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STATE OF ARIZONA

ARIZONA INDEPENDENT REDISTRICTING COMMISSION

REPORTER'S TRANSCRIPT OF PROCEEDINGS

PUBLIC SESSION

Tucson, Arizona
August 17, 2001
8:00 a.m.

ARIZONA INDEPENDENT
REDISTRICTING
COMMISSION

LISA A. NANCE, RPR, CCR
Certified Court Reporter
Certificate No. 50349

1 THE STATE OF ARIZONA INDEPENDENT REDISTRICTING
2 COMMISSION convened in Public Session on August 17,
3 2001, at 8:00 o'clock a.m., at the Double Tree Hotel
4 Resort, Boojum Room at Reid Park, 445 South Alvernon
5 Way, Tucson, Arizona, 85711, in the presence of:

6

7 APPEARANCES:

8 CHAIRMAN STEVEN W. LYNN

9 COMMISSIONER ANDI MINKOFF

10 COMMISSIONER JAMES R. HUNTWORK

11 COMMISSIONER JOSHUA M. HALL

12 COMMISSIONER DANIEL R. ELDER

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2 ADOLFO ECHEVESTES, Executive Director
3 LISA T. HAUSER, Commission Counsel
4 JOSE de JESUS RIVERA, Commission Counsel
5 AMY REZZONICO, Press Information Officer
6 LOU JONES, Administrative Assistant
7 TIM JOHNSON, MC, Computer Consultant
8 DR. ALAN HESLOP, NDC, Consultant
9 DR. FLORENCE ADAMS, NDC, Consultant
10 DOUG JOHNSON, NDC, Consultant
11 CHRIS HUTCHISON, NDC, Support Staff
12 MARGUERITE MARY LEONI, NDC Counsel
13 MARION PORCH, NDC, Support Staff
14 LISA A. NANCE, RPR, CCR, Court Reporter

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2 SPEAKERS FROM CALL TO THE PUBLIC:

3 GINI MCGIRR

4 EDWARD T. BEGAY

5 BEN ANDERSON

6 STEVE GALLARDO

7 GARY BOHNEE

8

9 AGENDA DESIGNATED SPEAKERS:

10 DR. ALAN HESLOP

11 DR. FLORENCE ADAMS

12 MARGUERITE MARY LEONI

13 DOUG JOHNSON

14 CHRIS HUTCHISON

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1 arrays throughout the country throughout the State of
2 Arizona.

3 As you may guess, my name is Edward T.
4 Begay. Currently I'm the Speaker of the Navajo Nation
5 Council. The Navajo Nation Council consists of 88
6 delegates. We have 110 precincts from which we are
7 elected to the Navajo Nation Council. We serve for a
8 four-year term. And also we have a legislative branch
9 that is headed by a President and Vice President, and we
10 also have a Judicial Branch headed by the Chief Justice.

11 In the course of all this, the mandates
12 that are placed upon all of us as citizens of the state
13 and the country every 10 years, citizens and elected
14 officials have an opportunity to look at the
15 Congressional and Legislative Districts in each of the
16 respective states.

17 For Navajos, we really have to be running
18 because our land base resides in the State of New
19 Mexico, State of Arizona, and State of Utah, so they
20 have been keeping us very busy.

21 The Chairman and other officials,
22 Commissioners, I understand you have been meeting here a
23 couple days, this is your second day, and I know when
24 you get into these long meetings, it gets to be tiresome
25 at times. The Navajo Nation Council always experienced

1 this. Every quarter we have a one-week session of the
2 council. In the meantime, a standing committee which
3 consists of 12 standing committees, they do the work in
4 between council sessions.

5 In the next week or two, we'll be meeting
6 to consider -- considering our budget for our coming
7 fiscal year. And I would just like to express my
8 appreciation for the Commissioners and staff, and also
9 the participants in these hearings. And I think it's
10 incumbent upon all of us to actively participate in the
11 process and get an opportunity to present what we feel
12 will be very fair and representative for the
13 constituency that we represent in what is being the
14 tribal governments, county governments, or municipality
15 government as well as state government and onto the
16 national government.

17 I would just like to express appreciation
18 for your hard work.

19 Secondly, as I was looking at your latest
20 map on the Congressional District, it sort of reminds
21 me, the way it was designed, I guess one could label it
22 as an ostrich. Navajos they like to wear ostrich boots.
23 That sort of reminds me of that design. Also, we sheep
24 ranchers, we like those llamas to be in our herd, so
25 that could be representative of a llama on your

1 Congressional maps.

2 So, you know, a lot of times we try to
3 express things in languages. You fail to put your
4 thoughts across. But when you start drawing, a lot of
5 things could come to your mind. I guess that's why the
6 Chinese say a picture is worth 1,000 interpretations. I
7 guess in our work, we might say it in that fashion. But
8 also, we are just, Navajos, we are hopeful that in your
9 final analysis, after all the requests are in, and all
10 the proper numbers are posted, I would hope that the
11 Commission would, for the Navajo Indian, anyway, look
12 seriously at the proposal we have submitted. And I
13 think that that would be in every line. We just -- we
14 did not just propose it in a way that would fit our
15 need, but we use the rules of the process. And also we
16 provided you the narrative as a back-up as to why we've
17 done our maps the way we did, Commissioners. So with
18 that, I would just like to comment in that fashion.

19 As I understand it, you voted four,
20 four-to-one, to propose to include the proposed Navajo
21 district as included. You have heard much about what
22 some people believe there are as differences between the
23 Navajo people and the Hopi people. There are lots of
24 similarities between the Navajos and the Hopis. One is
25 we have a lot of inner-marriages, Navajos marrying

1 Hopis, and vice a versa. We have children half Navajos
2 and half Hopis on our land.

3 In addition to that, which is common to
4 the state and United States, as well as tribal
5 countries, is the need for better schools, proper
6 funding from the state, as well as federal government.

7 And we are, both tribes are very
8 supportive of one another in seeking these improvements,
9 from time to time. And also, there's always a need for
10 better health facilities, which is not exceptional need
11 on Navajo or Hopi, but it's like that in the counties,
12 in the state, in the federal governments, and for the
13 citizens to have good health. And also not only the
14 senior citizens but as well as our youngsters.

15 So we're always promoting and very
16 supportive of the two tribes when they are promoting
17 adequate funding and construction of facilities.

18 And now days, now, maybe I'm to the age
19 when I'm very much interested in better senior citizen
20 centers.

21 Over the years, on Navajo, anyway, our
22 children or grandchildren used to look after us on a
23 timely fashion. With the fast-moving lifestyles and
24 education and employment opportunities for these younger
25 Navajos, they are busy with their lives, and that kind

1 of put senior citizens on a little bit behind on the
2 area of being somebody to look after them. So we rely
3 on institutions to assist us on building these. That's
4 where there's no distinction on Navajos or Hopis. I'd
5 just like to point that out, Commissioners, and leave
6 those thoughts with you.

7 Even though inclusion, on Navajo's
8 inclusion increases Hopis low 265 from 77 percent when
9 we presented Navajo proposal, we were nearing 78
10 percent. So I think that is worthy to be noted when you
11 do your final calculations.

12 Navajo believes the Commission must take
13 serious look at the plan that matches the 78 percent
14 bench mark. That's why I made every effort to touch
15 base with the Apaches and also the tribes down here.
16 There should be a concerted effort to be in position to
17 have a Native American representation in the future as
18 well as get a good shot, so to speak, in the next 10
19 years.

20 The rules you are all making will be in
21 effect for the next 10 years. I think this is the
22 opportune time to review that.

23 The Navajo presented our proposal, that
24 was average, the percentage was 78.8 percent Indian
25 population. So I would just like to reiterate that,

1 Commissioners.

2 Your understanding is very important. We
3 are not asking you to be expert in Navajo-Hopi land
4 disputes, but you just give us a fair consideration,
5 because they are all done by federal legislation on the
6 land dispute issues.

7 And also we are not asking you to portray
8 Hopis as having a vast difference from the Navajos, as I
9 pointed out earlier. So you get a chance by virtue
10 here, you can look at the community of interests,
11 meaning that the Navajos and the Hopis live side by
12 side, roads go through there, utilities go through
13 there, some of our children go to their schools, and
14 visa versa, and of course then there's commerce. We
15 trade with them on a daily basis.

16 So with that, Commissioners, I would like
17 to again thank you for giving me an opportunity to
18 present these remarks to you. I think our formal
19 presentation was presented with the official position by
20 resolution of the subcommittee and inter governmental
21 relations committee of the Navajo Nation's Council.

22 And again, I would like to thank you for
23 scheduling another round of meetings in Tuba City
24 September 11th. Lord willing, we'll see you all there.
25 Thank you.

1 CHAIRMAN LYNN: Thank you, Speaker Begay.

2 Again, if anyone else wishes to be heard,
3 I need a speaker slip. I have one more in my
4 possession.

5 The second speaker this morning is Gini
6 McGirr, president of the women's league of women voters
7 of Arizona.

8 MS. MCGIRR: M C G I R R. I'm the
9 President of the League of Women Voters of Arizona.

10 Good morning, and it's good to see the
11 consultants here with bright eyes and smiles, if you
12 made it through the night.

13 As a secretary on the original league
14 executive committee that started the writing of the
15 initiative with Common Cause, I have watched the
16 Commission's work like a mother hen watching a chicken
17 egg hatch.

18 The League accounts for most of the hits
19 on the web page as we go in to watch the minutes.

20 When we first started this, the goal was
21 to get rid of the dragon. Yesterday we had the
22 dinosaur. Maybe it's an ostrich today. A scottie
23 popped up.

24 The goal was to have districts so
25 Legislators could travel to meet voters more than a few

1 times a year.

2 Another goal was to have districts where
3 the voters would be close in with their parties, where
4 they weren't all safe districts so some elections were
5 settled at the primary. Only if this was done would the
6 voters come to the polls. The League puts on candidates
7 forums all over the state, and this is the biggest
8 problem the people come to talk to us about. They have
9 no one to vote for. Yesterday the computer changed
10 lines, brought bodies from one place to another.

11 You need now to go in, find voters. I
12 hear now this will happen at this next go-round of these
13 meetings. Then you come back and change the lines all
14 over again.

15 The next 10 years are crucial to the voter
16 as they vote for congressional and state representation.
17 Without having the competitive districts, we will be
18 back to square one.

19 CHAIRMAN LYNN: Thank you, Ms. McGirr.

20 Are there any other members of the public
21 wishing to be heard this morning?

22 If not, we'll reserve until later in the
23 day public comment.

24 Without objection, we'll hear a report
25 from the consultants.

1 Dr. Adams.

2 DR. ADAMS: Commissioner Lynn, Members of
3 the Commission, good morning. We have two presentations
4 for you. As a result of our work during the evening, we
5 did do a test on the legislative plan, what we're
6 calling the horizontal test for districts P and V in
7 Maricopa county, and they are still listed as that in
8 this particular test.

9 We want to show you the results of that.

10 Once I've shown you the results of that,
11 then Chris Hutchison is going to share with you also the
12 results of your instructions regarding the Legislative,
13 the full Legislative plan.

14 Yesterday you instructed NDC to test
15 moving Maricopa County District P and V from a vertical
16 orientation to a horizontal orientation. And this is
17 the test map result that you see here. So you can see
18 that the orange district is V, and that just below it
19 District P, V on top, P, Paul, on bottom, and then
20 district T, Tom, also is affected peripherally. The
21 consequences of this move are twofold. It diminishes
22 the influence of the Hispanic community in District V
23 and overly concentrates the Hispanic community, in our
24 view, in District P. Here you actually can see the
25 numbers.

1 In the vertical orientation, we have a
2 55.56 Hispanic percent district in P and in V, 54.14.

3 In horizontal orientation, P becomes 56.91
4 and V drops down to 40.05 percent. Hispanic 18 plus
5 becomes 61.62 and 34.74.

6 I'd be happy to answer any questions.

7 CHAIRMAN LYNN: In conclusion, the
8 horizontal orientation is not an improvement and is
9 significantly disadvantageous to pursue.

10 DR. ADAMS: We believe it definitely is
11 not an improvement. The original vertical orientation
12 is the better choice for the Commission.

13 CHAIRMAN LYNN: Mr. Huntwork.

14 COMMISSIONER HUNTWORK: You say the
15 original. We had an interim plan, then during the night
16 created essentially four majority-minority districts
17 instead of five. Is that what you mean by original?

18 DR. ADAMS: Yes. That's what we were
19 working with.

20 CHAIRMAN LYNN: Other comments or
21 questions from the Commission?

22 All right. Please proceed.

23 DR. ADAMS: Commissioner Lynn, Members of
24 the Commission, I'd like to proceed with a report from
25 Chris Hutchison.

1 MR. HUTCHISON: It will just be a second.
2 Let me switch monitors.

3 CHAIRMAN LYNN: Dr. Adams, if you would
4 for just one second, I want to return to the west valley
5 for a second before you move on. Or will Chris cover
6 more of the west valley.

7 DR. ADAMS: Yes.

8 CHAIRMAN LYNN: All right.

9 Do you have a presentation on the west
10 valley or were you going to move south?

11 MR. HUTCHISON: I can cover both.

12 CHAIRMAN LYNN: Not "can," what were you
13 going to do?

14 MR. HUTCHISON: I was going to start at
15 the west valley, actually.

16 CHAIRMAN LYNN: Okay. Fine.

17 MR. HUTCHISON: This is the full
18 Legislative plan. We incorporated pretty much all
19 elements during the night from both the testimony and
20 Commission, we believe, and we're calling it Legislative
21 draft plan revised 8-17-01.

22 We'll start with the west valley, zoom in
23 on that.

24 The issue we were discussing last night
25 was how to modify districts T, T, right here, P, and

1 possibly also V, which was discussed in Dr. Adams'
2 presentation on the horizontal line move.

3 What you'll see we've done here is modify
4 P, both according to testimony last night, taking
5 Avondale, testimony last night, 17, the eastern border
6 on P is 51st, reaches ideal population in Avondale, a
7 strong minority-majority district, and -- I have the
8 numbers. Total Hispanic percentage in that district,
9 green, 58.6 percent; voting age Hispanic, 58.3 percent;
10 total minority percentage is 69.37 percent, and total
11 voting age minority percent is 60.27 percent.

12 I would also like to note this does not
13 affect changes made yesterday on Districts S and R.
14 Neither were affected. Also, all surrounding districts,
15 D, was it Y and N, were not affected as well. It's
16 wholly contained between T and P.

17 I'd be happy to answer any questions.

18 CHAIRMAN LYNN: Ms. Minkoff.

19 COMMISSIONER MINKOFF: My concern --

20 Is this on?

21 CHAIRMAN LYNN: Could we have the mikes
22 turned on, please.

23 COMMISSIONER MINKOFF: It helps if you
24 turn it on.

25 My concern is about district V, which we

1 originally asked you to consider making a part of this
2 adjustment. I understand why that does not work. But
3 my concern is about the population figures that we've
4 been given and that most of the other districts are
5 within two, three hundred, sometimes two or three
6 people.

7 District V is dramatically underpopulated.
8 And because there isn't a district close by that is
9 dramatically overpopulated, I'm concerned that when we
10 try to adjust that to bring it in line, it's going to
11 cause some pretty significant shifts in a lot of
12 districts.

13 So my concern is how you propose dealing
14 with a population that is over 2,000 people too low.

15 MR. HUTCHISON: Sure. Actually I meant to
16 adjust that prior to your question; so your question is
17 well-informed.

18 If you notice, District V and also
19 District E are the two outliers in the plan. District V
20 is --

21 COMMISSIONER MINKOFF: V as in Victor,

22 MR. HUTCHISON: V as in Victor is 2,333
23 persons below ideal population. To put it in
24 perspective, it is negative 1.36 percent. Total overall
25 deviation on the plan is 2.5 percent, which essentially

1 means the district, what was it, again, E, is 1.4
2 percent overpopulated, roughly 1,900 persons. Now --

3 COMMISSIONER MINKOFF: Where is District
4 E?

5 MR. HUTCHISON: District E, Eastern Pinal
6 County, I can zoom out and show that.

7 MR. HUTCHISON: District E is the area I'm
8 pointing to.

9 Now, to explain that, essentially we made
10 a decision late in the morning, or early in the morning,
11 if you will, in order to ripple that population, we'd
12 have to modify a number of districts that the Commission
13 had voted on and agreed to previously. We were actually
14 wishing to have the Commission instruction, if the
15 Commission so wished, on how to ripple that population.
16 We didn't want to change Districts S and R without
17 input. That said, total overall deviation is 2.5
18 percent. While not ideal, it is -- the plan is still in
19 the draft phase and it is our position that it is, it is
20 acceptable enough, possibly, if you so choose, to move
21 forward based on that.

22 COMMISSIONER MINKOFF: Well, the problem
23 with shifting population out of district E is that the
24 areas that border the Phoenix Metropolitan area are
25 Native American reservations which we are not going to

1 split. So other than going way north or way south, or
2 invading county lines, I think we're pretty well locked
3 in in that district as currently configured.

4 MR. HUTCHISON: You can see the
5 complication as we faced it.

6 MR. HUTCHISON: Essentially two places you
7 could ripple, essentially Apache Junction or Queen
8 Creek, or the opposite route, several districts in
9 district I west and out in Maricopa county, ripple
10 through several districts the Commission previously
11 approved. We wanted to get Commission input on that.

12 CHAIRMAN LYNN: Mr. Huntwork.

13 COMMISSIONER HUNTWORK: Why couldn't you
14 add onto V from T?

15 COMMISSIONER ELDER: Can't hear, Jim.

16 COMMISSIONER HUNTWORK: Is that on?

17 Excuse me.

18 Why couldn't you add on to V from T, add
19 on to T from I and add on to I from V?

20 MR. HUTCHISON: You could. Three-way
21 shift.

22 COMMISSIONER HUNTWORK: That would add the
23 correct population to V, would it not?

24 MR. HUTCHISON: You are correct. Reach
25 ideal population that way.

1 COMMISSIONER MINKOFF: Could ideally.

2 MR. HUTCHISON: That is correct, move from
3 V into T. Move from T into I, I believe.

4 COMMISSIONER HUNTWORK: Yes.

5 MR. HUTCHISON: And then I into E.

6 COMMISSIONER HUNTWORK: I'm suggesting a
7 logical way. There appears to be population
8 similarities there, easily make those switches, and that
9 would be the way to do it.

10 MR. HUTCHISON: We felt that would involve
11 going into Goodyear, for example. There aren't 2000
12 people in unincorporated areas surrounding Goodyear.
13 One of the issues we faced. One of the decisions we
14 faced, not to modify those, and hold on to that --

15 COMMISSIONER HUNTWORK: Adding to
16 Goodyear, not taking away.

17 MR. HUTCHISON: I stand corrected. I'm
18 sorry. I do apologize.

19 COMMISSIONER HUNTWORK: Well, then, that
20 seems as if there's enough population to pay attention
21 to it, and that would be the most logical way to try to
22 correct an inequity.

23 MR. HUTCHISON: If it's the Commission's
24 pleasure, we'll definitely do that.

25 CHAIRMAN LYNN: Chris, could you on the

1 map just demonstrate what Mr. Huntwork just suggested as
2 a way of correcting that population shift?

3 COMMISSIONER ELDER: While he's doing that
4 could I ask Ms. Minkoff a question for clarification?
5 In earlier clarification you said not going to divide
6 tribal lands. Gila only --

7 COMMISSIONER MINKOFF: No.

8 COMMISSIONER ELDER: Or not divide the
9 four.

10 COMMISSIONER MINKOFF: Not divide any
11 individual reservations.

12 COMMISSIONER ELDER: Okay.

13 COMMISSIONER MINKOFF: And since there are
14 reservations at the urban boundaries of those districts.

15 COMMISSIONER ELDER: That's fine.

16 COMMISSIONER MINKOFF: We would have to
17 divide one or more to pull population out in that area.

18 COMMISSIONER ELDER: Okay.

19 CHAIRMAN LYNN: Chris, I didn't expect you
20 to do it. Explain the shifts through the districts as
21 Mr. Huntwork expected.

22 COMMISSIONER HUNTWORK: Sometime, get me
23 one of the laser pointers.

24 MR. RIVERA: On the advice of legal
25 counsel, we're not giving Mr. Huntwork a laser pointer.

1 MS. HAUSER: OSHA violation.

2 COMMISSIONER HUNTWORK: At least I didn't
3 point at my own eye.

4 MR. HUTCHISON: Shifting 2,000 people west
5 on 43rd Avenue.

6 COMMISSIONER MINKOFF: Can you zoom out a
7 little bit?

8 MR. HUTCHISON: Zoom out?

9 CHAIRMAN LYNN: What we're trying to get,
10 Chris, not a street-by-street analysis, get a ripple
11 effect in the shift in population. That's what I'm
12 trying to get, so I understand how the 2,000 people are
13 made whole, or closer to ideal population; what other
14 districts that move effects.

15 COMMISSIONER HUNTWORK: Could I show what
16 I had in mind?

17 CHAIRMAN LYNN: Why don't you, Jim.

18 COMMISSIONER HUNTWORK: I think you add to
19 V right there.

20 CHAIRMAN LYNN: Use the mike as well, Jim.

21 COMMISSIONER ELDER: It's two hands.

22 CHAIRMAN LYNN: The laser pointer and
23 microphone. Let the record show he's not also chewing
24 gum. He can get this done.

25 COMMISSIONER HUNTWORK: Add to V right

1 there for compactness purposes. Probably add to T down
2 in here, maybe over into here.

3 Zoom out further.

4 Might add to I from E in a number of
5 different areas where there appear to be populations
6 that have already been split in potentially awkward
7 ways.

8 Pick carefully to preserve demographics.

9 Seem to be multiple opportunities for
10 transferring populations between the two.

11 CHAIRMAN LYNN: So I understand, going
12 from District E around the south and up the west side of
13 the Phoenix area and shifting in that manner.

14 COMMISSIONER HUNTWORK: Correct.

15 CHAIRMAN LYNN: Any further questions
16 about West Phoenix?

17 Mr. Hall.

18 COMMISSIONER HALL: Have we directed them
19 to do that?

20 CHAIRMAN LYNN: Not yet.

21 COMMISSIONER HUNTWORK: I direct we direct
22 them to do that.

23 CHAIRMAN LYNN: Second?

24 COMMISSIONER HALL: Second.

25 CHAIRMAN LYNN: Discussion?

1 All those in favor say "aye."

2 (Vote taken.).

3 CHAIRMAN LYNN: Chair votes "aye."

4 The methodology we'd like to see, we need
5 that as quickly as you can in terms of putting out a
6 map, in terms of putting out a map closer in population.

7 COMMISSIONER HALL: While there, where we
8 we've done it in terms of West Phoenix --

9 CHAIRMAN LYNN: More from you in West
10 Phoenix?

11 All in West Phoenix. Move to the
12 southeast valley.

13 COMMISSIONER HALL: I was going to ask a
14 question on your existing. We'll come back to that, if
15 you like.

16 I'm curious. You see some little yellow
17 jobs there on the top? What are those, Chris?

18 MR. HUTCHISON: On the top?

19 COMMISSIONER HALL: You zoomed too far.
20 Circle -- on the top of the lavender, some inlets.

21 CHAIRMAN LYNN: North of Casa Grande.

22 COMMISSIONER HALL: Reservation.

23 MR. HUTCHISON: The reservation connecting
24 the area until we reach ideal population.

25 COMMISSIONER HALL: Okay.

1 CHAIRMAN LYNN: All right.

2 Want to move to the east side?

3 MR. HUTCHISON: Sure thing.

4 Another instruction that we had received
5 from the Commission was to take out the area that was
6 previously in District CC. CC previously was Tempe
7 north of about 60, then an area of Mesa and south
8 Scottsdale. We removed area of Mesa from CC, removed an
9 area of Tempe until we achieved ideal population. We
10 were not able completely unite Tempe due to lack of
11 population once we reached 171. The remaining areas
12 grouped with Ahwatukee and West Chandler to Dobson Road,
13 a little over Dobson Road, until we reached ideal
14 population, then District Z included the remaining
15 portions of Chandler, the southern unincorporated area
16 east of Sun Lakes, east of Queen Creek, moved north into
17 the Dobson ranch area north of Mesa. And those were the
18 changes in the east valley.

19 CHAIRMAN LYNN: Ms. Minkoff.

20 COMMISSIONER MINKOFF: Can you give us
21 some idea how much of the Tempe population is now in
22 that district?

23 MR. HUTCHISON: The District to the south?

24 COMMISSIONER MINKOFF: The one you just
25 shifted, where you took more of Tempe into the district.

1 MR. HUTCHISON: One second.

2 MR. HUTCHISON: 135,693.

3 COMMISSIONER MINKOFF: Another question in
4 terms of dividing Chandler. There have been a lot of
5 questions in terms of dividing Chandler, Chandler on
6 Dobson Road. Did you give consideration in terms of
7 continuing south on Dobson Road? Is that also Chandler
8 or another community?

9 MR. HUTCHISON: It is Chandler until Sun
10 Lakes. I believe it ends --

11 COMMISSIONER MINKOFF: Looks like it
12 covers.

13 MR. HUTCHISON: Looks like it covers -- it
14 is something we could pursue. It would form a finger
15 down the eastern finger of the Gila River Indian
16 Reservation we didn't choose to pursue because it would
17 be more compact.

18 COMMISSIONER MINKOFF: Maybe something we
19 could hear from them. Looks like it's a pretty easy
20 switch, two districts involved.

21 CHAIRMAN LYNN: Further comments about the
22 southeast side of Phoenix?

23 All right, Mr. Hutchinson.

24 All right. Moving south, Pinal County
25 next.

1 Previously, the district I included is the
2 Gila River Reservation in addition to the Ak-Chin
3 Nation.

4 We did receive testimony yesterday from
5 the Native Americans in areas that they wished to be
6 united with Fort McDowell and Salt River. We were able
7 achieve that. That's not what drove drawing of the
8 districts. It's pretty much what happened on its own.
9 Available population, the opportunity was available, and
10 so we took it.

11 In terms of remaining portions of Pinal
12 County, remaining portions in district I, still in
13 district I, including all of the City of Casa Grande,
14 District I also includes the Gila Bend area, all of the
15 Tohono O'odham Reservation, the Nogales area, including
16 the I-19 corridor without Green Valley, and now includes
17 the Three Points area, Three Points, making for a more
18 compact district, especially in the Tucson area.

19 District E includes eastern mining areas
20 of Pinal up through Apache Junction. The four Native
21 American Reservations up through Maricopa County have
22 now gone north, slightly north into District E. One of
23 the eastern Native American counties district broke
24 right at the Eastern Arizona Counties District, Eastern
25 Arizona Counties, 1,500 persons over population. This

1 seemed to be a logical choice in terms of where to break
2 a county line. There are two towns in the direct corner
3 of Gila County, Winkelman, Hayden, in the process we
4 were able to unite them.

5 District E continues south into Pima
6 County, picks up the northern suburbs of the suburb,
7 almost all of Marana, Picture Rocks, Oro Valley,
8 Saddlebrooke Valley, Oracle, Catalina, stays completely
9 north of Casas Adobas, Catalina Foothills, and Tanque
10 Verde.

11 CHAIRMAN LYNN: Comments on this portion
12 of the map?

13 Ms. Minkoff.

14 COMMISSIONER MINKOFF: Although we've put
15 District L to bed, this one is almost as bad. What
16 we've got in this district is affluent retirement
17 districts north of Tucson, mining communities of eastern
18 Pinal County, and Desert Indian Reservations of Pinal
19 and Maricopa County. They are three completely
20 different communities, very different, and I just don't
21 think that the district works.

22 CHAIRMAN LYNN: Mr. Huntwork.

23 COMMISSIONER HUNTWORK: I agree with that
24 for all the same reasons but also because it really goes
25 down into Tucson. As I look at Tucson, we still have

1 four, not five, Tucson Districts. I know it was my
2 intention to simply create five Tucson Districts and
3 then see what we have to do to accommodate that. But
4 instead we have this very awkward district which can't
5 be called a Tucson district at all, and only four Tucson
6 districts. I believe those issues are intimately
7 related to each other, and the combination, to me, is a
8 nonstarter.

9 CHAIRMAN LYNN: Clearly, we accomplished a
10 few things by slightly redrawing this district. We
11 accomplished the uniting of the urban tribes around
12 Maricopa County. We accomplished a unification, if you
13 will, of the mining communities on the east end of Pinal
14 County, all of which have, I should say each of which
15 have, in and of themselves, things in common. But to
16 Mr. Huntwork's point, this district starts now just
17 south of Payson. It skirts the Phoenix area around
18 Fountain Hills and parts of Scottsdale.

19 COMMISSIONER MINKOFF: Apache Junction.

20 CHAIRMAN LYNN: It goes all the way into
21 the urban area north of, I guess it would be -- well, on
22 the map, north of what is listed as Guadalupe, comes
23 around the north edge of eastern Maricopa County, or at
24 least the urbanized area there, comes east of Apache
25 Junction, swings around below Queen Creek almost to

1 Avondale, then drops south, goes east to the mining
2 communities and into Tucson where you have, as
3 Mr. Huntwork pointed out, retirement communities. And
4 clearly, if there were a district on the map where
5 someone would look at it and say what were they thinking
6 there, this might be it. So I'm not sure we've made
7 much progress in terms of solving that problem. Also to
8 Mr. Huntwork's point, I'd not be opposed to trying to
9 get five districts in that district.

10 MR. HUTCHISON: Mr. Chairman, we could
11 speak to what we were thinking.

12 CHAIRMAN LYNN: I'm not sure we could take
13 -- I'm not sure it would help. To sell this would take
14 more than whatever you were thinking.

