21 It's available online, I guess. I don't walk around
22 with a computer.

23 But I do have a copy that I got from
24 another source today of the map. And it has been
25 interesting to listen to the competitiveness

1 discussions.

2 I am not convinced that you have an
3 accepted definition of competitiveness or a metric
4 to know when you have achieved competitiveness,
5 whatever that is.

6 I think it's analogous to the term
7 special interests. Special interest is anybody that
8 doesn't agree with me. Competitiveness seems to me,
9 based on these comments, that I want to rig the
10 elections in the future so that if I can't win
11 fairly, I want to make sure I have a super majority
12 so I can get my partisan votes out and elect people
13 that otherwise would not be elected.

14 The map that I see in front of me is
15 dated 10/2/11. And this map fails to meet the
16 primary constitutional requirements of compactness
17 and contiguity.

18 If you look at the bottom right corner in
19 Cochise County, you've gone down and picked up a
20 little blip down there. That is a strongly
21 Democratic enclave of Bisbee/Douglas, and that is
22 primarily to support a Democratic candidate election
23 in 2.

24 That would make the gerrymandered
25 districts of North Carolina and Georgia proud.

1 The same thing could be said I think of
2 Pinal County. Pinal County, on the eastern -- or on
3 the western edge there is connected up with
4 Flagstaff. And I fail to understand how that could
5 possibly be any type of a shared community of
6 interest.

7 If you look at District 9 inside of
8 Phoenix, it fails contiguity on two different
9 aspects. You have a northwest-pointing spur and a
10 south -- or a west-pointing spur. That does not
11 meet any kind of a concept of compactness.

12 And the same thing in Pinal County.
13 You've heard testimony about it being split up. But
14 at the Pinal/Pima County, you invited community of
15 interest there.

16 There's a very large community in
17 Northern Pima County that has a community of
18 interest with Saddlebrooke, which is just inside of
19 Pinal. You've reversed that now so that that
20 district is included in the same congressional
21 district as Flagstaff, which will wind up
22 disenfranchising those voters.

23 That representative that represents
24 Flagstaff will never visit that community.

25 In addition, you extremely exacerbated

1 the cost of conducting campaigns by this
2 snake-around scheme that you built for District 1.
3 That candidate will have to buy the Tucson market,
4 the Phoenix market, the Flagstaff market, and the
5 Prescott market in order to conduct a campaign. And
6 you're talking about tens of millions of dollars to
7 conduct a congressional campaign there, which most
8 candidates cannot achieve unless they get a lot of
9 outside influenced money.

10 So two things. Please don't vote to
11 adopt this map today. And when you do have a
12 meeting to adopt it, please don't adopt this map
13 because it violates the principles of the
14 Constitution.

15 Thank you.

16 CHAIRPERSON MATHIS: Thank you.

17 Next speaker is Nancy LaPlaca,
18 representing self from Tempe.

19 NANCY LAPLACA: Hi. My name is Nancy
20 LaPlaca, and I live in Tempe, Arizona. I've lived
21 there off and on for about 20 years.

22 And I have a couple of comments.

23 I appreciate Chairman Mathis. I
24 appreciate all of your hard work and the hard work
25 of the committee. I know what an incredible process

1 this has been.

2 I want to say competition rules. We need
3 four competitive districts. I think today's map is
4 a huge improvement over last Friday's, an enormous
5 improvement.

6 And I also believe contrary to my mayor,
7 Mayor Hallman, that the light rail is a community of
8 interest.

9 I ride it almost every day. It's my main
10 form of transportation that I use to get to work
11 downtown. And there is a big community of interest
12 on that light rail. And the more all of us ride it,
13 the more that community kind of comes together.

14 I think that we have terrible gridlock
15 going on. And I'm a Democrat, a lifelong Democrat,
16 but I respect anyone who gets involved in the
17 political process. And I think the Tea Party,
18 unfortunately, has been very extreme and has been
19 sort of over the top and it doesn't help our
20 democratic process.

21 We have an 80 percent disapproval rate in
22 congress and we need to come together and recognize
23 that we need competitive districts that allow
24 everyone to participate and that will result in more
25 people supporting our federal government.

1 And thank you for your time.

2 CHAIRPERSON MATHIS: Thank you.

3 Our next speaker is Brad Lundahl, from
4 City of Scottsdale.

5 BRAD LUNDAHL: Thank you, Madame Chair,
6 members of the Commission.

7 This process takes place every ten years,
8 and I am truly honored to be here today and to be
9 part of this process.

10 From the City of Scottsdale, I just
11 wanted to stand briefly today and say that we
12 appreciate that Scottsdale was kept whole as
13 possible. I think some of the earlier maps that we
14 saw showed it was split up a little bit, and we do
15 appreciate your efforts to include more of
16 Scottsdale in Congressional District 6.

17 We also appreciate the most recent move
18 where the southern boundary was moved from Chaparral
19 down to Thomas. Definitely a step in the right
20 direction. And let me just note right now that if
21 lines are changed in the future, if you wanted to
22 keep that movement going south, we would definitely
23 appreciate that even more. And we do have quite a
24 bit going on in South Scottsdale and we definitely
25 would like to keep it in the family.

1 Second -- or third, I should say, I
2 wanted to thank you for including the Salt River
3 Pima-Maricopa Indian Community in that district. We
4 have many projects that we are working on with the
5 community and we would like to be able to
6 completely -- or complete those projects in adjoined
7 cooperative manner.

8 The Indian community is a good partner
9 with Scottsdale. They are a very good neighbor, and
10 most importantly, they are good friends. And we
11 definitely like -- or would be honored to be in the
12 same district with them.

13 As I mentioned before, if there were
14 changes that needed to be made to that district, any
15 movement to the south would be our preference rather
16 than going north or northwest.

17 And with that, I'll end my comments here.

18 Thank you.

19 CHAIRPERSON MATHIS: Thank you very much.

20 Our next speaker is Jennifer Steen,
21 representing self from Maricopa.

22 JENNIFER STEEN: Hi. I'm Jennifer,
23 J-e-n-n-i-f-e-r, Steen, S-t-e-e-n.

24 And I am representing myself, although as
25 you all know, I'm a professor at the university and

1 I'm not representing the ASU interests here.

2 I actually -- I was here this morning and
3 I've been watching some of your proceedings online
4 and I felt like I should come back. The professor
5 in me felt compelled to come back.

6 And I'm going to try and not to
7 filibuster, but I've heard -- I've been really
8 encouraged here from all of the people who have
9 shown up to testify, and I love to see democracy in
10 action and so many well-informed comments being
11 offered today.

12 I also think that there's probably a lot
13 of not necessarily confusion, but -- you know, if
14 you've never sat down and played with mapping
15 software like we all have, you may not realize
16 exactly how difficult it is to try to meet all six
17 of the constitutional criteria. And really, I'm
18 talking to the audience. You guys all know this.

19 We've heard comments about how crazy
20 looking some of the districts are and confusion over
21 why that has to be.

22 If you just tinker with a little
23 corner -- should I turn around, maybe? I'm a
24 professor here for the student.

25 If you just tinker with one corner of a

1 district, it almost always has ripple effects that
2 go throughout the entire map. I know all five of
3 you know that. I know Willie knows that.

4 And so it can be very, very difficult to
5 just neaten up the edges to make a nice, compact
6 polygon. Most of the time it seems to be
7 impossible.

8 I've spent a little bit of time, not as
9 much as all of you, playing with the map of Arizona
10 and trying to see, hey, can I do a good job of using
11 all six criteria and assimilating the public comment
12 to make a perfect map?

13 And I basically had to give up because
14 like you, I'm not paid to do this. But unlike you,
15 I'm not required to do it either. So that was a
16 nightmare task.

17 So I just wanted to say this: I don't
18 have a dog in this race. I don't care whether you
19 adopt this map or not, but I want the concerned
20 citizens who are watching or reading the transcripts
21 or sitting in the audience to appreciate how
22 technically difficult this is.

23 I do have a couple other more substantive
24 comments.

25 I don't know if in the time that I was

1 coming back from my office if Willie had said
2 anything about the competitiveness measure Ken
3 e-mailed to you, but I have talked to him at length
4 trying to understand it. And to clarify again
5 for -- mostly for the audience, this is a measure
6 that takes basically three independent pieces of
7 information; voter registration, the most current
8 that we have; election results from 2008; and
9 election results from 2006 and weighs them
10 essentially equally.

11 So the 2006 -- I'm sorry, I said 2008,
12 2006, I meant 2010 and 2008.

13 So the 2008 results, even though they are
14 only Corporation Commissioner and presidential
15 election results are essentially weighted as heavily
16 as the seven -- I'm going to keep talking until the
17 music plays -- as the seven statewide offices.

18 A lot of folks have expressed concern
19 about incorporating 2006 and 2004 election results,
20 and that clearly will give you a more nuanced
21 measure of competitiveness, but I also want people
22 to realize it's not going to be a panacea. Those
23 results are old.

24 We live in Arizona. People move. Things
25 change very, very rapidly. So while those results

1 may not -- are not contaminated by the strong
2 Republican ties that we had here in 2010,
3 especially, they will be from -- to a large extent,
4 out of date. So we're not going to get a magic
5 bullet when those results are finally integrated.

6 In sum, you guys have a terribly hard
7 job. I know you're doing the best that you possibly
8 can. And just look forward to -- if you culminate
9 all of the complaints that have been offered here
10 today, then at your next hearing you know exactly
11 what's going to happen, right?

12 All of the folks who are then disgruntled
13 are going to step forward. So, you know, you have a
14 -- you cannot satisfy everybody. You're going to
15 have very unhappy customers no matter what.

16 And there is just no way that you can
17 achieve all six of those goals perfectly. You're
18 going to have to balance them as you see fit.
19 That's within your discretion, both as a Commission
20 and individual to balance them as you see fit.

21 So have fun.

22 CHAIRPERSON MATHIS: Thank you very much.

23 That concludes public comment. I'm out
24 of request to speak forms.

25 The time is 2:49 p.m. I think it would

1 make sense to give our court reporter a break and
2 the commissioners and come back in about ten
3 minutes.

4 Thanks.

5 (A recess was taken from 2:49 p.m. to
6 3:17 p.m.)

7 CHAIRPERSON MATHIS: We'll enter back
8 into public session. Recess is over. The time is
9 3:17 p.m.

10 And thank you, public, for all of the
11 comments we received today, and we appreciate you
12 all coming out and telling us your thoughts.

13 And I wanted -- a couple comments came up
14 during that that I wanted to get clarification from
15 legal counsel on. So I'm hoping Mary or Joe can
16 weigh in.

17 But there was some kind of open meeting
18 law -- potential open meeting law violation
19 mentioned if we proceed in terms of any action on
20 this draft map and also the competitiveness -- the
21 competitiveness analysis and how that has been
22 weighed in and factored into our creation of this
23 draft map.

24 MARY O'GRADY: Okay, Madame Chair, also
25 the open meeting law and Joe will follow up with

1 competitiveness, and I think Willie has some
2 additional information on that as well.

3 In terms of the open meeting law issue,
4 agenda item 2 today includes a statement that the
5 Commission may also take action to adopt portions or
6 all of a draft map.

7 So the Commission is free to act on
8 approving the draft map today, based on the agenda.

9 So there is no open meeting law violation
10 if the Commission chooses to adopt a map today.

11 VICE CHAIR HERRERA: Madame Chair.

12 CHAIRPERSON MATHIS: Thank you.

13 Mr. Herrera.

14 VICE CHAIR HERRERA: Just a
15 clarification. This is new to me.

16 Who -- what's going on with the violation
17 of the open meeting?

18 CHAIRPERSON MATHIS: I wasn't sure of it
19 either, but Mr. Benny White mentioned it during his
20 public comment. And I don't want to have any
21 potential open meeting law violations raised, so I
22 wanted to get clarification from counsel on that.

23 VICE CHAIR HERRERA: I stepped out to go
24 to the bathroom during his comments.

25 MARY O'GRADY: And that analysis, of

1 course, is subject to all of the issues that are in
2 litigation concerning how the open meeting works.

3 And I'll have Joe -- on the
4 competitiveness issue.

5 JOE KANEFIELD: Madame Chair, just to
6 clarify, on the competitiveness question as well as
7 the other goals, we went back and looked at the
8 Arizona Supreme Court decision which provides
9 guidance on this question.

10 The commission must take all of the goals
11 into consideration prior to adopting the draft map.
12 That's pretty clear.

13 What the court has said is that any
14 challenger that would wish to bring a challenge
15 would have to establish that the Commission failed
16 to engage in a deliberative effort to accommodate
17 the goals so long as the record demonstrates that
18 the Commission took all of the factors into
19 consideration, then the court will end its inquiry
20 at that point.

21 I think that that's -- that pretty much
22 covers it.

23 The Commission has, obviously, considered
24 competitiveness. You've -- you have differed in
25 some respects in how you measure it, view it, but

1 you certainly have deliberated on the question and
2 the consultant has provided you different
3 measurements and vote -- the Commission hasn't
4 necessarily adopted one specific form. You've had
5 different types of measurements to consider, which
6 would all go into the deliberative process.

7 And as long as the record demonstrates
8 that you considered it -- and when I talk about
9 competitiveness, I believe it would apply to the
10 other goals, too, which must be reflected in the
11 record, which I think it appropriately has through
12 debate and discussion.

13 Mary, anything you want to add?

14 MARY O'GRADY: Yeah. To agree with Joe,
15 that the Constitution requires that you take into
16 account all of the goals, including competitiveness,
17 and the record has to reflect that, as this record
18 certainly does reflect that this Commission has
19 taken into account all of the goals, including
20 competitiveness.

21 And I guess there might some other
22 questions in terms of the methodology. If Willie
23 wants to address those.

24 WILLIE DESMOND: Sure.

25 I spoke with Ken over the break and

1 confirmed some things.

2 So his presentation, I believe it was on
3 August 31st, discussed competitiveness for the first
4 time.

5 Following that, we were asked to provide
6 compactness and competitiveness measures. Those are
7 included as part of the data table. If you look on
8 the website, there is something that is dash data
9 table or maybe it's just called a plain XLSX file.
10 It was the first bit of information -- like, you
11 know, support data that we provided. And he
12 explained in that August 31st presentation what
13 constituted that competitiveness measure.

14 In the weeks that followed, there was
15 some questions about different ways of mixing
16 competitiveness and also including registration
17 data.

18 As a result, I think on September 22nd he
19 presented competitiveness again and included two
20 other methodologies, index 2 and index 3. I believe
21 in that presentation he explained what those were.

22 That PowerPoint presentation and the
23 compactness are -- can be available on the website
24 if they weren't already, I believe at the very
25 bottom of the maps page in the additional

1 information section.

2 Additionally, I think later on, it was
3 requested by someone on the Commission that we also
4 include voter registration number. So that was also
5 added at some point to the competitiveness report
6 that is now at the end of your packets.

7 And I just -- I think if there's any
8 other requests for information, we'll continue
9 adding to the various measures. And when we have
10 the '04, '06 data, we'll add that, obviously, too.

11 I think that's it.

12 Also Ken is currently working right now
13 on providing the actual algorithms that compromise
14 each of these. I think he said it during his
15 PowerPoint presentations, but so it's written down,
16 documented better. He'll be e-mailing that to the
17 entire Commission as soon as he's done.

18 So in the near future this afternoon -- I
19 know he's working on it right now and we'll get that
20 posted as soon as possible to the website also.

21 CHAIRPERSON MATHIS: Thank you all for
22 the clarifications. We appreciate it.

23 So with that, do any commissioners have
24 any thoughts or comments on the map itself or the
25 public comment or anything they would like to say?

1 VICE CHAIR HERRERA: Madame Chair.

2 CHAIRPERSON MATHIS: Mr. Herrera.

3 VICE CHAIR HERRERA: Not necessarily
4 about that, but I still would like for -- when
5 Mr. Strasma is back in town, to go over the
6 competitive models. He did a really good job of
7 explaining, but we probably need some refresher to
8 refresh ourselves. That was a while ago.

9 But again, he did a really good, detailed
10 job of explaining what he used, but I'm happy to
11 hear his presentation again. I don't think I could
12 get tired of that. For that part of the
13 presentation.

14 WILLIE DESMOND: I would be able to
15 re-present any of those as soon as we -- as you want
16 to. I don't think we could do it for Wednesday
17 because I don't know if it's on the agenda. I'm not
18 sure whether the Thursday agenda has been posted
19 yet, but if you would like, I would be comfortable
20 in presenting his competitiveness presentation, just
21 so we don't have to wait for him to come out.

22 Do want to wait for him to come out? I
23 don't think it's worth a special trip for him just
24 to come out for that. He's really plugging away on
25 the racially polarized voting analysis right now --

1 VICE CHAIR HERRERA: Sure.

2 WILLIE DESMOND: -- and I hate to take
3 him away from that.

4 VICE CHAIR HERRERA: Madame Chair.

5 CHAIRPERSON MATHIS: Mr. Herrera.

6 VICE CHAIR HERRERA: I don't think I
7 meant he come just to make a trip for this. No, not
8 at all. If you can make it, you feel comfortable
9 making that presentation, Mr. Desmond, then I would
10 love to hear that presentation.

11 WILLIE DESMOND: So if we add that to an
12 upcoming agenda, I'll present it then.

13 CHAIRPERSON MATHIS: Okay. Thank you.

14 Other comments, thoughts?

15 VICE CHAIR FREEMAN: Madame Chair.

16 CHAIRPERSON MATHIS: Mr. Freeman.

17 COMMISSIONER FREEMAN: I thought it might
18 take me a while to clear my throat, so I waited.

19 I would like to have that additional
20 competitiveness information. I would like to have
21 the algorithms so I can re-create the numbers myself
22 and so I can generate these numbers sort of prove to
23 myself those are the numbers.

24 I would also like -- I know counsel has
25 said at least the map presents a prima facie showing

1 that we've complied with the Voting Rights Act, but
2 I would like a little more information on that to
3 even get a better sense as to whether these
4 districts we think would stand up or whether they
5 would to be modified, because that could have an
6 effect on the rest of the map.

7 So I have other issues with the map in
8 terms of whether I believe it complies with the
9 constitutional criteria. We'll set that aside for
10 now. I would just like to have some more
11 information in order to evaluate this map before we
12 do anything.

13 CHAIRPERSON MATHIS: Thank you.

14 Any other comments?

15 COMMISSIONER MCNULTY: Madame Chair.

16 CHAIRPERSON MATHIS: Ms. McNulty.

17 COMMISSIONER STERTZ: In putting
18 together -- for the last couple of months we have
19 done a great deal of work understanding the Voting
20 Rights Act and looking at minority populations
21 throughout the state, and I think we've incorporated
22 that work into this draft map.

23 I know that we are -- the analysis that
24 we have done thus far suggests that we are on solid
25 ground with our majority-minority voting districts.

1 We have now taken a very substantial measure, the
2 recommendations of the Hispanic Coalition for Good
3 Government in preparing this map. We've held a
4 number of public hearings. We've taken public
5 comment at every single one of our public meetings
6 to my recollection.

7 We had two public hearings in South
8 Tucson, one of which was in South Tucson proper and
9 one of which was south of South Tucson in Tucson
10 proper.

11 So -- and I'm -- we have had offers of
12 assistance, and I believe our staff is working on
13 pursuing those offers of assistance from minority
14 groups to help us ensure that as we go forward with
15 public comment, that we create opportunities that
16 get the best feedback that we can.

17 I think that each of the -- as I look at
18 this report on the second page of the map, it looks
19 like that -- it looks like every single district has
20 a population of 710,224 people with the exception of
21 District 4, which has 7,010 -- 710,225 people. So I
22 think we've addressed the equal population issue.

23 We've worked as a Commission a great deal
24 on looking at county and municipal and graphic
25 boundaries and census tracts. I think we've come at

1 it a little differently, but we have some very
2 detailed analysis and have had attached to each of
3 our maps that tell us how many counties have been
4 split, how many census places, census tracts, the
5 percentage of each municipality that's in each
6 district, the percentage of each district that's in
7 each municipality.

8 And one of the things that we've learned,
9 I think, is that whichever way we've approached
10 that, we wound up in similar places in terms of the
11 number of splits, but we've worked very hard to
12 reduce those and to make them make sense.

13 We're a big state. We're a rural state,
14 and I think we've looked at compactness and
15 contiguousness for each of these districts.

16 In working on the legislative maps --
17 thoughts on legislative maps, I've used this atlas
18 of Arizona that has -- I don't know how many pages
19 it has, 68 pages, and I realized that 15 of the
20 districts are on two of those pages. So to me, that
21 kind of tells me what an urban/rural divide we have
22 in the state.

23 And so we worked very hard to have
24 compact districts, but at the same time we have
25 large rural expanses.

1 So that is a challenge, but we've
2 certainly worked hard to try and come up with a
3 draft that the public can comment on.

4 I think that we've learned as a group a
5 great deal about the state and the communities that
6 make up the state.

7 We have gotten a great deal of comment
8 from communities, and that's starting to increase,
9 which is wonderful.

10 We are starting to hear directly from
11 communities about their specific concerns with
12 regard to the map and we are trying very hard to
13 take those into account and build them into the map.

14 And with regard to competitiveness, I --
15 again, I think we as commissioners have different
16 perspectives on that. My own perspective and the
17 measure that I used, or the standard that I looked
18 at in the congressional maps, is that we are charged
19 with creating fair and competitive districts. And I
20 believe that that means that we should work towards
21 blending with all of the other criteria, achieving
22 congressional districts in which given average
23 candidates and average years, neither party has a
24 built-in advantage.

25 So that's my standard for

1 competitiveness, and I think that the consultants
2 have given us several tools that we can use in an
3 effort to make assessments in these draft maps about
4 how close we are getting to that goal. And I know
5 that they will continue to refine that with the
6 additional data that has been requested that they
7 build in.

8 So with that, I think I would just close
9 by saying I think it's really important now to give
10 the public something that they can actually comment
11 on, an actual draft that doesn't change from day to
12 day. And I hope that we will hear more from
13 communities about how -- about their communities and
14 how this -- these proposals work for them. I think
15 it's a good start, and I think we should let the
16 public comment on it.

17 CHAIRPERSON MATHIS: Any other comments?

18 COMMISSIONER STERTZ: Madame Chair.

19 CHAIRPERSON MATHIS: Mr. Stertz.

20 COMMISSIONER STERTZ: In regards to
21 competitiveness, let's just go through the
22 districts.

23 District 1, the map that you've got --
24 and by the way, thank you very much for taking the
25 hard work and putting this map together this

1 weekend. If I would have known we were going to
2 have another shot at redrafting maps, I would have
3 actually gone through the process of sending a map
4 that I had been working on over the weekend to
5 Mr. Desmond so that we could have some comparison
6 analysis, because I have actually gone through this
7 iteration and actually had another -- I've been
8 studying this map for quite some time.

9 Let's talk about -- let's just talk about
10 District 1.

11 There are 35,000 more Democrats than
12 there are Republicans in District 1 yet it shows up
13 on the competition analysis that it's a 50 percent
14 -- that that somehow is competitive.

