

ARIZONA INDEPENDENT REDISTRICTING COMMISSION

Wednesday, December 7, 2011
2:33 p.m.

Location

**Crowne Plaza Phoenix Airport - Desert 12
4300 East Washington Street
Phoenix, Arizona 85034**

Attending

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

Ray Bladine, Executive Director
Buck Forst, Information Technology Specialist
Kristina Gomez, Deputy Executive Director
Stu Robinson, Public Information Officer

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

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

Phoenix, Arizona
December 7, 2011
2:33 p.m.

P R O C E E D I N G S

(Whereupon, the public session commences.)

CHAIRPERSON MATHIS: Good afternoon. This meeting of the Arizona Independent Redistricting Commission will now come to order.

Today is Wednesday, December 7th, and the time is 2:33 p.m.

Let's begin with the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was recited.)

CHAIRPERSON MATHIS: We'll start with roll call.

Vice-Chair Freeman.

VICE-CHAIR FREEMAN: Here.

CHAIRPERSON MATHIS: Vice-Chair Herrera.

(No oral response.)

CHAIRPERSON MATHIS: Commissioner McNulty.

COMMISSIONER McNULTY: Here.

CHAIRPERSON MATHIS: Commissioner Stertz.

COMMISSIONER STERTZ: Here.

CHAIRPERSON MATHIS: We have a quorum.

And we do expect commissioner -- or
Vice-Chair Herrera to join us soon.

1 Other folks at the table include our legal
2 counsel. Today we have Kristin Windtberg. And Mary O'Grady
3 is in the room, but she'll be leaving early. That's why
4 she's not sitting at the table. We're glad to have Kristin.
5 Joe Kanefield.

6 And then our mapping consultant, Willie Desmond
7 and Ken Strasma.

8 Our executive director, Ray Bladine, is in the
9 back of the room, along with deputy executive director,
10 Kristina Gomez.

11 We have our chief technology officer Buck Forst
12 who is ensuring that this is streaming over the Internet
13 today.

14 Our court reporter is Marty Herder, taking an
15 accurate transcript of today's proceedings.

16 So if you would, when you come up to the
17 microphone to address us, please be sure to spell your last
18 name so that everyone can -- so that we get an accurate
19 transcript of the -- for the record.

20 And then we have Stu Robinson, our public
21 information officer, is also in the back.

22 I think that's everyone.

23 All right.

24 So our next item on the agenda is number two,
25 presentation on the draft congressional and legislative maps

1 by members of the Arizona state legislature.

2 And so I believe we have two coming up.

3 So our first will be Senator Andy Biggs, who will
4 present the majority report.

5 SENATOR ANDY BIGGS: Good afternoon, Madam Chair
6 and members. Appreciate the opportunity to be here with you
7 today.

8 I'm grateful that you've given us this time for me
9 to report my colleague Representative Chad Campbell.

10 Also want to comment just briefly on your
11 director, Ray Bladine, and his staff. They've been always
12 cooperative and very helpful, and so I want to tip my hat to
13 them and express my appreciation to them as we go forward.
14 I would be remiss not to do that.

15 As you know, the constitution allows the
16 legislature to review and have input with regard to the
17 maps, and it requires that IRC to consider the input of the
18 legislature regarding the maps and the process.

19 And so in order to fill our responsibility, in
20 October the legislature formed a joint legislative committee
21 to review the draft maps. And we took public testimony, and
22 we had expert witnesses come in as well.

23 And we wanted to get input.

24 And so we then on October 28th produced a report,
25 and it's my understanding that it has been distributed to

1 each of you, and I, and I hope that's the case.

2 And then we proceeded to do memorials in the
3 house, and then it's my understanding that the, the -- Chad
4 Campbell and the minority and the legislature put out a
5 minority report.

6 So now I'm going to report on that.

7 And I would just want to clarify. It looks like
8 you've allotted 50 minutes, Madam Chair, and so I'm assuming
9 that we're each going to get roughly 25 minutes; is that
10 accurate?

11 CHAIRPERSON MATHIS: That's accurate, but if you
12 need to go over, that's fine. We can go longer. It's no
13 problem.

14 SENATOR ANDY BIGGS: Well, Madam Chair, thank you
15 so much.

16 As Mr. Campbell will no doubt tell you, as a
17 lawyer and a legislature and politician, you know, with a
18 microphone, I'm liable to just go until you drag me out with
19 a cane, so I'm grateful for that opportunity.

20 So, let me just commence by saying our conclusion
21 was that we felt there was some constitutional deficiencies
22 in the maps and how they were put together. In particular,
23 we were concerned initially because there are a set of
24 criterion within the state constitution that the IRC is
25 required to follow. And the first one, of course, is to

1 follow the U.S. Constitution and also the federal Voting
2 Rights Act.

3 And to that end, we had brought in an expert
4 witness, Dr. Lisa Handley, who is, if not the premiere, is
5 one of the top few experts in Voting Rights Act. She's
6 testified in probably nearly a hundred cases. She's done
7 this type of research throughout the world.

8 And we asked her to help us out because one of the
9 things that we felt disadvantaged of as we reviewed the maps
10 is there had not been any data analysis done with regard to
11 majority-minority districts. And so we asked her to explain
12 to us what would be some of the typical tests that one would
13 engage in as an expert to tell us what to do, and so she
14 provided three different tests.

15 And none of those have been completed or done at
16 the time that the draft maps were issued.

17 That was a concern to us, because since the 30-day
18 period and window following the, the promulgation and vote
19 on the draft maps, we were left without understanding
20 whether -- what the analysis was, and so we inquired, and we
21 were informed that that analysis had not been completed. Or
22 that I shouldn't -- I don't want to misstate the letter,
23 because I'm not sure if it said not yet complete, but, but
24 you didn't have that information yet.

25 And so we felt that the 30-day period, 30-day

1 window, when we were constitutionally permitted to review
2 and then comment on those maps, we were disadvantaged
3 because we couldn't make any meaningful review of the
4 application of the federal Voting Rights Act.

5 And the three tests that Dr. Handley mentioned to
6 us were the homogeneous precinct analysis or the bivariate
7 ecological regression analysis and the third was the
8 ecological inference analysis.

9 And the test that is the most statistically
10 meaningful is the bivariate ecological regression analysis.

11 Now, I don't -- it's my understanding that that
12 the Commission retained Dr. Gary King, who was going to do
13 an analysis.

14 I don't -- and I've heard -- I haven't seen that
15 he has completed the analysis.

16 And I have not yet seen that analysis and haven't
17 had a chance to review that.

18 I assume he's the same Dr. King that was doing
19 political science work when I was working an graduate
20 degrees at ASU. And I was surprised to see that he was
21 retained, because when I was doing my graduate -- doing some
22 graduate work there, his expertise seemed to be
23 congressional -- he was a congressional behaviorist.

24 And so I was kind of surprised that he was now
25 doing this type of analysis.

1 Although that doesn't mean, because it was so long
2 ago when I was in grad school, that doesn't mean that he
3 couldn't have changed his stripes just a little bit.

4 I'm not making any aspersions that he's
5 incompetent.

6 But, the point I want to make clearly is that when
7 we asked Dr. Handley why you do these types of analysis and
8 when should they be done, obviously you do them because you
9 have to be prepared to deal with the DOJ clearance.

10 And you typically do them before the draft maps
11 are, are issued. That way the public and in my case the
12 legislature would have an opportunity to review those
13 maps -- those maps in light of the analysis.

14 The second point that we looked at, and this is
15 the second constitutional point, is the requirement of equal
16 population under the constitution both federally for the
17 congressional districts and for the legislative districts.

18 The draft legislative map is at 5.6 percent
19 overall population deviation.

20 Something that we thought was suspect with the
21 requirement that they -- that there be equal population.

22 And so then we go on to the third criterion, which
23 is the geographical compactness and contiguity.

24 And, look, I recognize that that is extremely
25 difficult to do in a state the size of Arizona and the

1 population centers being located largely in two counties.

2 But, nevertheless, LD 7, the proposed LD 7, is
3 larger than some states.

4 And it has three and a half times the size of the
5 next largest draft district, and it is twice the size of the
6 largest current legislative district.

7 And it's -- it was our perception that LD 7 became
8 disproportionately large, and rather than compact, because
9 of the treatment of Flagstaff.

10 And that is -- that was our perception based on
11 what we observed and what we heard in our testimony.

12 And then following the IRC as it proceeded to have
13 its numerous meetings as well.

14 Then we move to the next criterion, which is
15 respect for communities of interest.

16 And just one example that I'll point out to you is
17 the Congressional District 9. It seems to unnecessarily
18 aggregate parts of several disparate communities of interest
19 within Maricopa County.

20 And to be frank with you, as we, as we took our
21 testimony coming in, I would say that that was the largest
22 issue that we heard about was communities of interest.

23 People came from all over the state saying, well,
24 you know, we shouldn't be here, we should be with them.

25 And, again, we recognize that that is a difficult

1 task to respect communities of interest always. But that
2 certainly was what most of the complaint were that, that I
3 heard sitting there for -- on that joint legislative
4 committee.

5 Let me give you another example.

6 This LD 7 includes a huge area from the northwest
7 corner of the state to Greenlee County on the south.

8 Greenlee County is hundreds of miles away from the
9 northwest part of the district, and has nothing in common
10 with the Navajo reservation and Coconino County.

11 These types of things are always problematic, even
12 in my district.

13 Let me just tell you, I have no axe to grind with
14 my district in any of the iterations really that the
15 Commission had. But even in my district, as it currently
16 sits, there is -- there are disparate interests between,
17 say, the people out at Peralta Trailhead east of
18 Apache Junction and those within the heart of the town of
19 Gilbert.

20 And we hear about that. And since I had covered
21 portions of two counties, a portion of Pinal County, for
22 instance, feels in some respects disenfranchised because
23 they're smaller, it's hard to get out to them, and they
24 don't always feel like they're heard.

25 And I understand that. And that's, that's a

1 legislative officer's difficulty as much as it is the
2 drafters of the legislative districts.

3 Number five is where practicable the use of
4 visible geographic features, city, town, and county
5 boundaries, and undivided census tracts.

6 In all of these, I'm just giving you a some -- or
7 one or two examples of what we found. And so I'll, again,
8 do that, but we -- in our report there's a far more
9 extensive list of these.

10 CDs 1, 4, and 9 seems to violate these criteria by
11 making copious, unnecessary divisions of municipal, county,
12 and census tract lines.

13 The legislative district map in Pima County splits
14 several census tracts itself affecting the positioning of
15 several incumbent legislators.

16 I'll get into that portion of the constitutional
17 issue that we had in a moment.

18 Then what seems to have been the overriding
19 factor, at least that we heard about, is the need for
20 competitive districts.

21 Yet in the constitution itself and also in the
22 case that is the standard on this particular -- on the IRC
23 and how to format legislative and congressional districts,
24 competitiveness is the last requirement in the sense that it
25 is a mandatory requirement, that's the word of the

1 Supreme Court, it is a mandatory requirement, but there's
2 nothing in the case that says it is equal or equivalent to
3 the other criterion.

4 It is conditionally equivalent, and the condition
5 is it can't -- competitiveness cannot substantially
6 denigrate any of the other propositions or the criterion of
7 the constitution.

8 To do so is a constitutional violation.

9 And so I thought I would just read briefly from
10 the case, Chief Justice McGregor writing, as the court of
11 appeals noted in redistricting one, that's the previous
12 case, prior to this one, the competitiveness goal is both
13 mandatory and conditional.

14 What's interesting about that is the other
15 criterion are not conditional. They are mandatory.

16 That's my editorial on it.

17 But continue on with the case. If drawing
18 competitive or more competitive districts would not be
19 practicable, or would cause significant detriment to the
20 goals listed in subsections B through E, the Commission must
21 refrain from establishing such districts.

22 Conversely, if it would be practicable to draw
23 competitive or more competitive districts and to do so would
24 not cause significant detriment to the goals listed in
25 subsections B through E, the Commission must establish such

1 districts.

2 The direction that competitiveness should be
3 favored unless one of two conditions occurs is not contrary
4 to the Commission's assertion mean that the competitiveness
5 goal is less mandatory than the other goals, can be ignored,
6 or should be relegated to a secondary role.

7 And mind you, I'm not saying it is less or should
8 be relegated to secondary role, but Chief Justice McGregor
9 at the time said the constitutional language means what it
10 says, that the Commission should favor creating more
11 competitive districts to the extent practicable when
12 doing so does not cause significant detriment to the other
13 goals.

14 And I would suggest that it -- that that opinion,
15 along with the constitution, does provide a hierarchy of the
16 criterion within the constitution of Arizona.

17 So as a whole, CD 1 is significantly, for
18 instance, less competitive than the current CD 1.

19 The fact that 2010 election year was used and not
20 going back to 2004, 2006, 2008, seems to be a difficulty
21 because 2010 was an aberration. Republican candidates in
22 Arizona received unusually strong support from voters of all
23 types.

24 Believe me, Republicans would like to say 2010 was
25 a normal year, but I don't think any political analyst would

1 say that's the case.

2 It was clearly an aberration.

3 And as such, by emphasizing 2010 election results,
4 without smoothing data from prior elections, the results of
5 any competitiveness analysis becomes skewed.

6 We would urge -- and one of the, one of the things
7 that we requested in our memorial is that the Commission
8 create a specific definition for competitiveness so that the
9 term can be applied in conjunction with other constitutional
10 criteria.

11 I wish that the -- that your predecessors in 2001
12 would have done that, but they didn't do that, and I would
13 urge you to do that.

14 Let's talk about one or two other issues with
15 regard to, say, incumbents and residence of incumbents and
16 candidates.

17 This is an interesting thing because, as you know,
18 that's a strict prohibition against consideration of
19 residence of incumbents.

20 And, and I don't think anyone is asserting that
21 this Commission directly considered anything like that.

22 But there are two aspects that do seem
23 interesting, at least two. The first of all is that over
24 the course of the weekend from Friday to Monday, two
25 incumbent congressmen were moved into new districts.

1 In one change, it appeared that there was pinpoint
2 mapping involved. That maybe down to blocking, block level
3 of the census tracts.

4 The two Republican incumbent congressmen were
5 affected by a map that was drawn from apparently from Friday
6 to Monday.

7 That's interesting.

8 There are at least ten legislators who were drawn
9 in or out of districts by a distance of a few hundred feet,
10 including frankly in the only Hispanic conservative in the
11 entire legislature is on the corner of one intersection.

12 And that's interesting, because how did that
13 happen.

14 Other places where incumbents live where they're
15 30 feet away from the line. Their house, their front door
16 is literally 30 feet away from the line.

17 That is interesting as well.

18 So the constitutional problem with that is it
19 appears that maybe residence was taken to account even
20 though no one is asserting that you did that deliberately or
21 openly.

22 But one of the ways it could have filtered in is
23 when you have maps submitted by groups.

24 When you have maps submitted by groups, each group
25 has, just like, if I was to submit a map, let's not kid

1 ourselves, as wonderful as I think I am, I would have a bias
2 and I would be drawing a map to reflect what my -- what that
3 bias is.

4 Similarly when you have groups that are trying to
5 reach an objective, they will have a bias in the maps that
6 they submit.

7 And that has the potential of coloring what the
8 IRC does.

9 So if a group does take into effect or into
10 account, say, where incumbents live or particular outcomes,
11 and they submit that map to this, this Commission, without
12 some pretty strict filtering, and I am not saying that's
13 easy to do, there is a chance that you will inadvertently
14 violate the constitution because their incumbency would
15 have -- residence of incumbency, for instance, would have
16 been considered.

17 And so that's a list of reasons that we struggled
18 and felt like there was problems with the draft maps that
19 were promulgated by, by the Commission.

20 We, we as a legislature would -- the position we
21 would like to see happen is that the IRC immediately
22 commence a new mapping process for both congressional and
23 legislative districts that comports with the requirements of
24 Article IV, Part 2, Section 1, of the Constitution of
25 Arizona.

1 I have -- I think I've given a fairly concise
2 reading of our report and, and our position.

3 And, Madam Chair, I appreciate it again, the
4 opportunity to speak. And I'm willing to stand for
5 questions, if you -- any of your members have any.

6 CHAIRPERSON MATHIS: Thank you.

7 Any questions for Senator Biggs?

8 VICE-CHAIR FREEMAN: Madam Chair.

9 CHAIRPERSON MATHIS: Mr. Freeman.

10 VICE-CHAIR FREEMAN: Senator Biggs, thank you for
11 the presentation.

12 Now, redistricting is something that happens once
13 every ten years. And it's easy to forget about what was
14 going on ten years ago.

15 And what I'm getting at here is the perception of
16 the public.

17 The public probably doesn't pay attention to it.
18 It's something that happens only once every ten years. It's
19 kind of in the area of the political arcane or obscure.

20 And while I know the Commission has done its best
21 to hold its meetings in public and get the word out, my
22 impression is, at least people I talk to, they don't know
23 what I'm doing or what this is about.

24 I think it's my impression that, at least my only
25 personal history, you wake up one morning and you get

1 something in the mail, and, oh, I'm in a new district, I
2 wonder what happened there.

3 And my concern is that when, you know, the
4 Commission is not to consider the residency of incumbents,
5 as you said. That's we're constitutionally prohibited from
6 doing that.

7 We're also charged with upholding public
8 confidence. And I don't think we're necessarily to turn a
9 blind eye to that issue, and the screening, putting that in
10 place, like you alluded to, I think would be important.

11 But what, what your, your thought, and I think one
12 day a day's going to come when the maps are finalized and
13 people are going to get that letter in the mail saying
14 you're in a new district, they're going to wonder why,
15 they're going to wonder what happened to their
16 representative.

17 And according to your report, at least in southern
18 Arizona, there were, there were ten instances where a member
19 was, was either cut out or cut in a district by, by just a
20 few hundred feet.

21 Do you, do you think that there will be some
22 public concern what -- if that were to be the way the final
23 maps pan out?

24 SENATOR ANDY BIGGS: Thank you, Madam Chair and
25 Commissioner Freeman, for that question.

1 You know, in a democratic republic, public opinion
2 is absolutely one of the strongest drivers of whatever
3 policy making.

4 And you're, if nothing else, you're creating
5 policy when you create maps.

6 And I think that, that you're right. I think most
7 people are so busy in their lives, working and taking care
8 of their needs, that they're not necessarily -- I know --
9 I -- just let me give you an example.

10 There is nobody more anonymous in my legislative
11 district than me.

12 Nobody knows -- you know, you can go whenever you
13 want. Nobody knows who I am.

14 But that's one of the beautiful things about being
15 in the legislature, as opposed to being in congress.

16 And I would imagine the same is largely true for
17 you.

18 And so in, in the end, you -- when we talk about
19 public trust and upholding public trust, it will be outcome
20 based. It will be in the end what happens when the people
21 do get notice, when they're going to vote and they say,
22 well, gee, I -- what happened, to what's his face, you know,
23 he's not on the ballot. Well, I'm not in his district or
24 her district anymore. I'm somewhere else. How did I get
25 over here? Why am I going to this place with these people?