15 Mr. Hall?

16 COMMISSIONER HALL: Mr. Hall, Chairman, I
17 think we're all aware of the challenges in every part of
18 the state. And in defense of our fine consultants, it's
19 rather easy to criticize. But let's talk about
20 solutions and talk about what I perceive to be the
21 limitations. They are more than welcome to correct me
22 if I'm wrong. As they indicated yesterday, the
23 challenge is to try to maintain the appropriate
24 majority-minority districts. So if we start at the
25 north, we have a majority-minority district that is in

1 effect, with some adjustments, untouchable.

2 We try to pull eastern Pinal to western
3 Pinal, but that, as my understanding goes, you cannot,
4 one way or another, as my map says, 11, you guys are
5 calling I, that affected that majority-minority
6 percentage. In the Southwest part of the state, in
7 Yuma, you also have another majority-minority district.
8 And to the east we have the famous wholly pulpit for
9 some, the EACO plan.

10 So let's consider, since we, that seems to
11 be everyone's effort to try to solve the problem, if we
12 were to take Payson, which is a significant population,
13 and move it west, one could take that scenario and
14 realize then what some of the ripple effect
15 ramifications could be, or take Payson and move it
16 south. Payson has no more in common than San Manuel and
17 some other considerations some alluded to. If you do
18 that, try to make up population, a proposed EACO
19 district, it's one direction to go, two directions to
20 go, bring population back from west and pull east, or
21 come south as we indicated earlier. North is
22 untouchable. Come now and bring southern, or portions,
23 or significant portions of Cochise County into EACO
24 moving the western portion of EACO west. Rest assured,
25 those in Sierra Vista will wonder what they have in

1 common with those that are in Globe.

2 What I'm saying is there is no doubt that
3 there are significant challenges. Also what I'm saying
4 is in meetings individually with consultants, I've spent
5 significant time and effort to reconcile these. The
6 bottom line is are we willing to try and compromise? I
7 guess it's a list of priorities. Because if you use --
8 frankly, the most logical, what I've heard as the most
9 logical is to combine western Pinal and eastern Pinal.
10 If you do that, then, I think we've been advised it
11 compromises subpopulation percentages.

12 I think it's a matter of priorities.

13 There's a positive part of district 12
14 that's made repeated requests for urban Native American
15 Reservations. That's a positive. In order to do that,
16 it looks terribly ugly. It looks like, as long as we're
17 along the animal metaphor line, a snake's tongue, if you
18 will. It creates a perception, significant strength and
19 perception there. The question then is if you do that,
20 you go north to try and do that, do you try and do it
21 east, divide EACO, try, and then what will you do with
22 Snowflake, for example? And try and just completely
23 start over and combine additional reservations to the
24 north and then place western Gila with Yavapai and
25 eastern Pinal with Clifton and try and pull southeastern

1 counties across the border?

2 I guess, coming to a point, we have paid
3 these folks, our consultants, a significant amount of
4 resources. And they are very good at what they do. It
5 seems to me every time we try to second guess their
6 advice, they end up they were right. I guess in light
7 of that, I feel my fellow Commissioners still remain
8 intact. The concerns of relative minority populations
9 simultaneously address communities of interest. And
10 while I'd like to address this, I'm open for
11 suggestions.

12 CHAIRMAN LYNN: Let me ask Mr. Hutchison,
13 the Tucson area of population, including Marana, Oro
14 Valley, Catalina, how many districts should Tucson have,
15 based on that population?

16 MR. HUTCHISON: Just based on Marana, Oro
17 Valley?

18 CHAIRMAN LYNN: Including Tucson,
19 Metropolitan Tucson, to Mr. Huntwork's pointer.

20 MR. HUTCHISON: Seeing District I does not
21 really come into Tucson, four districts, 71,757
22 currently in District E. That's the Oro Valley,
23 Catalina Valley, plus the roughly 53,000 that go into
24 Cochise to form that district. So if you put four,
25 districts, plus 71,757, plus three, you're looking at

1 less than five districts. 45,050 less than five
2 districts. It doesn't include anything like Sahuarita
3 or the Nogales area.

4 CHAIRMAN LYNN: Well, it could be argued
5 both what the map shows as Summit, Sahuarita, and Three
6 Points, there's not much population in total, could also
7 be included in that general Tucson area. Again, not get
8 to the total of five.

9 COMMISSIONER HALL: 4.0, isn't it?

10 MR. HUTCHISON: I'd say somewhere in that
11 range. The area Chairman Lynn just spoke to, I would
12 estimate 15,000 people, maybe. Including all the
13 unincorporated areas, unincorporated areas are 10, 11
14 areas, uncontiguous portion.

15 CHAIRMAN LYNN: Notwithstanding
16 Commissioner Hall's familiarity with the mapping
17 process, do you see a potential solution to the problem
18 of District E that would address some of the issues
19 we've just talked about?

20 MR. JOHNSON: Since I handed this off to
21 Chris last night, you need to get extra people to
22 complete the districts. He raises an interesting point.
23 You can't you get extra people to get the people for
24 Tucson. The complication you have, there's 70 some
25 people you need for the north area of Tucson. To

1 complete that district, you can go into Cochise County,
2 but then Cochise has to go somewhere else. So really,
3 that doesn't solve any problems for you. Your other
4 option is to go into the southern EACO portions. The
5 concern there is that southern EACO has about as little
6 in common with Saddlebrooke as the urban reservations
7 do. So that is definitely an option. It is one that we
8 considered, but it is -- it enters into an AUR where the
9 other option does not.

10 If we try to take the Saddlebrooke
11 population into Tucson, what we hit there, we combine
12 with Foothills District or just south of the river
13 district, but then inevitably that population flows into
14 what are voting rights areas. And that was the option
15 we tried to present to you last time. And the
16 Commission agreed at that time that the voting rights
17 concerns were too significant to take that approach
18 because we would lose a district there.

19 So really we can go east, but that doesn't
20 solve the problem because we're in Cochise, go -- take
21 Saddlebrooke and combine it up with the southern part of
22 EACO, again -- just as the little communities to the
23 north, the relationship, there's very little community
24 relationship as well. Go west, divide up and put
25 Saddlebrooke in with Tohono O'odham, there's significant

1 voting rights population there.

2 When we looked at it, concerning having to
3 take an unrelated community into the districts,
4 Saddlebrooke District or another district that reaches
5 around, this option allowed us to put just the municipal
6 tribal reservations together, and thus it did have some
7 positives we welcomed without dividing an AUR.

8 Oh, as Chris points out, it also keeps it
9 down to just two pieces of Pinal County, and some
10 options up to four.

11 COMMISSIONER ELDER: What AUR?

12 CHAIRMAN LYNN: AUR.

13 COMMISSIONER ELDER: The AUR are you
14 referring to we're breaking up somewhere.

15 MR. JOHNSON: The option we're discussing
16 there is the Eastern Arizona Counties District.

17 COMMISSIONER HALL: Mr. Chairman, I just
18 made the lovely route from Northern Arizona. That route
19 travels down 77 through Winkelman and all the way down
20 into Tucson. Having just stopped there, and many of
21 those districts, many of the towns, one of which I
22 stopped in, I asked where these folks shopped. While
23 those communities may not be directly related to some of
24 the retirement communities referenced, it's clear, maybe
25 I'm wrong, based on my completely spontaneous survey,

1 they shop in Tucson, and certainly seem to have their --
2 a number of connections to the valley to the south. I
3 respect there are some connections to this fair city,
4 Tucson, referenced in eastern Pinal.

5 CHAIRMAN LYNN: Ms. Minkoff.

6 COMMISSIONER MINKOFF: The problem is if
7 they are connected to Tucson, they are not connected to
8 Saddlebrooke, Catalina, Oro Valley. Those are not the
9 parts they are connected to. They only have two
10 choices, Phoenix or Tucson. Of course they'd come in
11 here. That still does not make that portion of Tucson
12 metropolitan area a good fit with that portion of Pinal
13 County.

14 CHAIRMAN LYNN: Mr. Elder.

15 COMMISSIONER ELDER: Chairman, I would
16 tend to echo the thing in reverse, that you most likely
17 have more relationship in the four tribe areas around
18 Phoenix being attached to a Phoenix district than you
19 would have with all the shopping and synergy there than
20 you would with trying to attach to northern Tucson.
21 Those areas, as Steve, Commissioner Lynn, had made the
22 comment, Payson having a relationship with northern
23 Tucson, is there is absolutely no way of getting here
24 from there type of thing. It's almost an impossible
25 district to try and develop any kind of consensus, to

1 try and get any kind of representation. I can't see
2 that district surviving in that form at all.

3 CHAIRMAN LYNN: Mr. Huntwork.

4 COMMISSIONER HUNTWORK: Mr. Chairman, a
5 couple things about that are very vague to me, I can't
6 pick up from very general discussions. One thing is
7 clear. One thing is this plan only gives four
8 districts. I want to give Tucson five districts.

9 When I look at the whole area, the top
10 priority in my mind is to give Tucson five districts,
11 for a couple of reasons. Number one, because we have
12 identified it's a rural urban issue as being one of our
13 three top priorities. Failure to give five districts
14 mixes rural and urban. That's the effect of it. So --
15 the second reason is I'm very fond of Tucson and I want
16 to be welcome when I come visit. Tucson deserves five
17 districts. I want to give it five districts. I want to
18 give it five districts and look at the alternatives.
19 Part is what we have to do to look at the alternatives,
20 look at how to solve other alternatives. Let's start at
21 how to give five districts.

22 CHAIRMAN LYNN: Mr. Johnson.

23 MR. JOHNSON: Mr. Chairman, again, this is
24 a very valid concern. And truly I would like to
25 consolidate urban representation as much as we can. The

1 proposal to have five districts, the proposal we had at
2 the start of the series of meetings the Commission
3 decided against does eliminate a majority-minority
4 district. Take Saddlebrooke -- when you drop Northern
5 E, portions off Saddlebrooke, put Saddlebrooke in with
6 either one of the Central Tucson Districts, or District
7 I, whichever one you do that to, it becomes obvious,
8 with 80,000 people, with the Saddlebrooke area, now at
9 least 50 percent of Saddlebrooke, it is no longer a
10 majority-minority district. We like the community
11 divisions and layout of the districts in that manner.
12 As we ran the districts that way, we ran into larger
13 concerns. That's why we weren't going to do it that
14 way.

15 CHAIRMAN LYNN: Mr. Huntwork.

16 COMMISSIONER HUNTWORK: Are you --

17 It's your professional opinion, then, to
18 say you cannot create five Tucson districts without
19 eliminating a minority-majority district? It can't be
20 done?

21 MR. JOHNSON: Commissioner, the approach
22 where we combined Saddlebrooke into Tucson, essentially
23 the plan we drew for you the other day, and did have
24 that result, we could take out the northern sections by
25 wrapping it around and taking in the parts where Cochise

1 County comes into Pima County.

2 What that would then do, Cochise County
3 would not be a minority-majority district. That would
4 trigger Cochise County going into the same northern
5 areas we're describing as part of E at this point. So
6 they would be not put be together as Saddlebrooke but
7 put together through another community they also have
8 very little relationship to.

9 COMMISSIONER HUNTWORK: It would be rural,
10 outside the Tucson -- Tucson would then have its five
11 districts and be left with this ugly district. Either
12 way, one way Tucson has five districts and other way it
13 doesn't.

14 CHAIRMAN LYNN: Would that solution have a
15 negative effect on the minority-majority issue?

16 MR. JOHNSON: No.

17 CHAIRMAN LYNN: That's worth looking at.

18 COMMISSIONER MINKOFF: But then that
19 Cochise County district presumably has to pick up
20 eastern Pinal County and move up toward the urban
21 reservations?

22 MR. JOHNSON: Yes, take in all the urban
23 reservations or alternatively take in a significant part
24 of EACO, divide that.

25 COMMISSIONER MINKOFF: Then you have, for

1 instance, Fort McDowell, Pima, and the Salt River
2 reservations more connected to Scottsdale than any other
3 part of the State of Arizona in a reservation with
4 Douglas, Willcox, and Benson. That doesn't make a lot
5 of sense either.

6 COMMISSIONER HALL: Some meeting ago in
7 the minutes Mr. Elder made a recommendation and the
8 Commission voted not to take it as an option.

9 Correct me if I'm wrong. The River Valley
10 connected to eastern Pinal, and while we thought it an
11 option, the Commission voted it down, that we not go
12 down that avenue. Correct me if I'm wrong.

13 COMMISSIONER ELDER: That was a situation
14 where we tried to leave EACO absolutely intact, tried to
15 make the linkage at that. If we tried to make the
16 linkage with Gila River intact, it breaks EACO, and
17 still may be in the area. It may be a valid approach or
18 valid way to go.

19 COMMISSIONER HALL: Then it will pull
20 population from where to supplement the loss of
21 population for EACO?

22 COMMISSIONER ELDER: Areas around Payson
23 and eastern areas, or northern areas of the, I guess it
24 was the E on that map right there.

25 So you go down to either the -- what is

1 it, I-40, whatever is running across north of that to
2 pick up population or come down to the bottom of Tempe,
3 Mesa, Chandler, metropolitan mass, go due east, pick up
4 everything north of there, and pick up EACO.

5 COMMISSIONER HALL: Can't go north.
6 That's an untouchable district. Payson is already in.
7 Next is Prescott. Or go ahead and eliminate the rural
8 urban nature tie in the Apache Junction supplement
9 population, go by less significant proposed populations,
10 as the map says, two less.

11 COMMISSIONER ELDER: What are you talking
12 about? I'm talking about this area right in here, going
13 into EACO would make that a nonrural area.

14 COMMISSIONER HALL: There's no population
15 between there and Gold Canyon. Payson is in.

16 COMMISSIONER ELDER: I thought there was a
17 series of population there.

18 COMMISSIONER HALL: No, sir.

19 CHAIRMAN LYNN: Mr. Chairman.

20 COMMISSIONER HUNTWORK: Without knowing
21 exactly where the population is, it's clear just moving
22 population among the three different areas. So there is
23 population there, has to be five different areas. Hook
24 up Cochise, run Cochise all the way up, run Graham and
25 Greenlee counties south of the reservations, whatever is

1 left over, it all adds up to the same number of people,
2 and combine those tribes in the valley with the Apache
3 reservations, which definitely creates more Native
4 American influence in that area. I would like to see it
5 without breaking up EACO. But I definitely think in my
6 mind the priority in this area is to create five Tucson
7 districts.

8 CHAIRMAN LYNN: Mr. Hutchison.

9 MR. HUTCHISON: We just have to, on a
10 strict population basis, stay out of Tucson, the eastern
11 Pima County, straight north Graham, Greenlee counties.

12 COMMISSIONER HUNTWORK: I did not suggest
13 that.

14 MR. HUTCHISON: Sorry. I misunderstood
15 that.

16 CHAIRMAN LYNN: Finish.

17 MR. HUTCHISON: Graham, Greenlee Counties
18 together, constitute roughly 41,000 people. We still
19 need 13,000. We might be able to -- I can't be sure if
20 we unite two Native American. As I understood, moving
21 west into Pinal County.

22 COMMISSIONER HUNTWORK: You are answering
23 his question.

24 COMMISSIONER ELDER: Restate your
25 question.

1 COMMISSIONER HUNTWORK: I didn't ask a
2 question. Made a statement. We're just moving
3 population around. I don't mean specific numbers. It's
4 a question of where the lines move, not whether they
5 move. Take five Tucson districts, hook up Cochise in
6 the most logical way. It's the same number of people.
7 There are that number of people in those areas.

8 CHAIRMAN LYNN: Mr. Hall.

9 COMMISSIONER HALL: Well, at the risk of
10 being redundant, we started our process on the basis of
11 respecting boundaries to the extent possible, and
12 communities of interest. Two, three proposals we've
13 heard completely annihilated both of those premises upon
14 which we began to build our map. And my suggestion is,
15 is that in every area, there are particular areas of a
16 proposed map that may or may not have direct community
17 relations. For example, my current EACO proposal seems
18 to be every current solution to all solutions is Clifton
19 and Payson do not necessarily have a lot in common, but
20 together, recognizing the compactness and contiguity and
21 rural nature of eastern Arizona, the nature expressed
22 and the desire to remain intact, unaminty, Sierra,
23 Douglas, the same, while they may not have direct and
24 the most close relations, some southeastern, Tucson,
25 nevertheless, I think the same applies to eastern Pinal,

1 western Tucson, and direct Tucson; nevertheless,
2 everybody realizes we need to combine communities as
3 closely related as possible. To that point, the
4 district which is the subject of this conversation,
5 northern district pros and cons, there are pros and cons
6 to the Yuma County District currently proposed, which
7 somebody suggested stretches all along the border. I'm
8 not so sure at this point, Mr. Chairman, the 24 meetings
9 we went to were all well and good, now we'll ignore most
10 of that in an effort to accommodate whatever efforts.
11 We have 4.0 districts, ideal population.

12 Correct me if I'm wrong. I'd love to have
13 four, influence three more. The fact of the matter is
14 the State Legislature, talking numbers, numbers means
15 influence. One, not reality, and secondly reality is
16 this area is additional influence imposed by significant
17 representation as imposed or significant representation
18 as represented.

19 CHAIRMAN LYNN: Mr. Elder.

20 COMMISSIONER ELDER: I think I have to go
21 back to probably the dominant AUR I think we heard
22 throughout the state was the split between urban and
23 rural.

24 If you take 4.0, or you take the numbers
25 that we had in Maricopa County, and said none of those

1 districts do we want to have come in and have influence
2 for Maricopa County, or the metropolitan area up there,
3 and the same is true for Tucson, if you go in there and
4 say it's legitimate to dilute that urban and spread it
5 out, we should also be spreading out the urban areas of
6 Phoenix to where growth areas are eventually a matter
7 of, my calculations within the second voting period,
8 those areas overtake your urban areas. The urban areas,
9 if willing to give up rural aspects, yes, start putting
10 the four districts together of Tucson, have the other
11 two under control in two years, if that doesn't control
12 in two years.

13 COMMISSIONER HALL: I'd prefer more rural
14 districts, seven to eight statewide.

15 I don't think there's any question I'm one
16 of the strong advocates of rural versus urban. What I'm
17 saying is Tucson is underrepresented. I'm saying to
18 make that argument with a straight face, given the
19 configuration, it's not an accurate assessment in
20 reality. Cochise is a rural proposal up in the valley,
21 and including portions of eastern Pinal. Maintaining
22 the urban nature, it's a very valid configuration. It
23 would be wonderful to have more rural districts in
24 southeastern Arizona.

25 CHAIRMAN LYNN: Mr. Huntwork.

1 COMMISSIONER HUNTWORK: Looking at this
2 configuration, I don't see how Tucson dominates the two
3 other districts. Cochise, there's 217,000 people in it.
4 Pinal goes up into the Phoenix Metro area, which is
5 growing very rapidly. I see Tucson having four
6 districts here, not six. And I see with Tucson not
7 being the most rapidly growing part of the state, the
8 only way it can be sure of maintaining five districts is
9 if we give Tucson five districts.

10 CHAIRMAN LYNN: Ms. Minkoff.

11 COMMISSIONER MINKOFF: I'm also concerned
12 about the comment we heard at public hearings. I was at
13 a couple public hearings in Pinal County. It's clear to
14 the extent possible Pinal County wanted to stay
15 together. I don't know how I explained to somebody in
16 San Manuel we created a district for them, a community
17 of interest that includes Oro Valley and the retirement
18 communities of northern Tucson. I don't know how we
19 explain to somebody in Apache Junction a community of
20 interest extends to Tucson. I don't know how we explain
21 to somebody in Tucson, the community interest part, the
22 Apache Junction, Gold Canyon area. This does not work.
23 All interests are of equal importance. None are more
24 important than any of the others.

25 I don't know what we have to do to change

1 the lines. Of all 30 districts, this is one that most
2 clearly does not work. Something has to change. I
3 don't know where it changes.

4 If the consultants have some idea, some
5 other Commissioners have some idea, but it does not
6 work.

7 I would hate to be somebody living in this
8 district. I'd hate to be somebody trying to represent
9 this district.

10 MR. JOHNSON: Mr. Chairman.

11 CHAIRMAN LYNN: Mr. Johnson.

12 MR. JOHNSON: I definitely agree about
13 this district. I'd like to keep Pinal County whole as
14 much as possible, unite different areas.

15 If you like, we can bring up the map we
16 presented the other day that has Pinal -- if you like us
17 to, bring up the other map we presented the other day.
18 We did have a Pinal County district very similar to the
19 request from Pinal County. However, the only way to
20 draw a district with essentially all Pinal County is to
21 eliminate the majority-minority district. That is we
22 definitely agreed with that concept which was protested.
23 We presented that map. It just didn't work with a Pinal
24 County district.

25 Your options, if you do wish to take those

1 areas out of Saddlebrooke, the northern Tucson area,
2 would, if you want to keep your District I a
3 majority-minority district, would have to mean going
4 into EACO. It could be either that districting going
5 directly into EACO, Saddlebrooke going south and going
6 into EACO, that population going into those districts.
7 I can show you that district.

8 CHAIRMAN LYNN: The issue is
9 majority-minority districts. That clearly is an issue
10 we have to be careful of. Having said that, I just -- I
11 want -- those of you that may not be familiar with
12 Tucson, what we basically have is a district that
13 respects Marana's incorporated limits. We have a
14 district that stretches from Ina Road and I-10 to just
15 south of Payson. And that is simply not acceptable.
16 It, around the way, as we've said before, deals with
17 areas of high growth of Maricopa County. We aren't yet
18 there. We will be over the next 10 years. Reservations
19 around the urban areas of Phoenix, eastern Pinal, mining
20 communities, and retirement communities to the south.

21 If every other district in the state were
22 perfect, this would still be a hard sell. And I will
23 tell you that I can't vote for a map to go out with this
24 district in it, and I won't. So we had better figure
25 out a solution before we go anywhere.

1 COMMISSIONER HALL: Mr. Chairman, I'd like
2 to make a motion we amend this map with a combination of
3 combining eastern Pinal with western Pinal, as we've
4 seen, before adjusting that way.

5 If I'm correct, Mr. Johnson, that would
6 increase the level of urban districts on the inside of
7 Tucson; is that correct?

8 MR. JOHNSON: I don't -- I don't remember
9 the exact configuration. Yes. It would bring the
10 Saddlebrooke areas into Tucson.

11 CHAIRMAN LYNN: Is there a second to that
12 motion?

13 COMMISSIONER MINKOFF: I'm not sure I
14 understand the motion.

15 CHAIRMAN LYNN: Mr. Hall, want to explain?

16 COMMISSIONER HALL: The motion is to
17 combine eastern Pinal with western Pinal, more, for lack
18 of a better, kind of an L shape, bringing eastern Pinal
19 over with western Pinal, the additional population, and
20 then, what that would do is ripple the population
21 internally, pursuant to Mr. Huntwork's comment of
22 Tucson.

23 COMMISSIONER MINKOFF: Then where would
24 you put the northern suburbs of Tucson?

25 COMMISSIONER HALL: Go back into Tucson.

1 MS. LEONI: Commissioner, may I ask a
2 question?

3 CHAIRMAN LYNN: Mrs. Leoni.

4 MS. LEONI: Making a recommendation, the
5 suggestion is to look at, realizing it will impair the
6 minority district in western Pinal.

7 COMMISSIONER MINKOFF: Western --

8 MS. LEONI: Western Pinal -- I wanted you
9 to know you are aware of that.

10 COMMISSIONER HALL: Yes.

11 CHAIRMAN LYNN: Well, is there a second to
12 that motion?

13 COMMISSIONER MINKOFF: Can I ask
14 Ms. Leoni, if we pass this, we'll lose one
15 minority-majority district in the state?

16 COMMISSIONER HALL: Mr. Chairman.

17 CHAIRMAN LYNN: Is there a second?

18 COMMISSIONER HALL: No. In light of the
19 failed motion, while we can continue to microanalyze the
20 problems, I am interested in any solution. And I'm
21 proposing this as a solution. There are consequences of
22 any solution. So what are the consequences? What are
23 the solutions? What are the consequences of the
24 solutions?

25 CHAIRMAN LYNN: I would ask that perhaps

1 one of the things we might do is ask the consultants to
2 not in this meeting but at some time we would give them
3 discuss the possible options of correcting this problem
4 without the consequence of eliminating minority-majority
5 districts. If they are convinced beyond any more reason
6 that cannot occur, I want to hear that answer as well.
7 But, again, this is extremely troublesome. We are down
8 to the last bit of the state we are trying to make right
9 in terms of the map. And it's one thing to put out a
10 map that's close. In my opinion, this isn't close.

11 MS. LEONI: Commissioner Lynn, may I?

12 CHAIRMAN LYNN: Ms. Leoni.

13 MS. LEONI: Would the Commission and
14 Chairman Lynn like to hear orally at least the solutions
15 we are aware of or so they're aware?

16 CHAIRMAN LYNN: Solutions we're not aware
17 of for losing not losing the minority-majority district?

18 COMMISSIONER HUNTWORK: That include
19 creating five districts for Tucson.

20 At least personally that's my top priority
21 here. I don't know about other members of the
22 Commission, I'll start creating five districts in
23 Tucson, doing what is necessary to not lose a
24 minority-majority district in Tucson, and then looking
25 at the solutions to the problems caused by that change.

1 CHAIRMAN LYNN: Let's do this. We're
2 about an hour and a half into our session. We do need
3 to take a brief break. On the time frame we're on
4 today, with as much work as I believe we still need to
5 have done, I'll ask, very strongly, that everyone
6 concerned take a very brief break. Try to keep it as
7 close to 10 minutes as possible. We need to come back
8 from the break with the consultants on possible
9 solutions.

10 Stand in recess for 10 minutes.

11 (Whereupon, a recess was taken from
12 10:00 a.m. until approximately 10:29 a.m.)

13 CHAIRMAN LYNN: The Commission will come
14 to order.

15 I'd ask the Commissioners to take their
16 seats, please.

17 Without objection, I would like to ask the
18 consultants to offer us some alternatives to the
19 situation with the Maricopa-Pinal-Pima situation that
20 we've been working with.

21 Mr. Hutchison, I'd ask the Commission,
22 what I'm hoping to do, there are alternatives to
23 explore. What I'm hoping to do is hear alternatives,
24 hopefully pick one alternative I'd like to look at, a
25 preferred alternative, give the consultants time to

1 prepare a draft form, take the draft form, that will
2 constitute the draft form, not ask the alternative to
3 move from the roof, let them work in this room, take the
4 lunch break, and at the end of the lunch break we might
5 have a draft to look at. That's my hope.

6 Mr. Hutchison.

7 MR. HUTCHISON: Mr. Chairman, members of
8 the Commission, four options can be used, enacted, using
9 the current district configuration as the basis without
10 redrawing all the lines in the area. First, the first
11 option is the easiest in terms of it doesn't really
12 touch any of the current central Tucson central
13 districts. It would be what we're calling a wraparound
14 include Saddlebrooke. Wrap the 73,000 people roughly
15 within Pima County in district E around south into the
16 portions of District G where Cochise County comes into
17 Pima County, further into Santa Cruz County, any
18 additional population into Cochise.

19 COMMISSIONER MINKOFF: What do you do with
20 Cochise?

21 MR. HUTCHISON: Address that now.

22 Further consequences with Cochise are to
23 move north. There are two variations upon this.
24 Cochise, you have to move north, breaking EACO, going
25 into Graham and Greenlee Counties, and then west to

1 reach ideal population, or could finger it or thread it
2 across the northeast county into Pinal without breaking
3 the Eastern Arizona Counties. That would be option one.

4 Option two would be --

5 That was the Cochise County through Pima
6 option.

7 CHAIRMAN LYNN: That is the second.

8 MR. HUTCHISON: Two variations wrap
9 around, wrap around Pima County, take Cochise north or
10 across the mountain. Those are the first two options as
11 we see it.

12 The third option is redraw the
13 nonmajority-minority districts in Tucson, ripple the
14 population north to south. Zoom in.

15 COMMISSIONER MINKOFF: Can you change the
16 contrast between those two districts?

17 MR. HUTCHISON: Yes, I can.

18 COMMISSIONER MINKOFF: Thanks. It's much
19 better.

20 MR. HUTCHISON: No problem. Taking
21 73,000, whatever variation, wherever the Commission may
22 choose, picking 100,000 more people out of the current
23 District K, the remaining 70,000 out of K, 100,000 out
24 of H, 70,000 out of H, split up between them, somehow
25 push down south, eliminate the wraparound, redraw these

1 districts.

2 COMMISSIONER MINKOFF: I'm not sure I
3 understand that, though. You are adding, what is it,
4 about 70,000 people into the Tucson metropolitan
5 districts. So, therefore, however you reconfigure them,
6 take it out and put it someplace else.

7 MR. HUTCHISON: Go through the Cochise
8 scenario, north or northwest around the mountain.

9 CHAIRMAN LYNN: Both of the first -- the
10 first option, two ultimate solutions, north or
11 northwest. The second option talking about also has two
12 end games, if you will, taking Cochise north or
13 northwest.

14 MR. HUTCHISON: The issue is we cannot
15 move west without endangering the majority-minority
16 districts. They form a wall.

17 The fourth option would be to sort of move
18 out of the box. That would be to move District I, the
19 majority-minority to the south, which includes Tohono
20 O'odham movies, the eastern areas of Pinal County,
21 excluding Apache Junction, Gold Canyon, and those areas
22 to the north. They put in Maricopa to the west, or
23 Eastern Arizona Counties to the east. That option would
24 preserve a minority-majority district and drop-off from
25 District I Ajo, the Gila Bend region, or Nogales,

1 Sahuarita region, or somewhere in between in terms of
2 the Three Points region. There's not much population.

3 CHAIRMAN LYNN: Would that have a major or
4 perhaps minor impact on the interior configuration of
5 the Tucson area, as you drafted it this morning?