15 So it's clear that District 1 is not
16 competitive. There's a 24 percent Democrat over
17 Republican registration advantage in District 1.

18 In Districts 4, 5, and 6, we've actually
19 gone from the map from Friday to the map today
20 adding more Republicans to the already Republican
21 districts.

22 District 4, the large growth area in the
23 San Tan, is going to continue to have more
24 Republicans grow. So again, it's going to expand
25 the percentage of Republican advantage in District

1 4. That's got me greatly concerned that that's been
2 designed into that district.

3 District 2, which is a rural -- or excuse
4 me, the urban Tucson district is shown to be a
5 competitive district probably only because there's
6 equality between the Democrats and the Republicans
7 where there is no significant advantage to the
8 registration, though I can't imagine that the --
9 that it's going to be actually ever someone from the
10 Republican party that will be elected there.

11 District 8 is also a heavily -- it's
12 holding actually a 59 -- in fact, my percentages are
13 just astounding.

14 In District 4 there's a 78 percent
15 Republican over Democrat advantage for registrants.

16 98.7 percent Republicans over Democrats
17 in District 5.

18 68.1 percent Republicans over Democrats
19 in District 6.

20 I would hope that if we were actually
21 talking about trying to get competition that we
22 would try to narrow that gap instead of placing so
23 many Republicans in a particular district that we
24 know is going to grow, as Republican districts will
25 continue to grow, as District 4. These are sort of

1 the districts where growth is naturally going to
2 take place.

3 In District 8, again, it's a heavily
4 Republican district where it's also a growing
5 district that's got a 59 percent Republican over
6 Democrat advantage. Those are clearly going to be
7 four Republican districts.

8 I don't see that 9 is actually
9 competitive. There is a 5.8 percent Democrat
10 over -- Republican over Democrat advantage, which is
11 really curious to me that it actually has an
12 advantage yet it shows more competitive on the
13 Democratic side. Obviously, the folks that are
14 voting in the other category, the Independents are
15 voting mostly Democrat.

16 So I can't get my arms around the
17 statistics because I don't have the algorithms.
18 Once I have them, I'll be able to have a better
19 analysis of that. Right now the only way that I can
20 look at is sort of trusting the information that
21 Strategic has provided in their analysis and -- but
22 I'm really looking at registration.

23 So I was hoping, Madame Chair, to
24 actually get areas that would be growing to be
25 growing and having more -- more of the -- we've

1 heard so much over and over again that the state is
2 third, a third, and a third. There are actually
3 more Republicans than there are Independents and
4 there's more Independents registered than there are
5 Democrats. And it would have been great if we could
6 have had a little bit more spreading out of these so
7 we could actually increase the level of competition
8 going forward.

9 I can't -- although I really am excited
10 about some of the things that you have included in
11 this map, I can't -- I would love to have a couple
12 more days to be able to be able to analyze it.
13 We're going to get some algorithms tonight from
14 Strategic. I'll be able to do some homework on it
15 tomorrow and would love to see us come to the table
16 on Wednesday so at least I could be able to say,
17 yeah, I see it or tweak these things here and I'm on
18 or not.

19 CHAIRPERSON MATHIS: Great.

20 Any other comments or questions?

21 VICE CHAIR FREEMAN: Madame Chair.

22 CHAIRPERSON MATHIS: Mr. Freeman.

23 COMMISSIONER FREEMAN: I had two things
24 to say and I only remember one. Maybe that's a good
25 thing.

1 One comment that was made that was --
2 that in terms of our splits analysis, there's really
3 no significant difference in all of these maps in
4 terms of splits. And I have to disagree with that.

5 If one map shows one more split than the
6 other, that may not seem like a big deal unless it's
7 splitting Mesa twice or three times. I mean, that
8 could be a big deal. I hope we don't have that in
9 this one, but that could make a difference. That
10 could be a significant impact on the map.

11 The other thing is none of the other maps
12 were refined to the point as this map is. This map
13 is down to one person.

14 The whole counties map that I was working
15 on, that line of maps, it wasn't finished, so it's
16 not a fair comparison. A lot of those what-if
17 splits there were, there weren't that many in that
18 map, could have rectified. So it's not a fair
19 comparison.

20 And we don't have -- I know Commissioner
21 Stertz had worked on this map that -- in filling in
22 the donut hole that he presented on Friday and made
23 that part of the record. I'm not sure if -- I would
24 like to see how that map played out to see if that
25 would give us a competitive district and also

1 improve results on the other factors we're supposed
2 to consider under the Constitution.

3 Actually, I think I remembered both of my
4 points.

5 CHAIRPERSON MATHIS: Okay.

6 Other comments.

7 VICE CHAIR HERRERA: Madame Chair.

8 CHAIRPERSON MATHIS: Mr. Herrera.

9 VICE CHAIR HERRERA: Let's see, where do
10 I start.

11 One of the reasons why I decided to vote
12 for this -- obviously this map has changed since we
13 voted for the working map because I wanted to move
14 forward with the draft map. And I think we've all
15 worked on our different versions of maps. It's been
16 a while.

17 We've all put some time and effort into
18 these maps and, obviously, you did your best to try
19 to get a -- sort of a mixture of three different
20 maps into one, including Stertz's map, the whole
21 counties and Commissioner -- excuse me, Commissioner
22 Stertz's map where he talks about the three border
23 districts, Freeman with the whole counties map and
24 then the river district.

25 And although I don't -- I'm not quite

1 happy with the outcome, there's some things that I
2 can live with and there's some things that I'm
3 hoping will change. But again, this is a draft map.

4 And let's talk about the -- just quickly,
5 some of the things that Republicans get. They get
6 three border districts. That's something they've
7 been talking about for awhile.

8 They minimize the number of competitive
9 districts from what I thought we could get was four
10 down to three. And this is something that I think
11 I've been pushing since we started the draft maps.

12 Now, this particular version --
13 congressional map that was printed on 10/2 gives the
14 Republicans four solidly Republican districts based
15 on the 2008, 2010 information and gives three
16 districts that -- let's see. I think it's three
17 competitive districts; two that are leaning
18 Republican and one that's leaning somewhat
19 Democratic. So two slightly Republican districts
20 are competitive and one in 9 that's slightly
21 Democratic. So that's -- so that's, like I said, I
22 think a big advantage to the Republicans.

23 And again, I don't really care much for
24 this map. Well, there's some things that I care
25 about, some things that I don't.

1 And again, I see this as a draft map
2 which we're going to be putting it in for public
3 comment.

4 And in regards to the voter registration,
5 I think Mr. Stertz made the point for me of why we
6 shouldn't be considering voter registration or we
7 should be considering it but we should look at the
8 nuances and what are the differences.

9 For example, he talks about in
10 Congressional District 1 that has a Democratic
11 advantage. But when you look at the
12 competitiveness, in fact, it is slightly Republican.
13 And I think if -- I can be incorrect -- what I would
14 like to do is have Ken Strasma look at that
15 information.

16 For example, I think in the Navajo and
17 Apache Counties there is about 40,000 voters that
18 have not voted in the 2008, 2010 elections and they
19 registered as mostly Democratic. So they are
20 registered at Democrat but they haven't been voting,
21 so I don't know what happened to these voters. Did
22 they move and never reregistered? So that's a
23 concern of mine.

24 And also in these particular two
25 counties, you have, again, a slight -- or a

1 Democratic advantage, but I would probably guess
2 that there's people there that probably register as
3 Democrat but they are not Democrat. They want their
4 voices heard, so they ended up registering for the
5 majority -- the ruling political party in those
6 particular counties but they are not -- again, they
7 are not Democrats.

8 And you could probably get some
9 information on these -- on the Presidential races
10 and figure that out, if that's truly the case.

11 So that's why when Stertz and Freeman or
12 whoever talks about voter registration, I don't
13 think voter registration is a good measurement to
14 use for competitiveness. And I think Stertz made
15 that point for me that -- on District 1.

16 So what I would like to do is have -- if
17 we could direct Mr. Strasma to look at voter
18 registration and the -- why it's difficult to
19 include it as a competitiveness model.

20 But again, some of the issues I have with
21 this map are, again, it doesn't create as many
22 competitive districts as I would like, which is
23 four.

24 It provides the Republicans with four
25 solidly Republican districts, two solidly Republican

1 -- Democratic districts. And the only reason we get
2 those two is because of the Voting Rights Act.

3 So unless Stertz and Freeman want nine
4 solidly Republican districts, which then they may
5 support, but I think this is a map that favors the
6 Republicans, and it concerns me. But I'm willing to
7 go forward as a draft map because I think we can
8 make some changes and tweak this map a bit.

9 So those are my comments.

10 CHAIRPERSON MATHIS: Thank you.

11 Other comments?

12 COMMISSIONER MCNULTY: Madame Chair, I do
13 have a couple comments about District 1, the
14 competitiveness issue.

15 It's also the case that we have a
16 long-standing tradition in Arizona, particularly in
17 Cochise County, that's the county I know best, but
18 maybe in the other rural counties, of a kind of
19 blue-dog Democrats of folks who register as
20 Democrats but who really vote very conservatively.

21 I did take a look this weekend at the
22 results of the 2010 elections in that part of the
23 world. And Felicia Rotellini won by I think it was
24 .1 percent and Terry Goddard lost by I think it was
25 6 percent.

1 So when you look at election results, it
2 is I think a much better indicator of the
3 competitiveness of the district. And I think there
4 are a lot of other forces at work there on the voter
5 registration that are reflected in that 9 percent
6 number. But the election results do, in fact, show
7 that competitive nature of the district.

8 VICE CHAIR HERRERA: Madame Chair.

9 CHAIRPERSON MATHIS: Mr. Herrera.

10 VICE CHAIR HERRERA: Just one more item.

11 On the report of competitiveness report
12 on page -- it doesn't have a page number, but the
13 last page on the congressional map 2010 to 2011,
14 what it does is it equals out the 2008, 2010
15 elections and weighs them equally.

16 So in 2010 you have a year that
17 Republicans -- I think they won all of the state --
18 I think they won all of the state elections --
19 statewide elections and you have in 2008 where
20 Democrats won I think five out of the eight seats
21 in -- the congressional seats and they won two out
22 of the three Corporation Commission seats.

23 So I think that's a pretty good
24 measurement of weighing competitiveness. When you
25 had an awesome year for the Republicans in 2010 and

1 a really good year for Democrats in 2008.

2 As I said before, to me this is the best
3 measurement of competitiveness. Using the 2004,
4 2006 model, again, that's outdated information and I
5 think that Professor Steen probably made an eloquent
6 argument for not using -- or at least not weighing
7 it the same way.

8 So again, I think Mr. Strasma and
9 Strategic Telemetry gave us pretty good information
10 on competitiveness, although it's not complete, I
11 think they are doing pretty good with the
12 information that they do have at their disposal.

13 CHAIRPERSON MATHIS: Thank you.

14 Other comments?

15 VICE CHAIR FREEMAN: Madame Chair.

16 CHAIRPERSON MATHIS: Mr. Freeman.

17 VICE CHAIR FREEMAN: I would remind
18 Commissioner Herrera that in 2008, Republicans
19 increased their majorities in the state house to
20 historic levels. That Senator McCain was the
21 presidential candidate, Republican from Arizona. It
22 was a big year.

23 And the Democrats, as I believe
24 reshuffled their leadership in the state. I don't
25 know if that was in reaction to the 2008 election

1 results or not, although it probably did have a
2 factor in the displeasure with that.

3 I think if -- there should be no
4 compromising on following the Constitution. So if
5 someone is not happy with the way this map looks
6 because they don't think it really meets
7 constitutional muster, they should be voting no on
8 it.

9 I think this should be -- although it's
10 called a draft map, I think it should be the
11 proposed final draft. It should be drilled down to
12 equal population or one person. We have that.

13 I think we should have a very good sense
14 as to the competitiveness measure. I think we
15 should have a very good sense as to whether the
16 districts are compact or could be made more compact,
17 whether they respect county and municipal lines or
18 whether the map could do a better job with that.

19 Because I think we need to know that
20 baseline map to really complete our assessment.

21 I also think that when we publish a draft
22 map -- I mean, this is what we are really telling
23 the public, this is what we are proposing as our
24 map. Come out and make a comment on it. And what
25 it does, it builds in -- once we vote on a draft

1 map, it builds in a presumption. The presumption is
2 this is the map. Now, public, you need to push us
3 off this map. You need to tell us where we need to
4 move the lines.

5 It puts the burden on the public rather
6 than put the burden on us right now, where it is,
7 following the Constitution.

8 So I think we should be very careful
9 about this and think long and hard. I don't think
10 we should vote on this today. I think we should go
11 ahead and start moving the ball down the road on the
12 legislative maps. And then we'll work -- we did
13 that to a point near completion, we can go ahead and
14 vote on both maps.

15 COMMISSIONER MCNULTY: Madame Chair.

16 CHAIRPERSON MATHIS: Ms. McNulty.

17 COMMISSIONER MCNULTY: I just have one or
18 two more comments, and I thank you, Mr. Freeman, for
19 bringing this to mind.

20 The analysis that's attached to each of
21 these maps includes in addition to a voting rights'
22 analysis and competitive analysis and an analysis of
23 how many counties are split, how many census places
24 are split, how many reservations are split, how many
25 tribal subdivisions are split, the percentage of

1 which county is in each district, and the percentage
2 of each district, which is comprised of each county.
3 And the same is true of each census place. Three
4 different -- two different measures of
5 competitiveness, and in addition, three measures of
6 compactness, which I hadn't mentioned earlier.

7 So for each of the maps that we've been
8 looking at for the last few weeks, we've had three
9 different ways of looking at compactness to give us
10 different perspectives on that. The Reock measure,
11 the Perimeter measure, and the Polsby-Popper
12 measure, and that's attached to this map as well.

13 VICE CHAIR HERRERA: Madame Chair.

14 CHAIRPERSON MATHIS: Mr. Herrera.

15 VICE CHAIR HERRERA: Let me be clear that
16 just because this is not my ideal map, does not mean
17 that we didn't use all of the six criteria to put
18 together this map.

19 I think we all did a pretty good job when
20 we were making -- not only when we were making
21 changes but also when you went home this weekend and
22 started working on this map, you talked a lot about
23 making some areas a little bit more compact, talking
24 about communities of interest, especially Pinal
25 County.

1 So I definitely disagree with
2 Commissioner Freeman, that we did use the six
3 criteria in putting together this map. That I feel
4 comfortable with, although, again, I didn't get
5 everything I wanted, not even close, but I do think
6 that the six criteria were used to determine -- to
7 design this map. And so that's to me -- that, I
8 disagree with.

9 I also think that the -- that not only
10 the first public hearing but also all of the public
11 comments that we have taken into account from people
12 commenting on our website, people making public
13 comments here, people making comments, listening to
14 the streaming of these meetings. I think we've
15 taken quite a bit of public comment into account.

16 I think Mr. -- or Commissioner -- or
17 Mr. Bladine has done an excellent job of summarizing
18 that at every meeting in terms of how we are doing
19 in terms of reaching out to the public.

20 So that I'm pretty impressed -- the
21 outreach efforts that we are doing, not only with
22 the Native American population, the Hispanic
23 population, but everyone else throughout the state.

24 So that I feel extremely comfortable that
25 we've used all of the six criteria equally to put

1 together this map.

2 CHAIRPERSON MATHIS: Thank you.

3 COMMISSIONER MCNULTY: Madame Chair,
4 would you entertain a motion?

5 CHAIRPERSON MATHIS: I would.

6 I would like to just say a couple of
7 things.

8 If someone got everything they wanted in
9 this map, then I need to take it away from them
10 because that was not the goal, for somebody to come
11 away with everything they wanted.

12 The whole idea of this map is compromise.
13 I'm in the center. I'm an Independent, as we all
14 know. I'm trying to balance the Rs and the Ds in
15 terms of their desires.

16 I tried to do that with this compromised
17 map, which we've called the everything bagel map.

18 It had its roots in what-if scenarios
19 that the two different sides generated. Everyone
20 was considering all the criteria in an equal manner
21 as we went through this process. We understand the
22 Constitution and what it says and how we are to
23 interpret it. Thankfully it has been resolved from
24 the last commission.

25 I think we've been doing that all along

1 and have been bending over backwards to make that
2 happen.

3 I also tried very hard to be responsive
4 to what we heard this past week, and that is why the
5 map looks the way it does today. Because we got a
6 lot of comment on Thursday and Friday and then into
7 the weekend, as you heard from certain groups. And
8 it was all excellent comment and we needed to take
9 it into account. And that's what I tried to do.

10 And thankfully -- I couldn't have
11 balanced the population to one person by myself.
12 Mr. Desmond had to work really hard and long last
13 night to make this happen and get us, you know,
14 printouts and analysis today. So I really thank him
15 for being able to come forward.

16 When I interviewed for this position as
17 the Independent chair -- and I went back and checked
18 the minutes on this. And if anyone would like to, I
19 think it was February 24th. It could have been the
20 26th -- actually, I think it was a Thursday, and the
21 minutes reflect this -- I told these commissioners
22 that I view my role as being one that strives for
23 consensus. That is what I view the role of the
24 chair is supposed to do. Some may interpret that
25 role differently, that's what I think my job is.

1 That's why I created this compromised
2 map. I'm hoping that, you know, we can get --
3 achieve consensus. And, again, consensus to me is
4 not everyone gets everything they or one person even
5 does.

6 It's not ideal. There is no doubt that,
7 you know, things will likely need to be looked at
8 more closely. We have to do all kinds of analysis.
9 And you can never do enough analysis, frankly, on
10 this information. There's all kinds of information
11 out there and we just have to do the best that we
12 can in the amount of time that we have.

13 And we are going to take these maps on
14 the road, as I will remind everyone, for three weeks
15 of second round hearings and expect to get all kinds
16 of public comment. And people can tell us the error
17 of their ways -- of our ways, I mean, as we go
18 though these different cities across the state.

19 And I expect that we'll have to shift
20 some lines. We heard some comments today that I
21 thought were interesting, and I would love to
22 explore those.

23 But to me, the basics are all here, and I
24 think what we have is a good compromise and I would
25 hope that all of the commissioners could see it that

1 way and be able to vote for this draft map but at
2 the same time, we also have to move forward.

3 So if I don't have -- you know, a
4 majority rules on this Commission and if we don't
5 have everybody behind it, then we don't have
6 everyone behind it and that's kind of how I'm seeing
7 it at this point.

8 I think we've worked really, really hard
9 on this and it's time to move forward.

10 COMMISSIONER MCNULTY: Madame Chair.

11 CHAIRPERSON MATHIS: Mr. Stertz.

12 COMMISSIONER STERTZ: With all due
13 respect to the all working together for this map,
14 this is a map that was created around the district
15 that was designed by Commissioner McNulty and the
16 rest of the districts have been adjusted by you.
17 They all have inferences and stylings that infer
18 ideas that have come from all members of the
19 Commission, but certainly this has not been a
20 partnered effort.

21 I certainly -- and frankly, am in strong
22 agreement with Commissioner Herrera where I was
23 hoping that we would be able to get more competition
24 in more districts and am in total disagreement with
25 his belief that as a Republican and as a

1 conservative that my goal would be to have nine
2 Republican districts.

3 Our goal is to work for all six and a
4 half million people of this state for the highest
5 and the best and the most dynamic political process
6 that's possible.

7 So this is not a map that -- this is a
8 McNulty/Mathis map with some inferences from Stertz,
9 Herrera, and Freeman.

10 But certainly I do not believe that we
11 are following in constitutional principle in several
12 areas: Geographic, the communities of interest of
13 fracturing -- I believe that we are accumulating
14 Republicans in highly Republican growth districts
15 that will over the next ten years continue to be
16 hyperpacked Republican districts to the detriment to
17 the other state (sic) and the detriment of potential
18 competitiveness.

19 So I cannot -- obviously, you're hearing
20 from me that I can't support this for just not
21 following our constitutional effort. And right now
22 I do not understand the competitive analysis because
23 currently I do not have data.

24 I'm also looking at compactness following
25 the three, the Reock, the Perimeter, and the

1 Palsby-Popper test. We have -- the goal of
2 Palsby-Popper is to get the closest to 1 and some of
3 our districts are .18. Two districts are .18 in
4 Palsby-Popper.

5 From Perimeter design for compactness,
6 we've had districts -- we've had Perimeter analysis
7 that accumulates down into the high 4800s. We're at
8 5910.

9 In the Reock analysis, again, our target
10 is to be closest to 1. We've got districts -- our
11 closest to 1 is .55 -- or .56. The majority have
12 been in the .37s, .35s. We are not meeting the
13 highest and best.

14 I know this is a rural state and it's
15 very challenging, but it's disingenuous to say that
16 we have been using those and studying those and
17 making a strong attempt to get compactness.

18 So I'm in favor of continuing to review
19 this map. I'm in favor of you tabling this issue of
20 giving us the opportunity to review it and to
21 improve it and to try to expand on competitiveness.

22 And if not, this will not be, in my mind,
23 an everything bagel map or a donut hole map. This
24 will be the McNulty/Mathis map.

25 VICE CHAIR HERRERA: Madame Chair.

1 VICE CHAIR FREEMAN: Mr. Herrera.

2 VICE CHAIR HERRERA: One of the reasons
3 why I was not in favor of changing the date -- I
4 think we had originally scheduled to go out in
5 public with the -- with the draft -- I think it was
6 the 16th of September, it was that week. I think
7 then we changed it back another week.

8 I think we changed it -- ended up
9 changing it twice. And we ended up changing it the
10 last time to the week of the 10th was because of
11 this issue that it just seems like there's people on
12 this Commission want to keep postponing it.

13 That there is -- no matter how much of
14 their ideas you take into account, since you
15 originally had mentioned that you based your map on
16 the whole counties map and also on Stertz's three
17 border districts idea, that no matter how many of
18 their ideas you take into account, it's not going to
19 be enough.

20 That -- they will want to keep pushing
21 the map further and further along where we will --
22 that this Commission will lose its power and it will
23 have someone doing the maps for us.

24 So that worries me and that's my belief.
25 I could be wrong and I hope I'm wrong, but again,

1 the Democrats and people that care about competition
2 didn't get what they wanted in this map. They got
3 some of what they wanted but not all.

4 Again, I was pushing for four competitive
5 districts. We didn't get them. We were pushing for
6 two border districts and we didn't get those either.

7 So there's a lot of things on this map
8 that we didn't get, but, again, in the spirit of
9 compromise, what I'm just -- and I don't want to
10 argue with Stertz and Freeman. I really don't. I
11 respect their comments. I disagree with them, but I
12 want to compromise.

13 I was not in favor of this map. I was
14 pretty clear that I didn't care for this map, but I
15 wanted to compromise. And I've compromised quite a
16 bit in my role, and I'm willing to do this again
17 because I want to move forward. I want us to put
18 these maps out there.