1 I don't know.

2 When we do public trust, and one of the things
3 that becomes -- that you guys become held up to scrutiny for
4 that is when we do see ten people in Pima County or we do
5 see someone else who's -- who -- how did -- they're sitting
6 on the corner of an intersection, and they're in a
7 completely different district, and that completely different
8 district not only is not even their partisan, their party,
9 their political party affiliation dominant, it's, it's
10 significantly the other way. It's not even a competitive
11 district. It's an overwhelming to the other side.

12 Those things are the types of things that affect
13 public trust.

14 When, when you try to explain to someone -- for
15 instance, I happen to represent a portion of what -- I don't
16 know even know what the congressional district is, but, say,
17 Apache Junction and out in that way, and I try to explain to
18 them why they are now going to be in a district with
19 Lake Havasu City.

20 They're baffled. They don't get that.

21 And it's difficult. And they say, who's too blame
22 for that?

23 You're right. The IRC process is an arcane
24 process. It's a conundrum for the world to get.

25 But, let me give you another example.

1 If you have -- there's a legislative district
2 where a portion of Yuma, largely, let's say, 50, 60,000
3 people in Yuma, are put in a district with 100, 130, 150,000
4 people from west Phoenix.

5 The people in Yuma are saying, who's, who's this
6 person?

7 Those are the things that where the public says --
8 begins to say, how did this happen to us?

9 And that's the -- when you talk about public
10 trust, that's what people want to know, how did this happen.

11 And, and while you've had loads of public
12 meetings, I think the people are going to wonder how did
13 this person end up right here. How did I end up right here.

14 And that's the public trust and its perception.

15 CHAIRPERSON MATHIS: Any follow-up questions or
16 other questions from other commissioners?

17 COMMISSIONER STERTZ: Madam Chair.

18 CHAIRPERSON MATHIS: Mr. Stertz.

19 COMMISSIONER STERTZ: Senator Biggs, thank you
20 very much for accepting an invitation to come down and, and
21 speak to us today.

22 The -- I watched a very interesting interview. In
23 fact, one of the members of our audience today was a
24 participant in the interview, as well as Representative Art
25 Hamilton.

1 And one of the things that he had mentioned, and I
2 wanted just to get your -- this is, this is within topic or
3 within, within concept of topic, but he was talking about
4 institutional memory.

5 And the concept of institutional memory, of
6 course, was -- has been shortened because of, because of
7 term limits in this state, but institutional memory also
8 crosses over into mapping and map drawing.

9 And I wanted to get your thoughts on, on the --
10 because part of the mandate, our constitutional mandate, is
11 to scrub the state clean, begin at grid based on equal
12 population, and then adjust those lines based on the
13 six levels of criteria that we're, that we are mandated to
14 be -- to follow.

15 Some of those design decisions, and as we received
16 public input, have intended consequences and some of them
17 have unintended consequences.

18 Some of the unintended consequences unfortunately
19 are, in my opinion, are that we have lost in some instances
20 the institutional memory.

21 And I wanted to get your thoughts on, on, on that
22 concept.

23 SENATOR ANDY BIGGS: Well, in my mind
24 institutional memory is, again, for a democratic republic
25 is, is critical, because anybody can run, very egalitarian

1 in that sense, and it's a great country because of that.
2 It's one of the things we can do.

3 But everything you get to term limits or, just to
4 respond to your question, I'm sorry, Madam Chair, to respond
5 to your question, there is a problem with institutional
6 memory, and I'll tie this into, I think, the broader
7 question you're asking in a second.

8 And what that problem is, is when you, when you
9 can serve for four terms and then you're gone, who has
10 institutional memory?

11 Why, it is -- it comes ostensibly from -- I'll
12 give you three groups.

13 Number one would be the staff of the institution.
14 They have institutional memory, because they outlive, they
15 outlive the legislator. Or, for instance, I was talking to
16 someone about the DOJ.

17 The DOJ's career attorneys, they, they outlive the
18 different administrations that come and go.

19 They have the institutional memory, and they take
20 the things that they do very seriously.

21 Similarly, the other group would be lobbyists.
22 Lobbyists and, you know, people get upset with lobbyists,
23 but they, they have institutional memory, because they've
24 been around.

25 They, again, outlive the legislator.

1 And the third group in many instances is media
2 members.

3 They outlive -- I would say they used to outlive.
4 I'm not sure -- I see a lot more turnover than I used to
5 see, but they do.

6 Similarly when you're drawing the lines on maps,
7 and, and you're constrained because you can't consider
8 incumbents live, and that, that seems appropriate to me, but
9 when, when you end up with six or seven incumbents or five
10 in one district, and it appears to be packed, and you're
11 losing -- someone's going to be gone there, they're going to
12 be losing that, that race that's coming up, you will also
13 lose the memory of those individuals who lose.

14 And the result is that you lose institutional
15 memory.

16 And, and some people think that's a great thing,
17 to lose institutional memory in a political body. And
18 others think it's an important thing to have.

19 Because, you know, to be honest with you, we find
20 ourselves rehashing some of the mistakes that were
21 previously done until a staff member says, you know, by the
22 way, that was tried 12 years ago and this was the drastic
23 negative results.

24 And so I think when you're drawing lines, you have
25 the effect, the potential effect really of reducing

1 institutional memory, once individuals and current
2 incumbents are lumped together, if you will.

3 I don't know in that's where you want to go. But
4 that's where I'm trying to turn to the issue at hand.

5 COMMISSIONER STERTZ: Well, Madam Chair, as, as a
6 follow-up to that, it was most interesting, Madam Chair,
7 Madam Chair, as a follow-up to that, it was most interesting
8 because Art Hamilton's feeling was that it -- that has led
9 to -- that institutional memory was incredibly important.
10 And when I started looking at legislative lines, not
11 necessarily from the legislators' point of view, or from the
12 senators' point of view, but from the public or the
13 residents that live within those districts point of view,
14 and I, I -- at very early on there was a woman that came up
15 and was tearfully giving us testimony, because she was no
16 longer going to be living in a district that she lived in
17 for ten years.

18 And she felt very compelled by her representation,
19 where she went to meetings, where she walked from door to
20 door, who she represented, et cetera.

21 And I thought that that was very compelling
22 testimony.

23 And that, that whether or not from the
24 institutional side, from the inside the capital building, or
25 the legislature -- legislator, the legislative buildings,

1 that's one level of institutional memory.

2 But the public's memory as well.

3 I've lived in a -- I've lived in our family home
4 for 20 years. And I live in a highly uncompetitive
5 district. That district is, is Legislative District 28.

6 I live also in Congressional District 3, which is,
7 which is also a highly uncompetitive district.

8 Those -- so I also look at competition as being
9 something that my voice as a conservative is not being
10 heard, because my representatives don't reflect my basic
11 values and would not take my voice up either to the state or
12 to the, to -- but, however, that doesn't change the fact
13 that I love the lines and I love where I live and I accept
14 the fact that my neighborhood is most important. And I've
15 accepted that.

16 So from an institutional point of view, the
17 neighborhood that I live in, the area that I live in, has
18 great effect.

19 Now, under the new maps that we're drawing, those
20 are all going to be changed.

21 The relationships and where the areas and
22 neighborhoods are going to be walking are going to be
23 changed, and the people that are highly invested into the
24 political process from the public's point of view are going
25 to be changed.

1 Give me your thoughts on, on that aspect from the
2 public's perspective of institutional memory and how that
3 would -- how that's affected or how you see it.

4 SENATOR ANDY BIGGS: Thank you, Madam Chair and
5 Mr. Stertz.

6 Just a quick story before I answer your question.

7 I grew up in Tucson.

8 And my congressman growing up was Mo Udall.

9 And, and everybody around us voted for Mo Udall
10 and Barry Goldwater.

11 And, you know, it seemed to me as I was growing up
12 you couldn't find two more disparate politicians than that,
13 than Mo Udall and Barry Goldwater.

14 But that was what we did, because we were used to
15 it, we were -- we felt comfortable in that view, in that
16 political review.

17 Well, it comes out to this as well.

18 We -- the testimony that we heard mostly was
19 talking about communities of interest when we were doing our
20 joint committee.

21 And the reason that that -- I think that that was
22 the number one issue is that you had mayors coming and
23 saying, you know, why are we being separated, or county
24 members saying why is this part of our county going.

25 We don't understand.

1 It doesn't matter.

2 We relate to these people.

3 And that's -- I think you're talking -- when you
4 talk about institutional memory of the public, they are --
5 they know generically who their, who their representation
6 is.

7 Number two, they know who their community is.

8 And there's a sense of community that will
9 inevitably be lost. You can't, you can't do be perfect in
10 that when you do -- when you divide and reallocate lines.

11 But they certainly want to continue as long as
12 possible, as much as possible, with their friends, their
13 neighbors, and the community that they're familiar with.

14 And the sense of alienation that comes is
15 essentially a denigration of institutional memory, for lack
16 of a better term, of the public. It's gone. And so a sense
17 of alienation sets forth.

18 And I think in some ways it's one of the reasons
19 that we have such a political apathy.

20 There are other reasons too. Both parties are to
21 blame for that, I suppose.

22 But certainly it has one sense of it, because to
23 be devoid of your previous community of interest is
24 problematic.

25 CHAIRPERSON MATHIS: Any other questions for

1 Senator Biggs?

2 VICE-CHAIR FREEMAN: Maybe one more, Madam Chair.

3 CHAIRPERSON MATHIS: Mr. Freeman.

4 VICE-CHAIR FREEMAN: Senator Biggs, you touched
5 upon this when you began your presentation. I just wanted
6 to maybe it again, because this was something that was
7 unclear to me when I read the constitutional provision,
8 because of some of the language that you used.

9 The constitution says that the legislature shall
10 be entitled to come before the Commission to provide
11 comment.

12 It doesn't say legislators. It says legislature,
13 which is a body, through a minority, memorial report,
14 originally I thought should be majority report, but I since
15 learned that's a term of art that means something.

16 Could you explain what the memorial and minority
17 report is?

18 SENATOR ANDY BIGGS: Madam Chair and Mr. Freeman,
19 yeah, the memorial is something that you're actually -- you
20 vote on. And so, so that's what a memorial is.

21 We use them all the time for different, different
22 events or issues.

23 But the minority report is if you have a
24 disagreement with that particular document, you write a
25 minority report and you issue that.

1 And I'm not sure that I like the way the
2 constitution is worded. I understand it. I think they
3 should have just said a majority minority report.

4 But they didn't. They said memorial. So it
5 required us to take more formal action.

6 VICE-CHAIR FREEMAN: And that doesn't necessarily
7 mean Republican, Democrat. That just means the memorial
8 reflects the report of a majority and the minority report
9 reflects a report of a committee of the minority.

10 SENATOR ANDY BIGGS: Madam Chair, Mr. Freeman,
11 theoretically it means the majority of the legislature has
12 voted that out, and the minority comes at it otherwise.

13 I would tell you that I think that this was done
14 long along partisan lines, party lines.

15 Unless Mr. Campbell voted for this majority
16 minority report. I don't think he did.

17 CHAIRPERSON MATHIS: Other questions, for
18 Senator Biggs?

19 (No oral response.)

20 SENATOR ANDY BIGGS: Madam Chair, thank you so
21 much. And, members, thank you for indulging me. Appreciate
22 it. Thank you.

23 CHAIRPERSON MATHIS: Thank you for coming to
24 present, and thanks for complimenting our staff. We don't
25 do that enough, so appreciate that.

1 SENATOR ANDY BIGGS: I thank you. They were
2 terrific. Thank you.

3 CHAIRPERSON MATHIS: So, our next speaker is -- I
4 want to get that title correct -- House Minority Leader Chad
5 Campbell. And he'll be presenting the minority report.

6 REPRESENTATIVE CHAD CAMPBELL: Hello, members.
7 Thank you for having me today.

8 I want to echo some of the comments of my
9 colleague, Senator Biggs.

10 First of all, the staff has been amazing, working
11 with them to the limited degree that I have worked with them
12 and contacted them when I needed information. And I know
13 some of our staff as well has contacted them.

14 And they've been very professional, very
15 responsive, and I can't thank them enough for all the work
16 they've done.

17 And I also want to thank all of you for the work
18 you're doing.

19 I think you guys have probably not been commended
20 enough.

21 You are citizen volunteers. You're taking time
22 out of your busy lives. I know many of you have other jobs.
23 You have families, family commitments.

24 This is a very time consuming, and I think a very
25 draining process in many ways. So I want to commend all of

1 you.

2 Thank you for your work, because it really does
3 mean a lot to voters of this state and to the future of this
4 state.

5 You guys are setting forth the maps for the next
6 decade, and the importance of that cannot be understated, so
7 thank you very much for your work.

8 And I want to say from the outset that I think
9 you've done a very good job to this point. I think you
10 have followed the constitution and the intent of
11 Proposition 106.

12 And when I'm out around the state talking to
13 people across the state, Republicans, Democrats, and
14 Independents alike, I can assure you there are many people
15 out there who support what you've done and commend you for
16 your efforts.

17 And I know you guys probably hear a lot of
18 negativity at these meetings sometimes, so I want to pass
19 that along to you, that there are a lot of people out there
20 who support the work you're working on and really appreciate
21 all the time and effort you put into this.

22 So I'm going to briefly talk about the minority
23 report that we submitted. You all have a copy of it, I
24 assume; correct?

25 Okay.

1 And I'm also going to talk a little bit about the
2 majority report and some of the comments that my colleague,
3 Senator Biggs, made today.

4 And he is correct in assuming that I did not vote
5 for the majority report. I know he was going out on a limb
6 on that, on that prediction right there. So he is correct
7 on that one.

8 We had a difference of opinion obviously down at
9 the capital in terms of how this process has gone and where
10 it should be headed.

11 And to be quite honest with you, I think that
12 when I look at this process and when we looked at this
13 process, I was not around ten years ago, so I was not in
14 office. I was not involved in this process in any way,
15 shape, or form.

16 But I talked to many people who were.

17 I looked at some of the previous documentation
18 from the meeting.

19 I've looked at the maps we have that we're working
20 with today, the maps we've been operating under for the
21 last decade.

22 And when I look at this process as compared to
23 that one, it is a breath of fresh air. And I've talked to
24 several people who were involved with it.

25 The transparency, it's night and day compared to

1 the last time. And I find it ironic and somewhat funny that
2 many of the people that are complaining about this process
3 this time are the exact same people who really dictated the
4 process last time and really are responsible for delivering
5 the incredibly gerrymandered maps we've been operating under
6 for the past decade.

7 And so it's unfortunate, I believe, that we're
8 even here today, because I don't think that we should be in
9 this process as elected officials.

10 I think the voters spoke loudly and clearly when
11 they told the people or the elected officials of this state,
12 get your hands out of this process.

13 They did not want elected officials drawing their
14 own maps.

15 And they were very clear about that.

16 And yet, unfortunately, some of my colleagues
17 don't agree with me. And so, here we are today.

18 So, with that in mind, our minority report
19 focused on the Joint Legislative Redistricting Committee and
20 the work that was put forth there. And to be very blunt,
21 this committee demonstrated exactly why the voters of this
22 state didn't want elected officials participating in this
23 process.

24 This entire committee from the outset was a
25 process that had a predetermined outcome. It was very

1 obvious, from the expert witnesses they brought down to the
2 committee, from the testimony that was delivered.

3 And, in many ways, it seemed to be a forum to
4 attack many other elected officials, and very personal
5 attacks sometimes, and unsubstantiated attacks, as well as
6 attacking you, the citizen volunteers of this Commission.

7 And we found that unfortunate, and we had expected
8 that, and that's why the Democrats boycotted this committee
9 from the beginning.

10 We also realized that there were a vast number of
11 speakers during this committee, both outside expert
12 witnesses and, with all due respect, Republican staff, that
13 seemed to either not understand the process and the
14 constitutional requirements of the process or disregarded it
15 altogether.

16 And that was unfortunate.

17 I can't speak to what was behind that, again,
18 whether it was willful disregard or if it was just not
19 having a grasp of what the process entailed. But either
20 way, the outcome was the same. And it was a committee that
21 was orchestrated in an attempt, I believe, and the Democrats
22 believe, to once again gerrymander the districts to control
23 one party nomination of this state.

24 And we saw it time and time again with testimony
25 throughout the committee, and, again, that's why we did not

1 participate.

2 And I want to point out that it's very simple.

3 I'm going to just backtrack a little bit here.

4 It's very simple what we need for this map. It's
5 a map that should reflect the state of Arizona. A map that
6 should meet the Voting Rights Act requirements.

7 That is all. Nothing more.

8 This state, as we all know, is broken into a third
9 Republican, a third Democrat, and a third Independent. That
10 is basically the breakdown of voter population in this
11 state.

12 A map should reflect that. Nothing more.

13 As long as it meets the other constitutional
14 requirements that Senator Biggs and others have talked
15 about, then the map is doing the right thing.

16 And I think that unfortunately that is probably
17 the greatest mystery for myself and many other Democrats who
18 look at this map, the draft map. It really doesn't reflect
19 the current population trends of the state. It's still
20 beneficial to a greater degree for the Republican party.
21 Which is why we're so mystified as to why they set forth on
22 this campaign to really undermine the process and attack
23 certain members of this Commission.

24 And that's why in our minority report, and here
25 again today, I will reiterate, and I'll briefly call on

1 you, to take a look at the legislative districts and make
2 sure that they are meeting all the requirements set forth in
3 the constitution, as well as instilling, to the greatest
4 degree possible, competition while meeting the other
5 requirements.

6 And I think and I know that it can be done. And
7 it has been done to a great degree throughout in process.

8 The voters of Arizona deserve that.

9 And they do not deserve what they have seen
10 from the governor and the majority party for the past few
11 months, which is just more partisan attacks and more
12 partisan games.

13 And it's very unfortunate, and I think that the
14 voters of this state, as we've seen, are getting tired of
15 it.

16 But, that's all I'm going to say about the maps
17 themselves today. Because, as I said at the beginning, I
18 really don't believe participation of elected officials
19 should be to a great degree in this process. It should be
20 minimized as much as possible.

21 And the voters made that clear when they passed
22 Proposition 106.

23 And so I want to comment on some of the majority
24 report that Mr. Biggs outlined today and make some comments
25 about what I think are concerns for us, and should be

1 concerns for you as well, in terms of what they came back
2 with from their majority report.

3 So, with that in mind, first and foremost, the
4 Voting Rights Act, as Mr. Biggs pointed out, does need to be
5 analyzed in terms of minority competition within districts
6 and communities. And he talked about Dr. Handley doing this
7 analysis on these maps.

8 But I want to point out this did not happen
9 ten years ago until after the draft maps were submitted.

10 There's no precedent for giving it prior to the
11 creation of the draft maps. So his contention that it
12 should have been earlier than this is simply incorrect.

13 And so I'm not sure where that is coming from, but
14 I can tell you right now, again, it does not hold up when
15 you look at what happened ten years ago.

16 When you look at contiguity, continuity, whatever
17 you want to call it, within districts, that's completely
18 subjective.

19 If you look at the current map, excuse me, if you
20 look at the current map, the lines right now have no
21 standard. There is no basis for many of these districts.
22 It's impossible to do because of the current makeup of
23 Arizona and how large a state we are.