6 COMMISSIONER MINKOFF: Chris, relate to
7 that, which might end up helping you answer that
8 question, if you do that, you have the northern suburbs
9 that are kind of left hanging. Where do you put them?

10 MR. HUTCHISON: That's what I was going to
11 address.

12 Essentially you have to redraw the
13 northern districts again. You'd limit the damage, if
14 you will, to the western regions, not picking up as much
15 region, if you exclude Apache Junction, those areas,
16 pick up much less population.

17 CHAIRMAN LYNN: Mr. Hall.

18 COMMISSIONER HALL: That option, you
19 preserve the Hispanic, a majority of the Hispanic
20 district, provide more population to Tucson, more urban
21 population for the Tucson districts. The question I
22 have is what would that do to Maricopa with respect to
23 Apache Junction and Gold Canyon?

24 CHAIRMAN LYNN: If they went with
25 Maricopa, it would seem they have to go with east Mesa

1 or down with Queen Creek into District C.

2 MR. HUTCHISON: I can zoom in.

3 That would then cause a ripple effect of
4 about 50,000 people.

5 CHAIRMAN LYNN: How many?

6 MR. HUTCHISON: Five zero.

7 COMMISSIONER HALL: Correct me if I'm
8 wrong: In both cases, Tucson and Phoenix, there are
9 more urban dwellers in those communities that are more
10 closely related.

11 MR. HUTCHISON: Takes out urban
12 communities where they're closely related.

13 CHAIRMAN LYNN: I understand the options.

14 Is there a motion?

15 COMMISSIONER HUNTWORK: Mr. Chairman.

16 CHAIRMAN LYNN: Mr. Huntwork.

17 COMMISSIONER HUNTWORK: Before we do a
18 motion, could I ask a few questions or discuss it a
19 little bit? I'm not really prepared to know which way a
20 motion -- a motion is premature in my mind. I would
21 like to discuss a couple things.

22 The idea of uniting Pinal County does
23 stand in the area northward requires a lot of lines to
24 be drawn. That's the only solution you mentioned which
25 is not confined to a discrete set of maps. Who knows

1 where that would ripple through to; is that correct?

2 MR. HUTCHISON: It would likely require
3 more redrawing of the lines in terms of entering other
4 metropolitan areas. It would require redrawing those
5 lines for sure. In terms of how limited in scope it
6 could be, I'm really not prepared to answer that, at
7 this point.

8 COMMISSIONER HUNTWORK: Okay. That's
9 essentially -- the other options, then, really there are
10 two different questions. One, two alternatives for how
11 we achieve five districts in the Tucson area, and two
12 alternatives for how we deal with Cochise County. And
13 those are independent issues.

14 With respect to the Tucson area, then, as
15 we discussed with the congressional maps around Phoenix,
16 it makes sense to me not to combine the growth areas,
17 not all in one district. So personally I prefer to see
18 plan B where we reconfigure the existing districts
19 rather than simply a move that wraps all the way around.

20 CHAIRMAN LYNN: The only thing I didn't
21 follow was the reference to plan B.

22 COMMISSIONER HUNTWORK: Two plans for
23 Tucson. One was create, leave four districts drawn
24 intact and create a wraparound district. That was plan
25 A. The other one was reconfigure those districts and

1 shift population around. It seemed, that is plan B,
2 referring to plan B. That seems like the preferable
3 alternative, purely based on wanting to prevent all
4 growth areas from being in the same district.

5 CHAIRMAN LYNN: In your mind how does plan
6 B, your terminology, relate to option four, which is the
7 one that Mr. Hutchison mentioned?

8 COMMISSIONER HUNTWORK: I understood or
9 viewed option four as being part of the question of what
10 you do with Cochise County more than what you do with
11 Tucson.

12 CHAIRMAN LYNN: I don't think option four
13 touches Cochise County.

14 COMMISSIONER HUNTWORK: Bear with me,
15 then. I think we need -- I did not understand. Let me
16 put it this way: I did not think option four touched
17 the question how you create five districts in Tucson.

18 MR. HUTCHISON: It does touch how you
19 create how you isolate rural areas in Tucson.
20 Effectively, should you draw lines, one of the other
21 ways proposed was to allow a fifth district in Tucson,
22 whether wraparound or --

23 COMMISSIONER HUNTWORK: Were you going to
24 bring Saddlebrooke into Pinal County?

25 MR. HUTCHISON: That could be --

1 COMMISSIONER HUNTWORK: Trying to create a
2 common frame of reference with you here. How does
3 option four affect Tucson? The wraparound included
4 Tucson, Saddlebrooke, didn't go into Tucson. Neither
5 went up into that part of Pinal County. The answer
6 seemed to be we're confining the options of Tucson.
7 Neither options for Tucson seemed to go up there. Is
8 that correct or what am I missing?

9 MR. HUTCHISON: Excuse me, Commissioner
10 Huntwork. I neglected to mention the Saddlebrooke area
11 in other two. Saddlebrooke is a choice of the
12 Commission, can be included, cannot be included. We've
13 heard significant testimony in hearings it belongs with
14 Tucson. That's why I mentioned it.

15 COMMISSIONER HUNTWORK: Let's say it
16 belongs with it. If that's the case, option four as so
17 amended does not affect the question of how it creates
18 five districts in Tucson, is that correct, or is there
19 some other connection?

20 MR. HUTCHISON: What I meant by it does
21 affect, it does cut the current E in half, 73,000 people
22 in the southern half, not tied to any other population
23 base, and have to move south into Tucson creating a
24 fifth district.

25 CHAIRMAN LYNN: Ms. Minkoff.

1 COMMISSIONER MINKOFF: In terms of moving
2 them south into Tucson, which makes some sense to me,
3 and also the concern about not lumping all growth areas
4 into one district, I wonder if we also use District K as
5 part of the mix because adjacent to it, and instead of
6 taking those northern areas out of District E and
7 wrapping them around the Vail and Green Valley, et
8 cetera, if we could combine them with District K so that
9 those northern suburbs pick up a portion of District K,
10 Casas Adobas, Flowing Wells, et cetera, pick up the rest
11 of District K, combine that with southwestern portion of
12 Pima County. I think that that creates five Tucson
13 Districts.

14 CHAIRMAN LYNN: Well, the potential.

15 COMMISSIONER MINKOFF: Takes some growth
16 areas and divides between two growth areas instead of
17 one.

18 CHAIRMAN LYNN: Two basic growth areas of
19 Tucson, northwest and southeast, two basic areas, and
20 they will continue to grow. By virtue of geography,
21 they are split. The suggestion is moving Oro Valley
22 Saddlebrooke south, combining Oro Valley south, the only
23 danger is to keep going around the periphery, what you
24 wind up with moving into a minority-majority District
25 trying preserve on the west side.

1 COMMISSIONER MINKOFF: What they talked
2 about was taking the area, the part that's currently
3 this District E and wrapping around with the Southwest,
4 and then you do have the northeast, southwest, the same
5 District.

6 What I'm suggesting is rather than doing
7 that is put District K in the mix. Take some K, move K
8 and put it south, then have five districts.

9 CHAIRMAN LYNN: Mr. Hall and then
10 Mr. Huntwork.

11 COMMISSIONER HALL: Mr. Chairman, I had
12 discussed, the proposition mentioned earlier, what I saw
13 to be a value area, is it's combining urban with urban,
14 rural with rural, and counties with counties, leaving
15 Cochise intact, leaving EACO intact. We combine the
16 majority of rural Pinal County. We move northern
17 Tucson, which is urban, back to southern Tucson. We
18 move eastern Tucson which is urban, into Maricopa, and
19 it seems to me to be a complete win-win situation on its
20 face.

21 Therefore, I make a motion that we
22 instruct our consultants to present us with a predraft
23 map, if you will, considering the ramifications in
24 detail of this option.

25 CHAIRMAN LYNN: Is there a second?

1 COMMISSIONER ELDER: Second.

2 COMMISSIONER MINKOFF: Could I have an
3 explanation of exactly what you are talking about so I
4 understand?

5 CHAIRMAN LYNN: Ask Chris to go through
6 number four again, option four.

7 MR. HUTCHISON: Essentially option four
8 can be tailored several different ways. There are
9 several questions on the table. What you do once you do
10 it, there are several options that work independently of
11 each other. Option four, essentially you take current
12 District I, like in the periwinkle, or blue, or
13 whatever, move it east, excluding Saddlebrooke if you
14 would like to or not, to the county border, excluding,
15 probably along, say Highway 79, the Gold Canyon and
16 Apache Junction areas. Once you include those areas,
17 you have to separate pieces of population that have to
18 be rippled through districts, one, the Maricopa area
19 that has to be connected, or connected with eastern
20 Maricopa counties, or connected up to Yavapai, 73,000 or
21 73, 78,000 persons in northern Tucson still have to be
22 combined up with northern districts.

23 COMMISSIONER MINKOFF: I think, also,
24 there's too much population. As I recall, the Pinal
25 County AUR, that was Pinal County excluding the Apache

1 Junction Gold Canyon area, did include Saddlebrooke, the
2 Pinal County Legislative, now excluding Saddlebrooke,
3 including all Western Pima County, Western Maricopa
4 County, the district is way out of whack on population.

5 MR. HUTCHISON: Overpopulated. Drop-off
6 on the eastern end the Sahuarita area, or Nogales,
7 somewhere in that range, or the western range, Ajo, or
8 Gila Bend. Likely not enough population, and have to go
9 back to the east side, excluding Apache Junction, the
10 Gold Canyon area, exclude 50,000 persons, 120,000
11 persons, take out Saddlebrooke, down to 115,000,
12 wouldn't necessarily be overpopulated just within Pinal
13 County.

14 COMMISSIONER HALL: Mr. Chairman.

15 CHAIRMAN LYNN: Mr. Hall.

16 COMMISSIONER HALL: Correct if I'm wrong.
17 On the face potential benefits, here there's greater
18 unification, here. Lose population here. We make,
19 increase population internally holding this down.
20 Probably losing some here. Is that correct?

21 MR. HUTCHISON: Correct.

22 COMMISSIONER HALL: If you scan up.

23 CHAIRMAN LYNN: I'd ask you, instead of
24 "here and there," be more instructive for Lisa.

25 COMMISSIONER HALL: By pulling this rural

1 east, Pinal west, we combine the bulk of Pinal, and more
2 importantly rural Pinal, and maintain the identity, if
3 I'm understanding correctly, of the minority-majority
4 district. This, as we've identified more correctly
5 relates to eastbound anyway.

6 In my mind, Mr. Chairman, the details,
7 maintaining the integrity, these districts increased the
8 influence of this area and are included in this
9 particular county here, have maintained the majority of
10 the minority-majority integrity. The prediction is it's
11 made cleaner also with respect to border issues.

12 CHAIRMAN LYNN: Ms. Minkoff.

13 COMMISSIONER MINKOFF: If we're going to
14 do that, excluding Apache Junction from Gold Canyon, I
15 wonder if we can also go that way with the Gila Ak-Chin
16 reservations, pull in with that area and with the Salt
17 River, Pima, and Fort McDowell Reservations, which they
18 requested, and keep that as -- keep the four urban
19 reservations in the same District.

20 MR. HUTCHISON: It is definitely something
21 that we could test. It's definitely an option.

22 COMMISSIONER MINKOFF: It's kind of up in
23 the corner. Probably pull out without destroying the
24 integrity of the District.

25 MR. HUTCHISON: It is a question about the

1 size of the Gila River reservation, in particular. Once
2 you include the areas in the northeast and to the east,
3 which while they are not necessarily devoid of minority
4 presence, not as strong as some other areas in the
5 District, there would be flexibility or a total minority
6 presence in the District. That's a point.

7 COMMISSIONER MINKOFF: If you need them,
8 obviously you couldn't do what I'm suggesting. If you
9 don't need them to preserve minority-majority, look at
10 that, you won't know until you get into it.

11 CHAIRMAN LYNN: Mr. Huntwork.

12 COMMISSIONER HUNTWORK: I'm concerned
13 about several things with this proposal. I think that
14 it raises as many questions as it answers. Number one,
15 when you draw the line across somewhere in Pinal County
16 you in effect confine Tucson, whatever is left of Pinal
17 County, Cochise County, to a box. You have to make sure
18 there are the right number of people in that box. That
19 would dictate where you draw the line. I'm sure it is
20 possible to draw the line.

21 The next thing is you isolate the
22 remainder of this District that is north of Pinal
23 County. And we don't know what you are going to do with
24 that area. And you also raise the question of what you
25 are going to do with the western rural parts of this,

1 what is currently the Casa Grande, Pinal County
2 District.

3 We now have the right number of people
4 over in Yuma County and around the river there. This
5 creates a whole new cascade of effects all over the
6 perimeter of the state until you get it balanced out.
7 We don't have to do that in order to solve the problems
8 that are on the table. So the point in regard to the
9 motion on the table is what are the alternatives. And
10 again, the point I made originally when all these issues
11 were put on the table is this is really not creating the
12 five districts in Tucson. This is really more related
13 to the question of how do you adjust the areas around
14 Tucson after you've created those five districts. I
15 would rather start with the five districts, either with
16 the perimeter plan or revising the four that are there,
17 and then look at how you can adjust the populations
18 within the other areas that are affected.

19 One obvious solution is combine Cochise
20 County potentially with Graham County, maybe Greenlee
21 county, a portion of southern Greenlee County, as
22 necessary, combine the northern part of what used to be
23 E with EACO in order to make up the difference. That's
24 simply a population switch. But to me that makes more
25 sense because it doesn't raise those other questions.

1 It deals with all the populations we have. You don't
2 have to change I in order to do that. We don't have to
3 deal with that stranded population up north of Pinal
4 County. So I would propose this approach as the
5 preferred approach for that reason.

6 CHAIRMAN LYNN: We'll get to Mr. Elder in
7 a second.

8 I want to ask the consultants, do you
9 understand the alternative that Mr. Huntwork is
10 describing?

11 MR. JOHNSON: I believe so. I'm not
12 entirely clear on where -- you are saying to just draw
13 internally, then have to answer where --

14 COMMISSIONER HUNTWORK: Yes. It was one
15 of your alternatives. I simply said one of your
16 alternatives seems to be better than this approach
17 because this approach raises a bunch of questions that
18 you don't know the answer to.

19 CHAIRMAN LYNN: Just listening, just
20 listening to Mr. Huntwork describe that, not making a
21 judgment on the efficacy on each of the decisions, it
22 occurs to me that what he's suggesting you look at has
23 the same beneficial effect to Tucson without creating
24 the ripple effect through Phoenix which is significant
25 only insofar as it changes a significant amount of

1 districts by the time you finish. It has other impacts
2 which clearly move instead of up and west, up and east.
3 Cochise moves up to Graham and Greenlee, then you come
4 across and some of that Pinal County population you
5 haven't otherwise dealt with from the old E either goes
6 east or wherever it goes. But I guess the point would
7 be the switch then in terms of what we have called EACO
8 is Graham Greenlee, would orient to the south being
9 replaced by parts of Pinal, if I understand the option.

10 Mr. Huntwork, did I get that?

11 COMMISSIONER HUNTWORK: What is left over
12 in E includes some of Maricopa and Pinal. The ripple
13 effect not only goes into E, western Pima, Pinal, and
14 southern Pima as well.

15 CHAIRMAN LYNN: The question I asked
16 earlier, is that a wholly separate option you could look
17 at?

18 MR. JOHNSON: Can I restate my
19 understanding to check if it's correct?

20 So you are talking about Cochise County
21 would move north, which picks up additional population
22 for this region, and then you would move what is EACO
23 into the Pinal area, and essentially free up what is now
24 Cochise, Cochise and Santa Cruz, portions of
25 Saddlebrooke, or some arms of Saddlebrooke?

1 COMMISSIONER HUNTWORK: Specific is do
2 your thing around Tucson, take what is left over of Pima
3 County, Santa Cruz county, combine them with Cochise,
4 pick up Graham, Greenlee Counties, Graham County south
5 of the reservations, and then move into southeastern
6 Pinal County, if you need to, to the extent you need to.
7 Whatever is left in E, you put back into EACO to make up
8 the population you took out. Straight swap of
9 population out of EACO.

10 CHAIRMAN LYNN: There is a motion on the
11 floor. Mr. Hall.

12 COMMISSIONER HALL: First of all, it does
13 not affect the proposal with respect to the option,
14 first of all, does not affect the western Pinal
15 adjust -- western Pima adjustment of population on the
16 western region. Adds population to the western region.
17 There's no ripple on the western edge with respect to
18 Gold Canyon. What Mr. Huntwork proposed is an
19 annihilation of four AURs.

20 Option four is more respecting of the
21 foundation on what we started the process with, that
22 garnering of communities of interest. Cochise indicated
23 that, EACO indicated that, Pinal indicated that, again,
24 to reiterate, this option preserves it, simultaneously
25 preserving an AUR, more an preserving AUR, east-western

1 AUR, urban, east-western Pinal, and places more eastern
2 with central Tucson. And therefore is a win-win
3 solution and places concerns with preserving Tucson.

4 MR. JOHNSON: The question is East
5 Maricopa and Apache Junction population. Eventually
6 that would ripple into Maricopa some way. When it
7 ripples into Maricopa Districts, it essentially comes
8 out some way.

9 COMMISSIONER HALL: If it ripples back
10 down into the district you're itemizing, whatever is
11 west Tucson.

12 MR. JOHNSON: I.

13 COMMISSIONER HALL: I, certainly the
14 number one driving the court, with respect to Roman
15 numeral I, the ripple west, bringing population back
16 into I, bring the eastern border of I west, making it
17 more rural without affecting the Hispanic populations,
18 we, I think, solved the problem in a counterclockwise
19 fashion.

20 Correct me if I'm wrong, Chris.

21 MR. HUTCHISON: As regards the affect on
22 the Hispanic population, I'd have to sit looking at
23 numbers. I hesitate to speak to that.

24 With the way borders are, you are correct.
25 I would caution you, it's going to be about 50,000

1 persons, the way I look at it. Losing 50,000 persons,
2 Apache persons, in Gold Canyon, 5,000, Saddlebrooke
3 area, add to the 75,000 in Pima County in District E,
4 and you are roughly at 130,000. So essentially you are
5 moving, what did I come up to, about 40,000 persons,
6 maybe a little more, ballpark figure, 35, out of
7 District E, into District I. 45,000 have to ripple out.

8 You are saying eastern side. Those I'm
9 guessing, in Tucson specific, would in some fashion have
10 combined up either through rippling or wrapping around
11 with the northern 75,000. You still need to pick up
12 60,000 -- not 60,000, 55,000 people. Those will
13 probably come from Cochise, have to come from Cochise,
14 Cochise, have to pick up people from southern. With
15 eastern, what with the push on east, to the east does,
16 it makes less of an impact on EACO. There's still some
17 impact on EACO. Not enough impact on there, Apache
18 Junction and Gold Canyon, on I.

19 CHAIRMAN LYNN: There aren't 50,000 on
20 Graham and Greenlee total.

21 MR. HUTCHISON: Right, 41,000, which
22 includes Native Americans.

23 CHAIRMAN LYNN: Right.

24 MR. HUTCHISON: 141,000, roughly speaking.

25 CHAIRMAN LYNN: Mr. Huntwork.

1 COMMISSIONER HUNTWORK: Do I understand
2 with the ripple effect we essentially redraw all the
3 districts in Phoenix area? When we tried to find 2,000
4 for District Four, we were fortunate to find a simple
5 geometric solution. Now it's the east valley across. I
6 don't see any way to switch 60,000 people, or 50 or 40.

7 MR. HUTCHISON: 50,000, east Maricopa
8 County, I think as it's made out, the entire lower sub
9 scenarios, unless dropping off western area I, 50,000
10 somehow ripple back toward east, how many redraw. I
11 couldn't tell you the scope of it unless we're really
12 sitting down moving around; how quickly 1.2, another,
13 District B, only one District, in this case four, five,
14 maybe one. I wouldn't know without really sitting down
15 and going through it, also what the Commission's
16 pleasure is, which districts should be broken which
17 ways.

18 CHAIRMAN LYNN: Mr. Elder.

19 COMMISSIONER ELDER: Mr. Johnson, rather
20 than broaching the subject too greatly in Mesa, Gold
21 Canyon, if we take 40,000 in that vicinity and you were
22 to add, and that was in effect coming out of, we'll call
23 this District and this District one for now, so we look
24 at those as holes. If we take it out of that area, it's
25 330 some odd thousand, take that here, and we add it in

1 in this area, or in here, do you really affect the
2 balance of the area within the Phoenix area?

3 MR. RIVERA: For the record, Mr. Elder,
4 could you identify the areas?

5 COMMISSIONER ELDER: I think this is
6 Apache Junction. This is Gold Canyon, approximately
7 40,000, coming out of the I E. We're short I E. I was
8 proposing having them look at --

9 CHAIRMAN LYNN: Where is "here"?

10 COMMISSIONER ELDER: Don't know where
11 "here" is. I don't have any labels. West of Phoenix.

12 COMMISSIONER MINKOFF: Part of Buckeye and
13 Gila Bend, southern and western Maricopa County.

14 But aren't you also pulling out in
15 addition to Apache Junction Gold Canyon, pulling out
16 northern Tucson suburbs from I and E as well?

17 COMMISSIONER ELDER: I was looking at --
18 no. What we're looking at trying to see is where the
19 net, or net gain, loss, in metropolitan gain in Phoenix
20 was.

21 I think we're going to find it's probably
22 in the east to west shift, or it's going to be into the
23 east being the Gold Canyon and the Apache -- yeah,
24 Apache Junction.

25 I don't know what the ramification -- is

1 there anything, if we include these, is there anything
2 that is reasonable with boundaries, or whatever, to pull
3 out to the south and add into -- around the edges. I
4 don't see that we'll have a ripple effect through the
5 Metropolitan Phoenix area, a ripple effect on the two,
6 three districts on the east, two, three districts on the
7 west. I don't know which those are, what they are,
8 AURs, in that area; but I don't think we're going into
9 the metropolitan area. With that, if we could pan down
10 to the Tucson area.

11 Mr. Huntwork, I don't know, Ms. Minkoff, I
12 don't know when you said "we're taking out," this area
13 here was an area to be combined with, as I understood,
14 option to be combined with the metropolitan part of
15 Tucson, and the I wrapped around into I think E and
16 picked up this eastern part of Pinal County. I don't
17 know how that is changing or affected.

18 COMMISSIONER MINKOFF: What do you do with
19 all those people pulling out and being put in the Tucson
20 area? What District do they become a part of?

21 COMMISSIONER ELDER: I guess I don't
22 understand. If this area here is becoming, going up,
23 talking about Saddlebrooke and the northern parts, and
24 even into Casas Adobas, making that a District there,
25 that's what I thought was part of that motion, or the

1 discussion was.

2 COMMISSIONER MINKOFF: Not pulling enough
3 out to make a whole motion. Southern part of District E
4 pulling out is what, about 70,000, Chris?

5 COMMISSIONER ELDER: And another 40 to
6 50,000 of Casas Adobas, in that area.

7 COMMISSIONER MINKOFF: District K is too
8 small now to add 40,000 to District K. Where does that
9 come from?

10 COMMISSIONER ELDER: Part of the
11 wraparound from the Eastern Foothills.

12 COMMISSIONER MINKOFF: Taken out the
13 Eastern Foothills District, where do you put back there.

14 COMMISSIONER HUNTWORK: Mr. Chairman, I
15 believe we're mixing two issues. The first thing is to
16 clearly define the Tucson metropolitan area, where 4.8
17 districts are located. Mr. Elder is correct, that's
18 what we're counting to create 4.0 districts. That does
19 not create an additional problem, if you will. Any of
20 the plans we're talking about has to combine that with
21 the Tucson metro area to create the five districts we've
22 been talking about. If there were a way we could fix
23 that in our minds and work around it with these other
24 problems, the issue of going up into Pinal County is not
25 really addressing the issue of how we deal with Tucson.

1 We can deal with Tucson either way.

2 My problem with going up into Pinal
3 County, it creates stranded population up north. I am
4 concerned about whether there's enough population in I,
5 an area south of Tucson, that isn't part of the
6 reservation area, to even begin to address the number of
7 people that we're adding to Pinal when we go over.

8 It seems to me that one is, I think, in
9 order of magnitude, 10,000 more, or something like that.
10 So you would then lose the western part of Pima County
11 and the agricultural parts of Maricopa County, if those
12 numbers are correct.

13 CHAIRMAN LYNN: There is a motion on the
14 floor.

15 COMMISSIONER HALL: May I clarify that,
16 Mr. Chairman. What I thought I made as a motion, what I
17 heard Chris describe with respect to ramifications of
18 the motion did not correlate. Maybe I need to try to
19 clarify what I was trying to intend with the motion, in
20 my mind is on the face a best scenario.

21 No matter how you slice it, we have to tap
22 in somewhere into urban Phoenix, or the metropolitan
23 area of Phoenix for population.

24 Is that correct, a correct population?

25 MR. HUTCHISON: Including Apache Junction?

1 COMMISSIONER HALL: Yes, I am.

2 MR. HUTCHISON: Yes.

3 COMMISSIONER HALL: I is in southwestern
4 Maricopa.

5 MR. HUTCHISON: Southwestern Maricopa
6 outside of Buckeye.

7 COMMISSIONER HALL: With that premise with
8 respect to neighboring districts, the goal in my mind
9 with respect to AURs, to the extent practicable, is to
10 do the best we can to try to accommodate, if we can do
11 an accommodation, one in which EACO moves west, does it
12 not?

13 MR. HUTCHISON: Does move west unless the
14 Commission wishes to lop off.

15 COMMISSIONER HALL: Easiest way, for
16 population to go west. Can't go north, that's very
17 true.

18 MR. HUTCHISON: Right.

19 COMMISSIONER HALL: Population goes west.
20 Not only did you disseminate that particular AUR, not
21 only disseminate, made it urban rather than rural. The
22 Cochise AUR, to the best extent, my intent, maybe it's
23 not clear, rural portions, eastern Pinal combined with
24 western Pinal, come south with sufficient population,
25 appropriate population to maintain integrity for

1 subpopulations of that District. I think also
2 flexibility in adjusting the subpopulation numbers of
3 western Tucson, southwestern Tucson, which side you do,
4 if you are saying you need to do it on the northwest
5 portion of that District or southeast, I defer to your
6 expertise.

7 My goal is to leave Cochise essentially
8 intact, EACO intact, rotate that down and move the
9 southern portion of Pinal and northern portion presently
10 in that District, whatever that is.

11 What is that District, the tan one.

12 MR. HUTCHISON: The northern portion?

13 COMMISSIONER HALL: The name of that.

14 MR. HUTCHISON: D.

15 COMMISSIONER HALL: Move the southern
16 portion of D into Tucson.

17 Based on that, then, we then, in my
18 opinion, have a better case scenario for preserving all
19 communities of interest and still preserving the AURs
20 previously considered.

21 Chris, does anything I said not make sense
22 or compute?

23 MR. HUTCHISON: Maybe we need
24 clarification.

25 COMMISSIONER HALL: Okay. Glad to.

1 MR. HUTCHISON: As I understand it,
2 correct me if I'm wrong, we take in rural portions,
3 excluding Apache Junction, Gold Canyon, Pinal County,
4 excluding Saddlebrooke as well. Then in order to create
5 a District, essentially picking up another 90,000
6 people, 95,000 people in -- out of the remainder down
7 here in Tucson, two remainders, work the Tucson
8 remainder, you want to move west, maybe to the south,
9 maybe -- somewhere in the south, including Tohono
10 O'odham, obviously go through them, back up, moving
11 clockwise out rather than counterclockwise, rather than
12 through the Cochise counties.

13 COMMISSIONER HALL: The principal cart is
14 the voting rights issues. Correct if I'm wrong.
15 Southwest Maricopa is the significant Hispanic
16 population.

17 COMMISSIONER MINKOFF: Not significant, it
18 is population.

19 COMMISSIONER HALL: Was that not the
20 Hispanic AUR?

21 COMMISSIONER MINKOFF: Hispanic, southern
22 Maricopa.

23 COMMISSIONER HALL: Concept with ability
24 to adjust, also ability, I think this is something that
25 makes sense, ability to adjust numbers with respect to

1 southern Tucson. I think we're not making eastern Pinal
2 an island, we're also preserving the integrity of the
3 subpopulation, the rural nature, and western Pinal
4 population, and rural nature of the population. The
5 benefits of this proposal on the face far outweigh the
6 benefits cutting up four AURs, and also the rural nature
7 of a couple of districts.

8 CHAIRMAN LYNN: I wonder if I may,
9 Mr. Huntwork, go back, Chris, through the scenario
10 Mr. Hall just articulated.

11 Does that square with your option four or
12 is that different from your option four?

13 MR. HUTCHISON: Squares with my option
14 four, the way I look at District E, divided in three
15 pieces, option four, the Tucson piece, 75,000, 78,000
16 people; Apache Junction people, 50,000 people; the
17 remainder, Pinal County, including for our purposes
18 right now the Gila River Reservation and Ak-Chin.
19 Essentially three pieces, 53,000, 78,000, and the other
20 roughly 50,000, a little less, roughly 43,000.

21 What happens is under Commissioner Hall's
22 scenario, move a piece here, 50,000 this way, move
23 70,000, and you ripple population around this way. The
24 other option would be to ripple the piece down here this
25 way and then everything else either through Maricopa or

1 somehow through the eastern Maricopa counties. That's
2 where the remainders are at.

3 Correct me if I'm wrong. The option you
4 laid out west, to the south and west, to the north as
5 well, would be to ripple the populated areas in such a
6 way as to maintain the various population presence
7 within the districts.

8 COMMISSIONER HALL: Correct.

9 What I'm theorizing could be wrong, Chris.
10 That may well help some of our concerns in Yavapai
11 County, no?

12 MR. HUTCHISON: It depends on whether you
13 ripple through that District.

14 COMMISSIONER HALL: I'm saying if you were
15 to take the option, you know what I'm saying, I think
16 the potential is there for that capability. I may be
17 wrong.