19 I disagree with Commissioner Freeman
20 that -- this is a draft map. I think if we looked
21 up the word "draft" in the dictionary, it will tell
22 us what it is. It's not a final product. And we
23 never intended it to be a final product.

24 There's four phases in this process.
25 That's, I think, the third phase out of the fourth

1 phase, meaning we have one more phase to go and
2 that's completing the final draft.

3 So again, I respectfully disagree with
4 Freeman and Stertz. I don't want to argue. I
5 really don't.

6 I just want to state it clearly that we
7 all gave up something in this map. We all did. And
8 I am not happy with this map, but again, doesn't
9 mean that this map shouldn't go forward.

10 Those are my comments.

11 CHAIRPERSON MATHIS: Mr. Freeman.

12 VICE CHAIR FREEMAN: Madame Chair, well,
13 Commissioner Herrera used some words that I've heard
14 him use before on this Commission which was this is
15 in the spirit of compromise and negotiation.

16 He used that when the Commission made its
17 first big decision to hire lawyers. You can look at
18 the result on what happened there.

19 He used the same term -- same phraseology
20 when the Commission voted to hire a mapping
21 consultant, and that was another 3-2 vote. Now he's
22 using it here.

23 He's also -- we've heard repeatedly that
24 this is just a draft and the lines can change. I
25 think that could be a change for good but it could

1 be some foreshadowing that the Democrats are going
2 to get even more of what they want in a final map.

3 So I'm not particularly pleased to hear
4 that form of emphasis.

5 I think it should be a proposed final map
6 that we put out for public comment with every issue
7 being drilled town and considered completely by the
8 Commission and not some sort of fuzzy map that we
9 may or may not change. Let's just get it out the
10 door and take 30 days of public comment.

11 CHAIRPERSON MATHIS: Thank you.

12 Any other comments?

13 VICE CHAIR HERRERA: I think Commissioner
14 McNulty made a motion or she was in the process of
15 making a motion.

16 COMMISSIONER MCNULTY: If the chair will
17 entertain it, I would make a motion.

18 CHAIRPERSON MATHIS: I would entertain
19 it.

20 COMMISSIONER MCNULTY: I would move that
21 we adopt congressional map as of 10/2/11 that we've
22 discussed today as a draft map of the congressional
23 districts and that we instruct our staff to
24 advertise the draft map in accordance with the
25 requirement of the Constitution and to take public

1 comment on it for at least 30 days.

2 VICE CHAIR HERRERA: I second that
3 motion.

4 CHAIRPERSON MATHIS: Any discussion?
5 All in favor?

6 VICE CHAIR HERRERA: Aye.

7 COMMISSIONER MCNULTY: Aye.

8 CHAIRPERSON MATHIS: Aye.

9 Any opposed?

10 COMMISSIONER STERTZ: Nay.

11 CHAIRPERSON MATHIS: Okay. I heard one
12 "nay."

13 VICE CHAIR FREEMAN: Abstain.

14 CHAIRPERSON MATHIS: And one abstention.
15 So I have Commissioner Freeman
16 abstaining, Commissioner Stertz no, and Herrera,
17 McNulty, Mathis yes.

18 So we have a draft map for congressional
19 districts and we look forward to going out to the
20 public with this. And all of the appropriate
21 measures will be taken, I'm sure, by our staff to
22 get this onto our website.

23 And I know there are certain requirements
24 regarding advertising this map, and I don't know if
25 legal counsel can advise on that if they have any

1 information on advertising this map, what we need to
2 do going forward, but we'll need to take those steps
3 and make it clear to people that this is the draft
4 map for congressional districts.

5 JOE KANEFIELD: Madame Chair, the map
6 will be posted today. And we've looked -- we are
7 looking to see how the prior Commission advertised.
8 We believe we found out how they did it, but we're
9 going to confirm to make sure that they didn't take
10 any additional steps. And we'll make sure that the
11 Commission is in compliance with the advertising
12 requirement for the Constitution.

13 CHAIRPERSON MATHIS: Great. Thank you.

14 VICE CHAIR HERRERA: Madame Chair.

15 CHAIRPERSON MATHIS: Mr. Herrera.

16 VICE CHAIR HERRERA: Our website
17 currently has all of the proposed maps in one area.
18 So I would not recommend lumping this draft map with
19 the rest. I think it should have its own --
20 something where it stands out because I don't want
21 people to get confused. So --

22 CHAIRPERSON MATHIS: It's confusing
23 enough.

24 VICE CHAIR HERRERA: It's confusing
25 enough.

1 And, Madame Chair, if it's okay with you,
2 I would like to take a quick break.

3 CHAIRPERSON MATHIS: Oh, sure, we can do
4 that.

5 So Mr. Forst can put this in a special
6 place on the website so it's real clear what version
7 is the draft map and have all of the analysis and
8 splits report that are associated with it tied to
9 it.

10 The time 4:06 p.m. Did we want to take a
11 quick break?

12 Mr. Desmond.

13 WILLIE DESMOND: Just before we go to
14 recess, I want to mention that this map and the two
15 legislative maps that we'll be discussing later
16 today are available now in the back for members of
17 the public that are here. They are also on our
18 website.

19 And when we do post this as a draft map,
20 I'll change the title and stuff and call it "draft
21 map."

22 CHAIRPERSON MATHIS: Great. Perfect.
23 Thank you.

24 Okay. So we'll take a quick ten-minute
25 break. It's 4:06 p.m. We'll go out to recess.

1 (A recess was taken from 4:06 p.m. to
2 4:22 p.m.)

3 CHAIRPERSON MATHIS: Recess is over. The
4 time is 4:22 p.m., and we are now on agenda item 3.

5 Just to give people a sense of what we're
6 thinking what might work for commissioners, I know
7 that Commissioners McNulty and Freeman both have
8 done some work on some legislative map ideas and we
9 thought it might be great to get our feet wet again
10 with those and start changing gears and thinking
11 about the legislative districts.

12 There's an executive director's report.
13 I'm not sure how much Ray has, but we have a little
14 bit of public comment and that's kind of the rest of
15 the agenda.

16 So I thought what we could do is whoever
17 wants to go first, Mr. Freeman or Ms. McNulty, could
18 each present their ideas. And Mr. Desmond, I know,
19 has though maps ready or if you guys want to flip a
20 coin.

21 COMMISSIONER FREEMAN: Go ahead.

22 COMMISSIONER MCNULTY: Are you sure,
23 Mr. Freeman, because you submitted your map first,
24 if you would like to go. I'm happy to --

25 VICE CHAIR FREEMAN: No.

1 COMMISSIONER MCNULTY: Would you put the
2 9 minority district option 2 version 8a up, Willie?

3 WILLIE DESMOND: Yeah.

4 COMMISSIONER MCNULTY: Thank you.

5 WILLIE DESMOND: Okay. The map is up,
6 whenever you're ready for 9 minority district option
7 2 version 8a.

8 COMMISSIONER MCNULTY: This is a first
9 effort to pull together proposals for legislative
10 districts, and I'm going to start -- I'm going to go
11 around it geographically, I think, and just very
12 briefly summarize each one.

13 The first one -- because our grid started
14 in Southeast Arizona, the first district is in
15 Southeast Arizona and this includes most of Cochise
16 County, the nonreservation portions of Graham
17 County. There is kind of a geographic and economic,
18 to a certain extent, cultural tie between the
19 Sulphur Springs Valley and the Safford area.

20 This area also includes the Corona de
21 Tucson -- far east areas of Tucson, Rincon Valley,
22 Corona de Tucson, and Vail. We actually heard some
23 testimony last week about that. It also includes
24 Green Valley, which is an area along the Santa Cruz
25 River that I'll talk about a little bit when we get

1 to that district.

2 The second district, this one that looks
3 a little bit by Nessie, I guess, is comprised mostly
4 of Santa Cruz County, Nogales and then continues up
5 into South Tucson.

6 It also includes the communities of
7 Bisbee and Douglas on the border. And I did that
8 for a couple of reasons. There is a fair bit of
9 minority population here, and I thought it made
10 sense to get public comment on whether to include
11 those with this district or leave them in this
12 district. I thought that this idea, although from a
13 compactness and contiguity point of view, it doesn't
14 look very pretty. From a community point of view,
15 it may make some sense.

16 So that's why I proposed it, and I hope
17 that people might have an opportunity to comment on
18 it and give us their thoughts.

19 This district would replace -- be a
20 replacement for an existing Voting Rights Act
21 district. I think I made a note here from when I
22 looked at the splits report -- it's been a while
23 since I made this note -- I think it's approximately
24 49.8 percent Hispanic voting-age population.

25 There was a concern here I think for the

1 last Commission -- since the last Commission about
2 whether the population in this district is actually
3 able to elect a candidate of their choice.

4 Nogales is surrounded by some nonsimilar
5 population, and I thought that it made sense to
6 consider combining Nogales with the minority
7 population in South Tucson, which is the way the
8 district was configured about 20 years ago, way back
9 when.

10 This also is kind of a Santa Cruz River
11 district that follows the Santa Cruz River north and
12 south of there. And there are historic, cultural,
13 economic and -- economic development issues common
14 to these communities.

15 So that's the thinking behind that
16 district.

17 Moving up to District 3, which is South
18 and Southwest Tucson, that includes -- that would
19 also be a majority-minority district.

20 It includes West Tucson, downtown, the
21 University of Arizona, this Drexel Heights area, the
22 Valencia West area, Tucson Estates, and the Pascua
23 Yaqui Reservation.

24 The east boundary would be Campbell
25 Avenue, which takes in the University of Arizona

1 takes that into District 3.

2 The Hispanic voting-age population, I
3 think, is around 50, 51 percent. So the thinking is
4 that this would create some opportunity for a
5 performing majority-minority district.

6 District 10 is Central Tucson. It
7 includes East and Northeast Tucson out to the Tanque
8 Verde area, including the Tanque Verde Valley.

9 The south boundary, as this is
10 configured, is the north boundary of the Air Force
11 base.

12 My notes are not in the same order as the
13 geography, so I think it will take me a second to go
14 back and forth here.

15 Let's go to --

16 WILLIE DESMOND: You can go according to
17 your notes, if that's easier.

18 COMMISSIONER MCNULTY: I'm sorry?

19 WILLIE DESMOND: If you want to jump
20 around the map according to your notes --

21 COMMISSIONER MCNULTY: I think I would
22 rather go geographically.

23 Let's look at District 11.

24 So this -- sorry, District 9 is next,
25 which is the Catalina Foothills.

1 So we talked about the Central Tucson
2 district. There is a district just north of that
3 that includes the Catalina Foothills, Flowing Wells
4 area, Casas Adobes, and some of -- kind of west-ish
5 Central Tucson. Not West Tucson, but the west part
6 of Central Tucson.

7 There are folks, I'm sure in this room,
8 who live in this area. There's a lot of commerce
9 back and forth here. The people who live here tend
10 to shop in this area and the same is true of some of
11 these -- there's a lot of connection between those
12 areas in Tucson.

13 WILLIE DESMOND: I don't want to
14 interrupt you, but would you like me to turn off the
15 shading so you can see the census places underneath?
16 Would that be easier?

17 COMMISSIONER MCNULTY: I'm happy to do
18 whatever folks would like.

19 Let's go north to 11.

20 So this 11 is directly north of Tucson.
21 These are the Catalina Mountains, Summerhaven up
22 top, Saddlebrooke, Catalina, Oro Valley, Marana,
23 which would all be together with the I-10 corridor.

24 We've heard a lot of testimony about
25 keeping these areas together. We've also heard

1 testimony about the importance of the I-10 corridor
2 for economic development. That these areas are
3 growing north, the town manager of Marana talking
4 about collaboration with Casa Grande for future
5 economic development.

6 CHAIRPERSON MATHIS: I think that
7 district, the way it's currently drawn, is also a
8 good example of trying to balance communities of
9 interest with compactness and contiguousness because
10 you have to weigh them equally and it's a really
11 tough call when you have these communities of
12 interest but it also -- you need to be compact and
13 contiguous.

14 So I just thought I would make that point
15 on that one particularly.

16 COMMISSIONER MCNULTY: This is a
17 challenge here because of the way the communities
18 are laid out. They are growing but they haven't
19 fully grown yet so there's a lot of -- you know,
20 they are pretty spread out. Eloy is right here.
21 You can see that that is a function of what you just
22 described.

23 If we could go just a little bit north,
24 Willie, to District 12.

25 This includes north Pinal County and

1 south Gila County. It also includes Apache Junction
2 and Gold Canyon, and that was a population issue.

3 The rest of this proposed district is
4 pretty rural, but in order to make up the district,
5 it was necessary to have some additional population.
6 So that's the way this draft is configured and
7 includes Florence and Coolidge, the nonreservation
8 portions of Gila County, and that includes Globe and
9 Miami, Superior, Kearny, Oracle, all of those copper
10 corridor towns. It also includes the Gila River
11 Indian Community and the Ak-Chin community.

12 Let's go into Phoenix, District 8.

13 We'll all be pretty familiar with that at
14 this moment.

15 One thing that we've all found I think in
16 doing this process is that once you -- whichever map
17 you study first, you learn a great deal about the
18 state that is relevant to the next set of maps.

19 And in this particular area we were
20 looking at the Mesa, Queen Creek, San Tan Valley
21 area pretty closely on Friday and again today, and
22 this south far east district in the Phoenix metro
23 area would include Queen Creek, San Tan Valley, and
24 East Mesa.

25 They all have a similar mix of rapidly

1 developing formally agricultural areas. As I
2 recall, the west boundary here is Power Road. It
3 includes Williams Air Force Base.

4 So let's continue to go west a little
5 bit.

6 16 is mostly the town of Gilbert.
7 Gilbert has about 95 percent of the population
8 necessary to make up a legislative district, so
9 we've got, you know, a little bit of extra
10 population that we needed to pull into the Gilbert
11 district.

12 And moving west, this district includes
13 Chandler and Sun Lakes and a little bit of Gilbert.
14 I guess a little piece of Mesa here.

15 Chandler had requested that it only be in
16 two legislative districts and that Sun Lakes be
17 included with it, and that's what this map is
18 designed to do.

19 Then moving further west, this is the
20 Ahwatukee area and this is North Chandler and this
21 is the I-10. These communities are similar in many
22 ways. Ahwatukee is bounded -- is kind of blocked in
23 here by South Mountain on the north and the Gila
24 River Indian Community on the south. So there's a
25 lot of interchange this way and this way.

1 Let's go north, Willie, to 26.

2 This is the -- this is Tempe and West
3 Mesa. East Tempe and West Mesa north of Baseline
4 Road. There's, I think, some potential here for a
5 coalition district. The Hispanic population is over
6 35 percent. There's some African-American
7 population, some Native American population. I
8 think the non-Hispanic white population is in the
9 48, 49 percent range.

10 This includes both ASU and Mesa Community
11 College. We've talked about the light rail and the
12 fact that that creates a -- you know, was put here
13 because it binds communities and is an economic
14 development driver for this area.

15 You should probably go to 25, if I
16 haven't done that yet.

17 This is East Mesa, sits right on top of
18 the Gilbert district. This is similar to what we
19 experienced on Friday in the congressional map,
20 trying to figure out the best way to create
21 districts in a context of the configuration of Mesa.

22 So there's probably more work to be done
23 here, but what this is right now is essentially East
24 Mesa district. It may be that some of the northern
25 areas fit better with Fountain Hills or Scottsdale.

1 Okay. Willie, you're driving. Where do
2 we go next?

3 WILLIE DESMOND: How about 24.

4 COMMISSIONER MCNULTY: Okay. 24 is just
5 north of this Tempe district. It includes South
6 Scottsdale, Paradise Valley, Arcadia -- the Arcadia
7 district and parts of Central Phoenix.

8 The west boundary is the 51, which is
9 kind of a good divide between East Phoenix and
10 Central Phoenix.

11 Should we go to 28?

12 Obviously, this is comprised mostly of
13 Central Phoenix. This south boundary I think is Van
14 Buren. It goes north up to Greenway and Bell Roads
15 in this area. The 51, as I just said, is the east
16 boundary and then 19th Avenue, which is kind of
17 traditionally viewed as, you know, where you leave
18 Central Phoenix and move -- start to move into the
19 West Valley is the west boundary here.

20 I think that Van Buren is right in this
21 area. And when you cross over that, you're kind of
22 into downtown.

23 A lot of historical neighborhoods in this
24 area. It's a typical downtown, western metropolitan
25 area where you have a mix of communities, older

1 communities, businesses, and neighborhoods.

2 Let's see. Do you think 29 is probably
3 next?

4 This includes Glendale in the area
5 between Grand Avenue and Thunderbird and some of
6 West Central Phoenix.

7 Again, I think there's a potential for a
8 coalition minority-majority district here. There
9 are about 38 percent Hispanic population, 6 percent
10 African-America population. The non-Hispanic white
11 population is about 47 percent.

12 Let's go east to 13.

13 This is a West Valley district that
14 includes El Mirage, parts of Peoria, kind of
15 wrapping around Sun City, includes Luke Air Force
16 Base and Litchfield Park. It's grown in the last
17 decade. The Hispanic population is apparently about
18 32 percent in that area.

19 That brings us up to District 21, which
20 includes Sun City and Sun City West and portions of
21 Surprise and Peoria.

22 And 22 are some of the -- kind of central
23 neighborhoods north of the 101 and west of
24 Scottsdale. Again, I talked about this earlier.
25 We've got Scottsdale here in several places.

1 23, I guess we haven't talked about that.
2 That's North Scottsdale, Fountain Hills, Rio Verde.
3 There's a population from Mesa that is kind of
4 included in the other district. It also includes
5 the Fort McDowell and Gila River Indian Communities.

6 And then it extends kind of north until
7 Lost Dutchman country, includes the area along the
8 Beeline Highway, the Superstitions, Canyon, and
9 Saguaro Lakes.

10 WILLIE DESMOND: We just forgot 29 and
11 30. Maybe just 30.

12 COMMISSIONER MCNULTY: Okay. Let's go
13 back there.

14 So 30 includes North Phoenix and some of
15 North Glendale. I think that this is between
16 Thunderbird and the 101.

17 Who have we forgotten, Willie?

18 WILLIE DESMOND: I think that's it. 29
19 and 30 were the only two.

20 COMMISSIONER MCNULTY: Shall we go west?

21 WILLIE DESMOND: I don't think we hit 4.

22 COMMISSIONER MCNULTY: No, we haven't
23 done 4 yet.

24 So in 4, the split is very similar to the
25 congressional map. It includes the large Hispanic

1 population that has historically resided along the
2 border with the Tohono O'odham Reservation. And the
3 way that this district interfaces with Phoenix, the
4 metropolitan area in Maricopa County is very similar
5 to the way it does on the congressional map.

6 The issue of this minority population and
7 the way it's situated in an area that potentially
8 racially polarized voting, I think makes it even
9 more important in the legislative context that we
10 consider ensuring that that population has the
11 ability to elect its candidate of choice.

12 Yuma is continuing to grow, and my
13 thought was that it makes some sense -- we've talked
14 a lot about having multiple voices, having more than
15 one voice, and it may actually make sense for Yuma,
16 as it continues to grow over the next decade, to
17 have two representatives at the state legislature,
18 one to represent the North Yuma area and one to
19 represent this minority population.

20 I want to talk about District 14 as soon
21 as I find my -- where did I put it?

22 WILLIE DESMOND: While you're looking,
23 I'll just add that these maps are online right now.

24 COMMISSIONER MCNULTY: This is a big
25 rural area, obviously. It includes some of Buckeye,

1 Quartzsite, and the whole northern half of Yuma
2 County. It's a western rural Arizona district.

3 Then moving north on the map, this is
4 another river district, a river legislative
5 district. It includes the tri-city area of Bullhead
6 City, Kingman, Lake Havasu City, Northern La Paz
7 County, and the Colorado River Indian communities.

8 Then District -- maybe we should talk
9 about District 15, which includes most of Yavapai
10 County. What's been taken out of this is Sedona and
11 the Verde Valley. Those have been combined in this
12 map with the Flagstaff area. This area also comes
13 down and includes some of the North Phoenix areas:
14 Anthem, New River, Cave Creek, which, you know, have
15 connections with Black Canyon City in this area.

16 Then 6, grid 6 -- District 6 includes
17 Flagstaff and the I-40 corridor, which we've heard a
18 lot of testimony about from folks in Northern
19 Arizona, that they see this as the focus of a great
20 deal of collaboration on economic development.

21 We've also heard a lot of testimony about
22 watershed issues, forest health issues, tourism
23 issues, and things that they have in common with
24 Sedona and the Verde Valley. And there are
25 legislative issues, there are economic development

1 issues before the legislature represents some
2 different areas of focus and concern than the tribal
3 issues.

4 So I think it makes no sense to have
5 these -- the tribal areas and the Coconino County
6 area in two separate districts. I think we've heard
7 a lot of discussion about why that make sense from
8 the perspective of the folks that live there.

9 I think this also includes some of the
10 forested towns down above the rim here.

11 So that leaves us with the grid 7, which
12 is the Navajo Native American district. I think
13 we've heard a great deal of testimony that they
14 would like to combine these nations together in a
15 legislative district to increase the strength of
16 their voice.

17 We don't have packing issues with Native
18 Americans in the way that we do with the Hispanic
19 community because we aren't precluding them from --
20 they would not be precluded from creating another
21 district if they are predominant in one district.

22 So I think that given that that's
23 something that they have requested, that it's a
24 worthy goal and that it makes a lot of sense, it
25 doesn't dilute their ability to elect a candidate of

1 choice elsewhere.

2 These funny little things and this are
3 all tribal lands and the sacred San Francisco Peaks,
4 which I proposed to put in the legislative district
5 within the Navajo Nation.

6 I think that's kind of it in a nutshell.

7 CHAIRPERSON MATHIS: Thank you for
8 walking us through that.

9 Was there -- it seems like the basis --
10 and correct me if I'm wrong -- but it just seems
11 like you were trying to group communities of
12 interest together.

13 COMMISSIONER MCNULTY: I was. I was --
14 that's exactly what I was doing. I'm not sure all
15 of these things are communities of interest, but I
16 was definitely trying to put communities together,
17 things that made sense together, people and
18 communities that collaborate together, that have
19 common geography or common economic development
20 interests. And I was also looking at ensuring that
21 we preserve our majority-minority districts and
22 trying to look for opportunities to create coalition
23 districts.

24 And I know we would need to do some more
25 work on that, but that was one of the things I was

1 focused on.

2 I also looked to a certain extent about
3 where in the state competitiveness already exists,
4 you know, where we have competitive legislative
5 districts where we've had the split representation
6 and where we might have opportunities for
7 competitiveness. But again, that really would need
8 more attention.

9 My first focus in putting this together
10 was putting together communities with other
11 communities that made sense for common
12 representation.