24 Excuse me while I get some water. Excuse me.

25 Because of the lines -- or because of the size and

1 the geographic makeup of Arizona, there is no way to draw
2 every single district in the state that would meet every
3 single community of interest.

4 It's physically impossible. And we all know that
5 too. There is no way.

6 And, secondly, there is no definition, and there's
7 no requirement, and by definition a district is not in and
8 of itself a community of interest. It cannot be.

9 Again, that would be physically impossible.

10 So to the point of Mr. Biggs' argument that you're
11 not meeting the community of interest definition and you're
12 not following -- you're not getting contiguous district
13 lines in place or geographically compact lines in place, you
14 can't win on this argument.

15 And so there's no physical way to do that unless
16 we create more districts. That is it.

17 And that is not within your purview. That is not
18 within my purview. That is something that we have to go
19 back to the voters of the state for.

20 Thirty districts in a state this size is
21 impossible to make sure you're protecting every community of
22 interest or appeasing what every voter wants.

23 You try to do the best you can, and you have to do
24 that.

25 But if you look at districts, legislative

1 districts that are the size of 213,000 people, give or take,
2 which is the current size we're dealing with for the
3 legislative district districts, and compare that to other
4 states, you will see what I mean.

5 Many other states -- I was just at a meeting, in
6 fact two days ago, with a colleague of mine from Kansas.

7 His districts are about 22,000 people.

8 That's how many districts -- how many people are
9 in each legislative district in Kansas.

10 If you go to other states, most districts are
11 nowhere near the size of Arizona's legislative districts.

12 And so if you want to talk about trying to meet
13 the needs of every community in the state, or every citizen,
14 or whoever it may be, the only way to get it is to create
15 more districts. It is physically impossible to do so with
16 the current parameters set forth.

17 Thirty districts in a state of over six and a half
18 million people, it's not going to happen.

19 So, please keep that in mind as you move forward.

20 You cannot make everybody happy.

21 If you look at the current maps right now, again,
22 there are maps for other districts that make no sense to
23 many people, even my own district probably.

24 But it was what happened last time because it is
25 what the Commission saw fit to do under the powers set forth

1 in Proposition 106, and, again, what they had to do because
2 of the limitations by only having 30 districts.

3 And I've heard time and time again the
4 competitiveness has been pushed up the scale, been weighed
5 more heavily than some of the other considerations. And I
6 don't see any evidence of that.

7 We heard testimony, and this is back in the Joint
8 Redistricting Commission -- or Committee, I'm sorry, down at
9 the legislature, but there's no evidence of this, and
10 there's been no detrimental impacts on this.

11 I have yet to see anybody prove to me that any
12 competitiveness considerations has actually caused any
13 detrimental impact on this mapping process.

14 And if it does, that will be decided down the
15 road, I'm sure, by the Department of Justice, by a lawsuit,
16 whatever it may be. But it's not to be decided arbitrarily
17 by the governor or a majority of the majority party at the
18 legislature.

19 That is not how this process works.

20 That is not what the voters wanted when they
21 passed Proposition 106.

22 And I also heard Senator Biggs, I've heard others,
23 talk about the fact that some incumbents have been affected
24 by this, some incumbents have been put in districts with
25 other incumbents, or it appears that the lines were drawn

1 arbitrary -- or drawn secretively to protect certain
2 incumbents.

3 And he actually mentioned the fact that there were
4 a few congressional people from his side of the aisle that
5 were drawn into the same district.

6 The bottom line is this. When you have
7 98 incumbents in the legislature, first of all, and the
8 overwhelming majority, in fact, the super majority of them
9 are from one party, they're probably going to have more
10 incumbents come on to the same districts than those who
11 don't have many people down at the capital.

12 We don't have enough people down there to be
13 affected right now.

14 Especially in the senate. There's nine Democrats
15 in the senate. It's very hard to draw nine Democrats in a
16 state of six million people in the same district.

17 So, again, this is simple mathematics, physics,
18 geography, whatever you want to call it. You're going to
19 have more people in the majority party probably drawn in the
20 incumbent districts than those of the minority party, that
21 is overwhelming minority party, I might point out.

22 And if there's vast conspiracy being dictated by
23 the Democratic party, please let me know about it. Because
24 I've been drawn into a district with four incumbents myself.
25 So I need to know what's going on as well.

1 So at the end of the day, this committee, and I do
2 want to point out, this committee, as Mr. Biggs said, there
3 are certain people proposing maps or interest groups that
4 have been proposing lines throughout this process and maybe
5 that's what influenced the current maps you guys are using
6 as your draft maps. And it wasn't that it was intentional,
7 but it was just happened because of the influence of people
8 coming down and submitting maps.

9 Well, that's how it works. And if that has
10 influenced you, that's good, because public participation,
11 public input should influence you.

12 But I do find it ironic that Senator Biggs did say
13 that, considering the fact that I can tell you right now, at
14 least in the house Republicans, I can't speak for the senate
15 Republicans, Mr. Biggs probably has more working knowledge
16 of this, but the house Republicans have paid staff using
17 taxpayer dollars to focus solely on redistricting, and they
18 are in every meeting from what I know that.

19 I've never been to a meeting. This is the first
20 meeting I have been to. I've purposely stayed away from
21 these meetings. I didn't feel it was my place. But I came
22 because I was called in to do so.

23 But they're at every meeting trying to influence
24 maps.

25 So if there's any group that's been trying to

1 influence maps from day one, it has been probably a lot of
2 elected officials who were trying to protect their own
3 districts.

4 And I think that that's unfortunate, and I think
5 that goes against the intent of Prop 106 and the voters when
6 they passed it. And so it is what it is.

7 But at the end of the day, again, if you are in
8 the majority party and you have the overwhelming numbers
9 they have right now, you're probably going to be impacted a
10 little bit more by these maps than those of us who don't
11 have big numbers.

12 Simple as that.

13 And to Mr. Stertz, you mentioned that you had a
14 lady crying because she was moved out of her district.

15 I can say I know plenty of people who would
16 probably be crying if they were left in the same district
17 right now under this process.

18 And I kind of say that as a joke, but, you know,
19 again, there are certain people that will be impacted by
20 this. And that's unfortunate, but that is the way it goes.

21 That is the way the voters wanted this to work
22 when they passed Proposition 106.

23 They wanted to remove that special treatment away
24 from certain legislators or for certain powerful
25 individuals within the district that want to keep it the

1 same way.

2 That was the point of Proposition 106.

3 And if we're talking about institutional memory,
4 or if we're talking about the impact this has had on the
5 legislative process, we can have philosophical conversations
6 all day long, and I would love to engage in them more. We
7 might agree on a lot of those things, in fact. I bet you'd
8 be surprised.

9 But that is not part of the purview or the job of
10 this Commission, according to Proposition 106.

11 You cannot take that into consideration.

12 It's as simple as that.

13 And so the bottom line is, and Senator Biggs
14 talked about political apathy that impacts the state right
15 now, and he alluded to the fact that maybe this has
16 something to do with it.

17 I think the political apathy in the state is due
18 to the fact that people are sick of partisan games. I think
19 they're sick of politicians. I think they're sick of seeing
20 districts that are protecting incumbents for far too long.

21 And so that's the bottom line.

22 And I'm a bit confused sometimes by the attacks
23 I've seen on you guys.

24 They're unfounded. There was absolutely no
25 evidence provided in the Joint Legislative Redistricting

1 Committee to substantiate any of the claims made by many of
2 the testimonials they received or by Republican staff
3 members.

4 And that, and that was I think unfortunate and
5 troubling for many of us on the other side of the aisle.

6 And many people that are not involved in the
7 capital as well, from an outside perspective, people see
8 what's going on and they're tired of it.

9 We see it. We've seen the polling. I'm out there
10 talking to people. They're very fed up with this.

11 They don't want politicians working to protect
12 their own jobs, when we should be creating more jobs
13 actually for Arizonans.

14 And so we believe that as you continue doing your
15 work here, you're going to keep doing it in good faith. We
16 have faith in all of you.

17 I think that you guys all have very passionate
18 outlooks on this. That's good. That's why you were
19 appointed in the first place. You care about the state.
20 You care about your communities, your current districts,
21 whatever it may be.

22 And so the robust debate that's been taking place
23 is good. It's healthy. And actually it's what we need
24 more of in the legislature, what we need more of in
25 elections.

1 And the only way to get that is to get a fair map.
2 Without that, we don't have the robust debate the
3 people of the state deserve.

4 And we've seen that for the past decade, and we
5 see it right now.

6 One party nomination is good for nobody. I don't
7 care if it's a Republican nomination or Democratic
8 nomination, it's never good.

9 We've seen it in D.C. We're seeing it out here in
10 Arizona.

11 We need to have maps that reflect the people and
12 the populations of this state.

13 And I believe, and the Democrats believe it, and
14 the legislature believes that you are doing just that.

15 And speaking personally, putting aside any of my
16 colleague's wishes or anything else, they can speak for
17 themselves if they want to, I would welcome more competition
18 to any and all districts, including my own.

19 And under the draft map, I will have a much more
20 competitive district.

21 But I'm good with that.

22 If it means more opportunities for voters to
23 engage, if it means more healthy debate, if it means more
24 choices for voters at the end of the day when they go to
25 vote in the general election, then I support it

1 wholeheartedly.

2 And I am not sure, and I can't understand, why so
3 many elected officials seem to be afraid of it, to be quite
4 honest.

5 It's astonishing to me.

6 So with that, the voters of the state wanted an
7 independent process to draw maps, and I think you are giving
8 them just that.

9 They wanted to keep politicians out of this
10 process. They wanted to maximize efficiency and fairness
11 and minimize corruption. That's why they voted for
12 Proposition 106.

13 And I think we, the vast majority of Arizonans, as
14 I've said time and time again, believe that you guys are
15 doing just that.

16 So, please, stay the course with your work.

17 Do not get caught up in the games that you're
18 seeing right now and have been seeing.

19 Accept this majority report for what it really is,
20 and that's scripted theater, that I think was, in essence,
21 aimed at gerrymandering districts and really continuing one
22 party domination, unfortunately, and focus on the task at
23 hand, which is making maps that reflect the population of
24 Arizona.

25 And do it, I want to stress this, do it in the

1 timeliest manner possible.

2 We've got to get the maps done. The voters
3 and the candidates need to know. We're less than a year
4 away from the election. We've got to get moving on these
5 maps.

6 In all fairness to voters, I had -- there were
7 some fairly good questions and comments up here from
8 Mr. Stertz and Mr. Freeman about protecting voters and
9 communities, and the best way we can do that is to get these
10 maps done.

11 We really need to have these maps out there so
12 that candidates can go out and meet with their constituents
13 and talk about why they should or should not support
14 somebody.

15 That's part of the process.

16 We need to have it done and in place.

17 And, at the end of the day, when it's all said and
18 done, if you have created maps, and you have the Republicans
19 mad at you and the Democrats are mad at you, then you've
20 probably done a really good job. So disagree on a lot.

21 CHAIRPERSON MATHIS: Any questions?

22 VICE-CHAIR FREEMAN: Madam Chair.

23 CHAIRPERSON MATHIS: Mr. Freeman.

24 VICE-CHAIR FREEMAN: Representative Campbell,
25 thank you very much for coming and providing that minority

1 report for us and presenting it to us here today.

2 A couple questions.

3 One of them is Senator Biggs mentioned you're a
4 lawyer; is that correct?

5 REPRESENTATIVE CHAD CAMPBELL: No, I'm not. God
6 no.

7 It's bad enough being a politician. Throw a
8 lawyer on there and it's a double negative.

9 VICE-CHAIR FREEMAN: Good for you.

10 Well, here's a question that I have that I've been
11 struggling with myself.

12 We've had -- we've taken a lot of public comment,
13 and I've heard people say give a rationale in favor of
14 competitive districts. And you've given some of that
15 rationale here today.

16 And now one of the rationales supporting the
17 concept of competitive districts is, well, I feel
18 disenfranchised because I am in a district where I don't
19 have a chance.

20 I've also heard that those people who are in the
21 majority, their, their votes are less effective as well,
22 because there's no competition. It's a predetermined
23 outcome.

24 Voting, I think we'd all agree, is a fundamental
25 right that we all have.

1 And the Arizona Supreme Court has rendered opinion
2 in 2009 interpreting Prop 106. And it spoke of that this
3 Commission, to the extent practicable where it doesn't cause
4 significant detriment to the other rules, shall favor --
5 should favor the creation of competitive or more competitive
6 districts.

7 And my -- the concern I have is it looks like
8 where the Commission has gone is to pack members of one
9 party, my party, into certain districts, to the detriment of
10 people in the Democratic party in those districts, and to
11 the detriment of Republicans in those districts, to favor
12 districts -- the creation of districts in other parts of the
13 state that are more closer to balance or more competitive.

14 How are we to deal with that?

15 Is that what we're to do, do you think, in your
16 opinion? Or are we to -- or does that language in the
17 Supreme Court's opinion about favoring more competitive
18 districts have meaning, in that we're to apply that
19 statewide?

20 And I know you have to take Voting Rights Act out
21 of the equation, because that's federal law. It's mandated.
22 We have to do that.

23 But, for the rest of this state, shouldn't we be
24 favoring the creation of competitive or more competitive
25 districts to the extent practicable where it doesn't cause a

1 significant detriment to the other goals?

2 REPRESENTATIVE CHAD CAMPBELL: Mr. Freeman, thank
3 you.

4 Again, I'm not an attorney, in all seriousness.
5 I'm not an attorney, and I'm not -- I don't claim to be an
6 expert in terms of knowing how to operate mapping software
7 or anything like that. I don't do that for a living.

8 So, I can't speak to how -- I can't speak to what
9 you all as a Commission have done as you move forward.
10 That's your workings, and I've paid attention from the
11 outside.

12 I think you need to take competition into
13 consideration to the greatest possible extent in every
14 district you're creating.

15 But I also think that there are, again, certain
16 realities that limit you from creating competitive districts
17 in every district.

18 We all know that. The Voting Rights Act being one
19 of them.

20 Just geographic populations being another one.

21 There are certain communities that are much more
22 highly concentrated with either Republicans or Democrats, as
23 we all know.

24 And I think at the end of the day what you need to
25 do, and I think that was, was seconded by the court

1 decision, and I think it was the intent of the voters
2 when they passed this initiative, what you need to do is try
3 to balance out competition with all the other constitutional
4 considerations as well as the practicable considerations.

5 And I don't know exactly what that means.

6 But at the end of the day, I think if you have a
7 map that reflects in terms of overall districts leaning one
8 way or the another from being competitive, that reflects the
9 general population demographics of the state of Arizona.
10 And when I say population demographics, I mean the voting
11 population obviously.

12 And, again, as I mentioned, we have a third
13 Republicans, a third Independents, and a third Democrats,
14 for the most part, with some minor discrepancies between all
15 three.

16 If you have a map that reflects those populations
17 as a whole, you've probably done a fairly good job.

18 But if you have a map that benefits one party
19 substantially, then you haven't done a good job.

20 And that goes for my party as well.

21 If I were to sit here today and look at a draft
22 map that gave us 20 districts hands down, no competition, I
23 would be happily opposed to that. You should never be doing
24 that.

25 The map should be reflective of the general

1 population.

2 And, again, it's very hard to do, with, I think,
3 30 districts in a state the size of Arizona.

4 And I can't stress it enough.

5 And that's unfortunate, because that is what you
6 guys have been given to work with, and you cannot do
7 anything about that.

8 So it does limit your ability to make competition
9 practicable in every single district.

10 So I think what you have to do is kind of offset
11 trying to create in every district by creating as many
12 competitive districts as possible.

13 And I know that's probably a roundabout answer,
14 but --

15 VICE-CHAIR FREEMAN: And I wasn't, I wasn't trying
16 to put you on the spot.

17 REPRESENTATIVE CHAD CAMPBELL: I know.

18 VICE-CHAIR FREEMAN: You're -- you're a pro, so I
19 knew you could, you could handle it.

20 But, on that point of one third, one third, one
21 third.

22 It really isn't one third, one third, one third,
23 though. It's about a five-and-a-fraction percent advantage
24 for Republicans right now. The Independents have crept up
25 into the number two spot.

1 And then, do you know what that rate is after the
2 voting rights districts are taken out of equation?

3 REPRESENTATIVE CHAD CAMPBELL: I agree with you.
4 Trust me. I understand. Again, that's a limitation that
5 has to be taken into consideration. I completely agree.

6 VICE-CHAIR FREEMAN: It's like 12 -- 10,
7 12 percent.

8 REPRESENTATIVE CHAD CAMPBELL: Yeah.

9 VICE-CHAIR FREEMAN: Maybe more.

10 REPRESENTATIVE CHAD CAMPBELL: It definitely
11 impacts your ability to do competition in every district.

12 And so I sympathize with your, your limitations on
13 that. And at the same time, though, I fully support the
14 Voting Rights Act, because I think it's a necessary
15 requirement here in Arizona.

16 So what you have to do is you have to try to make
17 it as practicable as possible outside of those districts
18 that aren't VRA. And to be honest with you, I think for the
19 most part the Commission has done a very good job with that.

20 As I said, I don't want to get too much into it
21 because I don't feel it's my place. But personally
22 speaking, there are a couple of areas where I think you
23 could tweak to make -- instill some more competition and
24 still meet the other constitutional requirements.

25 They're included in the minority report. You can

1 read for that yourself.

2 But I think at the end of the day what you guys
3 have done has been true to the constitution, true to
4 Proposition 106, and, most importantly, bottom line is true
5 to the intent of the voters.

6 And that's what matters, what the voters want.

7 And I can't stress this enough.

8 You know, going back to some of the comments that
9 Senator Biggs made in response to -- I think the question of
10 Mr. Stertz, about communities and how people vote and
11 getting used to having certain representatives.

12 If that's true, then, you know, unfortunately that
13 wasn't reflected in Proposition 106.

14 The voters did not go to the ballots to vote for
15 something that said: Keep my district the same every time
16 so I can have the same representative.

17 They wouldn't have voted for term limits if that's
18 what they wanted.

19 The voters want competition.

20 They said it time and time again in this state. .

21 Look at everything they've done. Term limits.

22 Redistricting. Clean elections. Whatever.

23 They may have not worked in the way we all thought
24 they might have worked, but it's clear that the voters have
25 always wanted more competition in the state. There's no

1 doubt about it in my mind.

2 And I think if you talked to the majority of
3 Arizonans, they go to the poll and come back to this, they'd
4 simply agree with that. There's no argument.

5 So, you have to take all of those requirements
6 into consideration, and you have to take the Voting Rights
7 Act into consideration obviously.

8 But at the end of the day, I encourage you all and
9 I hope you will, again, try and instill competitiveness into
10 every district where it's possible to do so without breaking
11 those other constitutional requirements.

12 VICE-CHAIR FREEMAN: You mentioned,
13 Representative Campbell, the Joint Legislative Committee in
14 your opinion had a predetermined outcome, that it was just
15 theater.