18 MR. HUTCHISON: That's so many moves ahead
19 I couldn't say for sure. Definitely rippling population
20 is the right way to do that.

21 CHAIRMAN LYNN: Is the potential --

22 Sorry, Mr. Huntwork. I'll get to you.

23 Is there potential, I'll use the word
24 several, for several urban Phoenix districts to be
25 impacted by this ripple?

1 MR. HUTCHISON: I think they'd have to be,
2 because otherwise you can't ripple the various
3 population presences in the right manner in order to
4 maintain the presences in an ideal manner of presences.

5 CHAIRMAN LYNN: In other words, to
6 achieve, implement the option on the table in motion,
7 we're talking about redrawing most of Central Phoenix in
8 the process.

9 MR. HUTCHISON: I would say yes, to
10 achieve those goals you have to be.

11 CHAIRMAN LYNN: Mr. Huntwork.

12 COMMISSIONER HUNTWORK: The other thing I
13 want to put on the table, again, in my mind, the driving
14 force is to do the best thing in the Tucson area and see
15 what happens. It's entirely possible this motion is
16 unnecessary. What I perceive the purpose of the motion
17 is to put in place limits or constraints on what we can
18 do to solve problems in Tucson. I'd very much like to
19 solve those first and then see what happens.

20 One of the reasons we're having problems
21 is because we impose boundaries on ourselves. And where
22 you end up depends on where you start. In this case,
23 this part of the map, I really prefer we start in
24 Tucson, solve that, and see what the remainder is and
25 then deal with that.

1 CHAIRMAN LYNN: My perception is the
2 motion on the table does that insofar as it says take
3 population necessary, take a fifth District from the
4 north, included in Tucson's districts, wherever that
5 excess population squeezes out, because it will, you
6 have to make adjustments accordingly.

7 Again, it seems, maybe I'm missing
8 something, but your concern is contained within this
9 motion in the sense you can, once you split up E,
10 however you split up E, take communities south first,
11 work Tucson into a five-District configuration, and
12 still have to solve the five-District ripple effect
13 eventually. It will ultimately affect a number of
14 districts, including several in Maricopa County.
15 Ultimately what you are trying to achieve is contained
16 in the motion in terms of Maricopa County first.

17 COMMISSIONER HUNTWORK: Let me address
18 that, if I may. I don't know that. It is possible.
19 This may place constraints on how we deal with this.

20 There are large amounts of population
21 rippling through different directions. Some end up
22 coming back to the Tucson metropolitan area. By the
23 time they ripple all the way through the valley on the
24 other side, ripple through I, and potentially come back
25 to South Tucson, it's just I don't believe it's possible

1 to say it's contained. If that's true, if it is true,
2 we can always come back to this later, because it will
3 still be there as a viable option. If it's not true, it
4 will be eliminated by what we have to hear in the order
5 of Tucson.

6 COMMISSIONER HALL: Mr. Chairman, correct
7 me if I'm wrong. Consider another scenario. Ripple
8 Cochise. The population ripples north. Take EACO. Tie
9 it into Gold Canyon. What you do with Apache Junction
10 ripples over also.

11 It doesn't matter how you slice it, you
12 still ripple through Maricopa County even with other
13 options, do you not?

14 MR. HUTCHISON: If you are dividing into
15 three, as the fourth option does, you would be rippling
16 on two ends. But if dividing on two, not separating
17 Gold Canyon, Apache Junction into another area, the
18 southern section south of the Pima County line, 70,000,
19 the northern section, roughly a hundred thousand,
20 essentially this District picks up hundred thousand,
21 each district keeps picking up hundred thousand people
22 all the way around the remaining portion of EACO, picks
23 up all of it.

24 COMMISSIONER HALL: Picks up all of what?

25 MR. HUTCHISON: All the areas of District

1 E currently outside Pima County.

2 COMMISSIONER HALL: In other words, you'd
3 take all Apache Junction, all of Gold Canyon, and these
4 mining communities, and combine them over here with
5 Springerville.

6 MR. HUTCHISON: Assuming a straight swap,
7 no other instructions to tell us to move anything else
8 anywhere else.

9 COMMISSIONER HALL: Our concern when we
10 started this was what in the world does Mammoth have to
11 do with Tucson. Now we're saying what does Power Road
12 have to do with Springerville, a four-hour drive?

13 This creates the same thing, rotate here,
14 rotate this way. All of the urban eastern valley,
15 connecting with all of these rural areas, it's no
16 different than having these rural areas, connecting
17 these rural areas. The solution proposed, while not a
18 convenient foundation based on the map strengthens
19 Tucson. While those that need to see the detail, it
20 would be an appropriate situation for an individual
21 meeting.

22 The preservation is this now correlates
23 with its neighbors. This remains intact. That remains
24 intact. And essentially this remains intact.

25 These lines may move some. I may note

1 essentially as commentary, there are 3.1 million people
2 in this area, which is, minimal, focusing on a few, as
3 commentary, and City of Tempe, which maintains
4 integrity; and if we can't, we probably need to look at
5 it again.

6 CHAIRMAN LYNN: Mr. Huntwork.

7 COMMISSIONER HUNTWORK: Well, I think the
8 question of whether it makes sense to redraw all the
9 lines in Maricopa County in order to cut 50,000 people,
10 push 50,000 out to the west, figure out what to do with
11 them, where to put them, whether they go south, north,
12 and how it ripples through the state in order to
13 preserve a hundred percent of the EACO District is
14 worthy of consideration. I would much prefer to put
15 that issue aside and figure out how to get the five
16 districts in Tucson most effectively and consistently
17 with the goals and deal with the situation that resolves
18 that problem.

19 CHAIRMAN LYNN: Ms. Minkoff.

20 COMMISSIONER MINKOFF: I'm reasonably
21 comfortable with the current districts in Maricopa
22 County. I think we're close to where we need to be in
23 Tucson, subject to dealing with population in the north
24 and bringing it into the Tucson metropolitan area.

25 I'd like to suggest something which does

1 involve splitting EACO.

2 Can I point at Jim? That might work.

3 First of all, I think we all agreed the
4 northern areas including Saddlebrooke up into Pinal
5 County get included into Tucson. Simplify three
6 districts and bring in a fourth later on. What I'm
7 suggesting is take three areas, 70,000 or so, and
8 combine them with this area here of the District, is
9 that V -- G, I'm sorry. Combine it with enough of
10 District G to make a District. You may have to go into
11 part of Santa Cruz, may have to go into part of Santa
12 Cruz. I'll leave that to you. Take this and combine it
13 here, also a good portion of suburban Tucson, and we
14 have a fifth Tucson District. Then take what is left of
15 G and move north and to the east of the reservations
16 taking in Graham County, taking in Greenlee, and
17 probably some more.

18 Once again, that would be driven by
19 population.

20 Take in west of Gila County, which
21 includes San Carlos and the White Mountain Apache
22 Reservations. Move here, the four reservations already
23 in this area, which becomes an area that has a stronger
24 Native American influence. It includes the mining
25 communities of Gila County with eastern Pinal County.

1 And there is some connection there. It does put Apache
2 Junction with this area. Apache Junction did say they
3 preferred to stay with Pinal County rather than Maricopa
4 County, and we don't have to do anything with the
5 current Maricopa County districts. That I think works,
6 working within the three districts.

7 Once you have all that done, I go back to
8 the earlier suggestion to combine this District with
9 this new District to have some of the new growth areas
10 in it.

11 CHAIRMAN LYNN: That's clearly different
12 than the motion on the floor.

13 COMMISSIONER MINKOFF: In a sense I'm
14 speaking against the motion, speaking -- it's different.

15 COMMISSIONER ELDER: Mr. Chairman, bring
16 me back on the floor.

17 Are we looking to one plan for the
18 consultants or an assessment of options?

19 CHAIRMAN LYNN: It's a great question.

20 Let me give you my assessment of that and
21 see what you think. The goal going into a portion of
22 this was to find, determine actually one of the options,
23 one of the options available. One was we could settle
24 on four consultants to attempt to give us a cursory look
25 at, a reason for trying to settle on one attempt to

1 finish up the Legislative map today.

2 It's my opinion, and I want the
3 consultants to listen carefully to the next portion.
4 It's my opinion if we're going to ask the consultants to
5 do multiple options, including one which has a
6 significant ripple effect in Maricopa County, we will
7 need more than a cursory look at it to make an
8 intelligent judgment plan that we have or other option
9 they might study.

10 Given those options, the more complexed,
11 involve, the more districts involved, the more analysis,
12 I would wonder whether or not that could be completed
13 any time today.

14 We have not noticed a meeting tomorrow.
15 We're not able to meet tomorrow.

16 The point would be settled by one option
17 and we might be able to look at it in about an hour,
18 hour and a half, or schedule another meeting sometime
19 next week to give ample time to do so. The options are
20 more complex.

21 I think those are the options.

22 Dr. Adams, have I said anything with which
23 you disagree?

24 DR. ADAMS: Mr. Chairman, that's the
25 scenario as I see it as well.

1 COMMISSIONER ELDER: I'd like to call the
2 question on the motion with the consideration we're
3 probably going to look at multiple options and need that
4 meeting next week. But I would like to take this
5 opportunity to see what the ramifications of the first
6 one we're looking at to be followed next week by the one
7 Ms. Minkoff was looking at, so we look at it, get
8 further down the road today while it's noticed, in
9 session, see what the ramification was. It may turn out
10 to be okay, may not; look at three, four more. We need
11 that time.

12 CHAIRMAN LYNN: I understand your point.
13 The question has been called. I'll take a little
14 further, more discussion today in the sense that option
15 on the table may, I stress "may," involve multiple
16 Maricopa districts to make it work. I don't know that.
17 I don't know that the consultants know that until they
18 get into it and look at it.

19 If that's the case, do the consultants
20 know much time you need for that one option to be
21 visible, for it so we see ramifications?

22 I don't think we can do that today.

23 MR. HUTCHISON: If the option -- which
24 option is on the table?

25 CHAIRMAN LYNN: Option four.

1 MR. HUTCHISON: Which version, west or
2 east ripple? Ripple through Maricopa attempting to
3 balance population which concerns districts, population
4 percentages, or free to move east into the Eastern
5 Arizona Counties?

6 CHAIRMAN LYNN: What if I were to say to
7 you to look at both?

8 MR. HUTCHISON: That's like two different
9 scenarios?

10 CHAIRMAN LYNN: Mr. Huntwork.

11 COMMISSIONER HUNTWORK: Mr. Chairman, I
12 respect what you are saying. I know we have to go the
13 second mile. You will recall there were some important
14 mapping options I also wanted to slow-down and consider
15 but was outvoted, but we elected and I was persuaded we
16 need to do the best we can with this and get something
17 out there. To make the fine point, though, I would
18 vigorously oppose trying to ripple 50,000 people through
19 the Phoenix Metropolitan area. We worked very hard on
20 the districts directly in the line of fire, worked very
21 hard on the districts of Mesa, Gilbert, Chandler, Tempe,
22 Ahwatukee, and this moves then directly into the
23 majority-minority districts of central minority Phoenix.
24 Those are good districts the way we have them now.

25 In my mind, it does not make sense to go

1 back and think about doing all those things. That is an
2 option I would vigorously oppose doing now, next week,
3 or whatever. If you want to consider moving population
4 east into eastern Arizona counties, then I think reading
5 between the lines that's not the purpose of this motion.
6 Purpose of this motion is to find a way to avoid, to
7 avoid doing that. So why would we go to all this
8 trouble.

9 Ms. Minkoff suggested a very simple way of
10 doing this that doesn't involve redrawing any of these
11 lines that has the effect of putting population back
12 into EACO. If we do it, let's do it in a simple way.

13 CHAIRMAN LYNN: Mr. Hall.

14 COMMISSIONER HALL: I'm just curious how
15 long it's been since either of my Commissioners have
16 been up in the northeastern Arizona area you just
17 proposed amending.

18 I think that probably speaks --

19 COMMISSIONER HUNTWORK: Want an answer or
20 was it a rhetorical question?

21 COMMISSIONER HALL: When is the time
22 you've been to Eager?

23 COMMISSIONER MINKOFF: I've never been to
24 Eager. I've been in the area this last year.

25 COMMISSIONER HUNTWORK: Last three years.

1 COMMISSIONER HALL: My point exactly.

2 The whole point of what we started with,
3 we felt the eastern Pinal District, whatever it
4 currently is, was not acceptable for a variety of
5 reasons. One of the major reasons was the relation of
6 the communities appeared to be unrelated, the relation
7 of rural unrelated communities.

8 What Ms. Minkoff did is she's given a
9 designation that's massacred a variety of communities of
10 interest, created a District, two districts now that
11 looked more ugly, two districts more ugly than two
12 districts. That District is more ugly, and this
13 District is unacceptable.

14 Well, the proposal to rotate, my opinion,
15 the proposal to rotate one or more additional districts
16 is equally ugly, equally unacceptable, depending on
17 one's perspective.

18 Therefore, the motion on floor, while not
19 simple, I think provides an opportunity, given the fact
20 there are 50,000 people among the three million, is
21 50,000 among 170,000, ripple, if handled with expert,
22 delicate gloves of ours, which may, I don't know, may
23 have a delicate impact.

24 Therefore, Mr. Chairman, that's why I made
25 the motion the way it is. I personally would say let's

1 go ahead and see, in reaction to all the concerns we can
2 debate until next Tuesday, take the map to the public,
3 let them tell us what you can tell us about that, every
4 particular criticism, tell us what you can, provide,
5 find a solution. Are there other solutions to be
6 presented that still keep eastern Arizona, southeastern
7 Arizona intact, and also I think address some problems
8 that are already concerning us here.

9 CHAIRMAN LYNN: Mr. Hall, if I understand
10 your comments, at least the last portion of the
11 comments, are you then suggesting that we could adopt
12 the map as presented without looking at the option your
13 previous motion suggested we explore?

14 COMMISSIONER HALL: That's one suggestion.
15 What I heard from fellow Commissioners is they are not
16 willing to do that. They wanted to consider other
17 options. In light of that, that's why I made that
18 motion.

19 CHAIRMAN LYNN: Ms. Minkoff.

20 COMMISSIONER MINKOFF: Mr. Chairman, I'm
21 very sensitive to the EACO AUR and not comfortable
22 breaking it up. I'm less comfortable going forward with
23 the map we currently have.

24 I'm not sure of the exact population
25 distribution, but it seems to me that we still have an

1 AUR or major portion of an AUR that works. I think that
2 the part we would have to pull out of EACO to make it
3 work are two Indian reservations, sort of our own
4 community of interest, and the rest of Gila County. And
5 the rest of EACO would remain intact with some portion
6 of Cochise County. Knowing what I know about that part
7 of the state, and of course I don't live there, but
8 Payson, the Tonto Basin, the Globe-Miami area really
9 connects south and west, I think, as easily as they do
10 east, putting them with eastern Pinal County I don't
11 think is a bad fit. Putting two Apache Reservations
12 with other reservations I don't think is a bad fit.
13 Leaves the rest Navajo County, the rest of Apache County
14 rest of Graham County, all Greenlee County, all Graham,
15 Apache, Greenlee, Graham County, excluding Native
16 American Reservations which remain a part of the EACO
17 AUR. Only non-Reservation territory are pulled out of
18 it. If population figures bear me out, the remaining
19 Gila County geographically separated from the rest of
20 EACO does have connections to the area to which it would
21 be added.

22 CHAIRMAN LYNN: There's a motion on the
23 floor.

24 Further discussion on the motion?

25 If not, roll call.

1 Mr. Huntwork.

2 COMMISSIONER HUNTWORK: "No."

3 CHAIRMAN LYNN: Ms. Minkoff?

4 COMMISSIONER MINKOFF: "No."

5 CHAIRMAN LYNN: Mr. Hall?

6 COMMISSIONER HALL: "Yes."

7 CHAIRMAN LYNN: Mr. Elder?

8 COMMISSIONER ELDER: "Yes."

9 CHAIRMAN LYNN: Just what I wanted.

10 The Chair will vote "no" with the
11 understanding I may want to resurrect that motion. But
12 I need to ask more questions. I'm not ready to vote for
13 it at this moment.

14 I need to know, if the motion were to
15 pass, whether or not -- well, what is the time frame for
16 complying with the motion as it was made?

17 (Motion fails three to two.)

18 CHAIRMAN LYNN: Dr. Adams.

19 DR. ADAMS: Chairman Lynn, members of the
20 Commission, it's a major redrawing of the map. It is
21 something that would indeed affect many districts in
22 Maricopa County. It's also going to have voting rights
23 effects, as we already have a number of
24 majority-minority districts in Maricopa County. So
25 we're going to have to, as we move through the county,

1 be sensitive to the majority-minority districts. We're
2 going to have to move some of that population from the
3 Hispanic AUR out of Maricopa County and around. So
4 there are a lot of implications to this. We would not
5 be able to finish that today. We would definitely have
6 to have at least 24 hours and probably some sleep in
7 that time period.

8 CHAIRMAN LYNN: I understand. And to be
9 able to analyze each one of the new districts as it
10 would then be configured, we'd also want not just a
11 representational map, a map where analysis had been
12 performed, so it would even take longer.

13 DR. ADAMS: Yes. Under the circumstances,
14 that would be necessary. We're not going to be able to
15 tell you exact numbers or total impact without doing a
16 redraw.

17 CHAIRMAN LYNN: This may not be a fair
18 question. I'll accept the answer.

19 If ask you to do that, it would
20 necessitate meeting next week. When we had that
21 meeting, would that assignment as described, as heard
22 today, do you see anything on the face of it that would
23 make that assignment a futile exercise? If you would
24 like clarification, I'd be happy speak to it.

25 MR. JOHNSON: Let me speak to it.

1 CHAIRMAN LYNN: There are certain things
2 we cannot do. We cannot violate voting rights. We
3 cannot vote to violate the Constitution. We cannot
4 violate the tenets of 106 where they are laid out except
5 where they make choices among variables, among variables
6 we're capable of doing. Those are things we can
7 consider. To the extent the motion impacts a
8 significant number of districts, many of which we
9 already adjusted for particular reasons in particular
10 ways, my concern is all of that work would not be
11 altered but undone. And it is a concern, regardless of
12 the Tucson configuration.

13 I care about the entire map and care about
14 what we've done to date.

15 The reason I'm asking for the question, I
16 don't want to send you away for days with the idea when
17 you've done all the work you come back with such drastic
18 differences we simply in effect are starting over with
19 the Legislative map. I'd rather try to reach some other
20 conclusion rather than that one. That's the reason for
21 the question.

22 MR. JOHNSON: Mr. Chairman, as the
23 districts are currently configured, we've essentially
24 treated the Hispanic community, AUR, the northern and
25 southern portion of Maricopa, and the rest of it,

1 southern portion, in order to meet the goals that the
2 Commission has set in terms of representation of the
3 minority populations. And to achieve the goals of this
4 motion, we would need to, I believe, combine some of the
5 northern portion of that AUR with, perhaps, the Tohono
6 O'odham region in order to maintain the number of
7 districts as discussed. And that's the difficult
8 decision. It would mean an entire reconfigure of the
9 Maricopa portion of the AUR and some more significant
10 bridge between that bridge of the AUR and the southern
11 portion of the AUR.

12 MR. HUTCHISON: Additionally, and this is
13 probably something to bear in mind, we're talking about
14 keeping this area whole, as far as I understand.
15 Essentially what we're talking about in terms of a
16 bridge, it's westward down south and around.

17 CHAIRMAN LYNN: Mr. Huntwork.

18 COMMISSIONER HUNTWORK: In my mind this
19 question is complicated also by the fact I want to see
20 five Tucson districts. And to me that's the top
21 priority. We send them away to do something. That
22 needs to be added to the task list. Personally, I want
23 it to be the number one item.

24 MR. HUTCHISON: Actually, it would speak
25 directly to that. The point is to get five districts.

1 You'd get five districts. The matter of five districts
2 being rippled around clockwise to the west rather
3 than --

4 COMMISSIONER HUNTWORK: Fine.

5 CHAIRMAN LYNN: Ms. Minkoff.

6 COMMISSIONER MINKOFF: I'm going to ask
7 you a question. If we take the southern portion of the
8 current District E, including Saddlebrooke going into
9 Pinal County, Pima County portion and Saddlebrooke, put
10 it into the Tucson metropolitan portion, we now have
11 five districts in Tucson.

12 CHAIRMAN LYNN: Population for it.

13 COMMISSIONER MINKOFF: Right. Taken 70
14 some thousand people out of District E, what I would
15 like to know is what is the way to put 70,000 some
16 people back into District E that, number one, complies
17 with the Voting Rights Act and, number two, creates the
18 least disruption among the other 29 districts? What is
19 the simplest way to do it?

20 CHAIRMAN LYNN: I like that question.

21 MR. JOHNSON: Commissioner, what we'd be
22 creating is a fifth Tucson District which is, you know,
23 80,000 people. We're talking about in the Pima portions
24 of E and Saddlebrooke, I assume we're not looking at the
25 exterior effects, focusing on the Cochise portion, on

1 Pima, Santa Cruz County, about 53,000 people. That's
2 the District G portion.

3 COMMISSIONER MINKOFF: Where is 53,000?

4 MR. JOHNSON: 53, the portion not Cochise.
5 155,000, rough terms. To finish that, we still need
6 35,000. That would come from essentially I, the Tohono
7 O'odham District. That District is now moved out of
8 Tucson, for the most part, almost entirely. And then
9 they'd swing back around somewhere. So that --
10 essentially the easy part of drawing the fifth District
11 is the southern portion of E and the east-west portion
12 of G, still 35,000 short. We still need to pick up
13 35,000 for G somewhere.

14 COMMISSIONER MINKOFF: If you take it from
15 District I, do we run into voting rights issues with
16 District I? My question said without violating the
17 Voting Rights Act.

18 MR. JOHNSON: That's correct.

19 COMMISSIONER MINKOFF: That's not an
20 answer if that will negatively impact on District I. So
21 putting District I aside, what is second easiest way to
22 do it since that obviously is going to create voting
23 rights issues.

24 MR. HUTCHISON: First off, so I don't
25 misinterpret --

1 COMMISSIONER MINKOFF: I said comply with
2 voting rights.

3 MR. HUTCHISON: That is understood.

4 Easiest, in terms of districts affected,
5 in terms of numbers, is have one, two, three. Go E into
6 G, G into E 1, the EACO District, and then E 1 into E.
7 That is the least number of moves in terms of moving
8 around.

9 COMMISSIONER HUNTWORK: Could you move
10 whole counties, keep Graham and Greenlee Counties whole?

11 MR. HUTCHISON: Non-Reservation portions
12 of Graham, Greenlee, looking more at population than
13 they had.

14 CHAIRMAN LYNN: Only 23,000.

15 COMMISSIONER HUNTWORK: I think -- thought
16 they had more.

17 COMMISSIONER MINKOFF: 41, 42.

18 CHAIRMAN LYNN: Only 41, 42.

19 MR. HUTCHISON: You are looking for 90,
20 95.

21 COMMISSIONER HUNTWORK: Right.

22 MR. HUTCHISON: Essentially the entire
23 District has 170,000. You'd have to take more than half
24 of it, unless you move west and take part of Pinal
25 County, the remainder into District G, and take less of

1 EACO; but less than unite G with EACO, and that's
2 another question.

3 CHAIRMAN LYNN: Here is what I know at the
4 moment. We need to take another break. Some people
5 need to check out of the hotel. We probably need to
6 think a little more about this reflectively.

7 I'd like to take, again, a 15-minute
8 break, give people a chance to check out if they need to
9 do that, get back together and see if we can unjam the
10 logs and figure out where we go next.

11 (Recess taken from 11:59 until
12 approximately 12:44 p.m.)

13 CHAIRMAN LYNN: The Commission will come
14 to order.

15 The record show all five Commissioners are
16 present along with legal staff and the consultants.

17 Is there any member of the Commission who
18 wishes to forward a proposal that would move us ahead in
19 this process? If not, I'll suggest one.

20 Go ahead, Mr. Huntwork.

21 COMMISSIONER HUNTWORK: There was one
22 other option that the consultants suggested that we
23 haven't talked about. I think we ought to at least put
24 it on the table. That was a much simpler switch to
25 bring the population in Saddlebrooke and other or more

1 urban areas of southern Pinal County down into Tucson,
2 simply build a District in Cochise County and back up
3 into what was left of Pinal District, a simple switch
4 would get -- create the five Tucson districts and leave
5 us with one very ugly District, but it solves the other
6 problem. And there are some arguments to be made in
7 favor of that District. Obviously it's not compact, but
8 it is primarily rural.

9 CHAIRMAN LYNN: Actually that option I
10 think was offered previously at one of the map
11 iterations we saw, and it was -- it didn't light
12 anybody's fire then. I'm not sure it will now. It is
13 another option.

14 COMMISSIONER HALL: I might suggest it
15 didn't light anybody's fire then because we didn't know
16 how desperate we were. I -- I think the strength is
17 that does create a greater preservation of rural areas,
18 and I'm not sure it's not worth reconsideration.

19 CHAIRMAN LYNN: Ms. Minkoff.

20 COMMISSIONER MINKOFF: I'd like to ask the
21 consultants how long it would take for you to give us
22 something to look at there. It's a relatively simple
23 population swap, actually would involve three districts.
24 I'd still like you to exchange population to the
25 northern Tucson districts. That I think would be pretty

1 easy.

2 DR. ADAMS: Commissioner Minkoff, and
3 Members of the Commission, it would probably take about
4 45 minutes to an hour, then we could come back with that
5 option for you, if you'd like to see it.

6 CHAIRMAN LYNN: I think we conceptually
7 know what that looks like. I don't think there's a big
8 mystery there.

9 COMMISSIONER MINKOFF: I would like to see
10 how much of, you know, does it take all of the portion
11 of -- I guess it's District G. I presume all the Pima
12 portion of District G, also probably takes all the Santa
13 Cruz portion of District G, to link up what we're
14 pulling out of District E, then some of Cochise County.
15 What I'd like to see is what are the areas going to be
16 combined with in this north Pima County Saddlebrooke
17 area, what is left over, how is it going to run in. It
18 looks like a census tract in the extreme corner of Pima
19 County. It doesn't have a lot of people in it. It may
20 be our path between Cochise and Pinal.

21 I'd like to see what is let of Cochise,
22 how it divides Cochise. Are we carving up Cochise to
23 avoid carving up something else, keep Sierra Vista,
24 Huachuca, at the expense of something else?

25 DR. ADAMS: One way to do it fairly

1 quickly, if we didn't reconfigure the Tucson districts,
2 looked at the districts and looked at districts, adding,
3 what it looks like for the Cochise districts, that we
4 could do fairly quickly, we could do that while we sit
5 here, if you would like to see that.

6 CHAIRMAN LYNN: Let me tell you where I
7 am, while I sit here, and ask any other Commissioner to
8 weigh in. I have an idea between Cochise and Pinal
9 County, and so on, it's certainly an option to look at.
10 Again, Mr. Hall's point it's not so desperate, I don't
11 have an answer at this point in time. I'd like to
12 explore it, at least.

13 I'd like explore three options. I'd like
14 the consultants to fully explore the concept of starting
15 with five Tucson districts. And in my mind that's five
16 fully in the Tucson environment, or at least four plus
17 one heavily influenced by Tucson, either one of those is
18 acceptable. Start with that premise. The result of
19 that is that the populations in northern Pima County and
20 southern Pinal need to come south. And the result of
21 that needs to be explored, in my mind, in three
22 different ways. One we just talked about, which is the
23 creation of a District that goes through Cochise and up
24 into parts of Maricopa county.

25 The second one we discussed earlier, which

1 uses, essentially divides the District we're currently
2 looking at into three portions, one portion coming
3 south, one portion reunites much of Pinal County, and
4 the third portion to the north having an impact on the
5 districts in that part of the state, not knowing exactly
6 what those impacts are.

7 If memory serves, the previous discussion,
8 there would be a bit of a ripple effect of somewhere of
9 50,000 plus individuals from the eastern Maricopa area
10 through that state, and eastern Maricopa and parts of
11 Pinal.

12 The third option is one which instead of
13 going in that direction goes in the opposite direction,
14 which is to say bring population south. That population
15 then moves from the central Tucson area east into
16 Cochise moving then north up the eastern part of the
17 state which would necessitate taking a look at, again, a
18 number of options with respect to probably more around
19 the periphery of the state rather than the central
20 portion of Phoenix, but a separate, identifiable option
21 and solution.

22 I don't think, speaking for myself only, I
23 don't think I can move forward in terms of determining a
24 map I would like public comment on unless I fully
25 explore those options and understand the ramifications

1 of each. I would certainly indicate that none of those
2 options should negatively impact issues which are voting
3 rights or constitutional issues. Those are inviolate,
4 sacrosanct, not to be dealt with. To the extent any of
5 the other things we've done previously in terms of
6 adjusting Phoenix districts, in terms of making
7 decisions in other parts of the state, granted those
8 will have to be flexible in terms of your analysis, I'd
9 like to know which of those is impacted by each of those
10 options and how, which and how much they are impacted.

11 Now I recognize what I just said is
12 probably several days' worth of work, several days
13 unencumbered without going back and forth into meetings.
14 I would like to know for myself how long that might take
15 to get an idea when we might schedule another meeting to
16 schedule results of that, get closer, to get a map we or
17 at least I can vote for to take to the public.

18 DR. ADAMS: Commissioner Lynn, Members of
19 the Commission, I think in order to fully develop those,
20 I think it would be necessary, certainly on the option
21 that moves through Maricopa County, to fully develop
22 data, we could come back Thursday, I would say. We're
23 looking at three, I presume, fully developed options
24 for -- and with the impacts, I would say -- I would say
25 we could be back Thursday morning.