13 CHAIRPERSON MATHIS: Any questions for
14 Ms. McNulty?

15 VICE CHAIR HERRERA: Madame Chair.

16 CHAIRPERSON MATHIS: Mr. Herrera.

17 VICE CHAIR HERRERA: District 14, I kind
18 of missed some of the talking points, the highlights
19 of District 14.

20 Do you mind going over that real quickly?

21 COMMISSIONER MCNULTY: It's really
22 western rural Arizona. It includes Quartzsite and
23 includes some of Buckeye on this eastern -- or the
24 western edge of the metropolitan area in Phoenix and
25 then Northern Yuma County.

1 VICE CHAIR FREEMAN: Thank you.

2 Madame Chair.

3 CHAIRPERSON MATHIS: Mr. Herrera.

4 VICE CHAIR HERRERA: I would like to
5 see -- once you're ready to show us how many
6 competitive districts you believe you would create
7 on option 2 version of minority districts.

8 COMMISSIONER MCNULTY: I think that there
9 is an analysis that's attached to the map. And I
10 think what the analysis shows is that it could use
11 some work.

12 But I think what we have is a combination
13 of Republican districts, some Democratic districts,
14 and that a lot of districts in the middle that lean
15 one way or another that provide opportunities for
16 competitiveness that -- and it would make sense for
17 us to focus on that more carefully.

18 VICE CHAIR HERRERA: Madame Chair.

19 CHAIRPERSON MATHIS: Mr. Herrera.

20 VICE CHAIR HERRERA: Quick follow-up.

21 Would it be too soon to ask you how many
22 competitive districts you think you were able to
23 create using your version of the 9 minority district
24 map?

25 COMMISSIONER MCNULTY: Maybe a little,

1 but I guess I would say maybe eight or nine.

2 VICE CHAIR HERRERA: Thank you.

3 CHAIRPERSON MATHIS: And I know one of
4 our earlier goals when we started off was to try to
5 keep Indian reservations whole, and it looks like in
6 your map -- if I'm reading this correctly, two that
7 are in two districts and two that are in three or
8 more districts.

9 COMMISSIONER MCNULTY: And I don't know
10 why that is. I didn't intentionally split any of
11 the reservation lands, but very well may have
12 inadvertently.

13 So what I would like to do with this next
14 is work on the opportunities for majority-minority
15 districts, work on better understanding the
16 opportunities for competitiveness and maybe
17 fine-tuning that some.

18 And then once Commissioner Freeman has
19 presented his proposal, give thought to whether we
20 can -- we have common themes in our maps, common
21 concepts that we might be able to build on together.

22 WILLIE DESMOND: I can show you -- just
23 going back on some of the splits in the Native
24 American areas.

25 The Pai tribes -- I mean, there's these

1 little areas that are kind of --

2 CHAIRPERSON MATHIS: Tribal lands?

3 WILLIE DESMOND: Yeah, kind of floating
4 out there, not contiguous areas. So some -- I think
5 most of the splits are affecting some of those,
6 since there are 30 districts instead of 9, it's
7 accentuated in the leg maps.

8 If there are some that are close, you
9 know, I think we would invite anyone who wants to
10 point out any particularly glaring example of split
11 reservations. But I think at least initially that's
12 probably some --

13 CHAIRPERSON MATHIS: Why that's like
14 that.

15 Okay. Thank you.

16 COMMISSIONER MCNULTY: You know what, I
17 don't think I talked about grid 20 and grid 19, both
18 of which are majority-minority districts. I
19 probably should just mention those.

20 Grid 20 includes Maryvale and the Old
21 Glendale and is predominantly Latino. I think this
22 is the one of the districts that the Department of
23 Justice had issues with last time and concerns about
24 whether it was an effective voting district and
25 whether they were able to elect a candidate of their

1 choice.

2 CHAIRPERSON MATHIS: I like that Tolleson
3 is whole there. I went to the Glendale hearing for
4 our first round and that was something that got
5 mentioned during the hearing. Apparently they have
6 a really good fireworks show there. FYI.

7 COMMISSIONER MCNULTY: So that district
8 includes Tolleson and most of Avondale and West
9 Phoenix. And that should be a majority-minority
10 district.

11 CHAIRPERSON MATHIS: Okay. Well, thank
12 you very much for walking us through that and for
13 all of the effort.

14 If anybody has any other comments or
15 questions for her?

16 VICE CHAIR FREEMAN: No.

17 CHAIRPERSON MATHIS: Otherwise we can
18 have Mr. Freeman present his.

19 VICE CHAIR FREEMAN: Thank you, Madame
20 Chair. I want to thank Commissioner McNulty. It's
21 a lot of work to put one of these together.

22 Maybe if someone could pass the laser
23 pointer, we'll continue the show.

24 Okay. Just backing up to the genealogy
25 of this map, we began with our grid map that we're

1 constitutionally required to create.

2 We created -- we had a grid map created
3 for legislative and congressional districts.

4 Starting with the grid map, I had asked
5 our mapping consultant just to demonstrate that
6 there are multiple ways this puzzle could be put
7 together to create two options, an option 1 and an
8 option 2. Two different maps in essence that at
9 least on the first map focused on the
10 majority-minority districts we're going to
11 ultimately need.

12 Then the Commission as a whole gave the
13 mapping consultant some direction to modify that map
14 a number of times and got them to a version 5 of
15 both option 1 and option 2, I believe.

16 At that point it was looking like someone
17 needed to really get their claws into this map and
18 start really pushing the lines around, based upon
19 all of the constitutional criteria and acknowledging
20 communities of interest and sort of put the
21 districts together the way that Arizona works.

22 I went ahead -- and this was a couple of
23 weeks ago -- and gave some direction as a first
24 crack at that on a comprehensive basis all 30
25 districts. That was a version 6.

1 I think there was a version 7, I guess,
2 was the one last week. And then over the weekend I
3 further refined the map to try to get it very close
4 on population and to tweak the minority-majority
5 districts, which all -- I think even -- both of
6 these sets maps we can do work on both of them to
7 massage most of those issues and look at the
8 competitiveness issue.

9 And basically, the approach I took on
10 developing the map was similar to the approach I
11 took on the congressional map.

12 I mean, where do you begin? 30 districts
13 to fit in there. And I thought, well, I'll start
14 from the outside of the state and work my way
15 inside. The outside of the state is kind of rural
16 in nature. It's going to require large districts to
17 capture the needed population. What is one of the
18 constitutional criteria that also sort of captures
19 large tracts of territory, well, it's the
20 constitutional criteria that we're required to
21 follow, which is to respect county lines.

22 So I started in county lines, and I
23 didn't start with 1, I actually started with our
24 river district. And basically where there was a
25 district sort of floating over a county, I at first

1 crack just sort of looking at it on Maptitude just
2 moved the lines out to the county lines to see how
3 much population that gives you and then adjust
4 accordingly from there to make it into a district
5 that's a little more close to the population we need
6 and to do so in a sensible way.

7 If there was some obvious way, you know,
8 a county line needed to be split to grab population
9 or give it up, that's the what I did. So there was
10 a consideration for how the state is put together.

11 So beginning here, this is District 4.
12 That basically gives you all of La Paz County, all
13 of Mohave County, up to the Colorado River. That's
14 where the cut is.

15 Those two counties together give you a
16 legislative district, nice straight line there.
17 That's the county line.

18 There's a small cutout here next to the
19 Canyon, which is some -- I believe it's the Navajo
20 Reservation land up there, so there's a little
21 crinkle there where that's cut out.

22 Next, going around -- sort of around the
23 clock face here is District 7. That is essentially
24 the Navajo Nation district. We also had these
25 tribal areas around the Grand Canyon, we get the Big

1 Boquillas Ranch land that the Navajo Nation owns,
2 some other tribal areas north of Flagstaff. We get
3 Flagstaff, acknowledging that strong bonds between
4 those two communities.

5 These other crinkles down here are to
6 capture some more Navajo Nation land. I know
7 there's another little spot right about here and
8 you'll see it on Commissioner McNulty's map as well.
9 That was some zero population Navajo land. So at
10 least for this draft, I left a nice straight line
11 there, which is basically the border of the Navajo
12 Nation.

13 So that gives you that, a congressional
14 district that's a majority-minority district.

15 Then working south, I put together the
16 remainder of Apache County, Navajo County with
17 Graham, Greenlee. That gives you the White Mountain
18 Apache and the San Carlos Apache tribes. It did
19 have to cut into Gila County here where the San
20 Carlos tribal leaders lands cut in there. That's
21 not quite enough -- oh, you also get all of Gila
22 County in there and it cuts into Pinal County, I'm
23 sorry.

24 Not quite enough for a congressional
25 (sic) district. We heard lots of comments at

1 Hon-Dah and Pinetop about people up there, including
2 representatives of the White Mountain Apaches. And
3 a logical place to grab more population was over
4 here in the Verde Valley. There was also the
5 Yavapai/Apache community there, that joins them with
6 the White Mountain and San Carlos Apaches as well.

7 Then going down to the southeast corner
8 of the state, you put Cochise County to get whole
9 together with Santa Cruz County whole. We heard
10 public comment about the ties between those two
11 counties. It was logical to put those two together.

12 That's not quite enough for a
13 congressional district -- or a legislative district,
14 I'm sorry, so I thought a logical place to add
15 population was to move up this transportation
16 corridor, which is the I-19 transportation corridor
17 and grab those towns that run along that corridor.

18 And then completing the circle here is
19 District 3. We heard about Yuma County wanting in
20 essence its own legislative district. They almost
21 give you one.

22 So basically use the Yuma County line,
23 grab Gila Bend, the Tohono O'odham Tribe -- tribal
24 areas and a little bit over here to grab some more
25 population.

1 That gives you a minority-majority
2 district, although it's close and it's also, at
3 least on this draft, it's slightly overpopulated by
4 I think 1.5 percent or something like that. So some
5 population could be shed there easily to further
6 tweak that district.

7 Then where to next? I guess we're going
8 to the Tucson area.

9 WILLIE DESMOND: Would you prefer like we
10 did last time and turn off the district coloring so
11 you can see the areas or do you prefer to have the
12 districts shown?

13 VICE CHAIR FREEMAN: Well, for one thing,
14 I'm going to have to look at my own computer because
15 my eyesight is not that good.

16 Okay. The first thing that might jump
17 out at you is what's the number 20 doing in there
18 because on the grid map, 20 wasn't there down. But
19 as I moved the lines, I had a district disappear in
20 one place and reappear in another. And I don't know
21 why Maptitude gave it 20, but it gave it 20.

22 So this 20, I guess we'll start there, is
23 sort of rural -- primarily compromised as sort of
24 rural Eastern Pima County. It comes down and uses
25 the Santa Cruz County line, the Cochise County line

1 up to this point here.

2 It grabs the communities on the east side
3 of Tucson, puts them together with Tanque Verde and
4 the Catalina Foothills. It would also grab
5 Summerhaven up here on top of the mountain, but all
6 of those seemed to be likely grouped communities.
7 And we have heard public comment about the sort of
8 nature of those communities and how they are
9 similarly situated.

10 District 2 is a minority-majority
11 district in South Tucson. I think it's somewhat
12 similar to the district in Commissioner McNulty's
13 map.

14 District 10 is sort of just south of the
15 Catalina Foothills and running along -- I forget
16 what road I used. Let's see.

17 WILLIE DESMOND: Looks like 22nd Street.

18 VICE CHAIR FREEMAN: To divide south from
19 north there.

20 Let's see. Maybe you can pull out a
21 little bit.

22 Okay. Then we have District 9, which is
23 using the county line again. We take Marana and put
24 it with these western -- West Tucson communities
25 together. It's a little crinkly down here because

1 we had to tie these reservation lands together and
2 actually require a little channel there to make sure
3 we don't split off those tribal areas and also the
4 edge of the reservation here is kind of crinkly, but
5 we kept the tribal areas whole.

6 Then pulling out a little bit, if you
7 could focus on Pinal County.

8 All right. To populate Pinal County,
9 basically put Pinal County in two legislative
10 districts. There is this cutout here for the Tohono
11 O'odham tribal areas, but -- oh, basically we start
12 here with District 8 and took Oro Valley and
13 Saddlebrooke and put it together with Western Pinal
14 County.

15 It does not include the copper corridor
16 because I thought it was better to put that together
17 with Gila County because we have Globe and Miami up
18 here. So the Gila County line was broken right
19 there to capture Superior and Kearny and Winkelman
20 and Hayden and those -- and Dudleyville. They are
21 all together in District 5, which we already talked
22 about.

23 Then we have Eastern Pinal County, which
24 puts Florence, Coolidge, and Casa Grande together.
25 And I think -- I dated a girl in college from

1 Coolidge and I spent some time -- and we hit all of
2 those towns. So I do think there's a link there.
3 So that's Eastern Pinal County.

4 Then I guess let's dive into the Phoenix
5 area.

6 All right. I'm going to have to look at
7 this on my computer. Okay. Let's start with the
8 Southeast Valley and work our way sort of north and
9 west. And then let's put the -- thanks.

10 So 8, again, is the Eastern Pinal County
11 and we keep the county line there. So we keep -- so
12 Apache Junction, Gold Canyon, San Tan Valley it all
13 stays with Pinal County.

14 There was a slight -- San Tan Valley did
15 have to be split just slightly to balance
16 population. With this sort of Southern Southeast
17 Valley district that includes South Chandler, South
18 Queen Creek -- or South Gilbert and all of Queen
19 Creek is kept whole.

20 Then on top of that is another district,
21 which is the remainder of Gilbert and sort of
22 Southwest Mesa comprises the district.

23 Then we have an East Mesa district and a
24 West Mesa district. They are not connected to
25 Fountain Hills or anything like that. They are all

1 fully contained therein.

2 We needed another piece of Mesa right
3 here to balance this district out here.

4 We've got Ahwatukee connected with South
5 Chandler. Yes, there was a thinner bite out of
6 Chandler to balance population and that's perhaps
7 something that can be rectified on a subsequent
8 revision of this map.

9 We've got Tempe together with a little
10 bit of South Scottsdale. I think that line is
11 probably Thomas. Connected with tribal areas to
12 create another district.

13 We've got -- let's see. Let's go to -- I
14 should probably add as an aside, I chose option 1 of
15 our maps because I thought of the two options that
16 yielded the more compact looking districts. And
17 this district right here, 24, is kind of a biggy for
18 me in Phoenix. It's very compact and that's because
19 that's where I live and that's where I'm from and I
20 know it really well and it does compromise a
21 community of interest there.

22 You got Arcadia -- or I call it the
23 Greater Arcadia and I think that is the area where
24 the school districts that feed into Arcadia High
25 School. And you get that -- it is connected to, in

1 my mind, Paradise Valley and sort of North Central
2 Phoenix, sort of the Madison school district area,
3 Madison school district, Scottsdale school district
4 kind of go together and always have my entire life.

5 And I do view -- I agree with some of the
6 public comment that you cross Scottsdale Road, it's,
7 like, a great place to go but it's very different.
8 And you end up -- I know my wife and I when we had
9 to move, lots of great places in the Valley to live,
10 but this area is kind of the home area. It's kind
11 of the area we focused on.

12 So I was able to form a nice, compact
13 box-like district right over it.

14 And we've got the remainder of Scottsdale
15 over here in 23, putting the entirety of the rest of
16 Scottsdale -- there's a little bite there in far
17 North Scottsdale, but essentially the rest of
18 Scottsdale together with Fountain Hills. I think
19 that's a strong tie there.

20 Fountain Hills started off being a remote
21 outpost and now it's just right down Shea Boulevard
22 and got together with Rio Verde area.

23 Let's see. Then moving across from east
24 to west, 22 puts -- if there's another community
25 that I think 24 is tied to, it's the area just north

1 of it. Transportation corridors being the 51, Cave
2 Creek Road I-17, all lead to this North Valley area.

3 So I tied it together with Cave Creek and
4 Carefree. We heard public comment about how they
5 feel tied to this area. And I think I might have
6 alluded to the fact back when I was allowed to ride
7 motorcycles, that's where you would go. Best area
8 directly north, any places in between.

9 Then moving west there, another district,
10 District 15, where the New River, Anthem area is
11 tied via I-17 to this North Central Phoenix area.

12 This line here basically follows the
13 Phoenix/Peoria municipal line. So that is
14 respected.

15 District 21 is basically all of Peoria
16 kept together with Sun City. I think there was a
17 small bite into --

18 WILLIE DESMOND: Glendale.

19 COMMISSIONER FREEMAN: That's North
20 Glendale, right, to balance population.

21 Then moving south here, these are some of
22 the minority-majority district that were
23 constructed. I think, again, this district -- one
24 of them -- this was basically modeled after the
25 proposed district by Senator Taylor that grabs

1 Guadalupe and puts it in the South Phoenix area.

2 We do have Tolleson all together in a
3 minority-majority district. Again, these lines --
4 that can be tweaked to get the numbers just right,
5 but it seemed sensible in this cut to configure
6 these districts the way they are.

7 There was lots of iterations given the
8 population balance and to keep it sort of somewhat
9 compact looking to get to this end product.

10 And then moving -- let's see. Move to
11 western Maricopa County.

12 Districts 13 and 14, basically this is
13 the county line again. And basically for this sort
14 of Southwestern Maricopa County district is Buckeye
15 and Goodyear, putting those two communities together
16 whole basically comprises a district.

17 And then to the north, and I-10 runs
18 right along about here. To the north we basically
19 have Surprise and Wickenburg together would
20 compromise another district, again, using the county
21 lines. There's not much population out here, so
22 it's using the county lines to balance that out.

23 And I think in cursory fashion, I hit all
24 of the districts. Give me a second.

25 Yeah, I think that's basically it. And

1 we've got a population balance pretty good. There's
2 no district that's outside 3 percent. In fact, I
3 think they are all mostly 1 percent or below in
4 terms of population balance.

5 The splits report looks real good. It
6 fits on one page, which I was impressed by,
7 considering it's 30 legislative districts.

8 Were you going to correct me on that?

9 WILLIE DESMOND: I was just going to say
10 that's the splits report that we took out zero
11 population splits to remove those from the report.
12 So not that it's bad --

13 VICE CHAIR FREEMAN: Right. Well, still,
14 it fits on one page.

15 You know, you try to respect cities and
16 towns as communities and keep them as whole as
17 possible and minimize any splits, that would
18 certainly favor any iterations to see if we can --
19 if there's a community that should be split twice,
20 is it really necessary to split more than twice. I
21 think we should look long and hard at that. Not to
22 split a community like that too much.

23 I think -- you know, this does use the
24 constitutional approach of looking at counties and
25 municipal lines, looking at compactness. I think it

1 yields -- I know the data is not as complete as I
2 would like it to be, but I do think it yields
3 competitive districts and it yields our
4 minority-majority districts.

5 Again, both of those things, as long as
6 we are meeting the other constitutional criteria,
7 are things we can tweak to get it into a final form.

8 CHAIRPERSON MATHIS: Thank you very much.
9 That was excellent.

10 You both did an amazing job trying to
11 carve up the state into 30 districts. It's very
12 complex, and I appreciate you guys taking a stab at
13 it.

14 Any questions for Mr. Freeman and his
15 approach on the map?

16 VICE CHAIR FREEMAN: Madame Chair.

17 CHAIRPERSON MATHIS: Mr. Herrera.

18 VICE CHAIR HERRERA: Not a question --
19 maybe the question is directed to Mr. Desmond.

20 If you look at the packet that was, let's
21 see, 9 minority district option 2 version 8a, that's
22 McNulty's map, it has all of the detailed
23 information on how she got to, where she got to on
24 the map, but I'm looking at Freeman's and I don't
25 have that information.

1 Is there any way we can get the same
2 information provided by McNulty?

3 COMMISSIONER FREEMAN: I can certainly
4 provide that.

5 VICE CHAIR HERRERA: Can I ask how it was
6 provided?

7 VICE CHAIR FREEMAN: I took the last
8 version of the map and modified it over the weekend.
9 So this product was finished on Sunday.

10 WILLIE DESMOND: He did provide written
11 stuff but I didn't get as far as his.

12 VICE CHAIR FREEMAN: It was e-mailed to
13 you?

14 WILLIE DESMOND: No, it's handwritten. I
15 haven't --

16 VICE CHAIR HERRERA: Okay. I was just
17 wanting some clarification.

18 Thank you.

19 CHAIRPERSON MATHIS: Okay. Any other
20 comments or questions?

21 COMMISSIONER STERTZ: Madame Chair.

22 CHAIRPERSON MATHIS: Mr. Stertz.

23 COMMISSIONER STERTZ: Kudos to both
24 Commissioners Freeman and McNulty on their work
25 product. It's clear that you can take two

1 different -- the same corners of the same state and
2 break it up into different ways.

3 Commissioner Freeman, in your approach to
4 this, it's clear that you were looking at the county
5 lines and the communities as being your drive.

6 Do you think that your -- one of the
7 comments that Commissioner McNulty made before I had
8 to step out for a phone call that I really grabbed
9 onto was that there were economic interests and
10 transportation interests that -- in her map tried to
11 remain contiguous.

12 Could you respond to some of those points
13 regarding traffic ways and economic relationships
14 between the community and whether or not you broke
15 any of those this your mapping?

16 VICE CHAIR FREEMAN: Sure.

17 I mean, that was a consideration. I
18 wasn't always able to do that perfectly, but, for
19 example, one of the first places I mentioned was
20 this I-19 corridor, traffic corridor to Nogales up
21 to Tucson. That seemed like a logical place to have
22 those along that corridor to the district that
23 includes all of Santa Cruz County.

24 Similarly, I-10 between Phoenix and
25 Tucson, we've got a district that basically

1 straddles I-10 and gets those communities that run
2 along I-10 from the Pima County border up into the
3 northern part of Pinal County.

4 Same thing on District 13, sort of
5 Western Maricopa County that runs along the I-10
6 corridor.

7 District 3 encaptures the I-8 corridor
8 that runs kind of along the Union Pacific line and
9 the Gila River down there.

10 And I-17 corridor was put into District
11 6. Those communities along there are all kept
12 together in that district, which includes mostly
13 Yavapai County and, of course, this also has the --
14 a lot of communities along I-40 together in this
15 Western -- Eastern Arizona district.

16 So, yeah, that did -- when the
17 opportunity presented itself, sure, in putting
18 together a district, I looked at the transportation
19 corridors.

20 COMMISSIONER STERTZ: Thank you.

21 COMMISSIONER MCNULTY: Could we look at
22 Flagstaff? Could you just walk through what you did
23 up there? I think I missed part of that.

24 VICE CHAIR FREEMAN: It's kept with
25 District 7.

1 COMMISSIONER MCNULTY: So that's it in
2 that little place there? Is that Flagstaff?

3 VICE CHAIR FREEMAN: Yes, it is.

4 COMMISSIONER MCNULTY: Okay.

5 COMMISSIONER STERTZ: Madame Chair.

6 CHAIRPERSON MATHIS: Mr. Stertz.

7 COMMISSIONER STERTZ: Commissioner
8 Freeman, did you -- the reason why you kept
9 Flagstaff with that group -- I mean, it's very
10 similar to that -- there was a desire in the
11 congressional map for Flagstaff to remain with the
12 first nations; is that correct?