16 You had also mentioned that the majority party has
17 had employees or operatives here at our hearings.

18 Do you think this commission has a, is what we're
19 doing is just theater, and there's a predetermined outcome?
20 And does the Arizona Democratic Party have employees here at
21 our hearings?

22 REPRESENTATIVE CHAD CAMPBELL: First of all, I
23 don't think there's been a predetermined outcome by any
24 stretch of the imagination from this committee.

25 Again, this is my first hearing I've ever been to

1 physically.

2 I've watched many on TV and followed up with what
3 has been going on with notes and everything you post on your
4 website, but I've intentionally stayed away, because I did
5 not feel it was my place to inject myself in the
6 conversation as a House Minority Leader.

7 I felt if individual legislators wanted to come
8 and speak to the commission about their district, their
9 communities, that was within the scope of their power and
10 they should do it. They're representing their district.

11 I did not feel it was my place that I do that,
12 because I think I'm probably a little more political, at
13 least perceived as a little more political, than some other
14 people.

15 So I wanted to stay away from it.

16 So I don't believe there's been a predetermined
17 outcome, no.

18 I mean, I can tell you, the map you guys have
19 drawn looks nothing like the map I would have liked to have
20 seen.

21 So, and as I told you my district is tougher for
22 me. I'm in a district now with four incumbents. And I've
23 lost a lot of Democrats.

24 But I'm okay with that because that's your
25 decision. That's not my decision. That's not anybody

1 else's decision that's an elected official.

2 It's certainly not the governor's decision.

3 You guys need to do that work.

4 And does the Democratic Party have people working
5 on this? Certainly.

6 Is the Democratic Party being -- is it funded by
7 the taxpayers of Arizona? Definitely not.

8 I would hope the Republican Party has people down
9 at these meetings and I hope they're paying for it with
10 private funds.

11 And there are state staff that should be working
12 on this in the interests of their other duties that they do.

13 We have legal counsel down there. All chambers
14 do. All caucuses do. They should be focused on this
15 without a doubt.

16 We have certain positions that have overlapping
17 duties, but I just find it ironic -- I'm not making a
18 judgment here necessarily, but I find it ironic that
19 Senator Biggs' comments about people trying to influence the
20 process by coming down to these meetings and submitting maps
21 or submitting testimony. I just find it ironic when I think
22 the only caucus that is down here at every single meeting
23 from what I know, and is using taxpayer dollars to do it, is
24 the Republican caucus.

25 I don't think the senate Republicans do that. I

1 don't think the senate Dems do that.

2 I can tell you that the house Dems certainly don't
3 have people that are meeting that are being funded by
4 taxpayer dollars.

5 My point of that comment though was, you know, if
6 he's casting some of those people -- and with all due
7 respect to Senator Biggs. If he's saying other people are
8 doing it, I think that we all should look in the mirror too,
9 because everybody's doing it.

10 And it's part of the process.

11 But at the end of the day I would hope that all of
12 you disregard to the greatest extent possible any testimony
13 or any input that you get from people such as myself.

14 It should be the general public that dictates this
15 process. It should be community leaders that are out there
16 representing neighborhoods or other interests out there.

17 But it should not be people who are going to be
18 directly affected by the districts being drawn that dictate
19 this process.

20 The last thing we need is elected officials coming
21 down here, trying to solely protect their jobs.

22 That is not why the voters passed Prop 106. And I
23 can tell you that is not what the voters want right now.

24 VICE-CHAIR FREEMAN: The voters also enacted a
25 proposition that provides for legislature providing comment

1 too; right?

2 That's why you're here, to present the minority
3 report. That's in the constitution.

4 In fact, the constitution takes the extra step and
5 says, it mandates this Commission, it says shall consider
6 the reports.

7 So that was obviously, it seemed apparent to me
8 that that's part of the intent of Prop 106 as well.

9 REPRESENTATIVE CHAD CAMPBELL: Again --

10 VICE-CHAIR FREEMAN: And you, you -- you're
11 elected. I wasn't elected by anyone.

12 REPRESENTATIVE CHAD CAMPBELL: Yes.

13 VICE-CHAIR FREEMAN: Senator Biggs says at least
14 he can walk, you know, through the grocery store without
15 being accosted all the time.

16 Well, nobody knows who I am.

17 REPRESENTATIVE CHAD CAMPBELL: Yes.

18 VICE-CHAIR FREEMAN: I mean, nobody heard of me
19 before this day.

20 This is first time I've ever met you. This is the
21 first time I've ever met Senator Biggs.

22 REPRESENTATIVE CHAD CAMPBELL: Yes.

23 VICE-CHAIR FREEMAN: Or even talked to either of
24 you.

25 So, I mean, you as an elected representative, a

1 member of the legislature, I mean, you speak for a
2 constituency as well.

3 REPRESENTATIVE CHAD CAMPBELL: Yeah. And as I
4 said, I think there was the intent of the Democrats that
5 individual legislators should, and many of them did,
6 participate in these hearings when you guys were out at
7 their communities or around the state.

8 And many people did that.

9 Many of my colleagues in the house Democratic
10 caucus participated at that level.

11 We did not feel that it was constructive to use
12 taxpayer time or money to hold committee hearings that last
13 over a week, that really in all essence we knew from the
14 beginning had a predetermined outcome.

15 And I'll tell you why I know this.

16 We were never consulted on the formation of that
17 committee.

18 I actually found out about that committee by a
19 reporter calling me and asking me about that committee.

20 I was never told about the formation of the
21 committee. I was never contacted once about who would
22 represent the Democrats on that committee, which is a breach
23 of protocol. Leadership from the majority side always
24 contact leadership from the minority side to ask them who
25 they want on any committee, be it a standing committee or an

1 interim committee.

2 We were not contacted about that at all.

3 And so that was pretty indicative of what was
4 about to come and what was about to transpire.

5 And so we decided to boycott that committee.

6 And we did our report in probably about an hour
7 and a half.

8 Didn't cost us much money, didn't waste time,
9 didn't waste taxpayer dollars on numerous hearings.

10 But we did watch the hearings.

11 And it was obvious from the beginning, I don't
12 think there was a single person that came to these committee
13 hearings that gave any fact or any statement or evidence or
14 whatever you want to call it that was contrary to what the
15 Republicans had already testified and what they already
16 submitted they believed about the Commission process.

17 So it was a predetermined outcome.

18 And so we decided not to participate. And that
19 was unfortunate.

20 I would have liked to have participated in a
21 constructive dialogue with my counterparts from the other
22 side of the aisle. But in all honesty I wasn't given the
23 chance.

24 As I said, I found out about this committee from
25 the media. And that really is just -- is a breach of trust

1 and protocol. Not just protocol, but a breach of trust too
2 for me.

3 And so with that being said, we watched this
4 proceeding so we could make our minority report in response
5 to what we assumed would be the majority report. And that's
6 why you have it today.

7 And at the end of the day though you shall
8 consider what we've submitted, you shall consider what the
9 Republicans have submitted, but it doesn't mean you have to
10 consider it to a great degree.

11 You can do what you want with these reports.

12 You can use them as scrap paper. You can take
13 them home and study them and believe that they are
14 substantive.

15 That is up to you.

16 And that should be up to you. It should not be up
17 to us.

18 And that is what the voters said when they passed
19 Prop 106, is they wanted to get self-serving politicians out
20 of the process -- excuse me -- and get their hands out
21 of the -- their hands out of the cookie jar, so to speak.

22 They wanted new districts. They wanted a new
23 independent process that would instill, I think, a
24 greater trust and a greater accountability with state
25 government.

1 And, and I think unfortunately that trust has been
2 broken down substantially over the past couple of months by
3 the acts of the governor.

4 We've seen the polling.

5 I mean, less than one in five Independents
6 supported her actions on the IRC.

7 It's obvious that the public is not -- was not on
8 the side of some of the efforts we saw from the majority
9 party.

10 And, so be it. That was their purview.

11 Our purview is to stay away from this as much as
12 possible.

13 I came today because I was requested to do so, and
14 I would do anything you guys asked me to, because I think
15 what you guys are doing is so important, and the amount of
16 time and the amount of commitment you've shown is simply
17 amazing.

18 I wish many elected officials would show the
19 same type of commitment and time that you've shown to this
20 stuff.

21 And so out of respect for the Commission I wanted
22 to come here today and give you our side of the story.

23 But, please, at the end of the day, you can take
24 my, my commentary, our minority report, and do what you want
25 with it.

1 Because it's your decision to do so.

2 I have no authority over any of you and neither
3 does any elected official in the state.

4 VICE-CHAIR FREEMAN: I don't want to monopolize
5 all the time. I do want to sincerely express my thanks for
6 you coming down and speaking with us.

7 When I was appointed, I felt like, you know, the
8 constitution requires us all to be honest and use our own
9 independent judgment and uphold public comments, and I felt
10 like I had to don a suit of armor expecting the fusillade of
11 arm twisting. It never happened, and I feel kind of left
12 out.

13 And so that's why I appreciate hearing from you
14 and from Senator Biggs today. So thank you.

15 REPRESENTATIVE CHAD CAMPBELL: Thank you. Thank
16 you again for serving too, Mr. Freeman.

17 CHAIRPERSON MATHIS: Other questions for
18 Representative Campbell?

19 COMMISSIONER McNULTY: I'll ask
20 Representative Campbell one question.

21 Thank you for coming.

22 We've heard reference to a predetermined outcome.
23 Proposition 106, as you've talked about, was enacted to in
24 large measure to increase voter participation and candidate
25 participation by creating fair and competitive districts.

1 Right now we have a situation where we have
2 21 Republicans in the legislature, I believe, in the state
3 senate. We have five Republican congress people.

4 If we do, as I believe we have been doing, attempt
5 to create fair and competitive districts -- which in my mind
6 means districts in which in an average year, given average
7 candidates, each would have an equal opportunity to win a
8 race. If we continue in an effort to make as many districts
9 as we can competitive or as close to competitive as we can
10 by that definition, I think that that effort is being
11 conflated with a predetermined outcome.

12 And somehow we are being accused of doing
13 something wrong when we are, in fact, achieving the very
14 thing that the voters want and the very purpose for which
15 the voters enacted Proposition 106.

16 And I wanted you to comment on that.

17 REPRESENTATIVE CHAD CAMPBELL: Yeah, and thank
18 you, Ms. McNulty.

19 I probably agree with you.

20 I think that unfortunately the attempt to create a
21 competitive or maybe just a more balanced map, a fairer map,
22 has been confused with a predetermined outcome.

23 And I'm not sure why that is. I don't know if
24 it's been outside efforts and conversations with various
25 interest groups out there who I think have been very active

1 from day one on this. But that is simply not the case.
2 And, again, I think that protecting the will of the voters
3 when they passed Prop 106, protecting the intent of the
4 voters, which was obviously to take politicians out of the
5 process, is the key goal here.

6 And so everything you guys have done is your
7 own -- it's your own doing, so to speak.

8 I mean, you guys are the ones with the power. Not
9 me, not Senator Biggs, not Governor Brewer.

10 If you guys vote in whatever numbers you vote to
11 submit a map or approve a map, whatever it may be, that is
12 your decision.

13 And if somebody isn't happy with it afterwards, so
14 be it. There's other actions they can take to try to find
15 recourse.

16 We saw it the first go-around. We know what
17 happened. It was held up in court for many, many years. We
18 know that's happening in many other states right now.

19 But trying to undermine the process from day one
20 and confuse, I think, many people in the public and many
21 other people in the political world with these arguments
22 that cannot be substantiated was disingenuous at best.

23 And I -- and it was very troubling for me to see
24 it happen.

25 And really the personal attacks I saw on members

1 of the Commission, on other elected officials, was troubling
2 to me. And that's unfortunate.

3 And that's why I'm very respectful of everything
4 you guys have done. And I think you guys have conducted
5 yourself very gracefully in very intense, very pressured
6 situations.

7 And I will say that I think the overwhelming
8 public testimony you received -- and I want to thank every
9 member of the public that's come out here and testified,
10 whether they agree or disagree with me, they're
11 participating, and I want more people to participate from
12 all walks of the political world. And I wish everybody in
13 Arizona and everybody in every community in the state was at
14 these meetings talking to you guys, telling them -- or
15 telling you what they wanted to see.

16 So I, I thank every citizen that came down
17 here throughout this process, whether they agree with me
18 or disagree with me, to testify. That's their right.
19 And that's citizen involvement. That's what we need more
20 of.

21 But, again, to use some of the tactics that I've
22 seen being used from day one, by certain elected officials,
23 by certain special interest groups out there, has been very
24 disheartening to me and very disheartening to the general
25 public.

1 And, and, again, you've seen it in the polling.
2 We've seen multiple polls that have shown that.

3 And I think you're seeing another movement right
4 now that just popped in my head, the open gov movement.
5 There is a movement out to create nonpartisan primaries in
6 this state. And that is a direct reflection of what the
7 voters are tired of.

8 They're tired of partisan games.

9 Political apathy in the state does not exist
10 because of what you guys have done or because of bad maps.
11 It exists because people are tired of both parties.

12 They want real leadership from their elected
13 officials.

14 And the best way to do that is to give them real
15 choices when they go to the ballot box every November.

16 COMMISSIONER McNULTY: Thank you.

17 Just one more thing.

18 It's been my sense traveling all over the state as
19 we have for this process that it kind of confirms my belief
20 that Arizona is a very diverse state, but at the same time
21 at the end of the day we all have a lot more in common than
22 we are different.

23 And the concept of communities of interest is
24 talked about an awful lot in the context of this process,
25 and the drafters have testified that what they intended when

1 they used that phrase was that if there was a historic
2 district or a minority community or, you know, something
3 like Guadalupe perhaps here in the metro area, that could be
4 kept whole by moving a line, that we should do that.

5 And when you look around the country at
6 definitions community of interest, it's that sort of
7 definition.

8 The definition is not, as you said, that a whole
9 congressional district is homogenous or that Lake Havasu
10 City has to have something in common with Naco, or those
11 kinds of things.

12 I live three blocks from the edge of a
13 congressional district, and it just seems to me that when
14 we're all done, everyone is going to have a transition
15 period, and they're going to get -- and then everyone's
16 going to be comfortable with the new lines.

17 And so I guess I would ask you to comment on that.

18 I guess you've been through some elections and
19 probably have a sense of that as an elected official. The
20 transition is a little disconcerting, but then it's the way
21 it is, and it's all fine, and I expect it all will be.

22 REPRESENTATIVE CHAD CAMPBELL: Yeah, and let me
23 step back, let me talk about this from a different
24 perspective.

25 As opposed to being an elected official, let me

1 talk about it as being an Arizonan. I'm a native Arizonan,
2 been here my whole life. I don't plan on going anywhere
3 else.

4 I just got married, plan on having kids soon, and
5 I want to stay in Arizona.

6 Because it's, to me, the best place I've ever
7 seen, ever experienced in the entire world.

8 And there's a lot going for it. And when I'm out
9 traveling the state, and I travel the state a lot, I'm --
10 both for political work as well as just personal enjoyment.
11 I've worked in southern Arizona. I've worked in northern
12 Arizona, eastern Arizona.

13 I know the state, I think, as well as almost
14 anybody out there.

15 And Arizonans have a lot in common, more in common
16 than they do in terms of differences. And unfortunately
17 it's been exploited, I think, by certain individuals in the
18 political realm, over the past decade in particular.

19 And we've seen that.

20 And so most Arizonans when I talk to them, be it
21 here in Phoenix, be it up in Flagstaff, down in Sierra
22 Vista, wherever I am, they really don't care who their
23 elected official is.

24 All they want is somebody who's actually doing
25 their job.

1 They don't care whether it's me or somebody else
2 that's representing them. As long as it's somebody that's
3 actually responsive to them, has an open door, actually
4 cares about the issues facing their communities, their
5 neighborhoods, that's what they care about.

6 And the overwhelming majority of Arizonans have
7 absolutely no idea who their legislators are, which right
8 now the approval ratings for the legislators is a good thing
9 for me.

10 That was a joke. You can all laugh. It was, you
11 know, kind of funny.

12 And in all honesty, most people don't even know
13 probably who their congressional person is these.

14 They know the president. They know the governor.
15 They know their U.S. senator.

16 Most people are not involved to that degree.

17 But what they are involved with is their community
18 and they're involved with their daily lives. Getting their
19 kids into the getting school, getting to work.

20 They want people to understand those challenges
21 they're facing. And the only way to do that is try to
22 remove the partisanship as much as we possibly can from the
23 electoral process.

24 And I think that we've attempted to do it many
25 times through the Clean Elections Initiative, through term

1 limits, with Prop 106 -- and I think Prop 106 has been
2 probably is most successful attempt so far, at least I hope
3 it will be. And you're seeing it now with the open gov
4 initiative.

5 People are sick of partisanship. They're sick of
6 these games.

7 And so at the end of the day, I am an elected
8 official. I have gone through several elections now. So I
9 do talk to people. And I think obviously the majority of my
10 voters, I think, support me, otherwise I wouldn't be get
11 reelected.

12 But really if there was somebody else who could
13 come in there and do a better job than me and they proved it
14 to the voters, the voters would oust me in a minute.

15 I'm not a family member. I'm not their best
16 friend. I'm an elected official and I'm their employee.
17 And if I'm not doing my job, then they're going to kick my
18 out of office.

19 And the only way for that to happen is to give
20 people real choices at election time.

21 VICE-CHAIR HERRERA: Madam Chair.

22 CHAIRPERSON MATHIS: Mr. Herrera.

23 REPRESENTATIVE CHAD CAMPBELL: I apologize for my
24 throat. I was out of town the past couple days and came
25 back to Phoenix, it was like 34 degrees. I have no idea

1 what happened. So I apologize. It dried my throat up.

2 VICE-CHAIR HERRERA: I apologize for my throat as
3 well. I have the same thing.

4 I apologize for missing a good chunk of your
5 presentation. I was at work. I do work, by the way. I am
6 a volunteer. So I apologize for missing a chunk of the
7 meeting.

8 I wanted to ask you. You may have covered this.
9 I know you weren't a politician -- you weren't an elected
10 official ten years ago. But there was a Democratic
11 governor, I think, ten years ago. I believe Janet
12 Napolitano was the governor.

13 REPRESENTATIVE CHAD CAMPBELL: Well, no, she
14 wasn't actually during the time this was going on.

15 VICE-CHAIR HERRERA: No, but she was in 2004 when
16 a lot of the --

17 REPRESENTATIVE CHAD CAMPBELL: Yes.

18 VICE-CHAIR HERRERA: And there was some
19 accusations that the -- that chairperson really was not
20 truly Independent.

21 I think I was hearing that.

22 Do you remember the governor ever taking any, any
23 action as the current governor did?

24 REPRESENTATIVE CHAD CAMPBELL: No. And I kind of
25 alluded to that earlier. When you go through this process

1 ten years ago, we had the exact same arguments being told
2 today by other people who were upset with the process.

3 You know, the Independent chair wasn't
4 Independent. There was secretive meetings happening behind
5 closed doors, et cetera, et cetera.

6 And in all honesty, and I said this earlier, if
7 you looked at what happened ten years ago compared to how
8 you guys have handled this, it's night and day.