1 CHAIRMAN LYNN: Mr. Elder.

2 COMMISSIONER ELDER: Mr. Chairman, I'm
3 really concerned about the time line on that based on
4 notice, outreach, and various other things. I'd prefer
5 we take a look at an option yet this afternoon to see if
6 it resolves a majority of our issues, and as long as
7 with your caveat at the end that the issues that are
8 involved are ones that public comment could resolve and
9 the ones that they can't resolve we should have under
10 toe right now, I would like to take a look at any one or
11 at least maybe ask the consultant for the three, four
12 you put out there, is one most likely to resolve, they
13 are more knowledgeable, more in-depth than mine right
14 now, resolve most issues we've been talking about than
15 during the six hours, take a vote on that, see if we can
16 go out to the public with maps knowing they are not
17 exactly the way we want them with a list of issues we'd
18 like comment on, items in each one of the areas around
19 the state.

20 CHAIRMAN LYNN: Dr. Adams.

21 DR. ADAMS: Commissioner Lynn,
22 Commissioner Elder, Members of the Commission, there is
23 one very simple one we can do fairly quickly, and that's
24 the one we just described to you previously, of moving
25 Cochise County territory through into Pinal County and

1 then up to Apache Junction, take a look at that fairly
2 quickly this afternoon. The other options take
3 considerably more time. I think that's really the best
4 we could do on that.

5 I have a lot of concerns about the option
6 that goes through Maricopa County, not concerns because
7 of necessarily voting rights issues, because I don't
8 know until we get into it. It is going to mean a lot of
9 changes and a lot of reconfiguring. We're basically
10 redrawing the map for the majority of those districts.
11 But we certainly could take the time and go ahead and
12 take a look at at least one of the options and possibly
13 eliminate that one this afternoon.

14 COMMISSIONER ELDER: Mr. Chairman, I don't
15 like to do that. I think we have to give adequate time
16 for the public to be able to look at maps. I know the
17 first ones in Tucson and Maricopa County. Irrespective,
18 we can't cut down to two, three days for time for the
19 published maps. We need to get on, bite the bullet,
20 figure out where we're at, and move on down the line.

21 CHAIRMAN LYNN: Well, is that in the form
22 of a motion?

23 COMMISSIONER ELDER: I would move that we
24 direct or request the consultant to develop the option
25 as described with Cochise County and Pinal County

1 modifications to sustain the five districts within the
2 Tucson metropolitan area and come back to us with the
3 ramifications of that option.

4 CHAIRMAN LYNN: That's essentially the
5 option presented earlier.

6 That's a motion.

7 Is there a second?

8 COMMISSIONER MINKOFF: Second.

9 CHAIRMAN LYNN: Thank you.

10 COMMISSIONER HALL: Do you not already
11 have that? I think you already did that once, in
12 concept.

13 MR. HUTCHISON: We have a portion of that.
14 But that was built on a different District configuration
15 in Tucson. I mean it's not difficult, but --

16 CHAIRMAN LYNN: Well, and again --

17 Mr. Huntwork.

18 COMMISSIONER HUNTWORK: My understanding,
19 you just said you could do this conceptually simply by
20 showing, doing the wraparound district that shows what
21 the outside limits of the Tucson districts would be in
22 just a few minutes.

23 DR. ADAMS: Yeah.

24 COMMISSIONER HUNTWORK: I think that's a
25 free option. Do that. Take a look at it. Beyond that,

1 I say, Mr. Chairman, I obviously, a lot of your
2 comments, I share. Essentially what I've been saying
3 yesterday. But before -- we've solved some of the other
4 problems I was concerned about. And before we give this
5 up, I would like to see what that looks like before we
6 make a decision.

7 CHAIRMAN LYNN: Mr. Elder, is that
8 preliminary look sufficient for you in terms of what you
9 would like to do this afternoon?

10 COMMISSIONER ELDER: I think if it gives
11 us a visual imagery of what it looks like with some
12 numbers, in other words, if we do something and it
13 throws our minority-majority districts out of wack,
14 that's what I mean by things that the public could not
15 comment on and we'd probably make changes. If it's
16 something that says we do not have community of interest
17 here but over here it might work, yes, that's more than
18 adequate. An ability to effect change, need to redraw
19 something after public hearings, great. I don't have
20 any objection. Matter of fact, I plan there will be
21 substantial, we call it anywhere from tweaking, anywhere
22 from a major line change after we're done with this.

23 With that said, I think we need to be able
24 to see that and see what the general numbers are. It
25 won't get down to one and two percent, generally where

1 we're at.

2 Does it solve or resolve the problem?

3 CHAIRMAN LYNN: Dr. Adams.

4 DR. ADAMS: Commissioner Elder, just for
5 clarification, that's just on the first option, moving
6 through Cochise County, the very first option.

7 COMMISSIONER ELDER: Okay. And it may
8 very well include a conceptual line, need to use Casas
9 Adobas to pick up 20,000, adjust the line, put a big 20
10 in the middle, adjust the direction, put 30,
11 conceptually going in the plan, enough information, look
12 at it, see yes, going in the right direction, no,
13 doesn't make sense and, fall back to one of Mr. Lynn's
14 options or Mr. Hall's options. Might turn out to have
15 been.

16 CHAIRMAN LYNN: Mr. Hall.

17 COMMISSIONER HALL: As long as we're in an
18 utter state of confusion, I'm wondering, is it possible
19 to take the district that we're currently in, it doesn't
20 appear to be the most popular one, and do something
21 similar that has been proposed wrapping around and make
22 that majority-minority and make one southwest
23 majority-minority, in other words, trade?

24 COMMISSIONER MINKOFF: Which district
25 would you make majority-minority?

1 COMMISSIONER HALL: What is the new
2 district on yellow?

3 DR. ADAMS: E.

4 COMMISSIONER HALL: Make E, moving west,
5 if you will, garnering reservations, including
6 additional Hispanic in the southern portion of Phoenix,
7 utilizing some population figures, making that majority
8 minority, and not the one presently majority-minority?
9 Just in concept, I recognize numerous ramifications.

10 MR. HUTCHISON: Did you want to try to do
11 that without affecting any districts, majority-minority
12 districts in Phoenix?

13 COMMISSIONER HALL: Well, I think it will
14 affect them, not minimize them, is what I'm saying. I
15 think it will probably affect them. I just don't think
16 it will minimize them.

17 CHAIRMAN LYNN: You have a separate
18 consideration. There is a motion on the table to go
19 ahead and analyze the one option.

20 COMMISSIONER HALL: I guess, to my point,
21 Mr. Chairman, is that I guess with respect to the
22 motion, there is -- I think to conceptualize, visualize
23 how that will look, to conceptualize how we can see it
24 will work, I prepared a couple more I made a motion on.
25 Here's another idea, say here they are. At what point

1 do we quit considering multiple ideas, say to the public
2 quite frankly no. They can probably tell us more than
3 we already know. At what point do we garner additional
4 input, the expertise of all other minds out there to
5 help solve this?

6 I'm saying in light of the fact we've
7 already scheduled hearings starting on the 25th, which I
8 am unwilling to move, I'm wondering if it wouldn't be
9 appropriate to say here is a draft map, folks. We
10 recognize the challenges with it. Help us solve some
11 challenges.

12 My understanding that was the intent of
13 the process, anyway, to go forward utilizing the
14 expertise of variety a of minds to be there to help us.

15 CHAIRMAN LYNN: Mr. Huntwork.

16 COMMISSIONER HUNTWORK: I have a
17 suggestion that we take a look at one District. I think
18 it's the only option we have for doing this today. If
19 that doesn't work, let's get a look at that as soon as
20 possible. If that doesn't work, let's have a discussion
21 about what alternatives we'd like to have considered,
22 some of which will be more invasive than others. Let's
23 look at that first, then have other discussion.

24 CHAIRMAN LYNN: Speaking in favor of the
25 motion then, Mr. Elder's motion.

1 Further discussion on the motion?
2 If not, all those in favor of the motion.
3 All those in favor, say "aye."
4 (Vote taken.)
5 Opposed say "No."
6 (Motion carries.)
7 CHAIRMAN LYNN: Now how best to do that?
8 Want us to leave? What time frame do you have on
9 completion of that task?
10 DR. ADAMS: Actually, if you want to stay
11 here, we can stop projecting, simply go to the screen,
12 start working on it. If milling around, I don't think
13 that will bother us.
14 CHAIRMAN LYNN: Approximately how much
15 time do you think you'll need, just ballpark.
16 DR. ADAMS: I think about 45 minutes.
17 CHAIRMAN LYNN: All right.
18 DR. ADAMS: May be appropriate for lunch.
19 CHAIRMAN LYNN: Why don't we break for a
20 lunch break.
21 Let's split the difference. If we could
22 be back at 2:00, 50 minutes.
23 DR. ADAMS: That's fine.
24 CHAIRMAN LYNN: Stand in recess until 2:00
25 o'clock.

1 (Recess taken from 1:07 until
2 approximately 2:09 p.m.)

3 CHAIRMAN LYNN: Could I have the
4 Commission seated, please.

5 The Commission will come to order.

6 The record will show all five
7 Commissioners are present along with legal staff,
8 counsel, and consultants.

9 Mr. Johnson.

10 A VOICE: The light didn't go on.

11 MR. JOHNSON: There it is.

12 COMMISSIONER MINKOFF: Can you brighten up
13 that District a little.

14 MR. JOHNSON: Sure.

15 MS. REZZONICO: Is that okay?

16 CHAIRMAN LYNN: Yes.

17 MR. JOHNSON: Mr. Chairman, Commissioners,
18 the District that you see here is as we described. We
19 focused in on a number of areas.

20 First, as instructed, we isolated the
21 northern areas of Tucson, the census tract that
22 encompasses Saddlebrooke. We brought that around first.
23 Primarily for speed of analysis, we drew the wraparound
24 district. It comes around. If the Commission so chose
25 and gave more time, we could reconfigure within these

1 districts.

2 For purposes of this analysis, your
3 analysis, we wanted a quick approach. The district that
4 was Saddlebrooke retains the letter E on this now comes
5 along the east side of Tucson, down into Green Valley,
6 down into Santa Cruz County, and comes over into
7 Cochise.

8 Within Cochise County we still need to
9 pick up approximately 38,000 people, I believe the
10 number was.

11 Let me zoom in a little more. The areas
12 we have here are the Sierra Vista, City of Sierra Vista
13 southeast which is down here, and then a region to the
14 west of Sierra Vista that brings us up to population and
15 includes unincorporated areas within Sierra Vista. That
16 brought us to the population we needed for District E
17 and essentially made the fifth Tucson District which is
18 closely related to Tucson as you can without impacting
19 the District to the west. Our goal was to keep it as
20 close to it, to the prior, as it could.

21 The result was as close to the other
22 district as it could. And then it goes up through
23 various sparsely populated census tracts, I think about
24 50 people in this census tract, up through the valley,
25 and into eastern Pinal County.

1 This eastern Pinal County is the same as
2 District E, takes in Apache Junction, Grand Canyon --

3 CHAIRMAN LYNN: Gold.

4 COMMISSIONER MINKOFF: Gold Canyon.

5 MR. JOHNSON: And then the urban
6 reservations as well.

7 COMMISSIONER MINKOFF: Doug, can you show
8 us the demographics on the District?

9 MR. JOHNSON: Certainly.

10 The Cochise to Apache Junction District,
11 as with the previous District E for this area, is
12 overpopulated by about 2,000. That population needs
13 eventually, when we get to the population equalization
14 stage work, to work its way to District B, Maricopa.
15 Demographics of it, 173,000 people, 48,000 Hispanic
16 origin, 16,000 Native American origin, and the
17 percentages, here, 28 percent Hispanic, 9.3 percent
18 Native American, about 40 -- well, 40.3 percent total
19 minority District.

20 Going over to District E, it has 22,000
21 people of Hispanic origin.

22 COMMISSIONER MINKOFF: Can you move that
23 over.

24 MR. JOHNSON: Sorry. 22,322 of Hispanic
25 origin, 1,786 Native American, and that makes it 13

1 percent Hispanic and one percent Native American and
2 about 21 percent total minority. So neither one of
3 those, when we started, was a heavily minority
4 population District and remained that way.

5 CHAIRMAN LYNN: Pretty much what we
6 expected, or what I expected.

7 Mr. Huntwork.

8 COMMISSIONER HUNTWORK: There were some
9 choices, made just curious about that there. Seems to
10 be less of an area in southern Pinal County, picks up
11 Saddlebrooke, but are there other population areas right
12 around there or have we pretty well captured the Tucson
13 influence in that area?

14 MR. JOHNSON: Commissioner, we took in the
15 census tract, generally the focus of Saddlebrooke these
16 days? The census tract does not define exactly where
17 Saddlebrooke is. This is an area generally the same,
18 some proposals for the area are north and west to
19 Saddlebrooke included in the area by the definition of
20 Saddlebrooke. That area entirely is zero population, I
21 guess, from their plans, anticipated to grow.

22 COMMISSIONER HUNTWORK: I did not attend
23 the hearing in Sierra Vista. I'm wondering what the
24 reaction would be of being included with Tucson in this
25 particular way.

1 CHAIRMAN LYNN: Mr. Elder?

2 COMMISSIONER ELDER: Let me give you then
3 the synopsis.

4 COMMISSIONER HUNTWORK: I could guess.

5 COMMISSIONER ELDER: We probably would
6 have to close the doors to not have the howling be heard
7 from here.

8 I -- the synopsis, they want to be whole,
9 Cochise County, including Sierra Vista. They did not
10 want to be a part of Tucson. So probably the result, at
11 least, is not a part of Tucson. Then to throw them
12 right back in with the state of Maricopa where you have
13 the Apache Gold, not Apache Gold -- Apache Junction and
14 Gold Canyon, so it's a what evil do you want to be put
15 with.

16 COMMISSIONER HUNTWORK: By association.

17 COMMISSIONER ELDER: The only probably
18 good things I see about it is probably ranching,
19 agriculture, mining, mining in Bisbee, combining Bisbee,
20 mining in San Manuel, Hayden, Kearny, to the west,
21 agricultural areas in Pinal County. That is the only
22 glue I see that holds it together. It is rural,
23 probably percentagewise remains rural, maybe through the
24 next 10 years.

25 Who knows whether out of Apache Junction

1 whether Apache Junction will control that District or
2 not. It's my opinion it will be close. If looking at
3 growth rate, what might be able to control it from
4 Cochise County, I think they would probably, rather than
5 take a risk with Tucson, rather than the state of
6 Maricopa.

7 COMMISSIONER MINKOFF: It's the state of
8 Pinal, please.

9 COMMISSIONER ELDER: Yeah, whatever. It's
10 the metropolitan area.

11 So I'm not -- I came into the second half
12 today with the feeling, or with the presence if I had
13 something that came even close, I'd probably want to run
14 with it and let the public make some comments to see
15 what we do. And I -- there are so many issues in that
16 one spread-out district, that I don't know I'd want to
17 go to public. I think we'd get such a shotgun of
18 comments, it still would not lead us to a direction of
19 focus for that area. I need to think about it some
20 more. Right now my tendency is to say is this isn't --
21 it may be a little bit better trying to tie the northern
22 parts of Tucson, Marana, Oro Valley. I guess it takes
23 it to two issues instead of three is where I'm at.

24 CHAIRMAN LYNN: Regardless of the
25 peripheral areas, I'm asking this question

1 hypothetically to Mr. Elder, because I share some of
2 those same concerns. If instead of wrapping the
3 district around, I understand that's convenient for
4 purposes of demonstrating this solution, if we kept more
5 of the central core of Tucson the way it appeared this
6 morning and merely flow the population from the north
7 across the top end of Tucson and down the eastern
8 boundary of that general metropolitan area, which is not
9 quite the way the wrap works now, in other words, not
10 creating a new district, rather flowing population
11 through a series of districts that look more like a
12 series of districts looked like this morning, would that
13 make you more likely for putting this out or is it the
14 rural portion the big problem? It is a big problem but
15 is it overwhelming?

16 COMMISSIONER ELDER: I think that would
17 resolve the core issues within the Phoenix and Tucson
18 area, in my opinion. But what that does is it lets the
19 rural, or the peripheral, all the way around those two
20 entities, go in flux. It brings up issues I don't even
21 want to revisit in the northeast part of the state,
22 revisit there, Sierra Vista, southeast part of the
23 state. But if we feel that we've resolved or will have
24 resolved with some pushing and pulling within those two
25 areas, and then trying to remain or retain the rural

1 characteristics and minority-majority districts,
2 combination in those areas, I think we'd be a long ways
3 to where we need to be.

4 CHAIRMAN LYNN: Ms. Minkoff.

5 COMMISSIONER MINKOFF: This does a couple
6 things. I'm not sure I understand your question. Seems
7 to me if we take the northern portion of Pima County and
8 wrap it into the existing Tucson Districts, we have
9 close to 80,000 people. And we can't add those into the
10 existing Tucson districts. We have to take more
11 territory in.

12 CHAIRMAN LYNN: The only point is instead
13 of doing a big C, if you will, if you have to make a
14 district, go to the southeast, it ought to come off the
15 southeast portion of the community rather than all the
16 way around it, is my point.

17 COMMISSIONER MINKOFF: The other thing of
18 course we talked about, you did not do, because did not
19 want to take time to do it, is add that northern portion
20 in the blue district, I forget what it's being called
21 now, redivide those two districts, so that takes some of
22 the C away, I presume the northwestern portion. What
23 it's adding into the Tucson metropolitan area combined
24 with the western portion of the blue district and the
25 rest come down and have that part shaped a little

1 better.

2 CHAIRMAN LYNN: Exactly.

3 COMMISSIONER MINKOFF: This is not a
4 pretty district. I think what we've achieved by doing
5 this is we have workable situations in both metropolitan
6 areas of the state. I think that's a very important
7 accomplishment. I think that the only option to going
8 with this is to kind of draw circles around the two
9 metropolitan areas that we have and then completely
10 redraw the entire rural part of the state. We may end
11 up doing that at the end of public comment. But I
12 believe that we have separated urban and rural areas,
13 which was a very, very important thing we wanted to try
14 to achieve. We don't have much of Metropolitan Phoenix
15 or much of Tucson combined with rural areas. And if we
16 haven't divided the rural areas appropriately, let
17 people tell us how they want us to divide them, and we
18 can redo them.

19 CHAIRMAN LYNN: Mr. Huntwork.

20 COMMISSIONER HUNTWORK: Well, that is 90
21 percent of what I wanted to say. I agree with that
22 completely.

23 The question that leaves is how do we deal
24 with Tucson, the five districts now comprised of Tucson.
25 And I would like to ask you and Mr. Elder to focus on

1 that with us, if you would.

2 I don't really -- I want -- I believe in
3 the proposition Tucson needs five districts. I want to
4 listen to your arguments, but I would like you to
5 provide us with guidance as to how that should be done.

6 CHAIRMAN LYNN: Well, I think -- again,
7 I'm not going to sit here and draw the districts.
8 Conceptually, as Ms. Minkoff said earlier, it seems to
9 make sense to me you combine the population of the area
10 just brought into the Tucson area from Saddlebrooke
11 south, and you begin to shape districts using the
12 population that would be, I can't even see the numbers,
13 or letters, that would be on the screen, the dark blue
14 district.

15 COMMISSIONER HUNTWORK: My question for
16 you: There are two minority-majority districts in
17 there.

18 CHAIRMAN LYNN: Wouldn't touch either one
19 of them.

20 COMMISSIONER HUNTWORK: Move population
21 around them, distribute them?

22 CHAIRMAN LYNN: Mr. Elder is free to have
23 a very different opinion. In my judgment, the districts
24 that we saw this morning, and I don't know whether those
25 are -- are those the ones we saw exactly this morning?

1 COMMISSIONER HALL: Yes.

2 CHAIRMAN LYNN: I think they are close.

3 The central city districts, to the extent
4 that we can possibly not disrupt those, we should not
5 disrupt them. And, therefore, that population that
6 flows from the population area brought into the dark
7 blue district across the top of the community which
8 flows into what is now the wraparound district,
9 redistribution of existing population, not a wholesale
10 change.

11 My point is instead of having Sierra
12 Vista, have to do it with Casas Adobas and Saddlebrooke,
13 redistribution might have them have to deal with
14 southeast Tucson; but that's a better fit relatively
15 speaking. Relatively speaking it's not a good fit
16 either way.

17 Mr. Elder.

18 COMMISSIONER ELDER: I agree with that. I
19 think the potential of taking some of that western part
20 of the blue and bringing the blue down, or taking
21 whatever population that we need from, I don't know what
22 the name is on that one section right in the middle of
23 the blue, but if that is where the 50 percent
24 population, I'm wondering if it makes sense instead of
25 wrapping around, combine the tan, blue, find out where

1 the fifty-fifty line is, make a northwestern and
2 southeastern. I think you may find that right out there
3 through the Tanque Verde Valley through the brown or
4 whatever we're calling the other district might be a
5 split line, everything south of there is one district
6 and everything northwest of there would be another
7 district. That might be another way dividing things up,
8 making it more compact. Make it more definable for both
9 citizens as well as candidates.

10 COMMISSIONER HUNTWORK: Well, if we do
11 that, I move we adopt basically this map as it is shown
12 with essentially -- with E and K along equal population
13 lines.

14 CHAIRMAN LYNN: This map, the Tucson
15 portion only or whole map?

16 COMMISSIONER HUNTWORK: I'm including, at
17 this point I'm talking about the whole map. We
18 previously adopted resolutions that included the rest of
19 the map.

20 COMMISSIONER MINKOFF: I'll second that.
21 But I also have a question.

22 CHAIRMAN LYNN: Moved and seconded.

23 COMMISSIONER MINKOFF: How long it would
24 take you to show what the divisions of E and K would be?
25 We need to see that to be completely correct before we

1 adopt a map. We need to know what it looks like.

2 DR. ADAMS: Commissioner Lynn and
3 Commissioners, we could probably have that back to you,
4 I'm almost certain, in a couple hours.

5 We need to clarify another move in the
6 Maricopa County area I noted where we would actually be
7 equalizing some population and then a second item in
8 Chandler that you wanted us to take a look at those
9 lines.

10 Would you want us to also include taking
11 care of those moves?

12 COMMISSIONER MINKOFF: I think if you
13 could do all of that within a couple of hours, from a
14 legal standpoint, I guess I'm asking -- I'd have trouble
15 approving a map I haven't seen.

16 I think we can approve it in concept.

17 Before we approve a map to send out to the
18 public, we have to see a draft, don't we?

19 CHAIRMAN LYNN: Mr. Huntwork.

20 COMMISSIONER HUNTWORK: Simply seeing
21 where equal the population line is, we wouldn't
22 necessarily have to see it. We should see it, see what
23 that does, adjourn, come back in a couple hours would be
24 the preferable way to do it.

25 I did want to see the change in Chandler

1 asked about, basically withdrawn. I thought
2 Commissioner Minkoff said what happened if that was
3 brought down, if I remember. Said you know if people
4 want that, to tell us in public comment period.

5 COMMISSIONER MINKOFF: That's correct.

6 DR. ADAMS: Okay. Thank you.

7 CHAIRMAN LYNN: The equalization issue in
8 Maricopa county.

9 COMMISSIONER HUNTWORK: Right.

10 CHAIRMAN LYNN: Instruction there, perform
11 that as well.

12 MR. HUNTWORK: Do that as well.

13 CHAIRMAN LYNN: Is that included in the
14 two-hour time frame?

15 DR. ADAMS: Marguerite just escalated it
16 to two-and-a-half.

17 It's 2:30 now. Have it by 5:00 o'clock.

18 5:00 o'clock.

19 CHAIRMAN LYNN: So what we'd have, if I
20 understand the motion, that's included in the motion.

21 COMMISSIONER HUNTWORK: Yes.

22 CHAIRMAN LYNN: What we'd have at 5:00
23 o'clock is a redivision of Tucson, using methodology we
24 talked about, combining the area brought down in the
25 blue area, finding a midpoint in terms of population,

1 and bringing it to the east and then to the south,
2 trying to keep the core relatively the same. That's the
3 intent of that portion of the motion. Also, you would
4 do the steps necessary to equalize the population from
5 eastern Maricopa county through to the one district in
6 the western part of the valley, about 2,000 in
7 population short.

8 DR. ADAMS: Yes.

9 I want to make absolutely certain that
10 both Doug and Chris understand.

11 Clear on that?

12 MR. JOHNSON: I'm seeking one point of
13 clarification on that. The fifty-fifty split in Tucson.
14 There are four cities involved in that blue area. The
15 preference is to get it closest to fifty-fifty or
16 closest to fifty-fifty while respecting the city lines?

17 CHAIRMAN LYNN: Blue has no cities,
18 Marana is unincorporated. Casas Adobas is
19 unincorporated. At the moment it's not. Foothills is
20 unincorporated.

21 COMMISSIONER ELDER: Flowing Wells is
22 within the City of Tucson.

23 CHAIRMAN LYNN: Flowing Wells is in the
24 City of Tucson.

25 If you punch up the city boundary, if

1 that's useful to what you are doing, does that make
2 sense, the city has very few areas, does not go north of
3 the river. It does in a couple of areas, not much.

4 COMMISSIONER MINKOFF: Mr. Chairman, in
5 terms of population equalization, the overpopulation, as
6 I recall, the district we were having so much fun with
7 for a few hours, that is still overpopulated. The
8 switches you made still has excess population?

9 MR. JOHNSON: Yes, Commissioner. I
10 brought the District, Saddlebrooke District, to
11 population equality and left additional people still in
12 G. It is still up by Maricopa.

13 CHAIRMAN LYNN: Further discussion on the
14 motion?

15 All those in favor, say "aye."

16 (Vote taken.)

17 CHAIRMAN LYNN: Opposed say "no."

18 Motion carries.

19 With that motion, then, we will recess
20 until 5:00 o'clock at which time we'll see the revised
21 districts with analysis and perhaps be able to vote on
22 an entire map.

23 DR. ADAMS: Thank you.

24 CHAIRMAN LYNN: There are other items on
25 the agenda?

1 Just before we break, I want to be sure,
2 once we have a map, we need to have some additional
3 discussion once maps are adopted. We also may or may
4 not, depending on whether or not we have -- we need to
5 discuss the schedule regardless. We'll do that at the
6 5:00 o'clock session. We'll just keep going as best we
7 can.

8 The Commission will stand in recess until
9 5:00 p.m.

10 (Recess taken from 2:36 p.m. until
11 approximately 5:14 p.m.)

12 CHAIRMAN LYNN: If the Commissioners will
13 take their seats, we'll get started. The Commission
14 will come to order. The record will show all five
15 Commissioners are present, legal counsel and the
16 consultants are present.

17 Dr. Adams or Mr. Johnson, either, want to
18 give us a report on your work over the break?

19 I believe Commissioner Lynn, Members of
20 the Commission, we accomplished everything you asked us
21 to do over the break. We are currently, have Tim
22 running some numbers. And I also have some numbers to
23 hand to you. I'm going to pass those out to you while I
24 ask Doug Johnson to make a presentation.

25 CHAIRMAN LYNN: Mr. Johnson.

1 MR. JOHNSON: Mr. Chairman, and Members of
2 the Commission, we set out with three tasks in mind,
3 three tasks in mind. One was down in Tucson, the
4 realignment of Districts E, which is the Saddlebrooke,
5 Oro Valley District, and District K, which at the time
6 was Casas Adobas, Catalina Foothills, Tanque Verde
7 District. What we did was took population from the
8 south wrapping around and essentially dividing at the
9 midpoint. Let me zoom in and give you a sense of where
10 that midpoint ended up. It's within the area known
11 as -- known as Catalina Foothills. And the sheets, it
12 runs along Swan Road is the primary dividing line
13 between the two districts in here.

14 As we go to the north, it wraps around a
15 little bit as you can see here, purely for population
16 reasons, St. Andrews Drive and Glen Eagles Drive are the
17 two roads in here.

18 As we go further out, zoom a little bit,
19 Savino Creek (phonetic) is the border for most of this.
20 Obviously it's up in the hills.

21 Take off the rivers so it's not quite as
22 busy. We also made one other modification to this area.
23 District H, the green area, kind of south of the river
24 area, we moved to the northwest of it there to take in
25 the City of Flowing Wells. As a result of that, the

1 blue District, District K, came down and took in a bit
2 more of eastern Tucson. That dividing road or dividing
3 area, actually, is -- the lineup in the north is a
4 drainage way, in a sense, you called it, is in the area
5 of Vantana Road on this side, a drainage area on the
6 east of Vantana Road. On the south it follows the
7 drainage way all the way past Broadway, the follows
8 drainage past Camino Saco (phonetic). And this line is
9 the previous border.

10 Then again it continues south. The Blue
11 District here continues south all the way to Sierra
12 Vista.

13 So, Mr. Chairman, would you like me to
14 address other issues now?

15 CHAIRMAN LYNN: Let me stop, get whatever
16 reaction there might be in terms of this particular
17 region of the map.

18 COMMISSIONER HUNTWORK: That appears to be
19 what we asked them to do.

20 CHAIRMAN LYNN: Clearly follows the
21 instructions. I think post public hearing and post
22 public comment period, some other adjustments are quite
23 likely in terms of not only the exterior of the district
24 but also the specific lines that make the -- comprise
25 the interior Tucson districts. But I think those lines

1 are satisfactory for the moment for public comment.

2 Mr. Elder.

3 COMMISSIONER ELDER: For reference,
4 Mr. Johnson, the southern boundary, green, end up at
5 Broadway or 22nd?

6 COMMISSIONER MINKOFF: 22nd.

7 MR. JOHNSON: 22nd.

8 COMMISSIONER ELDER: Okay. Thank you very
9 much.

10 CHAIRMAN LYNN: Okay. Mr. Johnson.

11 MR. JOHNSON: The other area we worked on
12 during the break was population adjustments between the
13 extra population that -- before we started was in
14 District G here and then a shortage of population in
15 District B in Central Phoenix.