13 VICE CHAIR FREEMAN: Well, certainly
14 that -- I remember hearing those comments.

15 COMMISSIONER STERTZ: Often.

16 So I'm glad to see that you kept them
17 there.

18 VICE CHAIR HERRERA: Madame Chair.

19 CHAIRPERSON MATHIS: Mr. Herrera.

20 VICE CHAIR HERRERA: If I remember
21 correctly, the maps you guys created didn't have
22 Flagstaff with the Navajo Nation in the
23 congressional map. So I'm just curious to see why
24 the change in the opinion for the legislative map.

25 VICE CHAIR FREEMAN: It's not a change of

1 opinion, it's just the approach that led to the
2 development of the whole counties congressional map
3 did not, at least on that iteration of the map,
4 until -- when we switched over to using the chair's
5 map, did not include Flagstaff because we felt it
6 was -- that district included all of Apache, Navajo
7 Counties and -- which go up into the Navajo Nations.

8 So what I didn't really technically
9 regard as a split of a county, which was when I had
10 to go into another county to keep a tribal area
11 whole. So it did go into Coconino County to follow
12 the boundary of the Navajo Nation.

13 VICE CHAIR HERRERA: Madame Chair.

14 CHAIRPERSON MATHIS: Mr. Herrera.

15 VICE CHAIR HERRERA: I think some of the
16 comments that people that Navajo -- or the Navajo
17 tribal leaders that were here and have been before
18 us talked about having the Navajo Nation along with
19 the other Native American groups together to
20 increase their -- the -- I guess the strength of --
21 the voting strength of the Native American groups,
22 not wanting it diluted by having Flagstaff included
23 in that district.

24 Because, I mean, I think I understand
25 their point that it would dilute the voting strength

1 of the Native American population.

2 I think Flagstaff is able to be in a
3 district on its own along with some of the other
4 areas that are pretty common or have a common
5 interest of Flagstaff.

6 So I just want to point that out.

7 VICE CHAIR FREEMAN: Well, I'll also
8 point out while we were at the Hon-Dah Casino up
9 outside of Pinetop, which I know you watched that
10 public comment online, there were lots of comments
11 about keeping those areas together, including from
12 representatives of the White Mountain Apache Tribe.
13 So that's why I drew the line where it was.

14 VICE CHAIR HERRERA: And another --
15 Madame Chair.

16 CHAIRPERSON MATHIS: Mr. Herrera.

17 VICE CHAIR HERRERA: Another area of
18 concern is the Yuma County area. There was a reason
19 why we had split Yuma County into two in the
20 congressional map, and that was to increase the
21 voting strength of the majority-minority population
22 in Southern Yuma and allow them to elect a
23 representative of their choosing.

24 This particular map combines all of Yuma
25 County. And I would love to see what the racial

1 polarization in that area would be if we were to
2 document Mr. Freeman's map because that is a concern
3 of mine.

4 CHAIRPERSON MATHIS: So I ask the
5 question I guess of both of you in terms of next
6 steps on your maps, what were you thinking you would
7 like to see differently in your next version or what
8 were your plans?

9 COMMISSIONER MCNULTY: Well, Madame
10 Chair, what I hoped to do was look at Commissioner
11 Freeman's map, see if we have common ground that we
12 might be able to build on, see what our overall
13 objectives and concepts are that with regard to each
14 map and bring those all back and have a conversation
15 about how we move forward.

16 If we can agree upon some areas of the
17 state in which we have the same perspective that we
18 could propose something to all of us, then I think
19 that would be great.

20 And then to the extent that we have
21 different perspectives, and Flagstaff I think is
22 going to be one of them, Yuma is going to be another
23 one, and there are probably others, maybe we can
24 talk about ways in which we might be able to reach
25 agreement on those various issues. But I think it

1 makes sense first to see what those are and lay them
2 out.

3 I would also like to do a little bit more
4 -- I have not refined this map. I haven't looked at
5 -- I really did start with the communities. And by
6 that I mean both kinds of communities that work
7 together and had a shared interest but also the
8 boundaries of those communities and respecting those
9 and keeping them intact to the greatest extent
10 possible to create districts that are compact to the
11 extent possible.

12 So I would like to do a little more
13 looking at the minority-majority district and the
14 coalition districts and what the possibilities are
15 and how we coalesce those together and also -- and
16 that may have some bearing on the competitiveness
17 also.

18 VICE CHAIR HERRERA: Madame Chair.

19 CHAIRPERSON MATHIS: Mr. Herrera.

20 VICE CHAIR HERRERA: I would like to
21 see -- I know Commissioner McNulty had mentioned
22 that she -- that she had a rough estimate of how
23 many competitive districts we could create using the
24 option 2 version 8a map, and she said roughly about
25 eight or nine.

1 And I would love to see that from Freeman
2 as well, see how many competitive districts he could
3 create. Because, obviously, I want to maximize the
4 number of competitive districts as we did with the
5 congressional map, I think we could do the same with
6 these maps and try to get as many as possible.

7 VICE CHAIR FREEMAN: Madame Chair.

8 CHAIRPERSON MATHIS: Mr. Freeman.

9 VICE CHAIR FREEMAN: Well, Commissioner
10 Herrera, you have the report generated. You can
11 take a look at it and tell me how many districts you
12 think are competitive.

13 VICE CHAIR HERRERA: Yeah, but I don't --
14 Madame Chair.

15 CHAIRPERSON MATHIS: Mr. Herrera.

16 VICE CHAIR HERRERA: Assuming just like
17 Commissioner McNulty mentioned, that she is not
18 quite done refining her map and she stated that
19 there was roughly eight or nine she could possibly
20 come up with. I'm assuming the same goes for you,
21 that you're not quite done refining some of the --
22 your map.

23 So I'm assuming that there's some things
24 you could tweak to make it more competitive. That's
25 what I was assuming. I could be wrong.

1 VICE CHAIR FREEMAN: Well, I thought
2 maybe you'd be able to look at the sheets and tell
3 me right now how many in my map would be deemed
4 competitive.

5 But I don't begin the map with any sort
6 of preconceived notion as to how many competitive
7 districts will result. The Commission hasn't even
8 defined what a competitive district is.

9 Although that is a concern of mine in
10 terms of finalizing the map, I went ahead and looked
11 and tried to apply all five -- all six
12 constitutional criteria because the sixth one was
13 competitiveness. That's something I looked at the
14 end, at least based on the data we have.

15 So I looked, in constructing the map, at
16 compactness. I tried to make them all as compact
17 and boxy-looking as I could.

18 A lot of that falls out of following
19 county lines. I mean, a lot of our counties in
20 Arizona are kind of rectangular-looking.

21 Most definitely tried to respect
22 municipal lines, minimize splits to towns. I think
23 the splits report is -- even on this iteration of
24 this map is looking pretty good. And also trying to
25 consider how, in my view, the state sort of fits

1 together, the communities fit together, the
2 transportation corridors fit together, and that's
3 based on the public comment I heard and read all of
4 those binders of materials we have and my own
5 experience in Arizona.

6 VICE CHAIR HERRERA: Madame Chair.

7 CHAIRPERSON MATHIS: Mr. Herrera.

8 VICE CHAIR HERRERA: Just real quickly,
9 both Freeman and -- Commissioner Freeman and
10 Commissioner McNulty did a lot of work on these two
11 maps, so I do thank them, but I want to mention
12 that, you know, the sixth criteria isn't the last
13 criteria. It's an important criteria, which is
14 competitiveness.

15 So I want to make sure that that is
16 equally weighted as the other five. That's just my
17 input.

18 My concern is that, again,
19 competitiveness is an important criteria.

20 CHAIRPERSON MATHIS: Okay. Thank you.

21 COMMISSIONER MCNULTY: Madame Chair.

22 CHAIRPERSON MATHIS: Ms. McNulty.

23 COMMISSIONER MCNULTY: I would just like
24 to comment that I'm mindful of our time constraints
25 here. I think we really need to get to the heart of

1 this matter very quickly.

2 And I think we both -- we all need to
3 look at the maps and list what it is that the
4 concepts are, what we can agree on and what we
5 simply don't agree on. And I think there will
6 probably be things like, you know, the way Flagstaff
7 and the Navajo Nation are configured, the way Yuma
8 County is configured, the degree to which we want to
9 see competitiveness and where we think those
10 opportunities are.

11 So at the same time that I would be
12 asking Willie and Mary probably and Joe also to help
13 evaluate the possibilities for coalition districts
14 in the maps, I would suggest that we really focus on
15 that and then have those conversations and if we can
16 arrive as a group, either through consensus or
17 unanimity on the approach with respect to some of
18 these issues, then maybe Willie can help us take the
19 maps to the next step.

20 But I think it makes more sense to reach
21 agreement on concepts than to have dueling maps
22 continuing to go back and forth or try to merge the
23 maps because of the 30 districts we've got to work
24 in the same way.

25 COMMISSIONER STERTZ: Madame Chair.

1 CHAIRPERSON MATHIS: Mr. Stertz.

2 COMMISSIONER STERTZ: A couple of things.

3 One, I wanted -- are we anticipating that
4 there's going to be a Wednesday morning map that's
5 going to be something different from these two? Is
6 there going to be -- are you going to be working on
7 a third version tomorrow?

8 CHAIRPERSON MATHIS: No, I am not.

9 COMMISSIONER STERTZ: I just wanted to
10 make sure that we weren't going to have a
11 Wednesday-morning surprise.

12 My question for Mr. Desmond is what's the
13 easiest way -- if I'm picking -- if I want to say
14 District 25 and I want to make that a competitive
15 district, what's the method that I should go through
16 in Maptitude to be able to pick certain areas and
17 blocks to be able to create competition?

18 WILLIE DESMOND: I would suggest starting
19 with either a combination of the fields to make an
20 index that you're comfortable with. I believe Ken
21 has sent the sheet the lays out the algorithms to
22 use for all three of those. And I would be more
23 than happy to help you set up some of those formula
24 fields. You can save them in Maptitude and then
25 reload them multiple times as formula field.

1 COMMISSIONER STERTZ: And a formula field
2 might be an example of Republicans minus Democrats
3 equals --

4 WILLIE DESMOND: For instance, the one
5 that I have loaded up and that is -- that I provided
6 as part of the data table, I can show you right up
7 here how that looks in Maptitude for me.

8 So if you go to data view, you go to
9 formula fields, you go to load -- so, for instance,
10 the statewide percent Republican, how that is
11 comprised is right here. And that's just a long one
12 that averages the different statewide races.

13 You know, you add that to your data view
14 and then it becomes available in each one of your
15 fields. So then if you wanted to go to, like,
16 census block group or something, if you zoom in, you
17 could then shade by that setup any sort of color
18 scale you want to indicate different breaks in that
19 index.

20 COMMISSIONER STERTZ: So we can go ahead
21 and shape and design based on picking and choosing
22 specific precincts based on competitiveness; is that
23 correct?

24 WILLIE DESMOND: You can -- just like
25 percent Hispanic, any sort of field that comprises

1 the underlying data, you can shade the map and
2 display it that way. So you could design districts
3 based on -- if you want to do something that I
4 would say a combination of voting-age Hispanic and
5 also Democratic percentage, if you are trying to
6 make a district to increase the ability to elect,
7 all of those things are possible.

8 So, yes.

9 COMMISSIONER STERTZ: So the next
10 iteration, Madame Chair, I guess would be -- that
11 we'll be looking at trying to pick and choose and to
12 create some more competitive districts in certain
13 parts of the state?

14 CHAIRPERSON MATHIS: I would say that the
15 way I would like to see this progress is for both --
16 what Commissioner McNulty said that she wanted to
17 look at Mr. Freeman's work and see, in her opinion,
18 what areas of common ground there are, which I think
19 is a very reasonable thing to do.

20 I think we should all do that, and I
21 would challenge Mr. Freeman to also look at Ms.
22 McNulty's work, too, see his thoughts on how he can
23 -- areas that we can maybe agree on early.

24 You know, I don't know how a compromised
25 map could be done on this. Maybe it is similar in

1 that you deal with the outer rural areas first and
2 then you focus on the center.

3 But I think that the next step is for us
4 to try to identify the areas where we think we might
5 be able to agree. And then that will also identify
6 the ones where we don't.

7 And we need to figure out -- we're going
8 to have to hear from the public on this.

9 I would also say that I remember Marsha
10 Bushing the other day suggested we take a look at
11 the mapping contest that occurred through the
12 Arizona Competitive Districts Coalition and --
13 because apparently there were some good suggestions
14 made through that. I'm sure other folks out there
15 have other suggestions and have submitted maps. And
16 maybe they are not complete maps, but for certain
17 areas they know well. And we need to be looking at
18 all of it.

19 So I think that over this next day, since
20 we're not meeting tomorrow -- and on Wednesday we
21 start at 2:00?

22 MARY O'GRADY: I believe we start at
23 2:00.

24 CHAIRPERSON MATHIS: So we have Wednesday
25 morning, too.

1 MARY O'GRADY: On the voting rights
2 issue, Madame Chair --

3 CHAIRPERSON MATHIS: Yes.

4 MARY O'GRADY: -- Joe and I have been
5 going through them and the mapping consultant has.
6 And to the extent we have suggestions or comments,
7 we'll follow up with Commissioners McNulty and
8 Freeman in terms of addressing some of those issues
9 as well.

10 VICE CHAIR HERRERA: Madame Chair.

11 CHAIRPERSON MATHIS: Mr. Herrera.

12 VICE CHAIR HERRERA: I think Commissioner
13 McNulty had a good point in trying to find
14 commonality between these two maps, but I think we
15 first have to start with the majority-minority
16 districts.

17 I think that's -- we all know that
18 there's no way around the Voting Rights Act. If
19 some of the minority groups are going to be chiming
20 in about what they feel is appropriate to meet the
21 Voting Rights Act, to me, that's first and foremost
22 because I know you said before that you wanted to
23 meet preclearance for the congressional map. I'm
24 assuming that this is the same scenario for you in
25 the case for the legislative map. So we want to

1 make sure that that is respected.

2 So I'm definitely concerned, because I'm
3 looking at Yuma, the way it's kept together whole in
4 Freeman's map, that the -- based on the comments
5 from the -- that they had on the congressional map,
6 I already am envisioning them having problems
7 with -- staying whole with the northern part of
8 Yuma, which tends to be a lot more conservative than
9 the southern part.

10 So I want to make sure that we address
11 those issues. And then that probably should be the
12 first thing that we do. Find commonality on the
13 nine -- on the seven majority-minority districts,
14 the two coalitions to see if there's any more
15 possible coalition areas we can make. I think we
16 should start there.

17 That's just my opinion.

18 CHAIRPERSON MATHIS: Okay. That's a -- I
19 think that's a reasonable suggestion.

20 How do you folks feel if we do that and
21 also look for areas of common ground and also try to
22 keep Indian reservations whole, which I know we
23 tried to do from the beginning. That's just being
24 sensitive to all of those things.

25 And then and I don't know. I guess I

1 look at Mr. Desmond, too. If a way to create a
2 common ground map is to create a new map, it's
3 almost like a puzzle that you are filling in the
4 blocks that -- and separate from these two tracts.

5 WILLIE DESMOND: I mean, it's possible to
6 merge the two plans together and any areas that are
7 not common would be left unassigned.

8 I think I would prefer to do that in
9 session, just so that you guys can really direct me
10 how you want to deal with those areas.

11 I think that would be a very tedious and
12 long process. So everybody needs to be in the right
13 mindset kind of going into that that it's not going
14 to be -- it's not going to be quick.

15 But if that is -- the plan is to merge
16 these two together, I think that's something that we
17 should at least try to do in session with the public
18 there and you guys able to really direct me how --
19 when it's one or the other, which way to go.

20 It may involve some votes of the chair,
21 or it might involve just people taking a back seat
22 on some areas. However you want to do it, but I
23 could try to do it, but I'm not sure that -- what I
24 came up with would be entirely what you guys want.

25 So however you want to direct me, but

1 that's something we could do as a group, certainly.

2 COMMISSIONER MCNULTY: Madame Chair, I
3 don't know how merging the maps could possibly
4 satisfy the constitutional criteria, particularly
5 when we have the 30 districts because we're looking
6 at all of these different criteria.

7 And as we've learned, every time you
8 change one thing, you change everything else. So if
9 we merge 30 with 30, I don't even know how we'd go
10 from there.

11 I think it probably is a little less
12 cumbersome for us just to decide, you know, what
13 works for all of us and what doesn't and just plow
14 through the decision making, what doesn't --
15 probably on another map, but maybe not without
16 merging them.

17 I also really like the idea of using the
18 -- looking at the Arizona Competitive Coalition
19 maps. I had intended to go back to that and I have
20 forgotten about it. I hope we can find those and
21 look at what they did, get the benefit of their
22 ideas.

23 I'd forgotten how Marsha suggested that
24 we go about getting those. I guess she suggested we
25 get staff to get them for us.

1 WILLIE DESMOND: If that we -- I mean, we
2 could ask staff tomorrow to see what they can --
3 whether they could gather and then we could get
4 those. I'm not sure I have handouts for all of
5 those, but, you know, if there's -- I know they
6 picked winners, so if we wanted to have some of them
7 loaded, we could at least overlay the lines on our
8 maps.

9 COMMISSIONER MCNULTY: Even if we could
10 just get them by e-mail so we could look at the way
11 they, you know, came at the various districts. I
12 don't think the lines are so important but as the
13 way they constructed them. The way they dealt with
14 the communities.

15 WILLIE DESMOND: Okay. I'll work with
16 Ray and Kristina tomorrow to get those and then I'll
17 try to find a way of sharing those with you.

18 Maybe it's possible -- the easiest thing
19 might be to just load up a bunch of Google maps. I
20 think those are the easiest for us to develop and
21 the easiest to send you guys so that you can -- if
22 you're just kind of looking at what comprises the
23 districts, that might be the fastest way.

24 CHAIRPERSON MATHIS: I have a question
25 for legal counsel, too. Sorry, local counsel.

1 Do you guys have some -- any suggestions
2 on process with regard to the best, most efficient
3 way to work through the constitutional criteria and
4 having two different tracts right now for the leg
5 and how we might go about bringing it together in
6 one map and working through everything.

7 MARY O'GRADY: We haven't consulted on
8 that yet, but my reaction is that it might take a
9 little more working of the issues and perhaps some
10 public comment on the options that have been
11 discussed, which you might get some -- well, maybe
12 not. You would like to get some today, but at least
13 everybody is studying.

14 I just don't feel like we are quite there
15 yet. But maybe we will get there Wednesday after we
16 see a little bit more.

17 I can give you some of my voting rights
18 concerns right now, if you would like to help push
19 things along.

20 CHAIRPERSON MATHIS: Yeah, please.

21 MARY O'GRADY: Let me see.

22 They both have majority Native American
23 district, but the current benchmark is 58.9. The
24 one in option 2, the McNulty proposal, was at 59.98
25 and the one that -- Commissioner Freeman's proposal

1 was at 52.05. So since Commissioner Freeman's was
2 lower than the benchmark, I thought that was one
3 thing to look at in the revisions, of whether that
4 number could be bumped up.

5 And also I think for all of the -- the
6 two plans, the majority-minority districts from
7 different places, there's some overlap but not
8 completely.

9 The McNulty map has three
10 majority-minority districts in Tucson. The Freeman
11 plan has two. Both of them have one plan that
12 reaches into the Yuma area but they are structured a
13 little differently, as has been discussed.

14 So one of the issues that we'll take a
15 closer look at, the Commission should as well, in
16 terms of whether the one that reaches over Yuma is a
17 viable minority district.

18 The McNulty proposal has three
19 majority-minority Hispanic districts in Maricopa
20 County right now. There are three majority
21 Hispanic districts in Maricopa County. The Freeman
22 plan has four majority-minority. So there's a
23 little difference where McNulty has the majority
24 Hispanic one in Tucson and the Freeman one has an
25 additional one in Phoenix.

1 But at the end of the day, they both have
2 six majority districts, which is similar to the
3 benchmark where we have four that are majority
4 voting-age Hispanic and two that are so close we've
5 been counting them as majority Hispanic.

6 I think that the area where both plans
7 could use some examination is whether there are
8 others within striking distance, because we have
9 others that have an opportunity to elect, under the
10 benchmark, we believe that aren't majority Hispanic,
11 or majority-minority even.

12 And both plans have some that are in the
13 total minority population, they are in the 50s,
14 which may be in striking distance and making sure
15 that those -- looking closer at those as we compare
16 the benchmark to see if there truly is an
17 opportunity to elect.

18 And so those are the issues that we'll be
19 -- that I thought we would take a closer look at,
20 again, comparing to the benchmark districts.

21 And we can follow up with more detail
22 with the individual commissioners. And I don't know
23 if Willie has anything on those issues also.

24 But we obviously have been consulting
25 with the mapping consultants as we look at that in

1 terms of that analysis.

2 CHAIRPERSON MATHIS: Thank you for that
3 analysis.

4 WILLIE DESMOND: I would just say we're
5 probably going to need to increase some of the
6 majority-minority either coalition or -- I'm sorry,
7 the other type. Coalition and plurality.

8 CHAIRPERSON MATHIS: Don't take it
9 personally.

10 WILLIE DESMOND: It's been a long day.
11 Yeah, because Bruce initially indicated that there
12 should be nine. We might need to explore the
13 possibility that there could be ten, but I think
14 that -- that's priority number one for these maps.
15 That has to kind of supersede everything else.

16 VICE CHAIR HERRERA: Madame Chair.

17 CHAIRPERSON MATHIS: Mr. Herrera.

18 VICE CHAIR HERRERA: It's a slight
19 difference, but I want to note for the record that
20 there are seven majority-minority districts and two
21 coalition districts.

22 So -- I mean, I know at the end of the
23 day -- I don't know how much of a difference it
24 makes, but I want to make sure that we clarify that
25 there are seven and two coalition districts but the

1 possibility for more coalition districts.

2 CHAIRPERSON MATHIS: Is that right,
3 Ms. O'Grady?

4 MARY O'GRADY: That's right. Based on
5 the numbers in the current benchmark, we have seven
6 majority, based on the single -- either Native
7 American or Hispanic -- and we have others that are
8 coalition districts but also some that elect that
9 aren't at the majority level and that's why the
10 electoral analysis.

11 So we've been working with the benchmark
12 of nine, perhaps ten, opportunity to elect, not
13 necessarily reaching the majority level. And that's
14 where we want to take a closer look at these
15 compared to the benchmarks.

16 VICE CHAIR HERRERA: Madame Chair.

17 CHAIRPERSON MATHIS: Mr. Herrera.

18 VICE CHAIR HERRERA: And I think that our
19 legal counsel will be looking at this more closely
20 today and tomorrow. But if they could also look at
21 the -- any of the public comments made from any of
22 the Hispanic groups or the Native American groups or
23 any that would affect the Voting Rights Act and the
24 majority-minority and also the coalition districts,
25 getting their comments -- compiling their comments

1 and taking that into account, because I think that
2 would be extremely helpful.