9 The transparency level of this Commission is
10 through the roof compared to what we saw a decade ago.

11 But regardless of that, I think that you saw
12 elected officials the first time around who respected the
13 process, and they waited for the maps to actually go to
14 draft status, analyze them, get finalized, be submitted.
15 And then they took the proper recourse, which was to, of
16 course, you have to go to court if you don't like it.

17 That is how the system works. We all know that.

18 But they should not be interjecting themselves.
19 This is my belief, and I think I can speak on behalf of my
20 entire caucus.

21 Elected officials should not be interjecting
22 themselves in trying to subvert the process.

23 Can they come down here and give testimony as to
24 what they would like to see in their area? Certainly.

25 If they see that as being the best way to serve

1 their constituents, I fully encourage them to do so.

2 But they should not be trying to interfere in the
3 daily operations of the Commission or how you handle your
4 business or what type of parameters you set forth in terms
5 of the process you're working with.

6 Because that is your purview, it was set forth by
7 the voters, and it was certainly established by the Supreme
8 Court decision.

9 VICE-CHAIR HERRERA: I have a follow-up question.

10 You know, I've heard during when I was at work
11 that Senator Biggs mentioned that we should adopt some
12 definitions. And I forgot which definition in particular.
13 I think it was communities of interest.

14 I don't recall ten years ago that the --

15 CHAIRPERSON MATHIS: Competitiveness.

16 VICE-CHAIR HERRERA: It was also communities of
17 interest, I think. I think it was both.

18 I don't recall ten years ago -- I don't remember
19 if Senator Biggs was in office ten years ago, but I don't
20 recall politicians, especially Republican politicians,
21 asking the Commission ten years ago to adopt definitions,
22 like, set definitions.

23 In fact, I think they were pretty adamant that
24 they weren't going to do that. Even the Republican
25 attorney, Lisa Hauser, was adamant they didn't need to do

1 that.

2 Do you recall that?

3 REPRESENTATIVE CHAD CAMPBELL: No, I don't recall
4 whether or not there was any calls for that type of activity
5 from elected officials. So I don't want to speak to that,
6 because I don't want to misspeak.

7 But, again, I will just reiterate this.

8 You guys are set forth by Prop 106, by the
9 constitution, you're appointed. You've gone through the
10 process that was put in place by the voters to do this work.

11 And it has been made crystal clear by the language
12 that 106 contains, as well as court decisions subsequently
13 after Prop 106 passed, that you are the ultimate arbiter for
14 the most part in terms of how you work the decisions you
15 make, the definitions you create or don't create. It's your
16 job to do it. Not ours, not the governor, not attorneys on
17 the outside. It's your job.

18 And so -- and I think you probably missed it
19 earlier, I'm going to reiterate this. Everything I've said
20 today, you know, I hope you guys are listening to me.
21 Great.

22 But if you're not, no problems as well.

23 I trust the process. I trust you guys as
24 commissioners. And I trust voters knew what they were
25 voting on when they voted Prop 106 into place.

1 And I as an elected official will not attempt to
2 try to subvert that process.

3 And that's the bottom line for me.

4 COMMISSIONER STERTZ: Madam Chair.

5 CHAIRPERSON MATHIS: Mr. Stertz.

6 COMMISSIONER STERTZ: You had said at the opening,
7 at your opening statement, that you felt that the last IRC
8 created maps that were gerrymandered maps.

9 Correct?

10 REPRESENTATIVE CHAD CAMPBELL: Yes.

11 COMMISSIONER STERTZ: Okay.

12 That IRC followed the same constitutional process
13 that we're following.

14 Would you say that the public, when they voted for
15 106, were they duped to create such a process that would
16 allow for a Commission to create a gerrymandered map?

17 REPRESENTATIVE CHAD CAMPBELL: No, I would not say
18 they were duped.

19 I think the public knew exactly what they were
20 voting on.

21 And I think as I said earlier in the process the
22 first time around, from what I know and from all my
23 investigation and conversations with people involved the
24 first time around, it was very different than the process
25 you guys have undertaken this time.

1 And I think that if you look at the legislative
2 map particularly -- I actually think that the congressional
3 map is pretty fair last time. I think it's still fair
4 today, to be honest with you. I don't have any problem with
5 the congressional map. And we have to add a new district.
6 But in terms of being balanced, I think it's fairly
7 balanced. We've had a pretty balanced delegation that's
8 gone back and forth between both parties for the past
9 decade.

10 The legislative map has not been the case.

11 And if you look at the way it was handled last
12 time, there were certain, I think, assumptions made and
13 problems, misstatements, and misinformation given, maybe not
14 intentionally. I don't want to -- I'm not trying to impugn
15 anybody.

16 But misunderstandings, whatever you want to call
17 it, in terms of what the Voting Rights Act meant and how it
18 related to drawing maps.

19 And what you saw was superpacking of certain
20 communities of interest, in particular Latino communities,
21 drowning out their voice.

22 My district was supposed to be a majority-minority
23 district.

24 They've had one minority representative in the
25 legislature over the past ten years.

1 And that's not -- that's just not right. That was
2 not how the process was supposed to go.

3 And so, you know, I don't want to look back. I
4 think we need to look forward.

5 But at the end of the day, I think the process was
6 handled for various reasons, and a lot of it being was just
7 the first time, I think, and people were still learning as
8 they went, I think it was handled for various reasons
9 incorrectly the first time.

10 I think you ended up seeing the results of that in
11 maps that did not reflect the general demographics of this
12 state.

13 And unfortunately, you know, that was the outcome
14 and the lawsuits that were brought forth then went.

15 But, again, as an elected official now, and I
16 wasn't one back then, but I know -- I have many friends that
17 were, there were no elected officials that tried to
18 intervene in the process and subvert it from day one and
19 undermine it. They waited and followed the correct protocol
20 to have their voice heard and then let it play out in the
21 court system, which is what is supposed to happen in this
22 process.

23 And were the voters duped? No, not at all.

24 You know, nothing is perfect in this world, and I
25 think that the voters in their efforts, as I said, with all

1 these other measures, including the open gov measure that
2 we're seeing brought forward now, the voters are trying to
3 perfect a system that does not reward partisanship or
4 extremism.

5 And I think that's an ongoing effort, and it's one
6 that I fully support.

7 COMMISSIONER STERTZ: Madam Chair, as a follow-up,
8 what you're suggesting is that in the original Commission as
9 it was -- as Proposition 106 in its -- when it was presented
10 to the public for its vote, said that part of the preamble
11 was to, was to create fair and competitive districts and to
12 essentially pull it out of the hands of legislature to, to
13 keep away from gerrymandering.

14 That phrase, that preamble never made its way into
15 the constitution, so the words fair and competitive, that
16 phrase doesn't exist anywhere in the constitution, therefore
17 we're not following Proposition 106. We're actually
18 following the language written into the into the, into the
19 constitution that was adopted.

20 But if they actually did follow that process, and
21 they did follow it in such a way as they were not, as you
22 suggested, that there was no outside influence, that there
23 was no one that was coming to, to give them any -- you know,
24 pulling them in any particular directions, that's the reason
25 I'm asking the question, was the process itself, because it

1 seems to me that if you're liking how the process is
2 happening now in this Commission, which has been under a
3 high level of scrutiny and has had a tremendous amount of
4 outside influence, as you're describing it, and you're
5 appearing that to say that it's a better process now, that
6 the outcome is a better process now than it was when it was
7 no contemplation of any outside forces and they waited until
8 the very end until it became involved, yet that group which
9 was following an un -- a very independent process created as
10 you described it to be a gerrymandered map, which you had to
11 follow for ten years, yet this process which has been highly
12 impacted is a better map, in your opinion, or a better
13 process, in your opinion. I'm trying to, I'm trying to
14 reconcile those two ways of thinking.

15 REPRESENTATIVE CHAD CAMPBELL: Let me clarify a
16 couple things, Mr. Stertz.

17 So, I didn't say the Commission wasn't influenced
18 by any outside forces. There were plenty of outside forces
19 at work in the first go-around from what I know.

20 And many of them were much more secretive than
21 some of the things we've seen this time, unfortunately.

22 And --

23 COMMISSIONER STERTZ: Can you describe some of
24 those outside forces?

25 REPRESENTATIVE CHAD CAMPBELL: I'd rather not get

1 involved. Again, I don't want to look in the past too much.
2 And I don't have any evidence to substantiate that.

3 Let's just say there were forces both in terms of
4 public input, there was open testimony as well as others,
5 that obviously influenced the course of the first
6 Commission.

7 But the difference, I really want to strongly
8 underscore this, the major difference that you had was you
9 did not have elect officials trying to actually overthrow
10 the work of the Commission while it was in the process of
11 still drawing maps.

12 You did not have that.

13 There was no attempt by a sitting governor or by a
14 sitting majority in the senate to try to overthrow the work.
15 There was no, there was no partnerships with outside
16 organizations, that I know of, for elected officials to come
17 down and try to influence the process from day one. Which
18 we know has been taking place this time.

19 That was biggest difference, I think.

20 And in terms of outcome, I have no idea what the
21 outcome of this process is. You guys aren't done yet.

22 I'm not saying the outcome is better. I have no
23 idea what the outcome will be. All I'm saying is the
24 process is better for my point, from my point of view
25 anyway, and has been from day one at least in terms of work.

1 Unfortunately I think some of the behavior of
2 elected officials has not been the case, but the outcome is
3 unknown to me, because you still have not submitted any
4 final map. So I cannot speak to the outcome.

5 And, and I will probably tell you, you'll never
6 hear me speak to the outcome, because that's not my place.

7 Again, I was told by the voters of the state to
8 get my hands out of this process. And I respect that.

9 And, and people can argue whether or not that's
10 exactly what's in the constitution, or whatever. But we all
11 know that was the intent of the voters.

12 The voters wanted to remove politicians from the
13 process, and I can guarantee if you go out and poll the
14 public, you'd probably have 85 percent of the public that
15 would agree with that statement.

16 They do not want politicians drawing their own
17 maps. And we all know the reasons why.

18 So I don't know what the outcome is. I don't know
19 what the final map will be.

20 And in all honesty, and this -- I just sound a
21 little cliché to me, but I don't care.

22 I trust your work. I want you to continue with
23 your work. And I believe you're going to come up with a
24 good map.

25 And at the end of the day, if I'm not happy, then

1 you know what I can do? I can find someone to be unhappy
2 with me and we can litigate.

3 I don't see me doing that, but anybody can do that
4 if they want to, because that is the way this process works.

5 But to try to undermine you guys' attempt while
6 you're still in the middle this, where there's been no map
7 that's been finalized, when you're still in the 30-day
8 comment period, to try to undermine that and subvert that
9 process, I believe was a breach of trust with the public.
10 And with every voter that voted to support Proposition 106.

11 CHAIRPERSON MATHIS: Any additional questions?

12 Mr. Freeman.

13 VICE-CHAIR FREEMAN: I am a lawyer. I wasn't here
14 last week, so I guess I'm making up for it. And because I'm
15 a lawyer it often means have a seat and grab a pillow,
16 because I don't know when to shut up.

17 But you mentioned -- you know, you've praised the
18 process here, but others have said, well, Democrats are
19 unhappy, Republicans are unhappy, both sides are unhappy,
20 they must have the right result.

21 First of all, I don't think -- I mean, the
22 Republicans I think, based on the memorial, are criticizing
23 the process and the maps.

24 And there might be Democrats out there who are
25 criticizing the map.

1 Preliminarily I think that might be falling victim
2 to some logical fallacy that has a Latin name, that one side
3 wants A, one side wants B, the end result must be right in
4 the middle. That's not necessarily true.

5 But as a politician, if one side was griping about
6 what's going on, wouldn't it be politically stupid to run
7 around and give each other five highs and say, hey, it's
8 great? Wouldn't you just want to say, well, we have
9 problems with it too so you do build that sort of false
10 equivalence between the two?

11 REPRESENTATIVE CHAD CAMPBELL: Of course you can.

12 I mean, that's, you know, that's politics.

13 So if you want to be skeptical and assume, again,
14 that there's some massive conspiracy here and that there's
15 some group of shadow people dictating this process behind
16 the scenes, I guess somebody could believe that.

17 But it's just not the case.

18 And, again, you know, I'm the minority leader for
19 the house, and my district is not good for me. If there was
20 some great conspiracy going on, I think that would probably
21 not be the case.

22 The simple fact of the matter is this map, I do
23 believe, creates a lot of problems for my party and elected
24 officials of my party.

25 We have a lot of issues we have to work out, just

1 as many probably as the Republicans.

2 And so are we happy with the map? No.

3 And you will see in the minority report that we
4 submitted we suggested changes to the map, at the
5 legislative level.

6 We didn't get involved in the congressional map.
7 We didn't feel that was our purview.

8 But there are some changes we would like to see,
9 because we don't believe the map is fair yet. We still
10 believe it benefits the Republican party too much in
11 disproportion as compared to the population of the state.

12 But I will tell you never once have I had a
13 conversation with anybody from my side of the aisle that
14 said to me or did I say to them, let's try to undermine this
15 process if we're not getting what we want.

16 We've never once had that discussion.

17 And I'm not sitting here say anybody on the other
18 side of the aisle has done that as well, but, but
19 regardless, it's happened. We've seen the majority party
20 try to inject themselves in this process and insert
21 themselves into dictating how the process went, which I
22 believe was, again, a breach of trust of the voters, and to
23 be honest with you, I think, to not make like of it,
24 borderline gross misconduct.

25 There was no justification for the actions we saw

1 from many of our elected officials a few weeks ago.

2 And it was disheartening for me, because I think
3 it, again, erodes trust with the public, and we all get
4 painted with the same brush. And I know there are a lot of
5 Republicans down at the capital who did not agree with what
6 was taking place.

7 And unfortunately we've all been painted now by
8 the actions of a few.

9 And so at the end of day what I want to see, and I
10 keep hammering on this, but I want to make sure you guys
11 hear my message, I want you guys to move forward with the
12 process the best way you see fit. You were all appointed
13 because you're qualified. You were appointed because you
14 care about this state. You care about your communities.
15 You wanted to do this work.

16 And so I have to have faith in you. I have to
17 have faith in you.

18 Otherwise what's the point of this process. If I
19 don't have faith in you, then what's the faith of this
20 process.

21 And so I'm going to trust you guys. And at the
22 end of the day, if I feel my trust has been misplaced, there
23 are actions I can take or recourse after the maps have been
24 submitted.

25 And maybe I or others would do so.

1 But I have to trust you guys. It is your job.
2 And so I do not want to interfere in the work of the
3 commissioners. It is not within the power that I have as a
4 sitting legislator.

5 COMMISSIONER STERTZ: Madam Chair.

6 CHAIRPERSON MATHIS: Mr. Stertz.

7 COMMISSIONER STERTZ: I just have two more quick
8 questions.

9 You used the phrase before that everybody's doing
10 it in regards to having influence or preparation having,
11 having people that are involved in one process or another.

12 Could you elaborate on what you were referring to?

13 REPRESENTATIVE CHAD CAMPBELL: There's no, there's
14 no -- I don't have a list of people what I said -- I'm just
15 saying you have groups from all walks of life. You've guys
16 have been traveling the state. There are people coming out
17 to those meetings talking about what they want see in their
18 districts, their communities, what they want to see in a
19 map.

20 My point is there's a large number of people and
21 groups out there working on this map.

22 You all know it. We all know it.

23 Citizens, business groups, whatever may be, civil
24 organizations, whatever it is. There's plenty of people
25 working on this map.

1 But I just find it ironic that Mr. Biggs pointed
2 that out considering the fact that I think the one caucus at
3 the capital that has solely dedicated staff using taxpayer
4 dollars to work on this is the house Republican caucus.

5 I think the Republican Party has every right to
6 raise money and try to work on this mapping process, just as
7 the Democratic Party does, just as the Green Party does,
8 anybody does.

9 But, you know, I just -- using state resources is
10 a little troubling to me. And I'll just leave it at that.

11 But my point on that comment was I think we should
12 probably look in the mirror before we, before we make any
13 accusations with other groups that are trying to influence
14 the process.

15 COMMISSIONER STERTZ: And you were talking a lot
16 about -- Madam Chair -- you were talking before about that
17 this is a math issue.

18 The Voters Rights Act is, is a -- obviously you
19 had said earlier that the Voters Rights Act is incredibly
20 important to you.

21 Correct?

22 REPRESENTATIVE CHAD CAMPBELL: Yes.

23 COMMISSIONER STERTZ: Okay.

24 When the Voters Rights Act, from a math point of
25 view, somewhere between depending on, depending on which

1 statistics that you read, somewhere between 75 and
2 80 percent of Hispanic population is registered Democrat,
3 and to create a district that is a minority-majority
4 district, you end up taking a large chunk of the Democrat
5 population of 974,000 registered Democrats in the state of
6 Arizona, you take a large chunk of those out of the mix,
7 which is, as Commissioner Freeman referred to, actually
8 takes your basically 30 percent Democrat, 36 percent
9 Republicans, and actually widens that gap between the,
10 between the two.

11 If you were going to try, in an effort to try to
12 create competition, do you think that it, that it has any
13 benefit at all to try to, to take Republicans that may be
14 balanced with -- in an area where they -- logically balanced
15 in a particular district, and extract them from that
16 district, hyperpack them into an adjacent district, in an
17 effort to give a balance of Republicans, Democrats in its
18 adjacent district?

19 REPRESENTATIVE CHAD CAMPBELL: I don't know I'm
20 qualified to answer that question, to be quite honest with
21 you.

22 So I'm not sure if I'm going to attempt to.

23 I think that there are plenty of people, and you
24 have many of them on your staff, that are qualified to do
25 that kind of work.

1 Not me.

2 Again, what I would say is the Voting Rights Act
3 is very important to the state. I think it's very important
4 to many communities and many individuals across the state.
5 And we need to respect that obviously.

6 And we should respect it, both for legal reasons
7 as well as, as well as, I think, moral reasons.

8 But we should also try to balance out everything
9 else we can, all of the factors, to create as much
10 competition as possible while meeting those other
11 constitutional requirements and meeting the federal
12 guidelines that are set forth by the Voting Rights Act.

13 How that means you have to work with other
14 districts, honestly I don't feel comfortable enough in my
15 technical knowledge to answer that question.

16 And I'm not trying to avoid the question. I'm
17 just not an expert in this, so I apologize.

18 COMMISSIONER STERTZ: And, Madam Chair, just going
19 back to your original statement that this is a math issue of
20 basically a third, a third, and a third, but what ends up
21 happening is that the math numbers don't work out anymore
22 after the Voters Rights Act comes into play.

23 And the only way to get that level of competition
24 that you're referring to, some of the, some of the attempts
25 that have been made through some of the mapping suggestions

1 have been actually to extract and hyperpack in an effort to
2 create a level of balance or the, or the appearance of a
3 competitive district.

4 And that was -- that's really what I was trying to
5 refer to. So, you don't need to go any further with that.
6 That's the, that's the context that I was referring to.