16 What we did to adjust that issue in macro
17 level, then I'll zoom into show the changes, was took
18 population, was in E, moved into District I, then
19 District I gave up regions around Buckeye and south
20 Avondale into District T which borders on District D and
21 transfer population, swung population to east Pinal,
22 2,000 people, involved each of the steps around and into
23 District B. To show exactly where changes took place,
24 first was around Florence. I don't know if you can read
25 the numbers, 10 to 50 people in each of the blocks, each

1 area, west of Florence. Florence did not change. It
2 was already in District I. Then --

3 DR. ADAMS: In regions east of Florence.
4 Primarily large census block, 345 people here, also a
5 block anywhere from five to 100 people in the area here.
6 That was the primary change. Also, you might imagine
7 this part of area was tough to find population centers
8 to move outside of the cities, again trying to avoid any
9 city splits that we can. The Other change took place
10 between reservations.

11 Previously this area was divided as well.
12 Essentially this portion on the east edge between
13 Ak-Chin and Gila River reservations, already in I for
14 population reasons, extend that over, take in the area
15 of Maricopa here and surrounding unincorporated areas.
16 Ak-chin remains connected and contiguous through the
17 area west of Maricopa. It's A little bit awkward area,
18 contiguous or compactness, follows the tribal river
19 borders, and keeps Gila with the Ak-Chin reservation.

20 The next step of moving these people
21 around was south of Avondale, Goodyear, and involved
22 portions of Buckeye.

23 These very sparsely populated areas to the
24 south were taken out of District I, the blue District,
25 and put into District T, which includes Goodyear and

1 Avondale. In addition, that wasn't quite 2,000 people.

2 The only real population, even for just
3 the couple hundred we needed, was in the area to the
4 west, to the west of Buckeye.

5 So it would have been very odd looking for
6 us to swing to the Avondale, Goodyear District around
7 Buckeye.

8 What we did was add that area into the
9 Buckeye District and took a little bit off the east edge
10 of that into District T.

11 These are, you see, some of the faded
12 lines there, actually city borders. What those are all,
13 they're annexation arms. Since Buckeye was already
14 divided, because of population below, this portion in is
15 in other District, we took a little more of the
16 annexation, area surrounded by it's annexation lines.
17 So seeing the difference between the sparsely populated
18 rural area, just talking about, and much more densely
19 populated areas of Phoenix, going here. In this all
20 that moved was this small purple here between Northern
21 Avenue and Maricopa Avenue, blocks going West of 47th
22 added into District B, transferring the final leg of the
23 transfer 2,000 people.

24 CHAIRMAN LYNN: Any more comments?

25 COMMISSIONER MINKOFF: Once again, I think

1 it conforms with our instructions.

2 CHAIRMAN LYNN: Any other instructions?

3 COMMISSIONER ELDER: Could you zoom back
4 out to incorporate the whole valley here?

5 CHAIRMAN LYNN: Mr. Johnson, anything
6 further this evening?

7 MR. JOHNSON: Just one comment, lettering
8 jumps around a bit. If the Commission wishes, we'll
9 reletter north to south or east to west.

10 CHAIRMAN LYNN: I want to reemphasize,
11 we've gone back and forth from the maps. From the
12 standpoint of anything put out, ultimately we they
13 should be numbered, but should be lettered until adopted
14 as a plan.

15 Hear from other members of the Commission?

16 COMMISSIONER MINKOFF: Letters as well.
17 Go back to what we used before and number districts A
18 through Z, double EE, N and M1, don't have A, but double
19 A, so really confusing. Please renumber them and do it
20 in some kind of order that makes sense going across the
21 state.

22 CHAIRMAN LYNN: Without objection.

23 MR. JOHNSON: Mr. Chairman, I neglected to
24 mention one area. This morning, as walking through the
25 changes made last night, we did not get to one section.

1 I did want to mention Yavapai County information to the
2 Commission, what we did up there.

3 CHAIRMAN LYNN: Please.

4 MR. JOHNSON: Changes made in this area
5 were largely as a result of the instructions, the
6 instructions and changes made both in the Winslow, Hopi
7 Reservation area where we did not, in the end did not
8 change Winslow and the Kingman area. As a result, the
9 population of the river district, we had here, we did --
10 what we needed to take out of Yavapai was reduced. This
11 district was reduced a bit. The Town of Paulden, I
12 believe it's pronounced, was reduced.

13 Now if you moved into the yellow district,
14 Coconino, Flagstaff, Sedona area. We also worked very
15 hard to avoid splitting any cities in this area. And
16 again, it remains our top priority to avoid doing so.
17 However, for population numbers it was inevitable at
18 this stage of the map to divide Chino Valley, a small
19 portion, the small east valley is moved into the
20 Flagstaff, Sedona District. Our hope is, obviously, if
21 there are other changes to the map, we can fix that.

22 CHAIRMAN LYNN: Thank you, Mr. Johnson.

23 Mr. Huntwork.

24 COMMISSIONER HUNTWORK: How many people
25 were involved in that exchange in Prescott Valley area?

1 MR. JOHNSON: 3,420 people in Paulden were
2 affected, and it looks like maybe 1,000, or that
3 ballpark, in Chino Valley.

4 CHAIRMAN LYNN: So the split in Chino
5 Valley has affected about 1,000, give or take, in terms
6 of that one.

7 All right.

8 Ms. Minkoff.

9 COMMISSIONER MINKOFF: Just a question.
10 I'm looking at what I have on my screen. And what is up
11 there, it looks very similar. Was this done before you
12 presented to us? Looks like what I have up there was
13 not changed up there.

14 MR. JOHNSON: It was done last night.
15 When we went through this morning, did the walk through,
16 it wasn't on.

17 CHAIRMAN LYNN: All right. Other comments
18 or questions?

19 COMMISSIONER MINKOFF: All right.

20 All right. Mr. Johnson, I wonder if you
21 zoom out, give us a macro view of what we have of a
22 Legislative draft.

23 COMMISSIONER HALL: Mr. Chairman, for lack
24 of a better metaphor, we're on a train, if you will, it
25 appears we past stations as we go. I think we've come

1 to a crossroads, as it were, as to whether to stop the
2 train and try and say, you know what, let's stop and go
3 and make this map better, because I think everyone here
4 realizes there may well be certain areas we can make
5 improvements, but I think the key word here is draft.
6 I'm wondering if we're past the station draft without
7 stopping the station of draft and immediately continue
8 to allow our consultants to continue to work on this as
9 we progress along with public input, period, and try not
10 to lose momentum as we go, as it were.

11 CHAIRMAN LYNN: Again, if I understand
12 your comment, I think you are suggesting at this
13 juncture, or very close to this juncture, we entertain
14 the motion to adopt the draft Legislative map and
15 subsequent to that vote, assuming that the draft is
16 adopted for public comment, that we may issue additional
17 instructions to the consultants relative to areas that
18 we, ourselves, have identified as we've gone through
19 this process that we know are going to be the subject of
20 and the rather pointed feedback that we will get from
21 the public on the map itself.

22 COMMISSIONER HALL: That's correct,
23 Mr. Chairman, along with addressing some of the issues
24 we're immediately aware with, along with beginning a
25 more detailed analysis as we receive important data

1 relative to the competitiveness issue.

2 CHAIRMAN LYNN: Can I get a sense of the
3 Commission on that?

4 COMMISSIONER HALL: Therefore --

5 CHAIRMAN LYNN: Silence is good enough.

6 Any objection to that sort of methodology
7 at this point?

8 Okay.

9 COMMISSIONER HALL: Mr. Chairman, I make a
10 motion, this, as it stands, be our draft map.

11 CHAIRMAN LYNN: Second?

12 COMMISSIONER ELDER: Second.

13 CHAIRMAN LYNN: Discussion?

14 Mr. Huntwork.

15 COMMISSIONER HUNTWORK: Well, we've all
16 identified problems with this map that we're aware of.
17 A number of them are rural areas, some of them are in
18 the urban areas. I think we made a change in the West
19 Valley that we haven't really completely gone through in
20 order to make the best possible sense of the districts
21 in the West Phoenix metropolitan area.

22 I know the approach we took with the five
23 Tucson districts was pretty quick, but the -- never the
24 less, we've worked very hard and we have something that
25 generally, I think, reflects the culmination of the

1 decisions we've made up to this point. It's an honest
2 effort. It's as good as we're going to be able to do
3 without substantially delaying the schedule. And I
4 believe the misgivings I was expressing rather
5 vehemently yesterday have been to a large extent
6 addressed.

7 I personally feel we're in a position
8 where we can put this out for comment by our fellow
9 citizens.

10 CHAIRMAN LYNN: Any further discussion?

11 I would like to just reiterate a comment I
12 made earlier. I am still very concerned about a number
13 of areas of the map. Some elicit more concern than
14 others, because some are more easily addressed than
15 others. And clearly, the southeastern portion of the
16 state, particularly the Cochise County corridor as it
17 now exists all the way up to a portion of Maricopa
18 County, is extraordinarily troublesome. Clearly we
19 must, in my opinion, come up with a further solution to
20 that problem, because, again, I don't think that
21 particular district is going to be met with much
22 admiration as we go out for public hearing. And I
23 suspect that we're going to have to deal with that as
24 well as a number of other things.

25 I certainly, I'm prepared to put that on

1 my list of things the consultants need to continue to
2 work on.

3 With that caveat, that said, understanding
4 the position of the draft is, in effect, a part of the
5 work product as we move forward and it still is
6 available to be influx as we discover other solutions
7 that work, I, too, have had many of the reservations
8 about voting in favor of the map reduced. And I think
9 for the purposes of public hearing I may be able to
10 support the map as it currently exists again noting a
11 couple very specific exceptions I'll speak more about
12 once this motion is decided and we begin our
13 instructions post adoption.

14 Mr. Elder.

15 COMMISSIONER ELDER: Do I understand your
16 comments to represent we're going to adopt a draft map
17 and that we are going to then have the consultant review
18 or look at a series of options, or address a series of
19 issues where we will have better numbers and better
20 things we can give the public on which to base a
21 decision when we have the meetings?

22 CHAIRMAN LYNN: I don't know that -- I
23 mean, again, Mr. Hall made the motion, but my take on
24 that is that both in terms of reality and in terms of
25 perception, that the work on these maps will continue.

1 That the adoption of the draft is a point in the process
2 that we need to come to and get past, as Mr. Hall
3 indicated earlier. I think we may be ready to do that.
4 I want everyone to understand and make no mistake about
5 the fact there are issues that remain and those issues
6 need resolution, and in manner are beyond where we are
7 right now. We need to look at competitiveness, an issue
8 we need to look at as soon as we have maps we need to
9 look at. Those have to be looked at. We need to do a
10 number of different things. My hope is as, almost on a
11 dual track, some things are more easily done, more
12 quickly done, as the review period begins, the review
13 period cannot be done until we adopt both maps, once the
14 review period begins, I hope simultaneously as we
15 getting input from public, we are also recognizing
16 ourself areas we'd like to have different solutions
17 available. As those become available, we can certainly
18 address them.

19 I'm not sure all of them will be available
20 by the time we have the first hearing. To the extent we
21 can do that analysis as well as other things, we'll give
22 consultants them to look into. As those options become
23 available, we can certainly begin discussing them as we
24 go through the process. And clearly we'll have all
25 those options available to us, certainly by the

1 conclusion of public hearing process, so when we, as we
2 must, revisit both these maps once adopted, make final
3 changes that need to be made to bring all variables to a
4 level we're comfortable with, we'll have full, complete
5 information on how best to do that, what the
6 implications of each of those changes might be.

7 COMMISSIONER ELDER: I think that's
8 probably the way I would like to see it approached.

9 I think I would like to end up with the
10 Commissioners being able to identify issues in areas as
11 they see them. I don't have a good example other than
12 we might take a look at Kingman and say we struggled
13 over this. This is where we're at right now. Here's
14 input. Here's the ramification. Here's problems. If
15 we do this, here's items we need to address. Make sure
16 you consider this. Here are comments. In meetings,
17 we're probably closer than they will be to it. People
18 are closer to their areas than we are. If we identify
19 areas of concerns as we come back together, we'll have
20 had input from public, input addressing specific issues
21 we'd like to see resolved, and it may give us the
22 context or at least focus as much as we can on the
23 issues we see and give us advantage to then begin to
24 prepare a final map.

25 CHAIRMAN LYNN: Ms. Minkoff.

1 COMMISSIONER MINKOFF: Mr. Chairman, I
2 think that's an excellent idea. And questions, in fact,
3 I'm asking, two categories, one of the general
4 categories, looking at the entire map and really asking
5 the same questions of everybody in the entire state.
6 These are things that generally concern us about the
7 entire map. If there are concerns we have about a
8 particular area, I would suggest we do those
9 geographically. We can do it on our website like we did
10 citizen kits, various areas, click on an area, in this
11 case, click on an area and you'll find specific
12 questions that we are looking for input on, and we can
13 also do it for people who come to the public meetings,
14 maybe have a handout as they come in, tell them general
15 questions we're concerned about, and these are questions
16 specific to an area we're visiting this evening.

17 CHAIRMAN LYNN: Other comments?

18 Ready for the question?

19 Roll call.

20 Mr. Huntwork?

21 COMMISSIONER HUNTWORK: "Aye."

22 CHAIRMAN LYNN: Ms. Minkoff?

23 COMMISSIONER MINKOFF: "Aye."

24 CHAIRMAN LYNN: Mr. Hall?

25 COMMISSIONER HALL: "Aye."

1 CHAIRMAN LYNN: Mr. Elder?

2 COMMISSIONER ELDER: "Aye."

3 CHAIRMAN LYNN: Chair votes "Aye."

4 CHAIRMAN LYNN: Motion carries five-zero.

5 We have two draft maps.

6 Mr. Hall.

7 COMMISSIONER HALL: Mr. Chair, in the
8 effort of not allowing the train to slow down, and with,
9 I know Doug was thinking he may have tonight to sleep, I
10 wanted to dispel any of that notion, I suggest
11 immediately I'd like to instruct the consultants
12 immediately to start looking at a few areas and
13 alternatives wherein we can, over the next undefined
14 period, analyze and begin to see ramifications of those
15 alternatives and, you know, with permission of the
16 Chair, I'd like to give a few I have on my list.

17 My recommendation is each Commissioner
18 identify some areas so we immediately move as rapidly as
19 we can.

20 CHAIRMAN LYNN: Without objection,
21 proceed.

22 COMMISSIONER HALL: I am convinced that if
23 we were to take eastern Pinal with Casa Grande and
24 portions of the Southwest valley, that would make that
25 majority-minority district, the district then to the

1 south, putting those reservations with a different
2 district, which I believe then solve the problem of
3 Cochise.

4 I would like to see whether or not that is
5 a reality, that alternative. And with the caveat we
6 want to insure that. Of course, we do not minimize
7 minority-majority issues in the metropolitan area as we
8 attempt to do that. I think that capability is there.
9 That was one.

10 As we receive the data, I think primarily,
11 and you folks along with counsel can correct me if I'm
12 wrong, I think we're going to have capability within
13 urban areas to make adjustments to accommodate this
14 issue of competitiveness. When the final data is
15 forthcoming, I would like to have the consultants to
16 advise us with respect to that issue to assure us we
17 have done all we can do to make sure each and every
18 district that is possible, that we increase the level of
19 competitiveness where possible, I guess would be better
20 stated.

21 I would like to revisit some of the
22 issues that affect Northern Yavapai County, for example.
23 If we place the City of Flagstaff in the Northern
24 District, the presumption is that Kingman and other
25 populations come south. And my suspicion, unconfirmed

1 suspicion, is that would again place the split in
2 Yavapai County back to Yavapai Falls, or would that move
3 all to northeast. What would that do. I'd like to see
4 what would that do in that ripple affect in that
5 respect.

6 I'm sure, Mr. Chairman, there's a few
7 missing. As an initial list, that's what I have.

8 CHAIRMAN LYNN: Thank you, Mr. Hall.

9 I'd like to add to that list. I'll be
10 happy to defer if somebody is ready to go.

11 COMMISSIONER MINKOFF: It isn't
12 necessarily all I have. It relates to somewhat what
13 Mr. Hall said.

14 One split we have, Yavapai County,
15 Prescott, Prescott County, the separate communities,
16 cohesive community, population of Prescott combined
17 Kingman, New Kingman, Butler area. I'm wondering if we
18 move New Kingman, Butler out of the river district into
19 the northern district. Move Prescott City proper in
20 with Prescott Valley, in with the District that includes
21 Flagstaff, and without dividing Flagstaff, which is
22 larger than Prescott or Kingman, New Kingman, Butler,
23 area, if approximately 33,000 rural population in
24 Northern Coconino County we can move into that Northern
25 District, I don't know if it works. Maybe population is

1 too concentrated in Flagstaff area. I would not do it
2 at the expense of splitting Flagstaff. If there is a
3 way to do it without dividing Flagstaff, it might make
4 sense.

5 CHAIRMAN LYNN: Mr. Huntwork.

6 COMMISSIONER HUNTWORK: Kingman. Kingman
7 is closer to Tucson, I think, than it is to, for
8 example, Window Rock, or at least the distances are
9 close. The political center of that district, in any
10 event, is dramatic and far reaching. I just don't
11 believe that is a tenable arrangement. I think everyone
12 else in that district would feel better if that were out
13 and I think Kingman would feel better if Kingman were
14 out.

15 Whatever it takes, that would be better if
16 Kingman were out. Obviously whatever population it
17 would provide to even the district, make sure the
18 demographics enhance the Native American voting strength
19 in that northern District.

20 The other thing mentioned earlier, I
21 really would like to take another look at soon is the
22 West Valley area. The districts really are driven to
23 some extent by those long east-west districts, P and T,
24 I think they were called. In any event, we rearranged
25 them now, now we have a much freer hand to take a look

1 at the West Valley area. I see a lot of odd-shaped
2 noncompact and odd-shaped districts there I think could
3 probably be redone better if you take a fresh look at it
4 now that you have the new arrangement in place.

5 CHAIRMAN LYNN: Okay.

6 I would like to maybe just reiterate, or
7 at least support some of the things that have been said
8 so you get a sense of where we're, where collectively
9 we're coming from.

10 Clearly, whether it's revisiting the
11 Cochise corridor via the consolidation of Pinal, or
12 whether it's through other means, that's a District I
13 want to highlight. I want to make sure we're working on
14 a possible solution for that district. I want to
15 emphasize competitiveness. We'll have the numbers
16 shortly, which will be preliminary numbers, I
17 understand, but I want to be sure that we look at that
18 throughout the state, and make sure we stay on top of
19 that issue as we move forward with the process to insure
20 we do the best job we can in terms of competitive
21 districts.

22 I want to reiterate if Flagstaff could
23 move into the Northern District, accomplish a couple
24 things, reunification to the west, Kingman belongs in
25 with the river districts, if we can get it there without

1 doing other harm. And that ought to do me for the
2 moment. There may be others.

3 Anybody want to add any to the list.

4 Mr. Elder.

5 COMMISSIONER ELDER: Don't know about add,
6 but open the door somewhat. We were looking at Yavapai,
7 looking at some of the areas in that area. I would like
8 to at least give the flexibility for the consultant to
9 look at the balance of the Verde Valley as it looks as
10 EACO and goes through the northern part of Fort McDowell
11 Reservation where the Verde comes back in or the Salt.
12 But in that area, it may very well be possible,
13 depending on what we want to do there. I'm in support
14 of looking at the Pinal area as a minority-majority
15 district, see if we flip-flop that, see if it resolves
16 any Cochise County issues.

17 I'm still very much disturbed with the
18 Cochise, the Pinal, the Pima County, Tucson, all that
19 interaction, I guess, on the tan or brown.

20 If anything, going down, picking up the
21 northern part of brown to Yavapai makes sense with the
22 shift, all the dynamic shift in Flagstaff, the shift in
23 Prescott. I echo Ms. Minkoff's comments in Prescott, to
24 Prescott.

25 Tempe to Chandler, unless there's a sign

1 there, you don't know when you are in one or the other.

2 So with that said, with looking at
3 minority-majority, and the central part of Pinal, I'm
4 hoping we'll resolve the Cochise Pinal County problems
5 there, at least not say easily a line Pinal and Cochise,
6 shall not go through. If a little reason for a chip up
7 there, chip up of EACO, go up, at least say it worked or
8 didn't work.

9 CHAIRMAN LYNN: Thank you, Mr. Elder.

10 Other additions to the list?

11 Very well.

12 Then let us move to other issues we have
13 on the agenda.

14 Ms. Hauser.

15 MS. HAUSER: Mr. Chairman, we are in the
16 process right now of running a competitiveness analysis
17 using the more limited approach that we discussed with
18 you at our last meeting. And we should have that report
19 for you around 7:00:

20 CHAIRMAN LYNN: Then in the interim, I
21 wonder if we might do some other business.

22 It occurs to me there are other items on
23 agenda. There is the other public comment period we
24 might be able to fit in before the 7:00 period as well.

25 It occurs to me we need to talk a bit

1 about future meetings and scheduling for the balance of
2 the process. And that, on your agenda, is item VII.

3 Just so I know, are you contemplating that
4 would be to follow an Executive Session?

5 MS. HAUSER: I don't believe so.

6 CHAIRMAN LYNN: All right. Thank you.

7 Let's talk a little bit about future
8 meetings. One of the things that has become clear to
9 me, with the action taken this evening, is to remain on
10 the front end of schedule, we will have draft maps
11 available to the public by tomorrow which then will
12 allow us to become a public period a week from tomorrow,
13 allow public hearings by August 25th. At the back end
14 of that process, when the public hearing process has
15 concluded, we have a situation where the situation --
16 there's two issues to discuss, one is a realistic amount
17 of time the consultants will need to analyze, digest,
18 and assimilate the information that has been received
19 from the public during that three-week period as well as
20 other comments that will have come in during the 30-day,
21 total comment period, and the amount of time it will
22 take them to get back to us with meaningful information.
23 And I fear another fairly thick notebook of material
24 that we will need to read, digest, and come to grips
25 with. That's one item, the timing of that. I believe

1 current space for that is a matter of days, and not very
2 many days at that. I don't believe that's adequate.
3 Secondly, when we do get back together with all that
4 information in hand, as well as everything else that
5 will be collected to that point, and we as a Commission
6 sit to make final recommendations for changes to the
7 draft map, I believe, based on experience, that will be
8 a rather protracted meeting.

9 I want to be sure we all understand
10 approximately how many days that might take and clear
11 our calendar appropriately to take as many days as it
12 might take to get to a finished product that we are
13 pleased to adopt finally and ultimately submit to the
14 Department of Justice.

15 So those are the issues that I think we
16 need to deal with.

17 Dr. Adams, I don't want to put you on the
18 spot. I hope you had some time to think about this.

19 Ms. Hauser.

20 MS. HAUSER: I thought it would be helpful
21 to know what you adopted in the past.

22 CHAIRMAN LYNN: I thought you were doing
23 competitiveness analysis.

24 MS. HAUSER: No. Waiting for the computer
25 to run.

1 CHAIRMAN LYNN: Want to use the
2 microphone, Ms. Hauser?

3 MS. HAUSER: What you decided?

4 COMMISSIONER MINKOFF: Do you have a dark
5 marker.

6 MS. HAUSER: No. They gave me red. We
7 have green and --

8 Black is good. Okay.

9 September 15 is the last day of hearings.
10 See that?

11 CHAIRMAN LYNN: Better.

12 MS. HAUSER: September 17, according to
13 the schedule you previously adopted, is when NDC is
14 recommending modifications, final modifications, which
15 would be a Monday. That's a Saturday, the 15th.

16 And then we had a brief period, and
17 remembering that the first of the Jewish holidays, Rosh
18 Hashanah, is right after this date, the 18th and 19th,
19 so Commissioner Minkoff is not available then.

20 And we had also a period of analysis and
21 briefings to go through with Commission hearings, the
22 25th and 26th.

23 So essentially we're looking at a day,
24 portion of a day. I think --

25 Where is Jose?

1 Do we want --

2 CHAIRMAN LYNN: Jose who?

3 MS. HAUSER: That guy right there.

4 Your counsel had a brief meeting on this
5 earlier. If you would like to hear our suggestion, take
6 it and do whatever you like with it.

7 CHAIRMAN LYNN: Did you have an
8 opportunity to coordinate it with Dr. Adams in terms of
9 her opinion about it?

10 MS. HAUSER: It will be long enough.

11 MR. RIVERA: We decided Dr. Adams is way,
12 way too optimistic. Her estimates are always too
13 optimistic.

14 MS. HAUSER: This is our recommendation
15 from the dark and gloomy side.

16 MR. RIVERA: Want to see my handwriting?

17 MS. HAUSER: September 15 is the end of
18 the hearing. We suggested giving until the following
19 Friday, the 21st, to report on the following changes.
20 Just right under the line. A week, a week writing.

21 COMMISSIONER MINKOFF: Final changes?

22 MS. HAUSER: Recommendations for making
23 changes that would result in a final plan. The changes
24 coming out of the public hearings.

25 COMMISSIONER MINKOFF: Okay.

1 MR. RIVERA: I feel like Vanna White.

2 MS. HAUSER: Then we discussed, on the
3 following, giving you all adequate time and us adequate
4 time to review that and prepare our final
5 recommendations, the 28th, which would be a Friday, to
6 do individual Commissioner meetings in Maricopa County
7 for the two Maricopa County Commissioners. And then on
8 Monday, October 1st, to do individual meetings during
9 the day in Tucson with Commissioners Elder and Lynn.
10 And Monday evening, October 1st, to meet with
11 Commissioner Hall.

12 COMMISSIONER HALL: Where?

13 MS. HAUSER: In Phoenix.

14 MS. HAUSER: And then to schedule the
15 final meeting for adoption of final plans for --
16 beginning Tuesday October 2nd, and just noticing that
17 through Saturday October the 6th. Hopefully we wouldn't
18 need all that time. But the way things tend to go, you
19 never know. So -- that was our initial thought.

20 COMMISSIONER HALL: What is wrong with the
21 29th?

22 What is wrong with the 29th? That's a
23 Saturday.

24 COMMISSIONER HALL: Right.

25 If we do not starting meetings until --

1 MS. HAUSER: I understood no Commission
2 meetings on Monday. Not have you come down earlier than
3 Monday.

4 COMMISSIONER HALL: The meeting is
5 starting Tuesday. I see.

6 MR. RIVERA: Individual meetings again
7 prior to that.

8 COMMISSIONER HALL: Why not start the
9 meeting Monday?

10 MS. HAUSER: The Commission previously
11 said not to have meetings on Monday.

12 COMMISSIONER HALL: They lied.

13 MR. RIVERA: We had individual meetings on
14 Monday.

15 COMMISSIONER HALL: That's me.

16 MR. RIVERA: Also Elder and Lynn.

17 The 28th, Maricopa.

18 COMMISSIONER HUNTWORK: They can be on the
19 28th -- 28th, Friday. 29th is Saturday.

20 MS. HAUSER: Let us just indicate one or
21 the other thing to you.

22 We also, and this is partly a request for
23 NDC and for the Commission, partly NDC and partly the
24 Commissioners. In watching this process unfold, Jose
25 and I are thinking it may be helpful to you, once you

1 get the NDC report that recommends changes, that the
2 Commission might want to have a meeting, a brief meeting
3 at that point, to direct or to give NDC some direction
4 as to which of those changes should be put into a final
5 map or do it all in this time frame. You could break it
6 up.

7 MR. RIVERA: Before NDC comes out to give
8 directions.

9 MS. HAUSER: It couldn't be before the
10 report. They wouldn't have any idea.

11 In here. Again, do it all at once or give
12 direction, go away a few days and then come back. Let
13 them talk.

14 Jose and I are having an issue whether or
15 not, I don't know if you could make recommendations
16 whether they could make them come out.

17 MR. RIVERA: Theoretically, so every
18 Commissioner could be at every one of the meetings, be
19 at every one of the meetings, focus where they go,
20 whether or not they get the general report and refocus.

21 CHAIRMAN LYNN: I understand the issue of
22 focusing, to the extent NDC would be at all the
23 meetings. They'll be hearing the same thing we are.
24 We've already identified this afternoon the beginnings
25 of the focus. We have a list that I don't think there's

1 any doubt that that list will be referred to, perhaps
2 not with the same specificity, but in terms of the
3 issue, of the issues we raised. We'll hear that and
4 others at the public hearings. I think I would -- I
5 think I would like to see the report before we start
6 discussing things with consultants.

7 Mr. Huntwork.

8 COMMISSIONER HUNTWORK: I agree with that.
9 I would like to see the report as soon as possible. If
10 NDC actually is comfortable they can get us the report
11 by the 17th, I don't want to artificially prolong it.
12 The sooner we get the report, the sooner we can begin
13 disagreeing with it. That has really been how this has
14 gone. I just, in my view, it's up to them, if they feel
15 they can get material sooner.

16 CHAIRMAN LYNN: Mr. Elder then
17 Ms. Minkoff.

18 COMMISSIONER ELDER: I'd like to know what
19 we're doing in individual meetings. Being presented
20 with graphics of the report, or being asked to respond
21 and make recommendations, or requests? If that's the
22 case, those need to be moved up then during the meeting
23 and beginnings of hearings. If all we're going to be
24 doing is being presented with the graphics, that can
25 come over e-mail or disk on Fed Ex if not an interactive

1 meeting. And then during the time we had interactive an
2 meeting, it had to be in public. So an individual
3 meeting did no good.

4 CHAIRMAN LYNN: I think we may have too
5 many conversations going on at once. I'd like everybody
6 concentrating on what we're doing, trying to get some
7 answers, a little time on this, hands on. I'd like to
8 do this in the most efficient way possible.