3 CHAIRPERSON MATHIS: I agree.

4 Commissioner McNulty.

5 COMMISSIONER MCNULTY: Do we have the
6 analysis of the benchmark in the majority districts
7 in Phoenix that were provided to us by the Arizona
8 Minority Coalition compared to the current
9 benchmark, the HVAP versus current benchmark?

10 MARY O'GRADY: Sure. I don't have that
11 information with me right now, but we can have that
12 for you at the next meeting and even before then.

13 COMMISSIONER MCNULTY: As soon as we
14 could get that, that would be good.

15 CHAIRPERSON MATHIS: Okay.

16 Go ahead.

17 COMMISSIONER MCNULTY: I was also
18 thinking about that Cruz index, just to look at --

19 CHAIRPERSON MATHIS: The mine
20 inspector --

21 COMMISSIONER MCNULTY: -- the mine
22 inspector while we're still adjusting these. I
23 don't know if we need it right now, but I think we
24 should use it. Maybe we should, maybe that will
25 help us.

1 WILLIE DESMOND: That's something that's
2 on all of your --

3 COMMISSIONER MCNULTY: Is it?

4 WILLIE DESMOND: -- computers, but it's
5 also something that I can add to either the back
6 competitiveness report or the data report.

7 COMMISSIONER MCNULTY: Again, it would be
8 the comparison of performance as the district is
9 configured now against actual performance in the
10 2010 race.

11 WILLIE DESMOND: Okay. It might be
12 helpful to, you know, run our same reports on the
13 current districts so that you guys have that as a
14 what-if comparison, I guess, and then you can just
15 kind of use that to reference how these different
16 maps stack up against that.

17 COMMISSIONER MCNULTY: All right.

18 CHAIRPERSON MATHIS: So do we have
19 agreement that we could at least all look at the two
20 tracts, these two different versions, and see what
21 areas of common ground we think we see here and then
22 talk about those maybe on Wednesday when we get back
23 here at 2 p.m.?

24 VICE CHAIR HERRERA: Madame Chair.

25 CHAIRPERSON MATHIS: Mr. Herrera.

1 VICE CHAIR HERRERA: I would like to see
2 first for the staff to reach out to any of the
3 Native American groups and the Hispanic groups to
4 come present as soon as possible because we do need
5 them on board and see what they are looking for from
6 us and see where we can find some compromise.

7 I think the sooner the better we get them
8 on board and get them talking to us, making formal
9 presentations.

10 CHAIRPERSON MATHIS: That reminds me,
11 should we have an agenda item that is for map
12 presentations with regard to legislative?

13 MARY O'GRADY: If you would like to. I
14 don't think we have it on for Wednesday, but we can
15 add it for Thursday.

16 CHAIRPERSON MATHIS: Yeah, that would
17 probably be good. We do have maps.

18 MARY O'GRADY: And they are also welcome
19 always during the public comment period.

20 CHAIRPERSON MATHIS: Sure.

21 WILLIE DESMOND: I think we do have one
22 today during the public comment period.

23 CHAIRPERSON MATHIS: Okay. Great.

24 So we'll all agree to try to find areas
25 of common ground by looking at those two versions

1 and talk about what we think on Wednesday when we
2 come back.

3 And we're also going to have some more
4 information on the minority-majority districts so
5 that we'll be able to make sound decisions and
6 ensuring that we are meeting the benchmark.

7 Anything else on this legislative
8 process?

9 COMMISSIONER MCNULTY: Just one final
10 question.

11 Is there -- do you have -- the map that
12 you walked us through today is a new map. Do we
13 have that?

14 VICE CHAIR FREEMAN: It's not a new map.
15 It's the last iteration.

16 COMMISSIONER MCNULTY: I understand, but
17 it's the iteration of your map. And it's on the
18 website, I understand, but do we have -- I didn't
19 pick up a copy.

20 VICE CHAIR FREEMAN: We haven't --

21 WILLIE DESMOND: I handed them out, so
22 there should be one.

23 COMMISSIONER MCNULTY: Okay.

24 WILLIE DESMOND: Just the one -- on the
25 commissioner's copies, there is a typo in the title.

1 It says option 1 version 7a. Just change that to 7
2 to 8. I fixed that, so on the website it has the
3 correct title. They are labeled -- the files are
4 all labeled correctly, on your copies it's the wrong
5 version.

6 You can have mine. I printed myself
7 another one. Feel free to.

8 CHAIRPERSON MATHIS: Okay. With that, I
9 think that concludes that agenda item.

10 Thank you everyone for your help and
11 especially to Commissioners McNulty and Freeman for
12 all of that effort and time.

13 The next item on the agenda is the exec
14 director's report. I'm not sure if Mr. Bladine has
15 anything that he wants to cover.

16 RAY BLADINE: Madame Chair, I'll be very
17 brief.

18 Just a few things I wanted to confirm
19 with you, and that is the first thing, the meetings
20 for the rest of the week.

21 We have Wednesday here, 2 o'clock
22 probably until 7:00.

23 We have Thursday, 9:30 to probably to
24 4:00 -- I'm sorry, to 2:45 and Friday 9:30 to 7:00.

25 I have posted the Thursday agenda just a

1 few minutes ago. We could do an addendum in the
2 morning if you really want to add a specific thing
3 for mapping presentations.

4 CHAIRPERSON MATHIS: That's okay. I
5 think that they can present during public comment.

6 RAY BLADINE: Okay. Great. So we have
7 those posted.

8 Saturday we have a hold but have no
9 locations set up and have not set a meeting yet and
10 also Sunday we have a hold, nothing set up.

11 On Monday at 9:30, we are tentatively
12 scheduled here, however, that might -- there might
13 be -- the meeting being switched to Tucson so that
14 we could have a hearing with the minority coalition.
15 So I'll let you know as soon as I hear from them and
16 they can find us a facility in Tucson.

17 Another thing that snuck up on me last
18 week is I had a meeting with Megan Darian, who
19 basically oversees our budget along with the members
20 of the governor's office budget staff, and they are
21 asking for request for budget appropriations for
22 2013.

23 And I will be meeting with them this
24 week, and I think tentative on the Thursday agenda,
25 just to give you a quick briefing on that and get

1 some direction as to what we should put in the
2 budget for 2013.

3 There was some discussion we might ask
4 for a multiyear appropriation or ask for a
5 single-year appropriation. I'll discuss it with
6 you. My general reaction after thinking about it is
7 we don't know what the future is going to bring.
8 I'm not going to tie up in appropriation, but do a
9 single year probably in the area of 1.3 million,
10 something like that. And that, of course, would
11 revert to the State general fund if we're not sued
12 and we don't need to be there.

13 But I'll bring that back on the agenda
14 Thursday to discuss with you.

15 And finally, second round public hearings
16 are scheduled to start a week from tomorrow. I
17 think Kristina sent all of you a list of meetings
18 that are being set up asking for some indication as
19 to when you might be able to cover a meeting.

20 As of this afternoon, she has 11 set, 5
21 almost set out of I think 27, including a couple
22 that are linked. We're starting to make travel
23 arrangements, as we mentioned before. There would
24 be probably -- planning on two hearings a day, two
25 teams, and we've had really good response from the

1 community in terms of offering facilities and that
2 has been very helpful.

3 And I think that is all I wanted to
4 cover, unless there's any questions or things you
5 would like me to follow up on.

6 CHAIRPERSON MATHIS: Thank you.

7 Any comments or questions for
8 Mr. Bladine?

9 Thank you. So we'll be meeting Wednesday
10 at 2 p.m. here and then it's Fiesta Inn again
11 Thursday and Friday?

12 RAY BLADINE: Correct.

13 CHAIRPERSON MATHIS: Okay.

14 RAY BLADINE: So probably Wednesday,
15 Thursday we'll want to talk about what additional
16 meeting for the following week.

17 CHAIRPERSON MATHIS: Right, and whether
18 or not we have a meeting on the weekend.

19 RAY BLADINE: But you're going to have
20 this all done the way you're going. Congratulation
21 today.

22 CHAIRPERSON MATHIS: I love your
23 optimism.

24 RAY BLADINE: Thank you, Madame Chair.

25 CHAIRPERSON MATHIS: Thank you.

1 Okay. It's 6:03 p.m.

2 Are we okay on the court reporter's side
3 of things?

4 All right. We've discussed item 5 as
5 well, discussion of future meetings and agenda item,
6 unless anybody has an agenda item to add.

7 Okay. So we will -- I think there is a
8 update on the Attorney General inquiry but we'll do
9 public comment first; is that correct?

10 So we'll go to public comment.

11 I've got a few request to sleep --
12 request to speak. You can tell what I want to do --
13 request to speak forms.

14 The next -- this next speaker I have is
15 Pete Bengtson, representing self from Pima.

16 PETE BENGTON: My name is Pete Bengtson.
17 That's B-e-n-g-t-s-o-n.

18 I've come up and talked to you so many
19 times you probably know what I'm going to say, so I
20 spent the weekend trying to come up with something
21 different.

22 I've talked on competitive districts,
23 just straight competitive districts' view, but I've
24 got quite a bit different view.

25 Let me give you some background.

1 I've worked with the Sierra Club
2 Conservation organization for about 40 years, mostly
3 leading national outings in the early years.

4 And I was working on the conservation
5 issues and found that lobbying your legislators is
6 okay, but you're a lot better off if you get the
7 right people elected in the first place.

8 So for the past ten years I've been
9 working in the political area, working to get what I
10 consider the right people elected. And most of the
11 time that means I'm a Democrat.

12 When I moved to Tucson -- Betty and I
13 moved to Tucson ten years ago. I registered as a
14 Democrat and was a PC and then became familiar with
15 Pete Hershberger in LD 26.

16 I gave up being a Democrat because I
17 couldn't work for Pete. He's a Republican.

18 I started working for Pete Hershberger
19 donating money to him, and I'm perfectly willing to
20 register as an Independent to support the right
21 people from the environmental side.

22 When Pete Hershberger ran for the senate
23 as a Republican and lost to Al Melvin, I just lost
24 all faith in Republicans and reregistered as a
25 Democrat, and I've been working hard on Democratic

1 politics.

2 Now, when I talk about competitive, I'm
3 looking for moderate rate Republicans or Democrats
4 that support environmental districts. And if we can
5 find some Republicans, I would surely love it.

6 Thank you.

7 CHAIRPERSON MATHIS: Thank you.

8 VICE CHAIR HERRERA: Madame Chair.

9 CHAIRPERSON MATHIS: Mr. Herrera.

10 VICE CHAIR HERRERA: I was asked if our
11 attorneys could mention what the seven
12 majority-minority districts are, the two coalition
13 districts are, if you can name the -- what the
14 current -- which they are right now.

15 CHAIRPERSON MATHIS: Sure.

16 Ms. O'Grady stepped out. I don't know if
17 Mr. Kanefield has that information on him or we can
18 get it from her when she comes back.

19 JOE KANEFIELD: Madame Chair,
20 Commissioner Herrera, are you talking about the
21 existing --

22 VICE CHAIR HERRERA: Right, the existing
23 ones.

24 CHAIRPERSON MATHIS: Are you talking
25 about the grids?

1 VICE CHAIR HERRERA: No, the current --

2 JOE KANEFIELD: The current majority --
3 yeah, let me just look here to make sure. 2, 13,
4 14, 16, 15 is a coalition district, 23 -- no, 24,
5 27, and 29.

6 VICE CHAIR HERRERA: So which are the two
7 coalition ones again?

8 WILLIE DESMOND: The one that's closest
9 to a coalition is probably District 25, the
10 non-Hispanic white percentage is 50.29. It's very
11 close to being a coalition district.

12 And then the other one would be District
13 15. The non-Hispanic white percentage is 46.47. So
14 that is a coalition district.

15 VICE CHAIR HERRERA: Thank you.

16 CHAIRPERSON MATHIS: So did I get all of
17 those because I counted eight. I had 2, 13, 14, 16,
18 23, 24, 27, and 29.

19 JOE KANEFIELD: Let me -- I don't want to
20 speak for Mary. So when she comes back -- the ones
21 I have marked are 2 --

22 WILLIE DESMOND: I think it's 2, 13, 14,
23 15, 16.

24 CHAIRPERSON MATHIS: But 15 is coalition?

25 WILLIE DESMOND: 15 is coalition.

1 24, 25, 27, 29.

2 JOE KANEFIELD: That's what I have.

3 WILLIE DESMOND: With 25 and 15 being
4 coalition.

5 CHAIRPERSON MATHIS: So 23 is not?

6 WILLIE DESMOND: 23 is not. It's close
7 and there might be an opportunity to elect there.

8 CHAIRPERSON MATHIS: Okay.

9 Thank you for that clarification.

10 We'll go on to the next speaker, Shirley
11 Dye representing Gila and Northern Arizona.

12 She spoke earlier.

13 Thomas Woody on behalf of Wes Gullett
14 from Phoenix.

15 No.

16 Sara Presler, mayor of Flagstaff.

17 SARA PRESLER: Good evening, members of
18 the Commission, Madame Chair.

19 The 2001 Independent Redistricting
20 Commission drew only three out of 30 competitive
21 districts in the legislature.

22 The current IRC, in our view, bears the
23 responsibility to make Arizona elections a fair
24 process and infuse integrity into the process by
25 creating more competitive districts.

1 Competitiveness will bring more citizens
2 into the political process and candidates will have
3 to engage the wider array of voters in order to get
4 elected.

5 Both of these factors will lead to more
6 constructive discussion to find good solutions for
7 our entire state of Arizona.

8 Flagstaff is the largest city in Northern
9 Arizona. The seat of government for Coconino County
10 and the home of Northern Arizona University.

11 Flagstaff deserves a fair opportunity to
12 elect a candidate of either party to represent its
13 interests.

14 Rather than looking to which map might be
15 boxier or more circular or even U-shaped in nature,
16 we ask you to take a stronger focus on the Arizona
17 Constitution and the Voting Rights Act.

18 When we look at the numbers that were
19 provided by the IRC that are attached to the two
20 scenarios that have been provided to us, it appears
21 to the city of Flagstaff that option 2 is more
22 competitive at 12.092 percent in the differential of
23 competitiveness as contrasted to the map that was
24 offered by Commissioner Freeman.

25 And there's good things in both maps and

1 I think that there is more common ground than
2 uncommon ground. And a municipality would just
3 encourage you to consider in particular the
4 following issues as you move forward in this
5 legislative process.

6 One, the municipality has made
7 significant investments in our economic corridor.
8 The Northern Arizona Center for Emerging
9 Technologies a couple years ago created 80 new jobs.
10 The average wage of those jobs is about \$80,000 a
11 year in the biosciences.

12 T-Gen, Nestle Purina, Southwest Wind
13 Power, W.L. Gore, these are all employers that
14 intend to testify to you through Flagstaff Forty by
15 the end of this week to talk to you about the
16 business interests and the economic investments.

17 I arrived this morning and testified to
18 you wearing my municipal City of Flagstaff mayor's
19 pin. I leave today wearing a pin from Navajo
20 County, a commissioner as a county commissioner
21 county supervisor who spoke to you earlier, he's
22 also on the Navajo Nation council. And while we
23 have lots of things in common when we have to group
24 communities of interest in a larger congressional
25 area, when it comes to legislative areas, we can

1 become much more narrow, especially much more
2 strategic in our business interests and investments.

3 And so we find ourselves aligning, and I
4 think you'll hear from Navajo later, on options 2 in
5 particular.

6 And transportation, I think about the
7 Flagstaff Metropolitan Planning Organization and the
8 hundred thousand population that's encompassed in
9 our strategic plans that already exist for our
10 region.

11 So when I look at option 2, I tried to
12 think about that compared to option 1 in our
13 existing plans that we have and aligning them to our
14 existing community planning efforts rather than
15 trying to re-create the wheel to fit into your new
16 lines that you might draw.

17 So when I align that, I also think about
18 governance issues. And Coconino County being the
19 seat, but at the same time our ability for municipal
20 governments to work better with other municipal
21 government in a state system as contrasted to a
22 federal system that's more opportune in a
23 congressional discussion.

24 I think about water resource issues. I
25 think about the fact that the Hopi Tribe is

1 currently in litigation against the City of
2 Flagstaff.

3 And so I think about all of these issues
4 when I think about our natural resources.

5 I think about education. Flagstaff
6 Unified School District and our state public
7 schools, including our charter schools, for the
8 state of Arizona and I contrast those to Bureau of
9 Indian Affairs and Bureau of Indian schools that
10 might exist out on the Navajo Nation.

11 I think about Flagstaff's medical center
12 and North Country Community Health Center, a health
13 clinic, and I contrast that to Indian Health
14 Services and Hopi Health Center, both falling under
15 federal jurisdiction.

16 When we start talking about legislative
17 districts, we get much more narrow and we need to
18 think about how we group these communities of
19 interest.

20 I think about forest health for Coconino
21 and Kaibab and then I think about the natural
22 resource issues that are distinctly related to
23 uranium mining that fall more into the Nation's
24 issues related to natural resources.

25 I encourage you to take strong note of

1 the Native population and the distinction in the two
2 proposed maps of option 1 and option 2 related to
3 those percentages and encourage us first and
4 foremost to not regress in our representation of
5 Native population.

6 I appreciate the opportunity to address
7 you and to spend today with you. I'll probably see
8 you at some point later in the week, and I stand
9 open for any questions or clarification.

10 Thank you for your time.

11 CHAIRPERSON MATHIS: Thank you.

12 Our next speaker is Lynne Breyer,
13 representing self from Scottsdale.

14 UNIDENTIFIED SPEAKER: She left.

15 CHAIRPERSON MATHIS: Vera Anderson,
16 representing self from Anthem.

17 UNIDENTIFIED SPEAKER: She left.

18 CHAIRPERSON MATHIS: Maureen Bayardi,
19 representing self from Phoenix.

20 MAUREEN BAYARDI: Well, I'm happy to see
21 you all at the end at the day. I think we're
22 getting close to an end, and I gather from our
23 conversations of the day that you didn't have much
24 opportunity to catch too much rest over the weekend,
25 and I'm sorry about that and I hope that you've had

1 a pleasant evening.

2 I'm not going to talk about maps. As you
3 know, I'm not a student of the map, but what I would
4 like to say is I would like to express my concern
5 regarding the Arizona Hispanic Coalition.

6 It appears to me personally that they are
7 heavy-handed and are pushing their agenda without
8 regard to fairness for all citizens of the state of
9 Arizona.

10 I have nothing against the people that
11 are Hispanic or the Hispanic Coalition. However, I
12 think we need to look at all citizens, Hispanic,
13 blacks, Anglos, Asians, Native Americans, and they
14 need to have a little more representation.

15 And I thank you so much for listening to
16 me once again.

17 Good night.

18 CHAIRPERSON MATHIS: Thank you.

19 Our next speaker is Carol Corsica,
20 representing self from Tempe.

21 CAROL CORSICA: Hi. Yeah, I live in that
22 part of Tempe that it seems like somebody wants to
23 throw it out of Tempe -- I mean -- or out of the
24 legislative district.

25 So this is -- Tempe is a small city with

1 a large university. It is small enough to fit in
2 one legislative district.

3 I am curious -- it appears that everyone,
4 whatever their leaning is, is splitting it up.

5 And the problem that I see with this,
6 splitting it up, is that Tempe -- the southern
7 border of Tempe is not Baseline. It's not Elliot.
8 It's not even Warner. Part of it goes all the way
9 down to Ray.

10 I'm curious why it is that anybody would
11 suggest we should split it up at Baseline. It's
12 like taking the land and splitting it in half.

13 And the effect of what has already been
14 done ten years ago is that people are starting to
15 forget that people south of where I live actually
16 live in Tempe.

17 So I am serious about a community of
18 interest. When people start forgetting that they
19 are even part of the city anymore, then you really
20 have broken up the community. So when people forget
21 that we -- part of Tempe actually goes all the way
22 down to Ray.

23 I don't understand why we're not adding
24 to move population of Tempe so it can be a
25 legislative district rather than taking away from a

1 small city and splitting it in half.

2 So I'm against -- I don't think anyone
3 has proposed a map to keep Tempe together. And
4 that's the point. It is a community. It's a city.
5 And when you do separate them out, it really does
6 have an effect of people forgetting that they are
7 even part of a city anymore.

8 Thank you.

9 CHAIRPERSON MATHIS: Thank you.

10 Our next speaker is David Bushman, and I
11 think he has a mapping presentation.

12 DAVID BUSHMAN: Madame Chair and members
13 of the Commission, thank you for taking the time to
14 let me make this presentation.

15 I am representing self in this regard.
16 However, I have worked with a number of different
17 individuals across the state, and so it is a full
18 statewide map.

19 And I would ask as you consider the
20 various maps that are being proposed, for example,
21 from the Arizona -- the Competitive Coalition as
22 well as the Arizona Minority Coalition, that you
23 give this map equal weight inasmuch as it does
24 represent a coalition of individuals, although not
25 normally organized as such, I would consider

1 ourselves a coalition in that regard.

2 Next slide, please.

3 This is an overview. The very first
4 item -- with regard to all of these maps, I believe
5 what everyone's intent ultimately is, the way the
6 laws are constructed -- the way we codify our laws,
7 is to make sure that we have the ability to fairly
8 and properly be represented.

9 To those ends, we have created a number
10 of laws. And these maps have been created with
11 those intents, all of the various requirements.
12 There was not any one requirement that I can
13 honestly say was ever weighted as heavier or less
14 than any of the other requirements.

15 So to highlight some of the things. The
16 Voting Rights Act. We had no retrogression, in our
17 opinion. No packing, which was an issue that could
18 potentially come up.

19 Our population deviation is low. Lower
20 than what it is in the 2004 maps.

21 Our compactness, using the numbers from
22 the Maptitude online are consistent, if not even
23 somewhat lower than some of the other maps that have
24 been proposed.

25 Competitiveness, unfortunately, is

1 undeterminable using Maptitude online. There's a
2 number of data issues which have been addressed and
3 we're hoping to resolve.

4 Contiguosness, I do not know of any
5 noncontiguous districts.

6 With regard to city and county
7 boundaries, the approach to the maps is to, again,
8 keep whole cities and counties together to the
9 extent practicable.

10 And finally, the communities of interest,
11 again, try to respect those communities based on
12 schools, economic commerce issues, and other
13 commonalities that individuals have expressed to our
14 coalition in the time we put these maps together.

15 Again, not any one requirement we
16 consider to have any greater weight than any other
17 requirement, as the Arizona Supreme Court has made
18 very clear in the 2009 ruling.

19 Next slide, please.

20 So to highlight, the very beginning of
21 the Voting Rights Act. On the 2004 map, there were
22 three districts with greater than 50 percent
23 Hispanic voting-age population, four districts
24 between 40 and 50 percent, and 2 what I'll call
25 coalition districts or minority-influenced district

1 between 30 and 40 percent.