7 REPRESENTATIVE CHAD CAMPBELL: Madam Chair, if I
8 may just say one thing to Mr. Stertz's comments.

9 Yeah, I agree with you.

10 And actually my point about the math though, let's
11 take it another angle -- from another angle.

12 My point about the math is when we hear, when we
13 hear the comments of certain elected officials are unhappy
14 with the map and say that, that other considerations haven't
15 been taken into consideration, communities of interest,
16 contiguous districts, compactness, things like that, my
17 point is it's simply impossible given the size of this state
18 and only having 30 districts to work with, it is simply
19 impossible to make every single district and every single
20 person in this state happy.

21 It's just not going to happen.

22 And if you want to try to do that, we need to go
23 back to the voters of this state and say, let's double the
24 number of districts, let's triple the number of districts,
25 whatever you need.

1 But when you have to put 213,000 people into one
2 legislative district, which is what we're required to do, it
3 is impossible to protect every single person out there.
4 You're going to have people that are unhappy for completely
5 apolitical reasons.

6 And unfortunately though that is just, as I said,
7 the simple math of having 30 districts in a state that is as
8 large as Arizona.

9 COMMISSIONER STERTZ: And, Madam Chair, I wanted
10 to thank you very much, Representative Campbell, for coming
11 down today.

12 REPRESENTATIVE CHAD CAMPBELL: No. Thank you.

13 COMMISSIONER STERTZ: I didn't get a chance to
14 thank you earlier.

15 COMMISSIONER McNULTY: Madam Chair.

16 CHAIRPERSON MATHIS: Ms. McNulty.

17 COMMISSIONER McNULTY: I need to ask you a
18 follow-up question.

19 Sorry to keep you here so long.

20 REPRESENTATIVE CHAD CAMPBELL: No worries.

21 COMMISSIONER McNULTY: But you did just say to
22 Mr. Stertz that you agreed with him, and I want you to be
23 clear about what you agreed with, because I think we're all
24 up here testifying now, and a couple of the statements that
25 Mr. Stertz made about hyperpacking Republicans, I mean,

1 there may be a hyperpacking fairy here that we haven't met,
2 but nobody is hyperpacking anything.

3 And I don't think that the numbers are quite as
4 stark if you look only at districts outside of the voting
5 rights district from a one third, one third, one third
6 respective, as some -- it's just been suggested.

7 So when you say you agree with Mr. Stertz, I'd
8 just like to be clear that I don't think that's the concept
9 you agreeing with.

10 Would you speak for yourself?

11 REPRESENTATIVE CHAD CAMPBELL: Ms. McNulty, no, I
12 agreed with Mr. Stertz in terms of the importance of the
13 Voting Rights Act. That's what I was agreeing with.

14 COMMISSIONER McNULTY: Thank you.

15 REPRESENTATIVE CHAD CAMPBELL: But I will say one
16 thing.

17 I've seen plenty of maps that were created.

18 I think probably you're all familiar with some of
19 the citizen efforts that were put forth to allow people to
20 draw maps and submit them.

21 I saw many of those maps. I've had many people
22 bring me maps and show me what can be done.

23 So I have no doubt in my mind that you can protect
24 the Voting Rights Act requirement.

25 You can protect communities of interest to the

1 greatest degree possible, as well as meet the other
2 constitutional requirements, including instilling
3 competition in a much larger number of districts from what
4 we see currently in the state, which is virtually nothing
5 right now in the current map we have.

6 There's no doubt about it.

7 There's plenty of maps that are floating around
8 out there that's I seen that do it. So it's not just some
9 hypothetical theory that I have. It's a fact.

10 You can balance VRA, Prop 106 to the constitution
11 with competitiveness and meet all those requirements. No
12 doubt about it in my mind.

13 COMMISSIONER McNULTY: Thank you.

14 COMMISSIONER STERTZ: Madam Chair.

15 CHAIRPERSON MATHIS: Mr. Stertz.

16 COMMISSIONER STERTZ: This is the last point of
17 clarification.

18 Do you think that is a -- that -- and when it goes
19 to hyperpacking, I'm referring to a district with a
20 97.8 percent Republican over Democrat voter registration
21 advantage that was created by wrapping around Maricopa
22 County to be able to pick up high density of concentrations
23 of Republican districts. That's what I'm referring to about
24 picking and choosing about high concentrations in an effort
25 to be able to grab -- offload as many Republicans into some

1 districts in an effort to dilute the amount so there would
2 be an equal amount of Democrats to be able to create some
3 competitiveness in other districts.

4 I'm just saying to you that's a matter of the
5 math -- that's the math issue that I'm referring to. That
6 when we go down to the math, after the Voters Rights Act is
7 completed, the math is much, much more difficult to do to
8 make it, to make it actually play out as you've been
9 suggesting, so. . .

10 REPRESENTATIVE CHAD CAMPBELL: And I would say I
11 know your work is difficult, but it doesn't mean it's
12 impossible. It can be done, and I think that -- again, I
13 have full faith you'll do it.

14 VICE-CHAIR HERRERA: Madam Chair.

15 CHAIRPERSON MATHIS: Commissioner -- Mr. -- I was
16 going call you Mr. McNulty. I'm sorry.

17 Mr. Herrera.

18 VICE-CHAIR HERRERA: I definitely want to thank
19 Representative Campbell and Senator Biggs for being here,
20 and I know they're both busy men, so I guess it seems like
21 we're asking them the same questions over and over again. I
22 think you know what I mean. Can we move forward in the
23 agenda?

24 I know Representative Campbell is a busy man. I
25 know he's got somewhere to go. But he doesn't, he can stay

1 here all night.

2 CHAIRPERSON MATHIS: Are they any other questions?

3 COMMISSIONER McNULTY: No, but I will make a
4 comment.

5 The district the Mr. Stertz has referred to has
6 about a 40 percent Republican registration, not 97 percent.

7 So, I just want to make that clear.

8 CHAIRPERSON MATHIS: Any other questions or
9 comments?

10 Representative Campbell, thank you very much for
11 coming.

12 And Senator Biggs as well.

13 I'm not sure how the last Commission did this in
14 terms of accepting the report from the legislature, if they
15 had a presentation, but I personally appreciate you guys
16 coming down and doing this, because it's much more
17 interesting to hear from you directly and in person as
18 opposed to just reading the report. And not to take
19 anything away from the report, or whoever wrote that. And I
20 hope you'll extend our gratitude to your colleagues and
21 ensure that they know that we'll be taking this into
22 consideration, both those reports.

23 REPRESENTATIVE CHAD CAMPBELL: I will. Thank you
24 very much.

25 VICE-CHAIR HERRERA: Thank you.

1 REPRESENTATIVE CHAD CAMPBELL: Thank you.

2 CHAIRPERSON MATHIS: Thanks.

3 JOSEPH KANEFIELD: Ma'am, before we move to the
4 next --

5 CHAIRPERSON MATHIS: Mr. Kanefield.

6 JOSEPH KANEFIELD: My understanding was there was
7 no legislative report for the last round, just for the
8 record.

9 And also both Senator Biggs and
10 Representative Campbell at times during their presentation
11 referred to their districts. But not to the specific places
12 of residence.

13 So for the record, and I know the commissioners
14 all understand this, but residency is not to be -- their
15 residences are not to be considered. So I wanted to
16 reminded the commissioners of that.

17 CHAIRPERSON MATHIS: Thank you.

18 Okay. We probably need a break. I think we're
19 going to be ending -- well, it's 4:25 p.m.

20 VICE-CHAIR HERRERA: Madam Chair, I think the
21 meeting's -- I think we have to be out of room by 5:00 p.m.

22 CHAIRPERSON MATHIS: Is that so?

23 VICE-CHAIR HERRERA: And if that's the case, let's
24 push forward with -- I would like to present some of the
25 changes I've presented, if at all possible.

1 CHAIRPERSON MATHIS: Okay. Let me check with
2 Mr. Bladine.

3 RAY BLADINE: Madam Chair, I believe it's more of
4 a scheduling issue, that people need to leave, in this case,
5 tomorrow night. Tomorrow we do have a 5:00 o'clock
6 scheduling problem with the room.

7 But tonight we have a couple commissioners that
8 couldn't stay past the 5:00 o'clock time.

9 CHAIRPERSON MATHIS: Okay. All right.

10 We could, we could keep going, I mean, if we have
11 a quorum. I don't know who's got to go.

12 But, anyway, I think Marty needs a break. So we
13 will take just a quick five-minute break.

14 It's 4:26 p.m. -- oh, wow, okay, one minute.

15 (Brief recess taken.)

16 CHAIRPERSON MATHIS: Okay. We'll enter back into
17 public session. The time is 4:28 p.m.

18 And we have concluded item two and are going to
19 move into item three, discussion, direction to mapping
20 consultant and possible action regarding adjustments to
21 draft congressional districts and possible action regarding
22 adoption and certification of final congressional districts.

23 The next item is the same thing, but for the
24 legislative maps.

25 So I think some commissioners -- I think our

1 mapping consultant did some work for us since our last
2 meeting, and we thought we'd talk about some of that and
3 then see if any commissioners had any additional ideas to
4 suggest.

5 So Mr. Strasma.

6 Are we waiting for Mr. Desmond?

7 KENNETH STRASMA: We are, Madam Chair.

8 CHAIRPERSON MATHIS: Okay.

9 And I think since we're going to be concluding the
10 or wrapping up around 5:00 p.m., a number of these items
11 will shift to tomorrow, like the executive director report,
12 discussion of possible future agenda items.

13 VICE-CHAIR HERRERA: Madam Chair.

14 CHAIRPERSON MATHIS: Yes, Mr. Herrera.

15 VICE-CHAIR HERRERA: There's some -- you have in
16 front of you some changes that I proposed and worked with
17 Willie Desmond last night, all day yesterday pretty much.

18 And I -- the reason I wanted to present them today
19 is I wanted -- to review them hopefully microphone and then
20 have some comments by tomorrow.

21 CHAIRPERSON MATHIS: Okay. As soon as
22 Mr. Desmond's back, we will talk about those.

23 (Brief pause.)

24 CHAIRPERSON MATHIS: While we're waiting, I wonder
25 if we should jump ahead to the public comment.

1 I only have two request to speak forms.

2 There's another one in the audience, so -- is Ted
3 Disbrow here?

4 Representing the Dobson Association.

5 TED DISBROW: First of all, I will say I'm not a
6 lawyer and not a politician. Do I need to get a little
7 closer?

8 CHAIRPERSON MATHIS: Probably. And if you could
9 spell your last name for the record.

10 TED DISBROW: My last name is D, as in dog --
11 I-S-B, as in brown, R-O-W.

12 I'm president of the Dobson Homeowners
13 Association.

14 What I want to clarify is that our community
15 Dobson Association is unnecessarily divided by the map as
16 it's currently drawn.

17 And I'm specifically talking about Districts 26 as
18 it's currently drawn and District 18.

19 If you look at the first map that's in front of
20 you, it is the proposed map, as I would propose a change in
21 District 26 and 18.

22 The current district is drawn along Baseline Road,
23 which doing that divides some of our homeowners association
24 extend up to the Route 60 area, if you're familiar with the
25 area of that particular location.

1 I would also offer that the area that is in
2 District 26 now is very isolated.

3 It is cut off on the left by 101. It is cut off
4 on the north by the hospital, by the community college, and
5 by Fiesta Mall and the commercial area to the east of the
6 Fiesta Mall.

7 So that area being represented by somebody in 26
8 will be very difficult because of their inability to readily
9 access and represent the area as well as it might be with,
10 with the consistent with the Dobson homeowners association.

11 So if you look at, now, to take you to map, map
12 number one, which is actually the second page.

13 If you look at map number one, the area that is in
14 blue that is above the Baseline Road, that is actually the
15 area that is specifically Dobson Ranch.

16 Okay.

17 So I am proposing you move some area into
18 District 18 that is beyond Dobson Ranch. I'm proposing to
19 do that because the isolation that occurs with drawing the
20 district line across Baseline instead of Route 60 in that
21 particular area.

22 Okay.

23 I'm going to leave it with just looking at those
24 two, that those two map areas.

25 I will say that the other two maps that you have

1 are all in the proposals that if the mapping group wanted to
2 look at those and take them into consideration, they might
3 consider them.

4 When I look at the change that this would cause in
5 population, it would result in about 9,000 people moving
6 from District 26 into District 18. It would result in about
7 a 4.2 percent deviation from the ideal situation.

8 Okay.

9 I want to re-emphasize that I think this is a good
10 change, because, A, we are trying to keep our district, our
11 community from being divided.

12 We do a lot of things in our community as a
13 community as a whole.

14 We do hold political forums.

15 We do try to get our members to participate in the
16 voting process.

17 And we do bring the candidates into our area and
18 ask for their participation.

19 It's certainly easier to do that with a unified
20 district as opposed to being split into two separate
21 districts.

22 And I also would like the mapping group to look at
23 the isolation that exists for that portion of what is now
24 District 26 from the rest of the district caused by Route 60
25 on the one side, Route 101 on the other side, and all of the

1 commercial property, so that there's really no easy way to
2 access those residential communities that I'm proposing to
3 move to District 18.

4 CHAIRPERSON MATHIS: Okay.

5 TED DISBROW: Questions?

6 CHAIRPERSON MATHIS: Thank you.

7 Any questions?

8 VICE-CHAIR FREEMAN: Madam Chair.

9 TED DISBROW: Yes, sir.

10 CHAIRPERSON MATHIS: Mr. Freeman.

11 VICE-CHAIR FREEMAN: Just so I'm clear, map one --
12 I believe, sorry, map number three is the proposed change.

13 TED DISBROW: Map number three is the proposed
14 change, which basically takes north of Baseline.

15 VICE-CHAIR FREEMAN: Takes it out of 26.

16 TED DISBROW: East of 101 and west of Extension
17 and moves it into District 18.

18 VICE-CHAIR FREEMAN: And the Dobson Ranch
19 community consists of that area alone --

20 TED DISBROW: That -- Dobson Ranch is that area
21 plus some limited other. That's why I showed you map one.

22 Map one is the specific portion of that that I'm
23 proposing to move that is indeed is Dobson Ranch.

24 Okay.

25 I have shared this map, map three, I have shared

1 so that the mapping community can look at that shared map
2 and incorporate it into 18 hopefully.

3 CHAIRPERSON MATHIS: Great. Thank you very much.

4 TED DISBROW: Thank you for your consideration.

5 CHAIRPERSON MATHIS: With that, I think we're
6 going to jump back to agenda items three and four, so that
7 we can cover some of this mapping work.

8 And Mr. Desmond is back.

9 And I'll leave it to you to tell us where you want
10 to start.

11 I know you did some work for us over the weekend.

12 KENNETH STRASMA: Madam Chair, I was going to
13 suggest that we defer discussion of the legislative voting
14 rights districts until tomorrow and Friday when Mr. Adelson
15 will be here. And, so it might make sense to go through
16 Commissioner Herrera's changes that he referenced before.

17 CHAIRPERSON MATHIS: That makes sense to me.
18 Yeah, Mr. Adelson will be here for both Thursday and Friday
19 meeting.

20 VICE-CHAIR HERRERA: Mr. Desmond, can we start
21 with the congressional map first? I think that's a little
22 easier, and we can glide by that pretty quickly.

23 WILLIE DESMOND: Yes.

24 Buck, is there a clip for this microphone by
25 chance?

1 I guess before we get there, I just wanted to
2 mention that the maps we're going to be discussing today and
3 all the maps that have been looked at so far are -- thank
4 you very much -- are posted online.

5 There's four files that are going online.

6 There is the block equivalency file. People with
7 mapping software can load these plans and analyze them.
8 There was the PDF that was requested by the Commission last
9 time. A JPEG.

10 The PDF is actually the change report.

11 The JPEG is the picture of the map that people can
12 look at and print.

13 And then coming online now, Buck's going through
14 and posting our Google maps.

15 So just to quickly show that, so people
16 understand.

17 The Google maps that are available online, the
18 districts as they're changed are the colored areas.

19 There is a faint green outline that illustrates
20 the -- what the old district was.

21 So that if an area did change, the green line will
22 be different than the border of the colors.

23 So that's how that people can see what the changes
24 were.

25 I'd give an example, but I'm not sure which one I

1 did though.

2 But with that, I will go to Mr. Herrera's maps.

3 Would you like to start with the congressional?

4 VICE-CHAIR HERRERA: Please. And before we start,
5 I'd like to start thank Mr. Desmond and your great patience
6 and spent many hours with us, and I know he was hungry but
7 he chose to forego his dinner to be able to help out, and I
8 can't thank him enough for all his help.

9 I'm not an expert, so I depend on the experts we
10 hired.

11 Are you ready?

12 WILLIE DESMOND: All right.

13 VICE-CHAIR HERRERA: Let's start with the -- well,
14 first we had -- I already said first. Second, let me say
15 that, that I had voted for the congressional draft map,
16 although I wasn't 100 percent pleased. I think we -- none
17 of us were, but we -- I think Commissioner McNulty said one
18 time that we created solid maps. And I agree completely.

19 There were ideas that were Republican ideas, there
20 were Democratic ideas, and there was even Independent ideas
21 in these congressional maps. And a lot of public took into
22 account the same criteria was taken into account when we
23 created this draft map.

24 So I really -- I'll be honest, I'm okay with
25 adopting the map the way it is and not making any changes.

1 But, because I wanted to give Willie something to
2 do and you were anxious to help me out, I did make some
3 changes to the congressional map.

4 And I'll start with the Oak Creek area first,
5 surrounding District No. 1.

6 There were plenty of public testimony that the
7 Village of Oak Creek go along in with district, with
8 District 1, Sedona and Flagstaff. Plenty of public
9 testimony to that.

10 So what we ended up doing is moving Oak Creek and
11 surrounding areas into District No. 1.

12 That was roughly about 7,000 people moved from
13 CD 4 to CD 1.

14 To equalize the population we removed roughly
15 7,000 people from CD 1 into C 4, basically the northern part
16 of -- you can point -- go to Gila now.

17 The northern part of Gila, which includes
18 Copper Hill, Wheatfield, Claypool, and Miami, and then parts
19 of Central Heights, Midland are now in District No. 4, so
20 basically swapped two areas, so the Oak Creek village,
21 surrounding areas, into one and then CD 1 given -- gave the
22 northern part of Gila County.

23 Now, with this we kept Globe whole in District
24 No. 1.

25 And the testimony, I think we all heard plenty of

1 public testimony that they wanted to keep parts of -- keep
2 Verde Valley together in District No. 1, which we did.

3 And I think we -- these changes kept both rural
4 districts, especially CD 4, I think it was made more rural
5 than it was before, and it kept CD 1 as rural as the draft
6 map.

7 Now, those were the only changes I made to the
8 congressional draft map.

9 It was minor changes, but I think changes that I
10 could live with.

11 Any questions?

12 VICE-CHAIR FREEMAN: Madam Chair.

13 CHAIRPERSON MATHIS: Mr. Freeman.

14 VICE-CHAIR FREEMAN: Well, I have a question.

15 What were the Republicans aspects of that map?

16 Is it this thing right down here?

17 VICE-CHAIR HERRERA: That three border?

18 VICE-CHAIR FREEMAN: That's it.

19 VICE-CHAIR HERRERA: Let me remind you, as part of
20 public record, and I think you were there, that
21 commissioner -- I mean, Madam Chair used the whole counties
22 map, which is, I think, your equation, and the, and the
23 three borders map, and then the -- I think she used aspects
24 of my river district. So it was three maps that she used to
25 combine that created the draft map.