9 Mr. Elder raises the nature of the
10 individual meetings with consultants. The question is
11 the nature of the meetings, will we be presented
12 information or whether the meetings will be interactive
13 in nature. Will the Commissioners be able to directly
14 raise the nature of individual of questions, get
15 responses from the consultants in advance of the public
16 meetings on the 2nd or 6th.

17 Is that correct?

18 COMMISSIONER ELDER: That's correct. My
19 preference is the latter. Otherwise it's a waste of
20 time.

21 CHAIRMAN LYNN: So -- I mean if that is
22 something we can do, that is what we will do.

23 DR. ADAMS: Commissioner Lynn, Members of
24 the Commission, just a couple of comments. As we were
25 adopting that schedule, there were a couple of calendar

1 conflicts from staff, and so on. We were trying to be
2 accommodating. Also, we were thinking as we went
3 through the process, we would be gathering information,
4 analyzing as we went. And we, I think, understand now
5 that we don't always get the information back from these
6 meetings in the timeliest manner. The only person that
7 seems to get things to us very quickly is our own Lisa
8 Nance. So we did have some difficulty getting materials
9 so we could analyze and get them back to you in a very
10 timely manner.

11 I have no objection to having additional
12 time to prepare a report. I think that the individual
13 meetings definitely should be interactive and you should
14 have time to review the materials. I think that if you
15 think back to your own meetings with us, if you have had
16 time to review the materials, it tended to be a more
17 effective meeting.

18 So I would want to give ample time to you,
19 also, to review the materials we provide you so we can
20 have a very good interactive meeting.

21 I personally have a difficulty starting on
22 the 28th with those individual meetings. We have staff
23 or can work something out so staff can cover it. I'm
24 not terribly comfortable with it. That's a difficult
25 date for me to start. I'd rather start on the first

1 rather than the 28th.

2 CHAIRMAN LYNN: That's probably workable.

3 COMMISSIONER MINKOFF: I'm not sure it is.

4 Let me explain the issue. We thought we'd have draft
5 maps done a week ago. This portion of the process has
6 taken a week longer than we thought that it would. We
7 have no way of knowing whether or not that will happen
8 with the second part of the process as well, especially
9 the amount of time that it takes after we've come up
10 with something after long breaks we need because
11 computers only work so fast. The last day I'm in this
12 country to go to a meeting is October 12th. I've come
13 too far in the process to let the other four
14 Commissioners make the final decision.

15 COMMISSIONER HALL: You can sign a power
16 of attorney when you leave.

17 COMMISSIONER MINKOFF: Not on your life.

18 We need to develop a schedule that allows
19 enough flexibility at the end if we run into the kinds
20 of problems we run into, I'm here to make the decision.
21 I announced when we began the entire process when I was
22 leaving the country. The alternative is recess and
23 finish up in November. I think we need to compress a
24 little bit, not plan on finishing on the sixth. Plan on
25 finishing earlier than that so if we have to stretch a

1 bit, we have time to do that. I'm also wondering about
2 a break between the individual meetings and Commission
3 meetings. If I may make a couple suggestions, the other
4 Commissioners make a couple suggestions, based on public
5 comment, what I've heard and read and seen leads me to
6 believe this is a change we wish to make, you'll need
7 time to do that. From my comments, Mr. Huntwork's
8 comments, everybody else's comments, and show us how it
9 impacts the map, show us drafts, when we get together,
10 then when we see what all five of us have said, that's
11 when the fun starts.

12 My guess is this, then during the stage is
13 going to take a lot longer because what we said today is
14 maps are okay to take out for public comment. If these
15 were the final maps, we wouldn't be anywhere close to
16 being done. I'm concerned that the schedule starts too
17 late.

18 CHAIRMAN LYNN: Let me turn to Ms. Hauser
19 first then get to you.

20 MS. HAUSER: Mr. Chairman, one of the
21 things you need to consider in connection with
22 compressing the schedule, I'm assuming the number of
23 days, Jose and I were trying to set aside five meeting
24 days, October 2nd through the 6th. So the compression,
25 if looking at more meeting days, that's not time to

1 compress, earlier than that.

2 COMMISSIONER MINKOFF: Exactly.

3 MS. HAUSER: The time you need to
4 consider, while we're essentially on the road for three
5 weeks, having done this once before now, I can say it is
6 very difficult to get other things done during that
7 process, working in hotel rooms in the morning, shifting
8 to different locations, these meetings go on longer in
9 the evening than first round, we can be guaranteed that.
10 During the time we're on the road, we will be receiving
11 the rest of our racial block voting analysis, we hope,
12 and the more sophisticated competitiveness analysis, all
13 of which we need to review, digest, and wrap into the
14 final report.

15 So that is something I just want you all
16 to keep in mind as well.

17 We do have more factors that have to go
18 into that report than you due now.

19 COMMISSIONER MINKOFF: Mr. Chairman, we've
20 spent six days in public meetings, four days in
21 meetings, two very long days in Tucson. Draft maps,
22 we're all willing to be flexible where boundaries are
23 concerned. We knew they could be changed later on.

24 I'm not sure we'll do it for five days.
25 Somehow, some way we can compress the schedule, hearings

1 four days a week, maybe the other three days a week work
2 days, I don't know. What I suggest, I do know I'm very
3 concerned about the schedule, that we'll not finish by
4 the 12th.

5 CHAIRMAN LYNN: Mr. Huntwork.

6 COMMISSIONER HUNTWORK: I think I need two
7 days after I get the NDC report before I meet with them.
8 Furthermore, I would be eager, extremely eager to meet
9 with you after two days. To have to wait a week would
10 be frustrating. Why don't we look at saving a
11 substantial amount of time there.

12 COMMISSIONER MINKOFF: I would agree with
13 that.

14 DR. ADAMS: I have no problem with that.
15 I'd rather meet sooner rather than later.

16 Commissioner Lynn and Members of the
17 Commission, may I also suggest that we may want to
18 streamline the information-gathering process. We will
19 come out with a report based on a lot of information.
20 My understanding is a lot of information we put together
21 you receive via your e-mails. We do compile a lot of
22 information for you. And we'll do that. There may be
23 some elements of that that are being duplicated and that
24 are not necessary, and it would be important for us to
25 find out where areas of duplication are so we wave some

1 effort in that regard. That would save some time.

2 MR. RIVERA: Mr. Chairman, the only
3 problem with this scenario, you are not leaving any time
4 for attorney briefing.

5 It's been difficult all along when we get
6 something, we're not going to have a day or two to give
7 you the answers to questions you have. Commissioner
8 Huntwork has been particularly concerned, has raised a
9 number of issues throughout this.

10 This is probably the most significant time
11 in terms of legal issues we'll have to review.

12 The other issue is I'm out of the country
13 until the 24th, from the 21st until the 24th of
14 September.

15 COMMISSIONER HUNTWORK: Mr. Chairman.

16 CHAIRMAN LYNN: Mr. Hall and Mr. Huntwork.

17 COMMISSIONER HALL: Mr. Chairman, there
18 are other considerations. Correct me if I'm wrong. At
19 many public meetings, we'll have a quorum there. What
20 is wrong with the concept of identifying specific
21 suggestions. A quorum would be necessary to make that
22 instruction at that time. Certainly NDC has staff at
23 home to make a fluid processing process versus trying to
24 wait until the very end, wait, say here is a list. Why
25 keep the list? Why keep it? Why not on an interim

1 basis make changes instead of at the very end dealing
2 with the latter issues? Probably the most difficult
3 issues, 80, 20, 80 percent of the time, on 20 percent of
4 the problem, we'll be about there as we speak.
5 Certainly there will be some challenges, but with
6 respect to comments we're going to start all over, well,
7 without the competitiveness issue yet, or data yet, who
8 knows what that will do to us? Given that caveat, I
9 suggest we may be able to do it simultaneously in a
10 co-processing fashion.

11 There are a couple problems. But correct
12 me if I'm wrong, you are here to the 12th?

13 COMMISSIONER MINKOFF: I'm leaving on the
14 15th.

15 COMMISSIONER HALL: 10-2 to 10-12, if
16 we're unable to draft, given all the will up and through
17 in that amount of through, 10 solid days of meetings,
18 you know what, we may never get it done. So I feel like
19 the schedule makes sense from a realistic standpoint in
20 light of the individual schedules.

21 If it's helpful to bump it up to the 26th,
22 or something, I'm only gone the 28th.

23 DR. ADAMS: The 27th and 28th are
24 difficult days for me.

25 COMMISSIONER HALL: Jose is gone the 24th.

1 Maybe work around that.

2 COMMISSIONER MINKOFF: I don't think
3 Jose's being around is a problem.

4 We get the report. Commissioners get the
5 report on the 21st. You've already reviewed it.

6 MR. RIVERA: No.

7 COMMISSIONER MINKOFF: You don't review it
8 before you send it to us?

9 MS. HAUSER: No.

10 COMMISSIONER MINKOFF: If they can have it
11 ready by the 17th, maybe get it to you before the 21st,
12 look at it, get to us by the 21st. It all happens over
13 the weekend while you are gone, and we are individually
14 reviewing the report so we meet with NDC the following
15 week.

16 MR. RIVERA: Dr. Adams can give the best
17 answer. That's giving only two days.

18 COMMISSIONER MINKOFF: Giving three, to
19 the 18th, and you can still look at it before you leave.

20 MS. HAUSER: Transcripts, they won't even
21 have them at that point. This is the place where there
22 is real precision and care needs to go into the process.
23 To rush madly into the hearings, I mean my advice would
24 be give them some time to make sure they have all the
25 information.

1 As we've seen happen so many times, it
2 wouldn't be the same way. They won't have the
3 transcripts, don't have this or that, just a lot of
4 commotion or confusion. We're not opening -- we take a
5 lot of time to develop good public testimony. We don't
6 want to confuse it. Give them enough time to have a
7 report ready. Give counsel enough time to look at it.
8 It's probably the most important bunch of legal advice
9 in that phase. Give us a chance to look at it, develop
10 legal recommendations, meet with you, and move more
11 quickly through the hearing process, or your meetings.

12 CHAIRMAN LYNN: Mr. Huntwork.

13 COMMISSIONER HUNTWORK: What I was trying
14 to focus on was the difference between the NDC report,
15 our review of the NDC report; our meeting with NDC to
16 ask questions and see how some of the ideas that have
17 been percolating in our mind would work out, and then
18 the legal advice from counsel. It sounds like counsel
19 is saying no, you can't do that. You shouldn't meet
20 with NDC, shouldn't ask your questions of NDC until
21 we've had a chance review the report and give you our
22 advice. I'm wondering if that is a different step or
23 does it have to be part of the same meeting.

24 CHAIRMAN LYNN: Dr. Adams.

25 DR. ADAMS: Chairman Lynn, Members of the

1 Commission, this evening we were given some instruction
2 to look at some issues. And we plan to do that. That
3 is going to be an ongoing process. I see no reason as
4 we go through these hearings that some of these issues,
5 as they arise, cannot be addressed to us. And we
6 would -- we would advice you on them as we go along. It
7 would be my hope you sort of keep a running, possibly
8 binder, whatever, of what we provide to you. But the
9 materials we provide, based on questions you ask us, as
10 we provide to you, as you accumulate them, many of your
11 questions, we hope, will be answered by the time we get
12 to the end of the hearing process. There will be some,
13 I'm sure, remaining. And they will probably, not all,
14 some may have answers that not conflict with each other
15 cause you some decision points.

16 CHAIRMAN LYNN: In effect, isn't it the
17 case as we get more of the issues on the table and
18 answered as we go, the final report really has fewer
19 items in it that haven't already been looked at and
20 discussed in some fashion?

21 DR. ADAMS: That's true, Commissioner
22 Lynn. Theoretically we'd have covered many items what
23 we'd do in final report is give you a summary of those
24 issues and recommendations, possible alternatives for
25 solution.

1 CHAIRMAN LYNN: Mr. Elder.

2 COMMISSIONER ELDER: Yes, Mr. Chairman. I
3 tend to support the shifting of that time line as far
4 back as possible. And with all respect to Ms. Minkoff,
5 there is 10 days from the second to the 12th.

6 Two issues come up, advice, comment from
7 counsel. We are noticing the 15th, 17th meeting around
8 the state so they are legal, open meetings. Can we also
9 have item number one be, in effect, before the meeting,
10 that we could meet, discuss what we had heard, and/or
11 give direction to NDC as a Commission, even though it
12 would be in a different part of the state, the hearing
13 is, gets over at 2:00 o'clock in Yuma, get over to
14 Phoenix the next morning, talk about Yuma as part of
15 Phoenix for the notice as the next part of the meeting?

16 MS. HAUSER: Mr. Chairman, I counsel
17 against doing that for a couple reasons. The first is
18 that -- I think you want to have an opportunity to
19 consider public testimony from various parts of the
20 state instead of reacting only to the last thing you
21 heard. That's number one. Otherwise you'd be giving a
22 lot of inconsistent instruction. Finish up Yuma at 2:00
23 o'clock, the next day, a Phoenix hearing. People in
24 Phoenix don't want to sit and listen to you rehash Yuma.
25 They'll want to get on making their public comment. So

1 for those rather practical reasons, I counsel against
2 it.

3 I don't know if NDC has input on that,
4 but --

5 COMMISSIONER ELDER: I guess my intent was
6 we might meet, in effect, at -- for going over previous
7 comment, have a public meeting at 6:00 for the balance
8 of the comments in that area. I guess the goal was to
9 be able to discuss and give direction to NDC as to
10 options that we heard or maybe think about so they could
11 be proceeding during our 15 or 18 days of public
12 hearings. And if we can do it on just would you take a
13 look at, doesn't have to be a formal meeting, that does
14 not have to be involved?

15 The second thing involved in the schedule
16 is we haven't really had to have a legal review of a
17 complete document that we're going to stand upon to go
18 to Department of Justice. And to give our legal people
19 with Jose out of town for two, three days one or two
20 days to make a judgment, is it acceptable, or flawed, do
21 we want to make revision to it before it even comes to
22 us or we have it at the same time, I think we want to
23 maintain that week in there. I can't see giving it a
24 one-, two-day gloss down a road we have to try to come
25 back from.

1 I want the 21st to 28th in there, give the
2 legal team to give advice, minor things in there, give
3 us time to get it corrected. Have the 10 days in there
4 to develop the plan.

5 MS. HAUSER: Mr. Chairman, certainly
6 that's something legal counsel is supportive of. And
7 based on some earlier comments, I might also suggest the
8 NDC report on the 21st. The Commission, I guess, needs
9 to direct you that that should to come to legal counsel
10 for review and then come to you thereafter along with
11 our legal opinion so you have everything together or
12 whether you want to have it come out to you so you are
13 reviewing it at the same time we are. I think we would
14 recommend that it come to you with our legal opinion.

15 CHAIRMAN LYNN: Mr. Hall.

16 COMMISSIONER HALL: I would concur with
17 that, Mr. Chairman. I think the whole point we have
18 counsel is to do exactly that. I think the point is
19 they review and give recommendations to that report
20 before it becomes part of the report.

21 Backing up, I hope we're not giving
22 knee-jerk instructions. Someone comes up, "We'd like to
23 move the line three blocks north of Broadway," that's
24 not what I'm referring to. In the event there are macro
25 type issues that may take more significant type

1 analysis, notice it appropriately, that's something we
2 may well want to have. It may be a legitimate
3 suggestion. There are folks around the state, I've been
4 continually impressed with how their grasp of the
5 process, some items we garner, garner items, three,
6 four, five, six ideas work, wouldn't it be nice if the
7 consultants could say: Look, that's an excellent
8 suggestion. I think that is a notion we should consider
9 the ramifications of, consider moving X, Y, Z. Simply
10 give clear instruction of making it, versus waiting
11 until the very end of the time and saying: By the way,
12 here's an additional list of 30 items which equals 150
13 plus 10 we gave you and wonder why they want 10-hour
14 delays. It doesn't seem to me we need to wait the full
15 three weeks to try to adjust the map. Some we've
16 already given as indicated.

17 They may want to respond to some of those
18 or tweak.

19 MS. HAUSER: Mr. Chairman, that is a good
20 point. And the Commission only needs to, I guess, take
21 note of the fact that according to the meetings that
22 Commissioners have signed up for, we do have a number of
23 meetings where all Commissioners will be present and a
24 number of meetings where there are only going to be
25 three. So that's something -- as long --

1 COMMISSIONER HALL: Correct me, can a
2 quorum take action?

3 MS. HAUSER: Can be less than full the
4 Commission giving some instructions.

5 CHAIRMAN LYNN: We may, at the end of that
6 schedule, have one meeting where you may only have two.

7 COMMISSIONER HUNTWORK: Mr. Chairman, it
8 appears to be there may be one meeting you may only have
9 one.

10 CHAIRMAN LYNN: May very well.

11 COMMISSIONER HUNTWORK: Number one, I
12 think the item needs to be noticed as we discuss and
13 give directions, not take action any other way, so it is
14 limited and people are present. I don't feel like they
15 are at any risk of missing out on important action.
16 Second thing I wanted to suggest is I'm not -- I want to
17 clarify something. The NDC report, as soon as NDC makes
18 it, will be part of the record. Our attorneys response
19 will be privileged confidential information to us, but
20 an entirely separate matter. I want to get the NDC
21 report as soon as I can. I do not want to wait. I do
22 want to wait for our attorney's advice. I think that is
23 sound. Contrary to what I said earlier, I don't want to
24 sit down with a meeting and waste everybody's time. I
25 do want the report. Waiting, having it go from them, to

1 them, and finally get to us, doesn't save anything as
2 far as the record is concerned, just delays the date on
3 which we get the report.

4 COMMISSIONER ELDER: Mr. Chairman, I'd
5 like clarification. If the report is not presented or
6 released for our review, which I don't believe it is,
7 talking legalese, is it part of the record, goes to
8 attorneys and then is released, that is a released
9 portion, revised portion --

10 COMMISSIONER HUNTWORK: Part of the
11 record, part of the record when sitting down and writing
12 words, no privilege involved, no confidentiality
13 involved. I want that report as soon as it's ready.

14 MS. HAUSER: As soon as the NDC report is
15 delivered to the Commission, it is public record.
16 Probably one of the most confusing things to people
17 about public records law is that there are all kinds of
18 public records. Everything we have at the Commission is
19 a public record. Not all public records are open to
20 inspection. This Commission is pretty unusual. We
21 essentially have everything open to inspection. But for
22 a period of time, for example, if the Commission's
23 desire is not even to see the report itself until it's
24 subject to a brief legal review, it would at that point
25 in time be not open to inspection, as I said, for a

1 brief period of time while subject to legal review, and
2 then released to the Commissioners. But that is your
3 call. We can do that any way you want.

4 I think it is entirely possible, again,
5 we're talking about a document we haven't seen, there
6 might be a recommendation in that report,
7 hypothetically, that is violative of a principle. I
8 would tend to think not. The consultants are very good.
9 If there was something that was something that was in
10 violation of the constitutional provisions, or Voting
11 Rights Act, that Jose and I would want to correct prior
12 to having that released to you all, then that might be
13 something that you would like us to take care of for you
14 before it becomes public. If you want to let it out
15 there and our legal analysis comes to you separately and
16 is privileged, confidential information to you, that's
17 fine as well.

18 CHAIRMAN LYNN: Mr. Huntwork.

19 COMMISSIONER HUNTWORK: I want to separate
20 two things here. Correct me if I'm wrong. You treat a
21 document, unlike most things we have, for a period of
22 time in which to respond to a public document request.
23 That's what you mean by delaying it.

24 MS. HAUSER: No.

25 COMMISSIONER HUNTWORK: What do you mean

1 delaying it. Whether we review it, you review it?

2 (Reporter changes paper.)

3 COMMISSIONER HUNTWORK: What I don't want
4 to do is cause an unnecessary delay right there. Two
5 days of review, or very quick review by legal counsel.
6 I'm not sure I see the purpose of it, or that it
7 guarantees anything. I'd rather get the report. Our
8 report doesn't bind us to anything. We don't have to
9 agree with anything. No one attributes the process
10 until in account with anything. I want to start on it.

11 I'm sensitive to Commissioner Minkoff's
12 need to be finished. I'd like to be finished before her
13 schedule becomes an issue. We wanted to be done by the
14 end of the August 1 point, end of September. This delay
15 seems to be completely unnecessary to me.

16 CHAIRMAN LYNN: To the schedule, then, I'm
17 not sure what we settled on. I have a feeling, then,
18 are we saying that we will keep the, essentially the
19 schedule as is on the board or are we asking to make
20 specific changes in that schedule, revised, lower the
21 schedule?

22 COMMISSIONER HUNTWORK: As I see it, the
23 issue on the 21st, we all get the NDC report on the 28th
24 start, start having meetings after reviewed by counsel,
25 may have been corrections, counsel may have gotten back

1 to NDC saying this is wrong, we'll have gotten a
2 supplement. In any event, meetings with NDC and
3 counsel, have gotten advice all at one time, be ready to
4 rock and roll next week.

5 CHAIRMAN LYNN: Earlier comments, moving
6 earlier meetings back up, really can't happen.

7 COMMISSIONER HUNTWORK: Could happen, but
8 I was persuaded by other remarks it was much better to
9 have counsel there with their advice at the same time
10 we're going through this.

11 CHAIRMAN LYNN: May we have a motion,
12 because we have a previously adopted schedule, may we
13 have a motion to revise the schedule as represented on
14 the lower portion of the board?

15 COMMISSIONER ELDER: Mr. Chairman, I move
16 we adopt the amended original schedule two as reflected
17 with the changes made as shown on the board.

18 CHAIRMAN LYNN: Is there a second?

19 COMMISSIONER HUNTWORK: Second.

20 CHAIRMAN LYNN: Thank you.

21 Discussion?

22 Ms. Minkoff.

23 COMMISSIONER MINKOFF: I'm having trouble
24 seeing the board. There were some changes. Can
25 somebody read it?

1 CHAIRMAN LYNN: Let me read it.
2 NDC report will be made available to the
3 Commissioners on September 21st. Beginning -- and
4 between the 21st and 28th we will also receive, during
5 that period of time, a report from counsel, should there
6 be any need to be any communication between counsel and
7 the Commission. Beginning on the 28th, individual
8 Commissioner meetings will commence. They will end on
9 the 1st of October. And we will meet in session
10 beginning the 2nd of October for what I fear will be,
11 and look forward to, as a fairly lengthy and fairly
12 detailed meeting. I will be pleasantly, as we all will,
13 if by the 6th we are completed. I look forward to it.
14 That's the schedule as appears on the lower board.
15 That's the subject Mr. Elder's motion.

16 Further discussion?

17 If not, all in favor say "aye."

18 (Vote taken.)

19 CHAIRMAN LYNN: Opposed say "no."

20 Motion carries unanimously.

21 Ms. Hauser, are there other items?

22 Are we still several minutes away from our
23 competitiveness analysis?

24 MS. HAUSER: Mr. Chairman, we've received
25 the computer run. Jose and I need -- we need about 30

1 minutes -- I'm sorry, but we need 30 minutes to review
2 it and get it printed out so you can see it.

3 CHAIRMAN LYNN: I'm disposed to take
4 public comment. We need to do that in the interim.

5 COMMISSIONER MINKOFF: I have a question.

6 CHAIRMAN LYNN: Mr. Huntwork has one as
7 well.

8 COMMISSIONER MINKOFF: I'm not sure we're
9 going to do anything with this report tonight other than
10 receive it and be given some information to understand
11 it. I'm wondering if we need to take time during the
12 meeting to do that or if it can just be transmitted to
13 us.

14 We're not going to take any action on it,
15 are we?

16 COMMISSIONER HUNTWORK: Mr. Chairman?

17 CHAIRMAN LYNN: Well, let's have -- listen
18 to one question at a time. I don't want to miss
19 anything.

20 Ms. Hauser or Mr. Rivera?

21 MR. RIVERA: Mr. Chairman, Ms. Minkoff,
22 we're doing a number of things, letting the public know
23 what is going on, establishing a record, establishing a
24 record, both for the purposes of the benefit of our
25 opinion, to review those. At one time, Commissioner

1 Minkoff, there were a number of comments based on review
2 of these. You may want to review this and give NDC
3 direction based on them in point in time. If you don't
4 do it at this point in time, I don't know when you
5 perceive you would give NDC any suggestions when to do
6 it, since we're going into public meetings and there is
7 no official meeting of the Commission where all five of
8 you are together for a period of time.

9 CHAIRMAN LYNN: Mr. Huntwork.

10 COMMISSIONER HUNTWORK: Mr. Chairman, this
11 is impossible. I cannot receive this information
12 tonight, digest it, and make suggestions about how to
13 adjust these lines after all the work we've just been
14 through. It's impossible. We can't do that. What
15 we've done tonight is do the districts in the initial
16 phase of mapping as Proposition 106 calls for. What we
17 have to do next, as 106 calls for next, is evaluate
18 competitiveness. We need to get the information, need
19 an opportunity to reflect upon it. It's a very complex
20 issue. The idea we were going to do anything with this,
21 you certainly had a vastly different idea than I did.

22 COMMISSIONER MINKOFF: Mr. Chairman.

23 CHAIRMAN LYNN: Let me get a response to
24 that.

25 Ms. Hauser.

1 MS. HAUSER: Mr. Chairman, it may be
2 appropriate to have a brief Executive Session so we can
3 explain more fully why we'd like to explain that.

4 COMMISSIONER MINKOFF: Explain going into
5 public hearings, only having for the most part one
6 public hearing at a time. There will be times when all
7 five Commissioners are present at the same time. Why
8 can't we just notice a public hearing for that day and
9 deal with that issue at that meeting.

10 I have to tell you, even if I listen to
11 what you say, I'm not sure my brain can process the
12 information at this point. I can't be sure any input I
13 give would be worth anything at all.

14 CHAIRMAN LYNN: Mr. Hall.

15 COMMISSIONER HALL: I would just like to
16 say my gut instinct to check back in after the hour I
17 checked back out was appropriate. I'm sure glad I still
18 have a room here.

19 COMMISSIONER MINKOFF: Well, I don't.

20 COMMISSIONER HALL: So, Ms. Minkoff.

21 COMMISSIONER MINKOFF: It's just a matter
22 of being able to process information.

23 COMMISSIONER HALL: Hold on, sincerely.

24 COMMISSIONER MINKOFF: I can't process.

25 COMMISSIONER HALL: I apologize. I

1 digress.

2 I would like to avoid an executive
3 session. And I would like to trust the instincts of
4 what counsel is saying to us.

5 Therefore, I would suggest we receive the
6 report that they are recommending that they give to us
7 tonight. And what we do with that is another issue.
8 But rather than us go another hour in Executive Session,
9 have us explain in all the intimate details why and
10 therefore and be convinced why every time. They haven't
11 been wrong yet.

12 MR. RIVERA: My middle name is Jesus.

13 COMMISSIONER HALL: I suggest we take a
14 brief recess, hear their report, then at that time if we
15 say thank you very much, at least we have heard what
16 they have to say, hopefully we'll have complied with
17 counsel to the greatest extent.

18 MR. RIVERA: Mr. Chairman, if I set out
19 the scenario, the answers to Commissioner Huntwork and
20 Commissioner Minkoff's questions, our suggestion, to
21 allow us to give a half-hour analysis of this material,
22 you can do a number of things at that point in time:
23 Make a determination at that time as a Commission, gee,
24 numbers are good, bad, but we want to think about it,
25 and don't want to have another meeting. You can decide

1 gee, want to have a further discussion, and let's go on,
2 come back and have a second meeting; gee taken into
3 account, as the Commission suggested, hear local
4 testimony and wait for Judge It, the second, more
5 thorough analysis, wait for that aspect of the thorough
6 analysis. I think you have to listen to -- you'll be
7 getting raw numbers, raw figures at this period of time.
8 It does not give enough assistance to make
9 determinations.

10 CHAIRMAN LYNN: Mr. Huntwork.

11 COMMISSIONER HUNTWORK: I make a motion we
12 instruct our counsel to take their time to analyze the
13 information carefully and provide to us, at the earliest
14 opportunity, a written report and that, if necessary, we
15 have another meeting to discuss results of the report
16 and take appropriate action after they've made a report,
17 taken time to prepare a report carefully and I've had an
18 opportunity to consider the report carefully.

19 CHAIRMAN LYNN: Is there a second?

20 COMMISSIONER MINKOFF: Second.

21 CHAIRMAN LYNN: Discussion?

22 COMMISSIONER HALL: Can we make sure the
23 potential meeting is in Pinetop?

24 COMMISSIONER MINKOFF: In your living
25 room.

1 COMMISSIONER HUNTWORK: So stipulated.

2 CHAIRMAN LYNN: On the motion, I'm
3 disposed to vote against the motion. I'll tell you why.
4 I think it's very important in keeping with our scenario
5 of review that at a minimum, and specifically, when we
6 have draft maps, that we begin to look at the issue of
7 competitiveness in a very serious way. It is important
8 therefore we receive the initial report, understanding
9 it's incomplete, but it begins to give us an opportunity
10 to take a look at what we've done with the two maps in
11 terms of competitiveness and gives us background at a
12 later date when more information is available.

13 To that point, I believe at a minimum this
14 evening what we should do is wait for analysis, get it,
15 take a look at it, and at least receive it as a
16 Commission, then make a judgment on what, if anything,
17 we'd like to do past that point.

18 Understanding your motion, I'm not able to
19 support it.

20 Mr. Huntwork.

21 COMMISSIONER HUNTWORK: Mr. Chairman, let
22 me say you and I agree completely on the reason for
23 whatever action we're about to take. The whole point of
24 my motion is this is a serious issue. It is not a sham.
25 It is not an action to be taken quickly, glibly, or

1 lightly. It is a genuine study of competitiveness of
2 these districts.