2 My map has 11. Again, 3 above 50, 5
3 between 40 and 50 percent, and 3 between 30 and 40
4 percent Hispanic VAP.

5 Next map.

6 This is a comparison of the districts
7 that -- and we're using 2004. And just for the sake
8 of clarity, the numbering system that I used was
9 to -- is the same as what was used in the 2004 maps.

10 We found that as we discussed these maps
11 with various people in the areas, if we would say,
12 for example, LD 2 and then go, oh, yeah, LD 2 is
13 that area in Northeastern Arizona or LD 21, oh yeah,
14 that's the Chandler area.

15 So when I created these maps, to the
16 extent practicable, we tried to maintain those
17 numbers so they approximated the same areas.

18 If you compared it to -- again, in
19 particular, 18, which would now be a new coalition
20 area that an area of West Mesa, as I'll point out
21 later on, and also 12, which was 27 percent -- and
22 this also may, Madame Chair, might address your
23 question with regard to which areas in the 2004 maps
24 were considered the nine majority -- or the minority
25 of influenced areas and those that were just

1 coalition areas, perhaps. And the attempt is that
2 the green --

3 If you could go back one slide, please.

4 The green areas were the majority,
5 yellows were the -- again, between 30 and
6 40 percent, and then the influenced area in the
7 orange.

8 Next slide, please.

9 Okay. Again, this is just an overview of
10 the whole state and I'll address large geographic
11 regions and then go down and dial into each LD
12 individually -- legislative district desperately.

13 Next slide, please.

14 Okay. Go back one, please.

15 This doesn't -- this slide, what you're
16 going to see, it is grayed out a bit. What I'm
17 emphasizing here is the rural areas LDs 1, 2, 3, 5,
18 24, 4, and 25, you'll probably see some similarities
19 to other maps.

20 There will probably be the question has
21 there been any communication with any of the
22 commissioners, between at least myself and any of
23 the commissioners, and the answer is, no.

24 I am somewhat surprised at some of the
25 similarities I've seen between Commissioner

1 McNulty's and Commissioner Freeman's map and the one
2 I have created.

3 So that to me dictates some these things
4 are simply a matter of numbers and how the
5 populations and how they are distributed and the way
6 in which the maps are ultimately created.

7 Next slide, please.

8 Again, focusing on the West Valley of
9 Phoenix, I tried to keep communities together that
10 most would consider to be West Valley communities as
11 a matter of conversing with one another.
12 Communities that were described as those being West
13 Valley.

14 Next slide.

15 North central community of Scottsdale
16 reaching from Anthem and then some areas in North
17 Central Phoenix.

18 Next slide.

19 South central, again, these are areas
20 where you'll see a lot of the Voting Rights Act-type
21 districts, as far as compliance purposes will go.

22 Next slide, please.

23 Then the East Valley, Mesa, Chandler,
24 Gilbert and areas extending into Queen Creek, San
25 Tan, and a little bit beyond that.

1 Next slide, please.

2 We also have the Metro Tucson areas.

3 This is just an overview of the area.

4 Next slide, please.

5 Again, the goal was to keep those urban
6 and those suburban -- or urban areas separate from
7 the rural areas as much as possible since they have
8 different economic needs and interests.

9 Here is Central Tucson, again, this
10 probably looks familiar to some of the maps we have
11 already seen.

12 Next slide, please.

13 Okay. Focusing on LD 1, LD 1 is a rural
14 district mostly in Yavapai County with some mountain
15 town given over to LD 5, such as Camp Verde.

16 And again, these are just highlight
17 comments that I'm making.

18 Next slide for LD 2.

19 LD 2 is also, again, a rural district
20 with a large Native American population, including
21 Navajo, Hopi, Kaibab-Paiute, and Hualapai and
22 Havasupai tribes.

23 Next slide, please.

24 District 3 is a rural district, again,
25 and is largely based on keeping whole counties

1 together, such as Mohave and La Paz Counties.

2 Next slide, please.

3 LD 4, this is a semirural district, a
4 combination of Pinal and Maricopa Counties. It is a
5 balance between the Tucson and Phoenix metro areas
6 and the less urban areas. Its shape is similar to
7 the 2004 map and includes such communities as Casa
8 Grande, Coolidge, Florence, and Apache Junction, as
9 well as the Salt River and Fort McDowell Native
10 American tribes.

11 Next slide.

12 LD 5 is a rural district with a diverse
13 group of communities ranging from mountain towns
14 along the Mogollon Rim and White Mountains, towns
15 along the I-40, such as Winslow, Joseph City, and
16 Holbrook, towns in the Gila River Valley, such as
17 Pima, Safford and Thatcher, and some of the
18 traditional copper corridor towns from Superior
19 to -- the south down to Dudleyville and to Native
20 American tribes of San Carlos, Fort Apache, Camp
21 Verde, Tonto Apache, Zuni Pueblo.

22 Next slide, please.

23 Moving over in to the more urban areas,
24 we're encroaching the urban areas, so this is a
25 semirural to urban district, LD 6.

1 The focus of this district was to keep
2 that not-in-the-city feel, as some of the comments I
3 have heard where people said, yeah, there's Phoenix
4 but we're not exactly part of Phoenix, even though
5 technically that's where the political boundaries
6 may lie.

7 Again, we're recognizing the separate
8 needs and wants of those areas versus a strictly
9 urban Phoenix area.

10 Next slide, please.

11 LD 7 is an urban/suburban district. It's
12 an area of moderate growth and boundaries are
13 reflecting the shared communities of interest and
14 was created such that areas around it could be
15 compliant with the Voting Rights Act. That's
16 largely why that shape evolved the way that it did.

17 Next slide, please, for LD 8.

18 This is a recognizable Scottsdale. It's
19 a semirural-to-urban district. Again, largely the
20 city of Scottsdale. This reflects the city's shared
21 communities of interest and city boundaries.

22 Next slide, please.

23 LD 9, a rural-to-urban district. A West
24 Valley district reflecting the shared communities of
25 interest, compliance with the Voting Rights Act, and

1 the city boundaries of Wickenburg, Surprise, Sun
2 City West, Youngtown, and El Mirage.

3 I should also make a note that the city
4 boundaries that I used are not strictly the city
5 boundaries as you see perhaps on some maps, rather
6 the city planning areas.

7 So if you look at any of the various
8 cities' general plan for what they consider their
9 areas of how they are going to do things, that's how
10 I tried to include the boundaries.

11 So most of these areas you'll see the
12 planning areas and the actual official boundaries,
13 again, going out to year 2020, 2030. These maps
14 will be lasting that long, or at least until the
15 year 2020. That's something that I tried to keep in
16 mind.

17 Next slide, please.

18 For LD 10, a semirural/urban district.
19 It compromises the cities of Sun City and Peoria.
20 Again, reflecting the cities' shared communities of
21 interest and those city boundaries. And that's why
22 we see some of the funny shapes based on the current
23 boundaries of those cities, especially Peoria there
24 on the east side of LD 10.

25 Next slide.

1 LD 11, an urban district with areas and
2 boundaries of Arcadia, Paradise Valley, and Phoenix
3 Urban Villages. That's another area that I tried to
4 focus on as what did Phoenix consider its various
5 communities within that very large city.

6 So if you look at the various urban
7 villages, that was something that was taken into
8 account.

9 So again, the urban villages of Central
10 City, Encanto, and Camelback East reflect their
11 common interests and, again, it allowed compliance
12 with the Voting Rights Act with the adjacent nearby
13 legislative districts.

14 Next slide.

15 LD 2 is a semirural-to-urban district.
16 This is one of the Voting Rights Act
17 minority-influenced districts, where I think the
18 term is coalition districts now.

19 It has just about 34 percent Hispanic
20 VAP. It comprises most of the West Valley cities of
21 Buckeye, Goodyear, and Avondale, reflecting those
22 cities shared communities of interest and city
23 boundaries.

24 Next slide.

25 LD 13 is an urban district, also a

1 minority-influenced district at 42-plus percent
2 Hispanic VAP. It's contained mostly within the city
3 of Glendale, or the northern portion of Glendale,
4 reflecting those shared communities of interest.

5 And again, keep in mind that we have to have
6 districts in compliance with the Voting Rights Act.

7 Next slide.

8 LD 14, an urban district, this would be a
9 minority-majority district at just over 60 percent
10 Hispanic VAP with areas and boundaries within
11 Phoenix, including the Phoenix urban villages of
12 Maryvale, Estrella, and Laveen.

13 And again, reflecting those common
14 communities of interest and making it compliant but
15 not overpacking with respect to the Voting Rights
16 Act.

17 LD 15, next slide, please.

18 Again a suburban-to-urban district, also
19 a Voting Rights Act minority-influenced district at
20 42-plus percent Hispanic VAP with areas bounded
21 within Phoenix. It includes Phoenix urban villages,
22 Alhambra, and North Mountain and reflecting those
23 particular shared communities of interest.

24 Next slide, please.

25 LD 16 is a suburban-to-urban district,

1 also a minority-majority district at 61-plus percent
2 Hispanic VAP. That avoids packing.

3 This is a note. Some of the other
4 earlier maps I've seen were quite heavy and I
5 believe would not pass the Department of Justice's
6 criteria as far as packing, which is something it
7 was actually quite a bit of work to make sure you
8 didn't overpack.

9 As I initially drew these, it took quite
10 a bit of work to move things around to make those
11 balance out a little better. Otherwise, you would
12 have easily had 70-plus percent Hispanic VAP in some
13 of the areas, especially north of I-10 and between
14 the 101 on the west side and the I-10 on the east
15 side, which a very heavy area. So that's why that
16 was broken up some, if you look carefully at the
17 map.

18 LD 16 also includes the urban villages of
19 South Mountain and Estrella, which also reflects
20 those areas' communities of interest.

21 Next slide, please.

22 LD 17, suburban-to-urban district. This
23 would be one of the new influenced area --
24 influenced Hispanic districts with respect to the
25 Voting Rights Act at 38-plus percent Hispanic VAP

1 with areas and boundaries within North Tempe, ASU,
2 and Phoenix, also referred to by some as the
3 light-rail corridor district of Phoenix.

4 Again, these have shared interests. Of
5 note, I grew up in Tempe, so I'm very familiar with
6 it. And there is a distinct difference socially,
7 economically, culturally, perhaps, with respect to
8 an area north of Broadway versus south of Broadway,
9 which is why that line is drawn. And also as we
10 address LD 20, there's other reasons why, which I'll
11 come to in a moment.

12 Next slide, please.

13 LD 18, again, is a suburban West Mesa
14 district in the East Valley. One of the new Voting
15 Rights Act-influenced districts, 32-plus percent.

16 So basically it's a West Mesa district
17 but also is fully contained within Mesa itself,
18 reflecting city of Mesa shared communities of value
19 as well as the city of Mesa city boundaries.

20 Next slide.

21 LD 19, suburban East Mesa district of the
22 East Valley, reflecting the city Mesa shared
23 communities and, again, interests -- shared
24 communities of interest.

25 Next slide, please.

1 And that goes to the Pinal County line on
2 the east side.

3 District 20, a suburban East Valley
4 district. Of note, there is the hard stop
5 geographically of South Mountain down in the lower
6 southwest area of the district.

7 South of the district you have the Native
8 American tribes, which is a hard stop as far as it
9 would be unlike communities of interest.

10 Chandler was chosen as a stop. Excuse
11 me, there is West Chandler, but the 101 was chosen
12 as an eastern boundary and this district -- also
13 when the arizonaredistricting.com website was
14 available, we were able to use that for a time to
15 create what they considered to be a balance, you
16 know, competitive district, almost a perfect 50/50
17 split. Another reason why those boundaries were
18 chosen.

19 So I believe they used the governor's
20 race as a criteria for competitiveness. Again, we
21 would have loved to have done that with all of the
22 districts, but due to the technical issues, we
23 weren't able to do that with the current Maptitude
24 software.

25 Next slide, please.

1 LD 21, this is a suburban Chandler, Sun
2 Lakes district of the East Valley. There has been
3 lots of testimony given with regard to Sun Lakes and
4 Chandler being very tight-knit related communities
5 and also that Sun Lakes is kept within Maricopa
6 County inasmuch as it is governed by -- it is a
7 county island and not governed by a particular
8 municipality and would not have things in common
9 with the communities off the Pinal County area or
10 the Indian reservation.

11 The boundaries on the east would reflect
12 the Chandler, Gilbert, that diagonal line going
13 north down southeasterly to the county line. Again,
14 that reflects the city boundaries between Chandler
15 and Gilbert.

16 Next slide, please.

17 LD 22, this is almost entirely
18 encompassing the town of Gilbert. There's a few
19 items which are -- to make populations work, were
20 moved down to the very south. There was some
21 irrigation districts which made more sense to go
22 with a more rural LD 23.

23 Also the Higley school district, the
24 people I have talked to there consider that to
25 belong more to a Gilbert as opposed to do Queen

1 Creek community.

2 Next slide, please.

3 LD 23, again this is suburban/rural East
4 Valley district comprising parts of Mesa, the town
5 of Queen Creek, San Tan Valley, Gold Canyon, and
6 Queen Valley as well as other farming areas.

7 This seemed to be a balance between what
8 would be going into Pinal County, again recognizing
9 that it does cross the county line there.

10 But again, you do things to the extent
11 practicable. And based on the individuals I spoke
12 with, San Tan Valley and Queen Creek, in particular,
13 have a very strong community of interest. Much as
14 San Tan's population is actually rooted originally
15 in areas of the East Valley when they moved out
16 there. So they do share a very strong a correlation
17 and tie with the East Valley cities.

18 Next slide, please.

19 LD 24, this is a Yuma district. A lot of
20 farming communities. Particular emphasis was to
21 make sure that Gila Bend and Yuma were joined
22 together.

23 Gila -- this also is a Voting Rights Act,
24 minority-majority district at 51-plus percent
25 Hispanic VAP. This would be a shift, but according

1 to -- a shift in where the Voting Rights Act
2 districts are located in the previous maps, they
3 were all located in Phoenix, the ones that were
4 above 50 percent.

5 But according to the August 22nd
6 testimony, one of the consultants from the -- he
7 used to work for the Justice Department, my
8 recollection is that he said as long as there's no
9 retrogression within the state as a whole, that the
10 various districts were allowed to move about, as
11 long as it wasn't retrogression overall.

12 Next slide, please.

13 25, again, this is a mostly rural
14 district. There is a large amount of -- it's a
15 funny-looking district. It's also similar to that
16 same district in the 2004 map.

17 There was an emphasis to include the
18 Tohono O'odham Nation, the Ak-Chin, the Gila River,
19 Pascua Yaqui tribes all together in that district so
20 that they could have a common voice along with some
21 of those areas in Cochise County that you're
22 familiar with, Douglas, Benson, also Nogales down in
23 south of Santa Cruz County.

24 Next slide, please.

25 LD 26, this was the suburban/rural Tucson

1 district. Again, reflecting common communities of
2 interest, Oro Valley, Catalina, Marana, and
3 Saddlebrooke, as well as some of the traditional
4 copper corridor towns of Oracle, San Manuel, and
5 Mammoth, again, to make the population numbers work
6 correctly.

7 Next slide, please.

8 27, a suburban/rural Tucson district with
9 a borderline Voting Rights Act minority influence at
10 48 percent. Upon doing a bivariate analysis of the
11 voting in those areas, you might find that that
12 actually does have sufficient voting -- or, excuse
13 me, Hispanic voting-age population to elect a
14 candidate of choice. And we hope to provide that
15 analysis shortly.

16 This district also would include as
17 common areas the Tucson Estates area and Drexel
18 Heights areas.

19 District 28. Next slide, please.

20 This is a Central -- Tucson central area
21 that reflects the common areas of Catalina
22 Foothills, the University of Arizona, Casas Adobes,
23 and the -- what's recognized as the Central Tucson
24 area within Tucson.

25 Next slide, please.

1 29 is a suburban/rural Tucson district.
2 Again, a borderline Voting Rights Act minority
3 influenced/minority-majority district at 47 percent
4 Hispanic voting-age population and it contains the
5 areas of Tucson Estates and Drexel Heights. I
6 believe I said that correctly.

7 No, I'm sorry, that's a misspeak. That
8 would be LD 27 has those two areas.

9 Next slide, please.

10 LD 30, finally, again, is a
11 rural/suburban area. And this district contains the
12 communities of interest of Sahuarita, Green Valley,
13 Sierra Vista, Davis-Monthan Air Force Base,
14 Ronjerita, Fort Huachuca, as well as the communities
15 of -- near the Saguaro National Park and those areas
16 that border -- or those communities that border that
17 area of Saguaro National Park.

18 That is the presentation. I am not sure
19 actually per the agenda whether or not you're
20 allowed to address me with questions at this point.

21 VICE CHAIR HERRERA: Madame Chair.

22 CHAIRPERSON MATHIS: We can.

23 Mr. Herrera.

24 VICE CHAIR HERRERA: Is there a way we
25 could find out who makes up your coalition?

1 DAVID BUSHMAN: I could ask the various
2 members if they would be comfortable with me
3 divulging who they are. I would simply have to ask.
4 They are all individual persons such as myself.

5 VICE CHAIR HERRERA: I would like for you
6 to ask them. I would love to see who is part of
7 this coalition.

8 DAVID BUSHMAN: I'll ask and I'll forward
9 that to you.

10 VICE CHAIR HERRERA: And you can get in
11 touch with us through Mr. Bladine. I would
12 appreciate that.

13 DAVID BUSHMAN: Very well.

14 CHAIRPERSON MATHIS: Any other questions
15 for Mr. Bushman or comments?

16 VICE CHAIR FREEMAN: Do we have the shape
17 files for these maps so we can do our own analysis?

18 DAVID BUSHMAN: Yes, commissioner, I did
19 submit it through the Maptitude online -- the
20 submission portion. So those are submitted and
21 hopefully some of the data that you are able to
22 generate from those shape files you can generate
23 some of the other reports that I was not able to
24 generate.

25 VICE CHAIR HERRERA: Madame Chair.

1 CHAIRPERSON MATHIS: Mr. Herrera.

2 VICE CHAIR HERRERA: Just A quick
3 question for Mr. Desmond about the issues that Mr.
4 Bushman is having with the competitiveness model
5 using Maptitude.

6 Is that something that we're
7 experiencing?

8 WILLIE DESMOND: Mr. Bushman was very
9 generous reaching out to us and helping you work
10 through some of the issues that they have
11 encountered.

12 Part of the issue is that for your
13 Maptitude, we're able to use different denominators
14 to form percentages.

15 I believe the Maptitude online defaults
16 to just using total population when you're using
17 some of the different race -- not -- like using some
18 of different election race data. You don't want to
19 use population as the denominator to form a
20 percentage of Democrat or Republican. You want to
21 use a total of both. And I believe that's some of
22 the issue.

23 We're trying to find a work-around.

24 There was also an issue with contiguity
25 that was pointed out by -- I don't know if it was

1 Mr. Bushman or someone else. I think we found a
2 patch for that.

3 So Brad in our office has been very, very
4 active on a daily basis handling different issues,
5 uploading new initial starting plans, working with
6 people such as Mr. Bushman to rectify some of these
7 issues. And it's kind of an ongoing basis as they
8 come up.

9 Some of them we've been able to find
10 work-around, some of them are just unfortunate
11 limitations on an online system that doesn't have
12 the full capabilities of Maptitude.

13 DAVID BUSHMAN: Madame Chair.

14 CHAIRPERSON MATHIS: Mr. Bushman.

15 DAVID BUSHMAN: Some of those -- I am
16 pleased to announce the ability to find
17 noncontiguous areas have been resolved as of today.
18 I cleaned them all up. So that was very pleasing to
19 me.

20 It appears that some of the new -- when
21 Maptitude online went on, became online, I was
22 immediately using files. And what I have noticed is
23 that maps that have been created subsequent to the
24 initial release seemed to calculate the various
25 ethnic voting-age populations correctly -- or

1 percentages, whereas the file version that I have
2 does not.

3 I proposed that it was -- that my shape
4 files basically be pulled off and reapplied to a new
5 template. That way the voting-age percentage can
6 be -- for the various ethnicities could be
7 calculated correctly.

8 As it was, I had to calculate those
9 manually using a variety of other techniques made
10 available to me through other sources.

11 CHAIRPERSON MATHIS: Any other --

12 Mr. Herrera.

13 VICE CHAIR HERRERA: One last question.

14 Did any -- did you work with any of the
15 minority groups to form this map at all?

16 DAVID BUSHMAN: I did not. I did reach
17 out to Senator Gallardo. I spoke with him very
18 briefly expressing interest in doing that. I had
19 not heard back from him since that time. I would
20 have loved to have worked with them, but I never
21 heard back from him.

22 So fully recognizing that it's just a
23 matter of the law, we have to have minority Voting
24 Rights Act, compliant districts, and so to the
25 greatest extent possible, I tried to do those. And

1 much to my surprise, I was able to create 11, and
2 that's ranging from 30 to 61 percent.

3 CHAIRPERSON MATHIS: Any other questions
4 or comments?

5 Well, I would just say that was an
6 impressive presentation. Thank you very --

7 DAVID BUSHMAN: Thank you for allowing me
8 the time, Madame Chair.

9 CHAIRPERSON MATHIS: I don't know if
10 you're an Independent, but I could use another
11 Independent on the Commission. It's not up to me to
12 increase the size of the Commission, but if you
13 wanted to join us, you could.

14 DAVID BUSHMAN: Thank you for the offer.

15 CHAIRPERSON MATHIS: All right. Thanks a
16 lot.

17 VICE CHAIR HERRERA: Madame Chair.

18 CHAIRPERSON MATHIS: Mr. Herrera.

19 VICE CHAIR HERRERA: Just to reiterate, I
20 would like to see who makes up the coalition of the
21 -- I'm serious about that. I loved the
22 presentation, but I would like to see who is in the
23 coalition. That's something we've been asking --
24 I've been asking people when they present when they
25 say they are part of a coalition.

1 DAVID BUSHMAN: And I have asked --
2 Madame Chair, I have asked members of my informal
3 coalition, do we give ourselves a name at some point
4 to give us more weight. That's why I asked at the
5 beginning of the presentation if this map with my
6 name, while I believe it's going to be put under a
7 citizen submission area of the website, that it be
8 given equal consideration as well as the Arizona
9 Redistricting Coalition and the Minority Coalition.

10 I believe it is that very reasonable
11 balance between all of the different requirements
12 showing that basically all sides can be satisfied to
13 a large degree.

14 VICE CHAIR HERRERA: Madame Chair.

15 CHAIRPERSON MATHIS: Mr. Herrera.

16 VICE CHAIR HERRERA: The reason we give
17 those organizations the -- just I guess a separation
18 in terms of individual versus organizational maps
19 that are submitted, because they've submitted to us
20 who makes up that organization. At least that's to
21 the best my knowledge. That's -- I could be wrong,
22 but I think that's been the reasons why we name them
23 or distinguish them as opposed to an individual.

24 DAVID BUSHMAN: And, Madame Chair, I
25 would be happy to give ourselves a name if that

1 would help improve the process.