1 And again I had approved and voted for the
2 congressional draft map, and I'm willing to, if you don't
3 like those changes, I'm willing to keep it the way it was
4 before.

5 Because I really do believe that we created
6 constitutionally sound maps.

7 And I -- and that's our main goal.

8 We needed to use those six criteria to create
9 those maps, and I think that's what we did.

10 But, again, I felt that maybe we could do some
11 tweaking, and those are the tweaks I recommend.

12 But, you know what, if you're not happy with those
13 changes, I would recommend that you make your own changes.

14 VICE-CHAIR FREEMAN: You asked if there were any
15 questions.

16 VICE-CHAIR HERRERA: Yeah, no.

17 VICE-CHAIR FREEMAN: I have a laser pointer right
18 here.

19 VICE-CHAIR HERRERA: I don't need a laser pointer
20 and I --

21 VICE-CHAIR FREEMAN: I offered it to you back --

22 VICE-CHAIR HERRERA: You've been gone for a while,
23 so let me remind you --

24 VICE-CHAIR FREEMAN: I've been here. I've been
25 watching.

1 VICE-CHAIR HERRERA: That you did -- that you --
2 that the -- I think Chairwoman Mathis was very clear when
3 she stated that she used the draft map -- to create the
4 draft map she used your whole counties map, Stertz's three
5 border district map, and also parts of the river map that I
6 created.

7 VICE-CHAIR FREEMAN: Here's the laser pointer --

8 VICE-CHAIR HERRERA: The only -- I'm happy to find
9 those drafts for you, if you like.

10 VICE-CHAIR FREEMAN: I was at all those hearings,
11 Mr. Herrera.

12 VICE-CHAIR HERRERA: So that's the congressional
13 map.

14 And, again, there's not that many changes, but I
15 think those are significant changes that I would hope that
16 the Commission would approve.

17 And, again, let me remind you that we'll need a
18 minimum of three votes to approve. A minimum of three.

19 And I -- as I suggested to Chairwoman Mathis that
20 eventually before we get to the final version, we're going
21 to have to decide what, what changes are we okay with.

22 And in the congressional and obviously in the legislative
23 side.

24 And no -- and we'll have to probably vote on each
25 change, I'm assuming. And I think that would work best.

1 And that's fine. Than we'll get to a revised
2 draft map. But then we'll have to vote on the final map to
3 approve.

4 And, again, we'll be needing three votes for that
5 as well, just to let me remind all the commissioners that
6 that's the case.

7 VICE-CHAIR FREEMAN: Madam Chair.

8 CHAIRPERSON MATHIS: Mr. Freeman.

9 VICE-CHAIR FREEMAN: Well, I have a conflict at
10 5:00 o'clock, so I'll be leaving, and it's on the agenda, so
11 you can make your motion after I leave, I suppose.

12 But it's a little disconcerting that after
13 visiting all -- canvassing the state, getting this public
14 comment, taking all that into consideration, that's the
15 proposed change.

16 We swap Oak Creek for, you know, part of --

17 VICE-CHAIR HERRERA: These are my changes. I'm
18 entitle to the. And again --

19 VICE-CHAIR FREEMAN: I'm not disagreeing with you.

20 VICE-CHAIR HERRERA: I haven't seen you propose
21 anything.

22 And I would love for you to propose your own
23 changes.

24 And nobody's stopping you. You have chosen not to
25 so far.

1 COMMISSIONER McNULTY: Mr. Freeman, I've been gone
2 for a couple days too, so if I could just jump in here and
3 ask for a point of clarification.

4 Is this -- these are -- this change that you've
5 made, which I assume is one of the changes that you're
6 asking for, you just made it this time, this is on the draft
7 map; is that right?

8 This is the congressional draft map reflecting
9 just this change?

10 VICE-CHAIR HERRERA: Commissioner McNulty, the
11 changes were made to the draft map and done step by step as
12 I outlined.

13 COMMISSIONER McNULTY: Okay. All right. And no
14 other changes were made to this draft map right now. We're
15 at the point where we're just proposing changes still and
16 you're coming back and you're showing us the changes on the
17 draft map --

18 VICE-CHAIR HERRERA: And I think --

19 COMMISSIONER McNULTY: Okay.

20 VICE-CHAIR HERRERA: But I wasn't saying we are
21 going to vote for them tonight. But eventually we will have
22 to vote on some of these changes moving forward.

23 These are just my proposed changes. You may like
24 them. You may not. That's fine. I'm entitled to three,
25 four based on -- basing it on public opinion and public

1 comment and also six criteria to create -- to make some of
2 my own adjustments, as Commissioner Stertz has done, as
3 Commissioner McNulty has done.

4 And that's --

5 COMMISSIONER McNULTY: I just wanted to confirm we
6 were still here in the process, that we're suggesting
7 changes and we're evaluating how they would affect and
8 making our own proposals about how a proposed change would
9 affect other parts of the map, and then that's what this
10 does. You wanted to bring Oak Creek together, so you've
11 made a compensating change.

12 Thank you.

13 CHAIRPERSON MATHIS: That's correct. And I would
14 like to also say in this process, we'd like to, if I can, if
15 we all can, agree on the voting rights districts, which we
16 talked about last week when we first started getting back
17 together, talking about adjustments, because the sooner we
18 can lock those in, so to speak, and, you know, lock is a
19 soft term as well, because we may have to go back and change
20 things based on analysis, but we really need to get our
21 final analysis done.

22 We've done preliminary analysis of all the voting
23 rights districts and talked about beefing them up in certain
24 places and enhancing them, as Mr. Adelson would say. But it
25 would be great if we could as a Commission decide soon on

1 what the voting rights districts look like on both maps and
2 then move forward with some of the other adjustments that we
3 want to make.

4 VICE-CHAIR HERRERA: Chairwoman Mathis, just to
5 point out that I -- the changes that I recommended did not
6 interfere, did not mess at all with the majority-minority
7 districts, both in the congressional and legislative. They
8 kept them as they were.

9 CHAIRPERSON MATHIS: Right. And I didn't mean to
10 infer in any way that they did. I just wanted to make that
11 point that we really do need to get the voting rights
12 districts locked in.

13 And I'm hoping through the work tomorrow and the
14 next day with Mr. Adelson that we will have some more ideas
15 and be further down that road.

16 VICE-CHAIR HERRERA: Can we move forward to the
17 legislative map?

18 CHAIRPERSON MATHIS: Anything else on the
19 congressional that anyone wanted to raise now in terms of
20 either questions for Mr. Herrera or just other adjustments
21 that you wanted to raise?

22 COMMISSIONER McNULTY: Not tonight.

23 We'll be discussing this again tomorrow.

24 CHAIRPERSON MATHIS: Right. We're meeting
25 tomorrow at 11:00.

1 Okay.

2 Feel free to go to the next.

3 VICE-CHAIR HERRERA: So you can -- Mr. Desmond, if
4 you can bring up the legislative map.

5 WILLIE DESMOND: You want to go to changes in
6 northern Arizona --

7 VICE-CHAIR HERRERA: Let's talk, let's talk
8 northern Arizona first.

9 What I did to make it simple as, and this is
10 Mr. Desmond's recommendation, what was a good one, is to
11 make, you know, any -- especially if they start getting to
12 the point that we're making lots of changes to create
13 different maps in different areas, so we created a
14 legislative map that is the improvements or changes to
15 northern Arizona only.

16 Let's see, are we there?

17 WILLIE DESMOND: Ready.

18 VICE-CHAIR HERRERA: What we did, we wanted to
19 incorporate or move places where people live -- and this is
20 the Schultz flood area.

21 I want to make sure that I don't, that I don't --
22 I think there's been words going around and used
23 interchangeably, Schultz fire and Schultz flood.

24 And I don't think they're the same. I think
25 they're -- I think the one that I'm referring to here is the

1 Schultz flood area.

2 So that's based on public testimony. Those that
3 were in Flagstaff probably heard overwhelmingly that the
4 Schultz fire -- Schultz flood area should be included with
5 Flagstaff in Legislative District 6 and moved away from LD 7
6 into, into 6, because it was a community of interest, and in
7 the interest of the Schultz flood area included Timberline
8 and Fernwood, would be better protected or represented by --
9 in LD 6.

10 So that was one of the changes that we made. That
11 was the first change.

12 And then the second change that I recommended was
13 to add more of Verde Valley district to District No. 6.

14 So we kept Verde Valley whole. At least I think
15 we kept Verde Valley whole in District No. 6.

16 Again, due to public testimony, I think that was
17 overwhelming that Verde Valley fits better with the city of
18 Flag in District No. 6.

19 And that would be, again, Camp Verde and some of
20 the unincorporated areas of Camp Verde.

21 So that's the second change.

22 The third change that was made, so we moved all of
23 Payson into District 14.

24 And I think the city of Payson and the residents
25 that were at the public hearing were pretty clear that

1 they -- they were more of a community of interest with
2 Prescott than they were with Flagstaff.

3 So that -- that's explains the move, the entire
4 town of Payson into District 14.

5 Let's see.

6 Because of -- with the changes to District 6,
7 although more Republican, has become slightly more
8 competitive because of the changes, although it is still
9 slightly more Republican.

10 The competition is one of the six criteria, an
11 important one that we need to keep in mind, and I was doing
12 that while I was making the changes.

13 The fourth change, we removed the non-tribal areas
14 of Mohave from District No. 7, and we placed it into
15 District No. 5.

16 This is, again, to improve the Voting Rights Act
17 or to improve the voting rights strength of District No. 7,
18 which was something that the Navajo Nation and the Native
19 American tribes of District 7 were discussing and were --
20 had presented to the Commission.

21 Now, all these changes that I proposed have
22 affected District No. 7, 14, 6, and 5.

23 Okay.

24 And right now we're studying the change report of
25 Show Low and Winslow. And I think that Commissioner McNulty

1 had proposed those changes. It was probably on Monday.

2 And I -- based on the changes she recommended, I
3 would agree with those proposed changes.

4 So that was the, that was the changes to the
5 legislative map in the northern Arizona area.

6 CHAIRPERSON MATHIS: Can you repeat the last one
7 for me? The non-tribal portions.

8 VICE-CHAIR HERRERA: Sure. There -- I think the
9 non-tribal portions include Colorado City and then areas
10 around there that are not -- non-tribal. And
11 non-Native American.

12 So they would boost the majority minority or the
13 voting rights strength of District No. 7, so that's why we
14 removed it and placed it in, I think it was, District 14.

15 WILLIE DESMOND: District 5.

16 VICE-CHAIR HERRERA: Five, I'm sorry, five.

17 Which would probably have more in common in
18 District No. 5 than it does in 7.

19 WILLIE DESMOND: It's the line that more closely
20 reflects the congressional district, so all of Mohave County
21 is in that district, except for the Pai tribal area.

22 VICE-CHAIR FREEMAN: Wasn't that the same -- one
23 of the same changes that Commissioner McNulty proposed?

24 VICE-CHAIR HERRERA: One of the changes that she
25 had proposed were -- she had proposed, I think, moving

1 Verde Valley into District No. 6, I think.

2 VICE-CHAIR FREEMAN: No, I was referring, sorry,
3 the parts of Mohave County north of --

4 VICE-CHAIR HERRERA: I don't recall. But if she
5 did, then I do agree with them.

6 COMMISSIONER McNULTY: I don't think I did propose
7 that on Monday, but I think it's a good idea.

8 I proposed the Winslow, Show Low --

9 VICE-CHAIR HERRERA: That's --

10 COMMISSIONER McNULTY: -- switch.

11 VICE-CHAIR HERRERA: I think out of all the
12 changes I proposed, there was only one change that
13 overlapped, I guess, even though I really didn't cover it,
14 was that Show Low change, based on what you had presented
15 and what Willie has given to us I was able to propose
16 changes.

17 COMMISSIONER McNULTY: So, is the Winslow,
18 Show Low switch done here?

19 WILLIE DESMOND: Yes.

20 COMMISSIONER McNULTY: And what's the population
21 now of LD 7?

22 WILLIE DESMOND: LD 7 is now underpopulated by
23 almost 13,000 people, 6.2 percent.

24 COMMISSIONER McNULTY: Okay. That's a minority --
25 a majority-minority district so --

1 WILLIE DESMOND: Kind of following the advice of
2 Mr. Adelson.

3 COMMISSIONER McNULTY: So that's okay there.

4 WILLIE DESMOND: Yeah, has a total minority
5 population of 75.4 percent, so an increase of about
6 seven tenths of a percent.

7 Voting age had a similar increase of about
8 four percent -- or four tenths were a percent, so overall we
9 made this district --

10 COMMISSIONER McNULTY: So it's a stronger
11 district.

12 WILLIE DESMOND: It's a stronger minority-majority
13 district.

14 COMMISSIONER McNULTY: Good.

15 VICE-CHAIR HERRERA: So in the interest of time,
16 let's go ahead and move over to the Maricopa County changes.

17 Now, the -- there's some changes that
18 Commissioner McNulty had made to 11 -- 8 and 11. Creating
19 them -- I guess, making the changes to them to become a
20 little more competitive.

21 And I didn't touch those areas, because I agreed
22 with your proposed changes.

23 So let's go to Maricopa County.

24 There was goals went out when I was trying to make
25 some changes to those areas.

1 One, first of all, what I wanted to do was to
2 start by removing splits from Glendale.

3 I think Glendale was in six districts. And with
4 the changes that were made, we are removed two splits.

5 I think that was -- that's important. It's one of
6 the criteria.

7 And the second goal was to make 28 a more
8 competitive district, again one of the six criteria.

9 And let me explain how we got there to fulfill
10 those two goals.

11 The first thing we did is we removed Glendale from
12 Districts 20 and 21.

13 And then we put those areas of Glendale into
14 District 22, again eliminating two splits, or it being split
15 into two different counties. So 20, 21, Glendale was
16 removed.

17 The second change was to balance population in
18 District 21, we extended Peoria, or the portion of Peoria
19 more -- let me see if I -- so more of Peoria is in
20 District 21.

21 So we added more in District 21.

22 So we equaled the population now by that -- with
23 that change.

24 The third change was we made -- we had District 20
25 had to take population from 22, in Phoenix, around the areas

1 of 59th Avenue and Happy Valley Road.

2 So that was the third change.

3 The fourth change was District 22 was still
4 overpopulated, so it gave all of New River, keeping
5 New River whole, to District 15.

6 Removing a split of New River, which there was a
7 split before, so removed that split, and now kept whole in
8 District 15.

9 And the fifth change was District 15 shed some of
10 its population to District 20, making District 20 and 28 --
11 I think those are the two districts -- the only two
12 districts that the legislative district is entirely in
13 Phoenix.

14 So, again, tried to keep it as whole as possible
15 and not reaching into any other parts of Phoenix.

16 We're looking only to Districts 20 and 28 that are
17 entirely in Phoenix.

18 I don't think that was the case in the draft map.

19 Correct?

20 WILLIE DESMOND: In the draft map there were no
21 districts entirely in Phoenix.

22 District 17 was close, but portions of Guadalupe
23 and Tempe.

24 VICE-CHAIR HERRERA: The sixth change was to -- on
25 District 15, took all of Paradise Valley in District 15 and

1 to trade population with District 28, in order to make 28 a
2 little more competitive.

3 So District 28 absorbs some of District 24's
4 population, following last week's recommendation to improve
5 the voting rights performance of District 24.

6 So Paradise Valley still was still kept whole.

7 So now, as I mentioned before, there's two
8 districts that are District 20 and 28.

9 The second change is still trying to figure out
10 ways to clean up the west valley.

11 It was, it was something that I wanted to do, but
12 it got a little late, so I felt that that was something that
13 we could do later on with Mr. Desmond, but I -- but I'm
14 not -- again, not having the time, for example, one of the
15 things we were trying to clean up, and he did a pretty good
16 job with that removing some of the splits in Glendale, so
17 now it's in two fewer districts.

18 And those are all my changes to the congressional
19 map for now.

20 VICE-CHAIR FREEMAN: Legislative.

21 VICE-CHAIR HERRERA: Excuse me, the legislative
22 map.

23 CHAIRPERSON MATHIS: So has Mr. Desmond already
24 started to do some of those?

25 You've done them?

1 WILLIE DESMOND: Yeah.

2 CHAIRPERSON MATHIS: They're all done.

3 WILLIE DESMOND: And the change report is there to
4 reflect the changes.

5 CHAIRPERSON MATHIS: And we have the change
6 report?

7 WILLIE DESMOND: Yes. You have all three of the
8 change reports.

9 VICE-CHAIR HERRERA: Mr. Desmond, can you, can you
10 do me a favor, can you talk about the -- you know, obviously
11 we're using the six -- the four -- the four state mandated
12 criteria to make these changes, which is never easy, but we
13 were able to create more competitive districts; is that
14 correct?

15 WILLIE DESMOND: Yes, I believe so.

16 VICE-CHAIR HERRERA: Can you go into some detail
17 and explain some of the information on the change report
18 regarding the competitiveness of the districts?

19 WILLIE DESMOND: Well, I guess, specifically
20 District 28 became more competitive following these changes.

21 Some of the other districts that were already
22 strongly one way or the other were strengthened.

23 District 24 was improved slightly.

24 I think District 22 was -- started out as a very
25 Republican district, probably increased.

1 Some of the districts that were already very one
2 party or the other, became more strong to that party.

3 I can go through the change reports specifically
4 for each district, if you like.

5 VICE-CHAIR HERRERA: Please, if you don't mind.
6 And specifically obviously in the areas of Maricopa County.

7 WILLIE DESMOND: Okay.

8 And just so everyone knows, this is -- the changes
9 we're talking about here are the change reports with options
10 by Commissioner Herrera, new map is legislative draft
11 change, Herrera changes Maricopa County.

12 The districts affected were 14, 15, 20, 21, 22,
13 24, and 28.

14 That's available on the website. You have it
15 printed out for you.

16 Just quickly, before we go, I want to point out,
17 District 24, one of our majority-minority districts, was a
18 little bit of addition by subtraction.

19 District 28 absorbed some areas there that helped
20 improve both the Hispanic number and its ability to elect.

21 So both look at those, but that is one of the
22 districts that Mr. Adelson and legal team have identified as
23 possibly could use some help, along with 26 and 4.

24 So that was touched a little bit.

25 But going on to competitiveness.

1 District 14 had really no effect on
2 competitiveness, if you look at the change column there.

3 District 15 became maybe between a point and a
4 half to two points more Republican.

5 So it started out at using index two at
6 61.5 percent Republican. It went up to 63.2 percent.

7 District 20 became about a point more Republican.
8 Started out about 58 percent, went up to about 59 percent
9 using index two.

10 District 21 gained about a point to a point and a
11 half more Republican. Again, started out about 58 percent
12 and went up to 59 or 60 percent.

13 District 22 became about two points more
14 Democratic. So that one started out at about 64 percent
15 Republican and dropped to about 62 percent.