2 CHAIRPERSON MATHIS: Thank you very much.

3 VICE CHAIR HERRERA: Thank you.

4 CHAIRPERSON MATHIS: No other questions?

5 VICE CHAIR FREEMAN: Thank you.

6 CHAIRPERSON MATHIS: Our next speaker is
7 Ken Clark, co-chair for Arizona Competitive
8 Districts Coalition from Phoenix.

9 KEN CLARK: Madame Chair, members, thank
10 you. You couldn't have put me in a better order. I
11 really want to commend Mr. Bushman.

12 He approached me once a couple months ago
13 and said what's the future of your online mapping
14 tool? And at the time we didn't know, and I'm
15 thrilled to see that despite the unfortunate
16 nonadoption of the mapping tool by the Commission,
17 they were able to revive.

18 We have 500-some people who were starting
19 to work on maps who then had to start all over again
20 because they couldn't import their data files into
21 Maptitude.

22 And I was thrilled to see -- this is a
23 surprise to me. I was thrilled to see his
24 presentation. This is exactly what we were hoping
25 would happen.

1 I know that you are frustrated with
2 people coming to you and speaking in generic terms,
3 we want this or that, you need specificity.

4 And whatever we only ever hopped for with
5 any mapping tool would be that it would be a
6 generator of ideas and a possible generator of
7 ideas.

8 So it looks like despite the roadblocks,
9 they were able to do that. I don't know if they --
10 we would agree with them about how many competitive
11 districts they have created. That's a very
12 unfortunate problem with Maptitude. It doesn't tell
13 you -- it doesn't give a good measure of
14 competition.

15 But -- and I think that would probably be
16 in his presentation, were you able to do that.

17 So back to the comments I was going to
18 make, I want to congratulate you on getting to the
19 point in the process where you now have, well, three
20 competitiveness districts from the congressional
21 map. It could have been worse, and we still believe
22 it could be better.

23 We are not in the role of making specific
24 map contributions. We are in the role of just
25 staying on message about competition.

1 But we would -- falling back on our
2 previous comment, encourage you to push the adoption
3 very quickly into the Maptitude online interface of
4 JudgeIt or some similar algorithm that shows some
5 measure of competition into the mapping tool as
6 possible.

7 Now is the perfect time because you got
8 draft maps and you're going to be looking for 30
9 days of public comment.

10 This is exactly when we hope people will
11 get on and make very specific suggestions about what
12 they would like to see differently. That's where
13 this idea generator comes in.

14 We proved with our mapping contest that
15 it is possible to do four, and some people had five
16 competitive districts in the state. We still think
17 that's possible. We think you've done an admirable
18 job, certainly bridging differences, but we hope
19 that you'll look to the public, like Mr. Bushman and
20 others to see what ideas they can create.

21 That's the idea of crowdsourcing and
22 using the technology that we have not had before.

23 The legislative maps, the best one that I
24 saw was 8a option 2, which had only four competitive
25 districts. And that's very -- that concerns us

1 quite a bit. Again, we hoped that the adoption of
2 JudgeIt or some other algorithm for that purpose
3 will help.

4 Let me say something about
5 competitiveness in terms of mapping tools.

6 We know that there's a problem with
7 measuring competitiveness based on just the voting
8 registration. Do you measure folks if they are --
9 if they haven't voted for awhile? What do you do
10 with active and inactivate voting registrations?

11 There's also problems inherently in
12 measuring competition based on performance. Which
13 years do you use? Which elections do you use?

14 But JudgeIt is used all over the country.
15 We think it's a very good measure. You can put both
16 of those measures side by side. In the reports that
17 we've seen on each of these maps, I'm not sure where
18 that competitiveness measure comes from. And I
19 think it would be helpful to the public to be able
20 to see that, again, certainly through the mapping
21 tool.

22 I want to end just by pointing out there
23 has been a lot of back and forth on whether
24 competition should be last in the list or how you
25 weight that. And I'm going to quote again the

1 Supreme Court ruling.

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

8 That means it is not last. It's not
9 first, but it's not last. It is coequal with the
10 four criteria that come after the first two.

11 And we believe that after all of the
12 submissions that have been made and will be made, if
13 the Commission ends up with fewer competitive
14 districts than we have proven could be out there, it
15 opens the Commission up for a lawsuit from yet
16 another direction. We hope there won't be lawsuits,
17 but we think that that could happen and we would
18 hate to see that happen.

19 But in general, we're happy to see the
20 direction you're going. Again, we hope that you can
21 involve the public through the mapping tool and help
22 them help you generate ideas.

23 Thank you.

24 CHAIRPERSON MATHIS: Thank you.

25 Our next speaker is Leonard Gorman,

1 executive director from Navajo Nation Human Rights
2 Commission.

3 LEONARD GORMAN: Good evening, members of
4 the Commission.

5 Thank you for the opportunity to address
6 the Commission this evening.

7 My name is Leonard Gorman, G-o-r-m-a-n.
8 First name Leonard, L-e-o-n-a-r-d.

9 And we express from the Navajo Nation
10 thank you to the Commission to having made a
11 decision on the congressional district and that we
12 are going to be on our way over to further
13 formulating recommendations as you go out to the
14 state of Arizona securing public comments.

15 With regards to the legislative districts
16 and also the congressional districts, Navajo Nation
17 and Navajo people find itself to try and address the
18 history not only in the state of Arizona but also
19 the United States of America. And I think that's
20 the most fundamental challenge to the Navajo people
21 all the time and perhaps as also similarly a
22 fundamental challenge to the Indigenous peoples in
23 the United States.

24 Let me just read you a little piece of
25 the U.S. Constitution, 14 Section 2.

1 It reads: Representatives shall be
2 apportioned among the several states according to
3 their respective numbers, counting the whole number
4 of persons in each state, excluding Indians not
5 taxed.

6 This is the kind of history that the
7 Navajo people, the Navajo Nation has had as a
8 challenge for a long, long time. And this is an
9 issue that Navajo Nation believes it's its
10 responsibility to convey not only to this group
11 here, but to the citizens of the state of Arizona,
12 to the citizens of the United States America, and to
13 world community that we want to be understood. We
14 don't want to be the most dismissed and the least
15 understood anymore.

16 And I think that's our -- part of our
17 objective, ensuring that our voice, the people, the
18 Navajo people's voting voice is appropriately
19 conveyed in these types of forums.

20 So as this challenge is something that
21 the Navajo Nation wishes to address as a part of --
22 as a citizen of the state of Arizona, and mind you,
23 the Navajo people, we have found ourselves being
24 challenged often and often by the states. And as
25 recent as 40 years ago, my people, citizens of the

1 Navajo Nation, were discouraged from voting in state
2 elections, in county legislations.

3 The state of Arizona made its opportunity
4 to ensure that the first peoples of this nation have
5 less opportunity to vote.

6 The state of Arizona has imposed the idea
7 that for a person to vote, to cast a ballot, you
8 must be able to read the English language.

9 The Navajo people at that time had not
10 had the opportunity to learn to speak the English
11 language and were prohibited from casting a ballot
12 because of that reason. To this day, I find myself
13 having the same challenges, perhaps they are
14 different in a variety of respects.

15 Again, in this meeting I find information
16 that Navajo is still not understood. The most often
17 frame that's being presented is that Navajo is over
18 there, we are over here, which is the reason why the
19 Navajo Nation Council established the office of the
20 Navajo Nation Human Rights Commission to examine
21 these issues that exist off the Navajo Nation, in
22 particular in the border towns.

23 The explanation has been presented
24 earlier today. I must say that, yes, we do have
25 federally-funded schools on Navajo Nation; however,

1 we do have private schools.

2 My kids went and are going to school at a
3 private school on the Navajo Nation. They are not
4 going to a state-funded school. They are not going
5 to a federally-funded school. There's diversity of
6 schools on the Navajo Nation that our Navajo
7 children attend.

8 Predominantly our Navajo children go to
9 state-funded schools. Over \$700 million, only on
10 the Navajo Nation/Arizona side, that's the amount of
11 funds that are funneled on to the Navajo Nation
12 lands by state-funded schools.

13 So the iteration that Navajo has BIA
14 rather the state-funded school system, I must say
15 that Navajo also enjoys the opportunities that are
16 provided by the state-funded school on the Navajo
17 Nation.

18 Navajo students attend in dominant
19 numbers in the border town school system. The
20 Flagstaff school district, the Winslow school
21 district, the Holbrook school district. Navajo
22 students make up a predominant number in these
23 school districts.

24 Navajo has actually sued the Holbrook
25 school district because there was an exercise that

1 was carried on that Navajo people believed was
2 inappropriate.

3 We prevailed with a consent decree in
4 which now there are five districts in that school.
5 Before it was at large. Navajo could never have the
6 opportunity to elect a member of the school
7 district. Now we do.

8 So I think that's where Navajo has taken
9 on as an issue to explain not only to Arizona
10 citizens, United States citizens, but also to the
11 world community that this is the Navajo people. We
12 have these kinds of rights and they are recognized
13 worldwide.

14 And that's the role that Navajo Nation
15 has taken on through my office, the Navajo Human
16 Rights Commission.

17 So bringing this matter to the local
18 issue, the legislative district, Navajo has put
19 forward the primary interests of community of
20 interest.

21 I've seen and I've heard you deliberate.
22 Census places, demarcated areas. I've seen many
23 varieties of colors on your maps.

24 Navajo also has demarcated areas, clearly
25 prescribed boundaries of lands in which Navajo has

1 very special interests in these lands, just like the
2 community in the city census place of Tempe, Tucson,
3 Yuma, Flagstaff.

4 Navajo has invested time and opportunity
5 to purchase lands that were lost from the past. I
6 think genuine list of the Navajo people and Navajo
7 Nation is to ensure that certain areas of interest
8 are protected for future generations, not just a
9 ten-year time frame.

10 So sacred sites. Sacred sites for Navajo
11 people and Indigenous peoples in the state of
12 Arizona is something that you can't put a value on.
13 You can't put a value on -- a what is the number of
14 Democrats, Republicans, and Independents for that
15 purpose. It doesn't.

16 Lands that are purchased off the Navajo
17 nation, Big Boquillas Ranch, Espil Ranch. And I
18 don't pretend or intend to even speak for the Hopi
19 Nation. They've also expressed similar concerns.

20 So there is and there are specific
21 intentions to ensure that land holdings that were
22 once traditional lands of Indigenous peoples are
23 appropriate and just.

24 People talk about economic development,
25 commerce, and how it's different from the Navajo

1 Nation versus the border towns. And even the
2 hospital, the health care facilities.

3 We are often misunderstood as first
4 peoples of this United States that we don't pay
5 taxes. We pay taxes.

6 As I am staying here in this community, I
7 am paying taxes. I am not exempt as a Navajo person
8 at all.

9 Properties that Navajo individuals hold
10 off the Navajo Nation, they pay taxes. Land
11 holdings that the Navajo Nation has off the Navajo
12 Nation, Navajo Nation pays taxes on those
13 properties.

14 Hospital issues. Yes, predominantly
15 federally funded on the Navajo Nation.

16 You've seen me limp up to this podium
17 many a time. There's a reasonable why I limp.

18 I got very good health care in the city
19 of Flagstaff. Because I was injured, I went to the
20 Flagstaff Medical Center and that's where I was
21 attended by physicians. And here I am. I'm
22 improving.

23 So I as a person, a citizen of the Navajo
24 Nation put a lot of value in the opportunity that
25 exists in the city of Flagstaff.

1 These are long-term assets and
2 investments the Navajo Nation looks at, not just on
3 a ten-year period. And the fluctuation of the
4 society from a Democratic party to a Republican
5 party or Independent party. And that's the primary
6 reason why Navajo Nation has iterated many times
7 that competitiveness is not a priority for Navajo.

8 Some of the difficulties that Navajo
9 people face today as elections happen, one is the
10 precinct lines that the state uses is not in
11 conformity with the Navajo Nation's political
12 precinct lines.

13 So the result of that is that a lot of
14 Navajos are disenfranchised in voting. You will
15 find many a place where the precinct lines and what
16 we call the chapter boundaries are not in sync.
17 There will be a pocket of population that will vote
18 in a chapter at a different location and then for
19 the state election, they would have to go to a
20 different location to vote over there because of the
21 way that the whole system is constructed.

22 Apache County has actually told my office
23 we see that and we understand it. In the last
24 election, we believe 800 to a thousand Navajos in
25 Apache County were left out because of the way the

1 system exists.

2 So that's a real critical issue when you
3 look at voter performance. Voter performance is
4 also very critical on the grounds.

5 Transportation is a problem on the Navajo
6 Nation. People talk about transportation corridor.
7 We have dirt road corridors on the Navajo Nation.
8 And that's a critical concern.

9 Language issues. As I have mentioned,
10 one of the critical concerns that we had to overcome
11 is the fact that there was a requirement that a
12 person that is casting a ballot must be able to read
13 the ballot in the English language. We had pressed
14 and pressed and pressed the counties to ensure that
15 there is language made available to the Navajo
16 people.

17 We've come a long ways on that issue but
18 we still have a long ways to go on that concern.

19 So when grandma goes out to vote, grandpa
20 goes out to vote, more often that they would need
21 language services. And that's a critical concern
22 for the Navajo Nation.

23 So when I see the efforts that you have
24 been putting forward at ensuring that the census
25 places, the towns and communities are appropriately

1 addressed and are not divided or placed in one
2 district, please treat the Navajo Nation's request
3 as a land area in the same manner.

4 We have demarcated areas off the Navajo
5 Nation. We have a tremendous amount of land just
6 northeast of Winslow. It's called Winslow Tract.
7 The Hopis -- as I indicated, I'm not speaking for
8 the Hopi Nation, but also has lands south and west
9 of Winslow. They have a strong interest.

10 So we hope that in the near future we
11 would have an opportunity to further discuss as we
12 have done in the past couple of months in preparing
13 for these presentations to you.

14 We have engaged the community of
15 Flagstaff, the folks from the west side, the
16 Hualapais, the Hopis, the Apaches to try and come up
17 with a unison position and we have had the
18 opportunity to make all of these discussions and we
19 thought we were coming in together in unison at the
20 last meeting that we had on July 20, 2011 in Window
21 Rock.

22 And that meeting, in our opinion,
23 precipitated the map that we had submitted to you
24 many a time in which we have made it an effort to
25 raise the Native American voting age to 62 percent.

1 And we see that as a very good
2 opportunity for Navajo voters on the Navajo Nation
3 to ensure that they elect who they believe would
4 best respect their interests.

5 Thank you for listening to me.

6 CHAIRPERSON MATHIS: Thank you.

7 Our next and last speaker is Randall
8 Holmes, representing self from Tempe.

9 RANDALL HOLMES: Hi, folks.

10 Pardon me. I just have to show up every
11 couple of weeks to reiterate what I have said
12 before. I don't want you to forget that those of us
13 who have supported you and your work and defended
14 your independence and integrity against attacks from
15 ideological and business interests masquerading as
16 ideological interests, masquerading as communities
17 of interest.

18 A friend of mine here today just reminded
19 me that a lot of these communities of interest are
20 not what they pretend to be interested in. They are
21 masquerading as legitimate communities of interest
22 when they have ulterior motives.

23 I have to reiterate that I represent the
24 grand community of interest, the people of Arizona.
25 The people that voted for clean elections. The

1 people that voted for the Independent Redistricting
2 Commission. The people that wanted to take the
3 redistricting process out of the hands of special
4 interests and political operatives. And that's the
5 community of interest I represent.

6 I live here in the city of Tempe, and I
7 would prefer that Tempe be sliced into five
8 different districts and have five different
9 legislators in the federal as well as the state
10 legislator who have to compete for my vote rather
11 than one legislator in a safe district that takes my
12 vote for granted that doesn't really represent me.
13 And that's my community of interest.

14 I'm so glad to see Ken Clark here today,
15 and I'm so glad to hear a couple of you mention
16 using the mapping tool that was commissioned by the
17 Arizona Competitive Districts Coalition.

18 It is -- I'm not enough of a geek to
19 know, but I understand that it's slight -- it has a
20 lot of advantages over Maptitude as far as getting
21 down to the granularity of competitiveness and past
22 performance -- is that the word -- not just -- as
23 has been said, it's not just about voter
24 registration, the political party, it's about actual
25 turnout and performance in past elections.

1 I'm glad we're looking at the '08 and the
2 '10 election rather than previous elections. We
3 seem to have two big partisan waves that sort of
4 cancel each other out. Maybe if we take an average
5 of the performance in those two elections, we might
6 get somewhere close to reality.

7 But if we don't have competitive
8 districts, we don't have democracy. And we
9 absolutely have to have democracy, otherwise there
10 are no communities of interest that will be served.

11 And thanks for your time.

12 CHAIRPERSON MATHIS: Thank you very much.

13 That concludes public comment.

14 Thank you all for coming out and talking
15 to us today.

16 We have one more item on the agenda, item
17 6, report legal advice and direction to counsel
18 regarding Attorney General inquiry. The Commission
19 may vote to go into executive session and will not
20 be open to the public for the purpose of obtaining
21 legal advice and providing direction to counsel.

22 So with that, Mr. Kanefield.

23 JOE KANEFIELD: Madame Chair, members of
24 the Commission, allow me to provide you a brief
25 update on what occurred this morning in court.

1 This morning Judge Fink, Maricopa County
2 Superior Court, held a return hearing in State v.
3 Mathis. This is the lawsuit brought by Attorney
4 General Tom Horne against the three individual
5 commissioners to enforce his investigative demands
6 as part of his open meeting law inquiry.

7 It was a 15-minute return hearing, which
8 really meant it was a scheduling hearing. There
9 were a few additional developments that occurred.

10 As you know, we -- the Commission
11 instructed us to file a separate action, which is
12 called AIRC versus Horne, raising the constitutional
13 issues. That was a separate lawsuit.

14 We also moved to consolidate. The
15 Attorney General opposed -- filed a motion in
16 opposition to the motion to consolidate.

17 So we suspected that that would be
18 brought up this morning, and it was.

19 In addition, on the other case, on the
20 State versus Mathis case, there was a motion to
21 disqualify the Attorney General as counsel filed by
22 the -- Commissioner McNulty's counsel and joined in
23 by Commissioner Herrera and Commissioner Mathis's
24 counsel. So that was filed also.

25 The judge scheduled a briefing for the --

1 well, first the judge granted the motion to
2 consolidate over the objection to the Attorney
3 General. So the two cases are now essentially one,
4 although they are two -- captioned as two separate
5 matters, they will be heard in the same proceeding.

6 With respect to the motion to disqualify
7 the Attorney General, the judge asked that the --
8 well, the Attorney General has already filed his
9 response to that motion to disqualify.

10 So he filed it this morning. He
11 obviously was anticipating that it may be filed. So
12 there's already a motion to disqualify in response.

13 The judge asked for the reply brief to be
14 filed by October 11th. He's scheduled oral argument
15 to be heard on the motion to disqualify the Attorney
16 General for October 14th at 1:30.

17 With respect to the other case, the AIRC
18 versus Horne on the constitutional issues, the
19 Attorney General has moved to dismiss that case on
20 standing grounds. He's essentially arguing that the
21 Commission doesn't have standing to bring the
22 action. That its standing is limited to defending
23 its maps and asking for more money, essentially
24 which is how he reads the Constitution.

25 Obviously, we'll respond to that motion.

1 The timeline for that process is we will
2 respond on October 18th. We will also file a cross
3 motion for summary judgment on the constitutional
4 issues.

5 The Attorney General will then be able to
6 reply October 25th and then the oral argument will
7 take place on November 7th at 2:30 p.m. in that
8 case.

9 The only other issue that we needed to
10 address with you, as part of the motion to
11 disqualify the Attorney General, counsel for the
12 three named commissioners have asked for a complete
13 copy of the Attorney General's file regarding its
14 representation of the Commission and the individual
15 commissioners.

16 The Attorney General indicated that he
17 will not provide that information unless the
18 Commission waives its attorney/client privilege.

19 So what we would suggest at this point is
20 that the Commission go into executive session so we
21 can advise you with respect to that request for
22 waiver.

23 CHAIRPERSON MATHIS: So I have a
24 question.

25 If these cases State v. Mathis and AIRC

1 versus Horne have been consolidated, what is it
2 called now?

3 JOE KANEFIELD: They are consolidated
4 under the first filed suit. So the case will be
5 known as State v Mathis.

6 Sorry, Madame Chair.

7 CHAIRPERSON MATHIS: Thanks.

8 JOE KANEFIELD: But the case will be
9 captioned in every pleading with both cases in the
10 caption.

11 CHAIRPERSON MATHIS: All right.

12 Any other questions for counsel?

13 COMMISSIONER MCNULTY: Are you requesting
14 that we go into executive session?

15 I'll move that we go to executive session
16 for the purpose of obtaining legal advice and giving
17 direction to counsel.

18 VICE CHAIR HERRERA: I second that.

19 CHAIRPERSON MATHIS: Any discussion?

20 All in favor?

21 ("Aye.")

22 CHAIRPERSON MATHIS: Any opposed?

23 Okay. We will go into executive session.

24 For now we'll end public session. The
25 time is 7:21. And once the public clears out we'll

1 enter executive.

2 Thank you.

3 (Whereupon the public session recessed
4 and executive session ensued.)

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7

8 (There was no discussion during executive
9 session and the matter was tabled to the next
10 meeting.)

11 (Mr. Stertz was no longer present.)

12 (Whereupon the public session resumes.)

13 CHAIRPERSON MATHIS: Okay. The time is
14 7:43 p.m. We'll enter back into public session.

15 There is one item from agenda item 2
16 today that needs addressing with regard to our
17 approval of the draft congressional map.

18 There's one small census block with zero
19 population and .001 square miles in size and it's in
20 Cochise County.

21 And without objection, I would authorize
22 our mapping consultant to clean that up so it's gone
23 and he'll upload that file to our website as soon as
24 that cleanup has been accomplished.

25 VICE CHAIR HERRERA: Okay.

1 JOE KANEFIELD: Madame Chair, I think
2 that can be done without objection.

3 CHAIRPERSON MATHIS: Okay.

4 Hearing no objection, that passes.

5 So, yes, you are authorized to clean up
6 that census block and then put that up on the
7 website as soon as possible.

8 WILLIE DESMOND: Okay. The draft map
9 will have that -- reflect that one little change.
10 And it's zero population, .001 square miles. It's
11 really bugging me.

12 CHAIRPERSON MATHIS: Okay. All right.

13 Thank you, and with that, the time is
14 7:45 and this meeting is adjourned.

15 Thank you.

16 (The meeting adjourned at 7:45 p.m.)
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I, MICHELLE D. ELAM, Certified Reporter
No. 50637 for the State of Arizona, do hereby
certify that the foregoing 310 printed pages
constitute a full, true, and accurate transcript of
the proceedings had in the foregoing matter, all
done to the best of my skill and ability.

WITNESS my hand this 21st day of October,
2011.

MICHELLE D. ELAM
Certified Reporter
Certificate No. 50637