16 District 24 became slightly less Republican, a
17 little more Democratic. Again, that is probably the result
18 of some of the areas that were removed from that. The mine
19 inspector race increased for that one, and also the Hispanic
20 registration CVAP numbers went up a little bit too, which is
21 the right direction there.

22 And then District 28 had the biggest change in
23 competitiveness, using index two, 56 percent Republican,
24 44 percent Democrat, went to 52.6 percent Republican,
25 47.4 percent Democrat. So a total change of about

1 6.8 percentage points, or 3.4 percent each way.

2 The Commission did not define any criteria that
3 isn't competitive, but this one came to closer to a 50/50
4 split.

5 VICE-CHAIR HERRERA: Madam Chair.

6 CHAIRPERSON MATHIS: Mr. Herrera.

7 VICE-CHAIR HERRERA: And those are my changes.

8 And I did have difficulty with the changes in the
9 Schultz flood area. And if you'd like, there's a
10 representative from Coconino County that can talk in greater
11 detail than I can about those changes.

12 But I was a little confused at first, and I
13 hopefully was able to give Mr. Desmond the changes that were
14 requested by Coconino County and that the Navajo Nation
15 agreed to.

16 So if you'd like, we can have somebody from the --
17 the representative from the Coconino County talk briefly
18 about those changes.

19 CHAIRPERSON MATHIS: Well, I think Mr. Freeman has
20 to go, so I want to see -- check in with him if there's
21 anything you need or would like to explore for tonight.

22 VICE-CHAIR FREEMAN: Not for tonight.

23 I want to thank Commissioner Herrera for his work,
24 and I apologize to my following commissioner and the public,
25 but I've got something that requires me to be elsewhere

1 tonight, so I do have to excuse myself.

2 CHAIRPERSON MATHIS: That's fine. Thank you for
3 coming.

4 And, Ms. McNulty, do you have any questions on
5 what Mr. Herrera presented?

6 COMMISSIONER McNULTY: Not right now, no.

7 CHAIRPERSON MATHIS: Okay.

8 Yeah, I haven't had a chance to review these
9 change reports, so we'll -- I think we'll all need to go
10 over these more carefully and see, but thank you for your
11 suggestions to the mapping consultant and for getting those
12 in.

13 Anything from the mapping consultant on these?

14 WILLIE DESMOND: Not on these specifically, but I
15 think what we would like to do is perhaps tomorrow or Friday
16 suggest some changes we think need to happen to improve
17 voting rights, looking to Mr. Adelson and staff. We'll have
18 to just kind of keep moving forward a little bit, maybe some
19 slight changes we think -- might recommend you adopt. And
20 then with those adopted changes, that would be the new kind
21 of working plan then.

22 We don't think they're very big, but we haven't
23 all conferred over them yet.

24 Possibly present them tomorrow.

25 And they're along the lines of improving

1 Districts 24, 26, and 4.

2 CHAIRPERSON MATHIS: Okay. We'll be talking about
3 those tomorrow at 11:00.

4 I have a few more public comment sheets to go
5 through.

6 Just four.

7 Is there any else though before we move on?

8 WILLIE DESMOND: There's just one other things.
9 You also have change reports for some changes that the
10 Hispanic Coalition for Good Government sent in the files, so
11 what we presented you earlier, there was some additional
12 changes and population was balanced.

13 We'll discuss that tomorrow when Mr. Adelson is
14 here and study the change reports and bring them tomorrow.

15 CHAIRPERSON MATHIS: Yes, I see change report for
16 Hispanic Coalition for Good Government. And we'll be
17 talking about those tomorrow when we have Mr. Adelson here.

18 Okay. Any other comments?

19 So, I don't think there's anything tonight to tell
20 them, our mapping consultants to do.

21 Is that right?

22 VICE-CHAIR HERRERA: No.

23 CHAIRPERSON MATHIS: Okay.

24 WILLIE DESMOND: That works.

25 CHAIRPERSON MATHIS: Okay. Thank you for getting

1 this work done for us, and we'll all be reviewing these
2 change reports.

3 Just checking the agenda. We'll do the executive
4 director's report tomorrow when all the commissioners are
5 here in person.

6 And same for agenda item six, review and
7 discussion of possible future agenda items.

8 I don't think there's anything on number seven in
9 terms of legal advice.

10 And then that leaves us with public comment.

11 And I've got four sheets, so if we could have
12 folks come up.

13 Our next speaker is -- and if I could remind you
14 to be sure to spell your last name into the microphone for
15 our court reporter.

16 State Representative Lynne Pancrazi, from
17 District 24, representing constituents from Yuma.

18 REPRESENTATIVE LYNNE PANCRAZI: Good evening. I
19 was hoping that I would some of those legislative -- oh, I'm
20 sorry, Lynne Pancrazi.

21 I was hoping some of those legislative changes
22 would be for 13 and 4, so I was sitting up front. . .

23 My issues were rural versus metropolitan.

24 And I tell this story all the time.

25 First law I was at in water at the legislature, a

1 representative from metropolitan Phoenix raised his hand and
2 said, Yuma has water, we can just take water from Yuma.

3 Well, that's my concern, is that rural
4 representation is completely different than that of
5 metropolitan Phoenix.

6 The needs and concerns of rural Arizona are
7 entirely different than those of metropolitan Phoenix.

8 The way that District 13 and 4, the way that
9 District 4 is set up is not bad, but Yuma could and would
10 like to stay whole. George Reiner from the Yuma -- from
11 the -- at the Yuma forum proposed a map that would keep Yuma
12 whole and would meet all the requirements, but also include
13 La Paz County.

14 So if you look back at those maps from Yuma
15 County's forum, and look at George's map, it does keep Yuma
16 whole and it also includes La Paz County, which La Paz has
17 been represented by Mohave County before in the past and a
18 portion of it is continuing right now.

19 And they don't feel like they're getting
20 representation they have gotten from the Yuma folks. So
21 they would like to stay with Yuma County, if at all
22 possible.

23 Now, I know that there's a chance that District 24
24 or Yuma and La Paz County cannot stay whole because of
25 majority-minority and because of the Voting Rights Act.

1 If we put District 13 and District 4 in and kept
2 them rural, meaning that District 13 would include La Paz
3 County, Buckeye, Gila Bend, and Yuma, that way the people
4 who would represent them, whether they come from Buckeye or
5 La Paz or anywhere, would have rural and no rural issues,
6 and would better represent the rural area, the agricultural
7 area down in Yuma.

8 If you do that, you could take part of Santa Cruz
9 and put it in District 4, and then District 4 would be all
10 border community, all the border community, all the way
11 down.

12 So, and you could make one more district all
13 Maricopa County all by putting Goodyear, Avondale, Glendale,
14 Litchfield, and Surprise all together into one district, and
15 I think you'd come up with a very competitive district, and
16 you would also pull the Yuma and La Paz area out of
17 metropolitan Phoenix, which is, which is my goal for being
18 here.

19 And it's what I've done -- I've been to eight of
20 these.

21 I have to tell you my minority leader was speaking
22 about me on several occasions when he was talking, but I
23 wanted to be here. I want to make sure that people
24 understand that rural Arizona is different than metropolitan
25 Phoenix. And that rural Arizona needs to be represented by

1 rural legislators.

2 And the way that District 13 is set up, it will
3 not be represented by rural legislators because the majority
4 comes from metropolitan Phoenix.

5 And the needs of rural Arizona may or may not be
6 met, but rural representation is important.

7 We only have 15 rural representatives now, but
8 this map we go down to ten.

9 So let me tell you the rural caucus really works
10 hard to make sure that the rest of Arizona is represented,
11 and that's what we'd like to see, Yuma and La Paz and be
12 able to be part of the rest of Arizona and not be connected
13 to metropolitan Phoenix.

14 So, with that I thank you very much.

15 And I hope that the next changes to the map will
16 be in District 4 and District 13, and that you will keep
17 Yuma and La Paz part of rural Arizona. Thank you.

18 VICE-CHAIR HERRERA: Thank you.

19 CHAIRPERSON MATHIS: Thank you.

20 Our next speaker is Chase Williams, representing
21 self, from Ahwatukee.

22 CHASE WILLIAMS: Chase Williams, W-I-L-L-I-A-M-S.

23 I just wanted to say that it was really great to
24 hear from the legislature's reports today, but I just want
25 to remind the commissioners that while they do have that

1 constitutional right to present that presentation, that
2 their input should not be valued any more than any of the
3 other public comment, just because they are these
4 representatives, but they also operate in a partisan way,
5 much more so than the rest of the public comment.

6 I do have a few issues. Although
7 Representative Campbell covered the memorial report pretty
8 well, there's a few other things I just wanted to point out.

9 First of all, when he talked about community of
10 interest, he highlighted Congressional District 9 saying
11 there wasn't a community.

12 Or the memorial report does.

13 I don't know if they bend to Congressional
14 District 9, but our school districts all exist in that
15 district, we have the same city district, so I just wanted
16 to highlight that. As well as with competitiveness, the
17 memorial report relies on this idea that there is a
18 significant detriment to the other requirements.

19 But they never proved that. The Supreme Court,
20 you know, ruled when you look at the governor's actions,
21 there was no evidence to any of the claims they were making.

22 And finally with the incumbents, Mr. Stertz talked
23 about this institutional memory, kept asking about -- this
24 question over and over about the staff that exists.

25 I'd like to remind him that a lot of times in

1 congress as well as the legislature, just because someone
2 isn't reelected doesn't mean their staff all of a sudden
3 disappeared. You have congressional staffers, you have
4 legislative staffers, who work regardless of who is the
5 representative.

6 And so this institutional memory, this knowledge,
7 doesn't just disappear because someone retires or loses an
8 election.

9 My most important focus has to be these
10 competitive districts that we need, especially in
11 congressional districts. And I appreciate the changes that
12 are increasing that.

13 The very reports that you saw today should be a
14 reminder as to why we don't want the legislature in this
15 process. Because the reports are so different, they come
16 from two different identities, that we have to remember that
17 there are two sides to every story, and the fact that
18 neither side is happy is probably finding some common
19 ground.

20 I specifically request that you protect
21 Congressional District 9, because we do have that community
22 of interest as well as sharing the school districts and the
23 competitiveness.

24 Remember that Ahwatukee and Tempe have been a part
25 of Congressional District 5, the current district, which has

1 switched hands back and forth between parties, so we're used
2 to that competitive nature.

3 And if you look to the report the Pew Center for
4 the states did in 2008, as well as other reports that have
5 been done based on the 2008 congressional and the 2010
6 congressional elections, more competitive districts actually
7 increase voter turnout which increases the democratic
8 process and ensures that more people are having their voice
9 heard.

10 Independent does not mean partisan, and so I
11 appreciate all the work you're doing. And while 100 percent
12 competitiveness is not possible because of the voting rights
13 districts, we need to get as close as possible to make sure
14 that we do increase involvement in the democratic process,
15 as the Pew Center outlines.

16 Thank you.

17 CHAIRPERSON MATHIS: Thank you.

18 Our next speaker is Michael Mandell, attorney for
19 Coconino County.

20 MICHAEL MANDELL: Madam Chair -- Madam Chair,
21 members, thank you for the opportunity to speak.

22 I do want to clarify on behalf of Coconino
23 County -- M-A-N-D-E-L-L.

24 I want to clarify on behalf of Coconino County
25 exactly where the Schultz flood area is. And I have a

1 couple of maps if I can give them to staff.

2 VICE-CHAIR HERRERA: Madam Chair, before
3 Mr. Mandell continues, I'd like to see if Mr. Desmond can
4 bring up the map that was -- I think there was a map that
5 was sent to you that was, that was specific the areas of the
6 Schultz fire, excuse me, Schultz flood area, because I was
7 having some difficulty with that as well.

8 So if it would make sense for me if we could
9 follow along looking at the map on the screen, if at all --
10 if that would be okay with the rest of the commissioners.

11 MICHAEL MANDELL: Madam Chair, if I could add as
12 well, yesterday Mr. Gorman from the Navajo Nation spoke
13 about -- presented, on Monday, presented a map that did
14 actually include the exact area of the Schultz flood area.
15 So I don't know if Mr. Desmond has that map. But if he has
16 that map, he can bring that map up, and you can see exactly
17 the area that we're talking about.

18 Because they did actually incorporate our specific
19 request into their map.

20 WILLIE DESMOND: I don't have that one loaded
21 right now. Mr. Gorman can send that to me this afternoon.
22 I haven't had a chance to put it in yet.

23 I'll have it ready for tomorrow.

24 I don't have shapefiles that have this exact flood
25 area. All I have is a more broad area.

1 I can try to get this set up tonight so that we
2 have it everything to talk about in the future.

3 MICHAEL MANDELL: Madam Chair, the difference
4 really is just under 3,000 people. That's what we're
5 looking at as far as bringing in that little piece of the
6 Fernwood metropolitan planning area.

7 And so hopefully those will provide additional
8 clarifications.

9 The larger map is -- basically that is a larger
10 map so you can see where the proposed districts currently
11 exist. And then the smaller map is the zoomed in version of
12 exactly the area that Coconino County would like to be --
13 would like to have added.

14 CHAIRPERSON MATHIS: Thank you. Other questions,
15 or any questions I should say?

16 VICE-CHAIR HERRERA: Madam Chair.

17 CHAIRPERSON MATHIS: Mr. Herrera.

18 VICE-CHAIR HERRERA: Mr. Mandell, the changes that
19 you're proposing now, these are changes that the Navajo
20 Nation is also recommends or is okay with?

21 MICHAEL MANDELL: Madam Chair,
22 Commissioner Herrera, I wouldn't go so far as to say the
23 Navajo Nation recommends them. They did incorporate our
24 requested changes into the map that they remitted on Monday.
25 So with that obviously we support the change that they made

1 as far as their map.

2 VICE-CHAIR HERRERA: Thank you.

3 CHAIRPERSON MATHIS: Ms. McNulty.

4 COMMISSIONER McNULTY: Tells us very generally the
5 difference between the flood and fire areas, not
6 geographically, but just the concept, the flood that's up in
7 the map and then the fire -- I mean, the fire up and the
8 flood below it.

9 MICHAEL MANDELL: Madam Chair,
10 Commissioner McNulty, yes, the fire area is obviously much
11 larger than the flood area.

12 The flood area is smaller and down toward the base
13 of the mountain.

14 The fire area includes some of the peaks, some of
15 the areas of the peaks. And we certainly don't want to
16 advocate the exclusion of some of the areas that the tribal
17 nations have said are sacred to them for inclusion outside
18 of the Navajo Nation.

19 CHAIRPERSON MATHIS: Other questions?

20 (No oral response.)

21 KENNETH STRASMA: Would it be possible to get this
22 map electronically?

23 MICHAEL MANDELL: Certainly.

24 KENNETH STRASMA: Thank you.

25 CHAIRPERSON MATHIS: Thank you.

1 Our next speaker is Richard Weinroth, representing
2 no one he says, from Phoenix.

3 RICHARD WEINROTH: I guess I'm representing
4 myself.

5 Weinroth, W-E-I-N-R-O-T-H.

6 I'm a Phoenix resident. I've been a resident of
7 Phoenix since '83, which is, you know, more half my life at
8 this point.

9 First of all, I'd like to thank the commissioners
10 for their work.

11 I would certainly never take on this job unpaid.
12 I'm just amazed that you do this.

13 The only thing I wanted to say, and I've tried to
14 follow this stuff online and read all the materials, is I do
15 think this competitiveness thing is very important.

16 You know, since I've been in the state, we seem to
17 have gone more and more extreme. And, you know, everybody
18 can debate the reason.

19 I hope we ultimately end up with these open
20 primary concepts. But I think you should keep in mind that,
21 you know, that for some reason, which I don't fully
22 understand, the legislature does not seem to reflect the
23 overall makeup of this state.

24 I don't think this is an extremist state. I think
25 it's -- you know, I consider myself sort of a moderate,

1 almost conservative Democrat.

2 I don't think there's too many people like me
3 left.

4 And, you know, our state is slightly Republican,
5 but I don't think it's, like, Utah or, you know, some other
6 states which are overwhelmingly Republican.

7 And yet the legislature, to a lesser extent in
8 congress, seems to have gotten moreover away from what the
9 average thing is.

10 I don't know how you fix that, but I think the
11 competitiveness thing is extremely important so we get an
12 overall legislature that kind of more reflects what goes on.
13 That's my only comment.

14 And thank you for your service.

15 CHAIRPERSON MATHIS: Thank you.

16 Our next speaker is Leonard Gorman, executive
17 director for Navajo Nation Human Rights Commission.

18 LEONARD GORMAN: Good afternoon, commissioners.
19 Leonard Gorman, L-E-O-N-A-R-D. Last name Gorman,
20 G-O-R-M-A-N.

21 Just briefly, the Navajo Nation submitted the
22 shapefiles to your consultant with regards to a presentation
23 we be made Monday.

24 So he's well aware of where the lines are with the
25 Schultz flood area, as iteration that was presented to you

1 just now with the map in the Timberline, Fernwood area. So
2 we did follow that boundary.

3 And then the Commission is certainly making the
4 effort to further enhance the draft map that was up for a
5 30-day comment. And we appreciate the iterations presented
6 by Herrera.

7 Nonetheless we would like to have an opportunity
8 to further examine those specific changes that are being
9 made as Navajo people and Navajo Nation has vast interest in
10 a variety of areas, and certainly Navajo Nation has
11 compromised and been able to work with you as an institute
12 of the state of Arizona to improve the map.

13 We've sacrificed plenty of Navajos that live in
14 the border towns, like, for example, in the city of
15 Flagstaff, 7,000 Native Americans in that area. They mean a
16 lot to the Navajo Nation.

17 Similarly with the city of Winslow. There's over
18 2,000 Native Americans that live there.

19 Not oftentimes not of their choosing.

20 So there's a grave concern of the Navajo Nation.

21 So but, nonetheless, certainly a 63.2 or 3 percent
22 is very welcoming.

23 And we realize that the negative 5 percent is
24 almost bottoming out with our 4.9 percent deviation that
25 Navajo Nation presented Monday, plus the Herrera

1 presentation this afternoon. So we'll be coming back
2 tomorrow and Friday to further comment on this. Thank you.

3 VICE-CHAIR HERRERA: Thank you.

4 CHAIRPERSON MATHIS: Thank you.

5 Anybody I missed that still would like to address
6 the Commission?

7 (No oral response.)

8 CHAIRPERSON MATHIS: Okay. Thank you, public, for
9 coming and providing your input today. And we'll be back
10 tomorrow at 11:00 a.m.

11 So for tonight this meeting -- the time is
12 5:24 p.m.

13 This meeting is adjourned.

14 Thank you.

15 (Whereupon, the meeting adjourned.)

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

4 BE IT KNOWN that the foregoing proceeding was
5 taken before me, Marty Herder, a Certified Court Reporter,
6 CCR No. 50162, State of Arizona; that the foregoing
7 146 pages constitute a true and accurate transcript of all
8 proceedings had upon the taking of said meeting, all done to
9 the best of my skill and ability.

10 DATED at Chandler, Arizona, this 12th day of
11 December, 2011.

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

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