3 I want the issue to receive, the first
4 information is raw data produced by computers.
5 Personally I want the next information I receive to be
6 careful analysis of that. And then I want the next
7 action I take to be a thoughtful response to. That is
8 the reason for my motion.

9 Perhaps that will bring us together or
10 perhaps not. At least we agree on the reason for
11 whatever action we're going to take.

12 CHAIRMAN LYNN: Ms. Minkoff.

13 COMMISSIONER MINKOFF: Mr. Chairman, we've
14 been meeting today for 11 hours. The issue for
15 competitiveness is probably one of the most important
16 remaining issues we have to deal with as a Commission,
17 because it is going to drive some of the decisions we
18 make on the final districts. I want a written report so
19 that I can read it, reread it, study it, look at it with
20 the data next to me. And the reality of it is, we are
21 not going to make decisions based on preliminary data.
22 What we have tonight is preliminary data.

23 CHAIRMAN LYNN: That's correct.

24 COMMISSIONER MINKOFF: I suggest we take
25 the data tonight, or for a day or two, if counsel

1 chooses to send it to us with a written explanation of
2 what it shows and what it doesn't show, with a written
3 explanation of what the more thorough analysis will
4 show, and the way that analysis can guide us to making
5 the decisions we need to make. I want that in writing.
6 And that's the only way that I'm really going to be able
7 to assimilate it and to guide some of the decisions I'm
8 going to want to make regarding competitiveness.

9 CHAIRMAN LYNN: Mr. Elder.

10 COMMISSIONER ELDER: We have some
11 categorization aspects here I thought were apparent. We
12 have a draft plan. We are going to get information is
13 my understanding on competitiveness that could be
14 equated to be draft competitiveness. It is not the
15 precise analysis we'll have. I think we should get that
16 and get it out so we can be taking a look at it and wait
17 two, three days for analysis. I'd like to see numbers.

18 COMMISSIONER MINKOFF: I don't have
19 objection to numbers being passed out.

20 COMMISSIONER HUNTWORK: Numbers
21 immediately sitting over there.

22 COMMISSIONER ELDER: After we see that, I
23 think probably then we take the next step. Anything we
24 want do with it, thank you very much, go now and analyze
25 ourselves, wait for counsel, NDC, anybody else to come

1 back, give insights to what we're seeing. Proceed and
2 either go at the Chair's discretion as to whether public
3 comment now while waiting for and come back. I think we
4 need to go ahead with disbursal, give them the 30
5 minutes, and go ahead.

6 CHAIRMAN LYNN: Motion on the floor.

7 COMMISSIONER MINKOFF: Doesn't say we
8 can't disburse information tonight. Strictly analyze.

9 COMMISSIONER HUNTWORK: I'd like to amend
10 the motion to say the information be distributed right
11 this minute, immediately.

12 COMMISSIONER MINKOFF: When done.

13 COMMISSIONER HUNTWORK: Be done now. I
14 want to be looking at it, too.

15 CHAIRMAN LYNN: Is that acceptable?

16 COMMISSIONER MINKOFF: I accept it.

17 CHAIRMAN LYNN: Amended motion.

18 Mr. Hall.

19 COMMISSIONER HALL: Well, Mr. Chairman,
20 we've discussed it almost long enough to complete the
21 analysis, a little longer. I'm joking.

22 I would -- I again do not support the
23 motion. I think we need to follow the advice of
24 counsel. I think there are additional reasons for doing
25 so. Therefore, I would not be willing to do so.

1 Call the question.

2 CHAIRMAN LYNN: On the position.

3 Further discussion.

4 Roll call.

5 Mr. Huntwork?

6 COMMISSIONER HUNTWORK: "Aye."

7 CHAIRMAN LYNN: Mrs. Minkoff?

8 COMMISSIONER MINKOFF: "Aye."

9 CHAIRMAN LYNN: Mr. Hall?

10 COMMISSIONER HALL: "No."

11 CHAIRMAN LYNN: Mr. Elder?

12 COMMISSIONER ELDER: "No."

13 CHAIRMAN LYNN: Chair votes "no."

14 (Motion fails three-two.)

15 COMMISSIONER HALL: I suggest we proceed

16 with public comment and then executive session.

17 CHAIRMAN LYNN: Only items left are the

18 public report and call to public.

19 We are going to hear from the public, but

20 we do need to take a brief break. We'll take 10

21 minutes.

22 (Recess taken from 7:01 p.m. until

23 approximately 7:11 p.m.)

24 CHAIRMAN LYNN: The Commission will be in

25 order.

1 Call to the public.

2 The first slip I have is from Wayne
3 Anderson representing himself.

4 Mr. Anderson.

5 Is Mr. Anderson still with us?

6 Mr. Anderson?

7 Ben Anderson? Mr. Ben Anderson?

8 MR. ANDERSON: I'm Ben Anderson, Chair of
9 the Cochise County Republican Committee, also Chair of
10 LD 8, mostly Cochise County. You can imagine why I have
11 some interest in what happened here today, especially
12 when I looked at the map during the week and this
13 morning and then took my father to the VA to have some
14 work done and oh my gosh, what is going on here. I'm a
15 bit distressed, I need to say. I need to bring this up
16 so you don't think we're sitting back doing nothing.

17 Right now, Cochise County, Sierra Vista,
18 they are having a big gathering of people thinking a lot
19 differently about what is going on than what has
20 happened today. I wish they were here, but they are
21 not.

22 As I look at the map that you have come up
23 with, or the grid, or proposal, or whatever this thing
24 is, one thing stands out. I would like to be very
25 objective and stand back, I wish you would, too, to

1 where it's called gerrymandering. It's very big. There
2 is nothing compact about what you have done with this G
3 area, which is primarily Cochise County. There is
4 nothing contiguous about it. All of a sudden a county
5 or area since statehood that never had anything to do
6 with Indian Reservation now has a couple. You can be
7 certain we wouldn't know what to do proper by it. Think
8 of the Indian Reservation and people that live there.

9 Furthermore, it's rather strange and
10 unique when we had than during the public hearing in
11 Sierra Vista, everyone stood up and said one thing:
12 Leave Cochise County as one entity. I believe you tried
13 to do it on the first cut. Computers did a wonderful
14 job trying to get 171,000 people in contiguous counties.
15 We were pleased with that. I did not vote for 106. I
16 was against it. I thought at that meeting: I was
17 wrong. I was wrong again. I withdraw that. You have
18 gerrymandered out of Cochise County the main city, the
19 largest city, the economic engine that drives Cochise
20 County, Fort Huachuca and Sierra Vista, and given ita to
21 another district you cannot drive to unless you fly to
22 because mountains are in the way. It would appear if
23 you have to give to us anyone in the Legislature, it's a
24 Legislator to get around in an aircraft.

25 Look at the distance to Douglas. I can't

1 pronounce the name of the place out of the horseshoe
2 reservation way north of Phoenix which is kind of
3 unique, I must admit to that.

4 I believe, in your guidelines to the NDC,
5 and yourselves, you spoke of communities of interest. I
6 cannot conceive of what communities of interest are in
7 common with certain of the general portions of Cochise
8 County, those areas up near the Salt River Indian
9 Reservation, or Roosevelt Lake, or wherever else all the
10 way up there, Eloy, Mammoth, Oracle. We can't get
11 there. It would be a major safari any time any of our
12 representatives or any time party members of any party,
13 either party, wanted to go up and talk to people. It
14 would be a major inconvenience.

15 I do not think it was your original intent
16 to put such a district or a package together. I think
17 this fell out by accident today. I consider it an
18 aberration. I think you all know it.

19 I think you will come to Sierra Vista, and
20 when you do come, you will feel a little uncomfortable
21 presenting this map and saying this is what we have to
22 offer you, this is what Proposition 106 gave us, this is
23 what 106 voted for, with all of our computers, wisdom,
24 and knowledge, and all of that, this is the best we
25 could come up with is this gerrymandered obscenity

1 called whatever district you want to call it that goes
2 from Douglas up to within Phoenix.

3 So I would be glad to answer any
4 questions.

5 I can't tell you how disappointed I am.
6 I'm sure I speak for everyone in Cochise County
7 regardless of the party.

8 I thank you for your attention. I know
9 you meant to do well, but I think something went wrong
10 today.

11 I appreciate your time. I know you spent
12 many hours here today. I suppose that may be the cause.
13 But I got to tell you right out, this is not good and
14 you will meet with a lot of opposition and -- if not
15 some questions by Department of Justice.

16 Thank you.

17 CHAIRMAN LYNN: Thank you, Mr. Anderson.

18 Steve Gallardo representing the Coalition
19 for Fair Redistricting.

20 Mr. Gallardo.

21 MR. GALLARDO: Thank you, Mr. Chairman,
22 Members of the Commission.

23 I'm with the Coalition for Fair
24 Redistricting. I want to thank you and the Commission
25 and staff for the work they put in on this map. I know

1 it was not an easy task to do, and I want to once again
2 thank you for the efforts you have put into it.

3 The Coalition is in -- is somewhat pleased
4 with this map. There are some exceptions and some
5 corrections we would like to request regarding the
6 minority-majority districts.

7 We'd especially like to thank the
8 Commission for its work done on Legislative District --
9 Legislative District P, which is the West Phoenix
10 Tolleson District. The Coalition feels carving this
11 District to bring in the City of Avondale, southern part
12 of Glendale, makes a strong minority-majority district
13 which allows for future growth and will still not be
14 diluted for the next 10 years which allows for a
15 minority candidate to have a fair chance of winning that
16 district.

17 With respect to the three other districts,
18 the S, W1, I believe, which is the Yuma District,
19 District V, I'm sorry, District I, which I believe is
20 the southern part of the State of Arizona, and District
21 TT, Tucson District, these are three districts that are
22 noted as minority-majority districts which are, based on
23 population, if you look at voting age population, turn
24 out not to be minority-majority districts, not if looked
25 at from performance of voter turnout. I may be wrong.

1 Like all of us, we have to look at
2 additional information before we analyze it, see how it
3 affects communities.

4 I ask the Commission to please look at the
5 three particular districts, see how to possibly make
6 stronger minority-majority districts, allow minority
7 candidates to be elected, have citizens within the
8 districts to be able to fully exercise voting power.

9 Also, real quickly, I'm sorry, let me look
10 at my notes real quick.

11 With regards to District V, which is one
12 of the Phoenix districts, it is also a minority-majority
13 district. Although the population numbers look good,
14 I'm a little concerned. Again, we won't know until
15 actual the performance numbers come out. More than
16 likely we might ask the Commission to make a couple
17 corrections to this District in order to be sure that
18 again the minority communities have maximized their
19 voting strength within Maricopa County.

20 Other than that, again, I thank you for
21 your time and effort and the opportunity to comment. I
22 guess we'll see you on the 25th.

23 CHAIRMAN LYNN: Thank you, Mr. Gallardo.

24 Again, Wayne Anderson.

25 Is Mr. Anderson here?

1 Is there any other member of the public
2 that wishes to be heard at this time?

3 Do we have a speaker slip for you?

4 No. I can fill one out.

5 Mr. Bohnee, please let me have that, if
6 you haven't filled that out.

7 MR. BOHNEE: My name is Gary Bohnee with
8 the Gila River Indian Tribe. I want to echo the
9 sentiments of Steve in trying come up with a map, fair
10 and reasonable, coming up with all the criteria you are
11 asked to meet.

12 Just a couple comments with respect to the
13 most recent iteration of the map.

14 We want to thank the Commission for
15 keeping intact the four metro area tribes. I think in
16 that regard there's a significant community of interest.
17 I think it's readily seen. The one exception I think
18 also mentioned by the gentleman from Cochise County, if
19 the Commission is looking at moving south, perhaps one
20 suggestion might be to move south with respect to Pinal
21 County, going into the Tohono O'odham Nation which, in
22 our view, also is a community of interest with many
23 points of view, also.

24 I don't know what the numbers are there,
25 but in that regard, I believe there probably would be a

1 stronger community of interest perhaps going directly
2 south and to the west rather than going to the south and
3 the east. Those are just a few suggestions.

4 As the previous speaker mentioned, the
5 community will be, continue to offer hopefully some more
6 detailed suggestions in the coming weeks.

7 CHAIRMAN LYNN: Thank you, Mr. Bohnee.

8 Are there other members of the public who
9 wish to be heard this evening? If not, we'll close the
10 public comment period.

11 And I am waiting for counsel to return.

12 COMMISSIONER MINKOFF: Mr. Chairman, do we
13 know?

14 CHAIRMAN LYNN: Ms. Minkoff?

15 COMMISSIONER MINKOFF: Do we know what
16 we're going to do when counsel returns?

17 CHAIRMAN LYNN: Well, we're going to
18 listen to what they have to say.

19 I don't know where they are or how long
20 they are going to be gone.

21 COMMISSIONER HUNTWORK: Mr. Chairman?

22 CHAIRMAN LYNN: Mr. Huntwork.

23 COMMISSIONER HUNTWORK: Are the numbers
24 available? Could they be handed out at this time?

25 CHAIRMAN LYNN: Ms. Leoni, I don't know if

1 you've been involved in that process or not.

2 MS. LEONI: Mr. Chairman, if I could offer
3 some enlightenment on the last two questions, the disk,
4 on which the numbers now exist, have been taken to the
5 NDC suite to be printed. And I believe they will be
6 down here shortly.

7 CHAIRMAN LYNN: Is there any way to call
8 the suite and get an ETA?

9 (Whereupon a brief recess is had until
10 7:47 p.m.)

11 CHAIRMAN LYNN: The Commission will be in
12 order. The record will reflect all five Commissioners
13 are present along with legal counsel.

14 Which counsel would like to begin.

15 MR. RIVERA: Start with Marguerite.

16 MS. LEONI: It's kind of appropriate. I
17 didn't know I'd do it, but I'll tell you what I know
18 about it.

19 This is a compilation of data which we
20 have, among the attorney group, been referring to as the
21 quick and dirty. It is a common method of analyzing
22 competitiveness which remains a subjective and somewhat
23 idiosyncratic concept.

24 I want to explain to you a bit how it's
25 been put together and tell you what you are looking at

1 and advise you you'll be getting additional information,
2 more data in the near future.

3 What this chart, first of all, this
4 methodology was discussed among the attorney group and
5 with the experts that have been retained to assist on
6 some rather technical matters. And those experts,
7 Dr. Lisa Handley and Dr. Michael McDonald. They are
8 both experts in racial block voting and political
9 behavior and well-respected and well-known in their
10 field. This compilation of data was performed by taking
11 actual election returns, disaggregating those returns to
12 the block level, and rebuilding them in the districts
13 that were accepted and passed by the district by
14 instruction.

15 May I ask Tim Johnson.

16 MR. JOHNSON: Yes.

17 MS. LEONI: The actual returns were as if
18 the election happened in the districts that have been
19 put out for public comment? These are the Arizona
20 Corporation Commission returns.

21 Let me just mention I'm going to hand off
22 to Mr. Rivera.

23 Our best advice was that these analyses
24 are generally done using lower ticket races. And the
25 race that was suggested be chosen, I'll let Mr. Rivera

1 address this, was the Corporation Commission. For
2 balance we picked other races as well, so you can see
3 races in addition to lower down ticket races.

4 MR. RIVERA: We went to election races
5 1998 and 2000, using criteria Ms. Leoni described, the
6 only place Republican and Democrat were running
7 competitively in 1998 and 2000. So we ran races for
8 those two years, strictly with the Corporation
9 Commission. We also looked at other races more
10 competitive, but they didn't work out because of name
11 identification and the type of race that it was brought
12 in other factors besides party registration, party
13 voting.

14 We stayed with the Corporation Commission.
15 There really was no other race in 1998, 2000, that ran
16 Republicans, Democrats in such a race. Based on that,
17 we came up with the figures we have.

18 Now I'll hand that off to Lisa.

19 MS. HAUSER: The charts you have in front
20 of you, let me address the Congressional first.

21 In the left-hand column, you have the IRC
22 draft plan relative to the existing Congressional plan,
23 which, of course, is two districts smaller than our
24 plan. And we also did a comparison with the Democratic
25 Party plan, because that was the plan that was submitted

1 to us with reference, specifically, to competitiveness
2 as a factor that went into that plan. And we wanted to
3 see how these things stacked up against each other.

4 We ran the Democratic Party plan using our
5 program. So they were -- we're comparing apples and
6 apples here.

7 Based on the percentages, within a five
8 percent window, we're considering that competitive. But
9 the competitive District always has a leaning slightly
10 one way or the other, so we've noted that.

11 If a District is more than the five -- if
12 more than a five percent spread, we've classified it as
13 either Republican or Democrat in nature, and then there
14 are instances where, in all of these plans, where the
15 registration is particularly lopsided, for example, and
16 we've just picked 60 percent, basically, where it is a
17 very strong district with respect to a particular party.
18 And sometimes there's a reason for that, for example
19 majority-minority districts, you'll find very strong
20 democratic registration in those districts.

21 If you look at the IRC draft plan, let's
22 with the start existing, existing draft, three
23 Republican, one Democratic, one Democratic, very heavily
24 uncompetitive, no Democratic districts, Democratic plan
25 presented. As a competitive plan, eight districts, has

1 three total Republican districts, two of which are very
2 heavy, very heavily Republican, two total Democrat
3 districts, three competitive Democratic districts, no
4 competitive --

5 CHAIRMAN LYNN: Sorry, Ms. Hauser. I
6 don't have any numbers you are talking about.

7 MS. HAUSER: I thought we passed out
8 Congressional.

9 CHAIRMAN LYNN: No, I don't.

10 MR. RIVERA: Gave you Legislative?

11 CHAIRMAN LYNN: I don't know what this is,
12 not what you are talking about.

13 Thank you.

14 I'm sorry, Ms. Hauser.

15 MS. HAUSER: Do you have it now?

16 CHAIRMAN LYNN: Thank you.

17 MS. HAUSER: Democratic Party plan
18 presented three competitive Democratic districts, no
19 competitive districts, Republican leanings. Our plan
20 has four districts we classify Republican, one heavily
21 Republican, very heavy Republican, two Democratic
22 districts are majority-minority districts within our
23 Hispanic AUR, both heavily Democratic, one competitive
24 Republican, one competitive Democratic District. And,
25 of course, through Judge It, we will have a more

1 sophisticated analysis that is going to run through many
2 more elections. But as Marguerte indicated, using one
3 baseline election, and I think we also ran a heavily
4 Republican and heavily Democratic race as kind of a test
5 against the baseline, which was the Corporation
6 Commission race, the three Corporation Commission races,
7 correct, turning to the Legislative plan, again,
8 District by District, I would indicate particularly on
9 the Legislative plan, we have 30 districts in each plan,
10 but AA is not necessarily the plan, the same, the
11 existing Legislative one, or Legislative one, Democratic
12 plan. Can't take left, right, compare one or the other
13 that way. Totals on the second page is what you want to
14 take a look at.

15 The existing Legislative plan, 15
16 Republican districts, six of which are very strongly
17 Republican, 10 Democratic districts, six which are very
18 heavily Democratic, four competitive Republican, one
19 competitive Democratic districts. The Democratic plan
20 presented to you by Mr. Eckstein, 13 Republican
21 districts down from the existing eight, which are
22 heavily Republican, total of 11 Democratic districts, up
23 from one existing, five of those heavily Democrat, four
24 competitive Republican, two heavily Democratic
25 districts.

1 The plan you just adopted earlier this
2 evening under this analysis, 16 Republican districts,
3 eight of which are heavily Republican, 10 Democrat
4 districts, eight heavily Democrat, one competitive
5 Republican, and eight competitive Democrat districts.

6 Again, with Judge it coming, you'll have
7 more extensive analysis. This gives you an idea of
8 exactly of where your plans stack up in comparison to
9 existing and the one other plan presented with
10 competitive information at this point in time. You'll
11 also be getting side-by-side registration figures with
12 each of the new plans and, of course, registration
13 figures, mean percentages. You are getting not
14 percentage registration based on actual voting patterns,
15 also registration figures to look at as a key. There's
16 obviously more work to do on those.

17 And here's Jose.

18 MR. RIVERA: That's basically it.

19 The Commission can take it with them and
20 review this and analyze it. After the analysis, if you
21 want, there are a number of choices you can make at that
22 point in time. You can reconvene as a Commission at
23 that point in time and make suggestions for changes to
24 NDC if you want to. You can allow it to continue to go
25 into public comment and make changes as described

1 earlier. But it really is your decision in terms of
2 where you go at this point in time.

3 CHAIRMAN LYNN: Thank you.

4 Mr. Elder?

5 No? I'm sorry.

6 COMMISSIONER ELDER: Let me ask one
7 question of Jose.

8 When you said we'll be getting
9 side-by-side data on the competitive nets of voting age,
10 I guess will there been correlation between voting age
11 and party registration and the way the Corporation
12 Commission, whatever, race shows? In other words, right
13 now taking total registration but we don't know --

14 MR. RIVERA: Have to be 18 to be able to
15 register to vote.

16 COMMISSIONER ELDER: Never mind.

17 MS. LEONI: Commissioner Elder, may I
18 mention something? What this chart shows you is the
19 vote share a candidate would have gotten if the race
20 were run in this District, in this draft district you
21 have put out for public comment. This is not
22 registration. This is vote share.

23 CHAIRMAN LYNN: Mr. Huntwork.

24 COMMISSIONER HUNTWORK: Mr. Chairman, I
25 would like to thank our counsel for the information. I

1 think it's interesting. And one thing that would help
2 it, help me make more use of it, is if I can be sure,
3 are the labels for our draft plan the same as the
4 districts that have been put into our laptop computers?

5 MR. RIVERA: It is my understanding they
6 are. I wanted to get the labels and numbers on
7 correctly. The should correlate to the draft plan you
8 adopted today.

9 CHAIRMAN LYNN: Other plan corrections?

10 COMMISSIONER HUNTWORK: Let me say with
11 that information, I really need to look at this
12 carefully. Because a lot of the competitiveness or lack
13 thereof relates to geographical areas, compactness, and
14 all the other things we've taken into consideration.
15 The raw number at the end is not useful without that
16 analysis. But I think that this information can be
17 useful when combined with a careful analysis.

18 CHAIRMAN LYNN: Ms. Minkoff.

19 COMMISSIONER MINKOFF: A couple things.
20 Number one, when do we expect to have the Judge It
21 Analysis, the more sophisticated analysis?

22 MS. LEONI: It's my understanding,
23 Commissioner Minkoff, we're authorized to proceed with
24 that. We're having a conference call in the morning.
25 It's our understanding once we have the authorization to

1 proceed, it takes about a week to run each one, right.
2 So -- but the plan is to run that analysis twice, one on
3 your draft plan and then when you get close to the final
4 plan, run it at that time. Each one will take about one
5 week. We have the 2000 and 1998 data. We're having an
6 usual problem with 1996 we think is resolved. It should
7 not be a long wait.

8 COMMISSIONER MINKOFF: 10 days, it might
9 be available?

10 MS. LEONI: I hope so.

11 COMMISSIONER MINKOFF: A procedural
12 question. Should we want to begin to give direction to
13 NDC not to change any lines, to begin examining certain
14 possibilities, we've already set the dates for our next
15 meeting, which is far in the future. Is there any way
16 to call a public meeting if we're all going to be
17 together at one of the hearings, publish the notice and
18 put out the agenda?

19 MR. RIVERA: The simple answer is yes.

20 MS. LEONI: You turned it off. You can --
21 if you look to see -- first of all, look to see where
22 everybody is going to be, what meeting that is. I guess
23 what that would be, you can always notice it, based on
24 what any Commissioner wants to do. Based at that time,
25 based on whether the Commissioner wants to do.

1 COMMISSIONER MINKOFF: See what data is
2 when we get it, what we can do with it; if we can, we
3 might want to talk about it, have NDC find and run
4 scenarios without making decisions once we have a
5 scenario.

6 CHAIRMAN LYNN: Once we have all the data,
7 once we have all the data, how we best make use of it.

8 Mr. Hall.

9 COMMISSIONER HALL: This data here gives a
10 brief snapshot. What would preclude us asking NDC to
11 already consider possibilities, at least at the
12 Congressional level? I'm not so sure given some
13 instructions they've already received on the Legislative
14 level, at least on the Congressional level it would
15 appear to me they could already start creating
16 alternatives or possibilities that would not affect any
17 of our Voting Rights issues and simultaneously maybe
18 consider some of the issues here that are referenced.

19 I mean there's no question that some of
20 these districts as shown are not going to change after
21 we get a 28-page report, given the discrepancy of the
22 numbers. So, Mr. Chairman, I suggest we direct them to
23 initiate the Congressional process of analyzing
24 possibilities versus waiting for an extended period and
25 get the ball rolling.

1 CHAIRMAN LYNN: Ms. Minkoff.

2 COMMISSIONER MINKOFF: Mr. Chairman, as
3 impatient as I am, and screaming competitiveness since
4 the beginning of the process, I see what happens every
5 time we begin to propose something. We put the draft
6 map up tonight, it has changes from the map we're
7 looking at this morning. And understandably we got
8 strong reaction to that map. And the next one we put up
9 is going to have strong reaction from somebody else, I
10 don't know who. It depends on what we do with that map.

11 I'd be concerned about doing anything
12 preliminary that would either raise expectations or
13 concerns among the public when it's not based on full
14 information.

15 As anxious as I am to get started on this,
16 I really want the most complete information I can get
17 before I recommend any development of scenarios because
18 those scenarios will either excite or upset people
19 around the state.

20 CHAIRMAN LYNN: Mr. Huntwork.

21 COMMISSIONER HUNTWORK: I agree with that,
22 particularly with regard to the quality of the
23 information, the completeness of the information, and
24 secondly, I also hesitate to simply turn the consultants
25 loose making value judgments, as you will.

1 The districts we have were based on our
2 best consideration of the -- with the other factors.
3 And I think that we need to be involved in the process.
4 And at the point where we can give more detailed and
5 more principled guidance than simply go try to make it
6 more competitive, we'll have to do that at some point,
7 but it's premature to do it now.

8 CHAIRMAN LYNN: Mr. Hall.

9 COMMISSIONER HALL: I'd clarify I'm not
10 asking them to make any value judgments, I'm asking them
11 to give us ideas and possibilities as we have every
12 other adjustment.

13 To Ms. Minkoff's point, anything we do, we
14 get reaction, and should not prevent us from doing
15 something. Doing nothing will get reaction if nothing
16 more than doing nothing. Therefore, Mr. Chairman, I
17 make a motion we instruct NDC to simply provide
18 alternatives with respect to the Congressional map with
19 respect to competitiveness in the handout we received.

20 CHAIRMAN LYNN: Second? It appears the
21 motion died for lack of a second.

22 I'd add to the comments. My concern is
23 twofold. I think any adjustments we might contemplate
24 in terms of competitiveness should be based on full and
25 complete information, full and complete information

1 before we move in any direction. Secondly, anything we
2 do in any sense to the consultants may, I stress may,
3 turn out to be a blind alley, or time not well spent,
4 given the additional information which may, may cause us
5 to make different conclusions and, therefore, give
6 different recommendations.

7 So having said that, and with the motion
8 not having a second, any further comments about the
9 report having been received this evening?

10 COMMISSIONER HALL: What I hear Commission
11 saying, in light not having full detail, let's do
12 nothing before we have full detail. When we have full
13 detail, ask them to make complex adjustments and also
14 head down potential blind allies.

15 I challenge anyone to say full detail will
16 change, for example, a 20 odd percent difference with
17 respect to competitiveness just because the report is
18 thicker. Given the time line discussed, the intimate
19 detail and schedule we have, I think it's imperative,
20 this is six, eight districts, we still have 30 more to
21 consider, for us this is an opportunity. We think it's
22 the 11th hour. You know what, tweak these. Make them
23 more competitive, folks. It's not only naive, it's not
24 possible.

25 CHAIRMAN LYNN: Any further comment?

1 We have completed the --

2 Mr. Elder.

3 COMMISSIONER ELDER: Mr. Chairman, I think
4 I'm going to weigh back in with Mr. Hall.

5 I will make motion we do ask NDC to make a
6 preliminary analysis of the numbers as conceptual and
7 provide back information at the same level of detail and
8 hear some concepts we should consider for the
9 Congressional map.

10 COMMISSIONER HALL: I'll second that
11 motion.

12 CHAIRMAN LYNN: Discussion.

13 COMMISSIONER HALL: I would be curious
14 from some of fellow Commissioners at what point do they
15 think we're going to make any type of adjustments or any
16 analysis of this issue without -- and at that point that
17 they make that decision then have to instruct NDC to
18 give alternatives, then delay the opportunity to make
19 their analysis? I'm curious as a practical nature. At
20 what point do we anticipate my Commissioners to my left,
21 that we would do a competitive analysis.

22 CHAIRMAN LYNN: Ms. Minkoff?

23 COMMISSIONER MINKOFF: I propose that as
24 soon as the more sophisticated analysis is available
25 from the Judge It program, and you led me to believe 10

1 days is not unreasonable, we examine that as rapidly as
2 possible, that we find a time all Commissioners are
3 going to be in the same community for a public hearing,
4 that we notice a meeting, and we begin at that point to
5 do a more sophisticated analysis and give instructions
6 to NDC to make some proposed adjustments in the draft
7 maps based on competitiveness.

8 I think by delaying it those 10 days we'll
9 be able to do it once rather than twice and get a better
10 and more complete set of instructions for NDC because
11 we'll know what we're asking for at that point.

12 CHAIRMAN LYNN: Mr. Elder.

13 COMMISSIONER ELDER: Ms. Minkoff, I guess
14 because we're going into public meetings, we'll make
15 adjustments anyway, we'll go into precise, specific
16 analysis, we'll be listening to the public, to adjust in
17 the first place doesn't seem to make a lot of sense. I
18 think it's nice going in, conceptual ideas. I'm
19 directed at the demographic company to look at. I'd
20 like to have some idea of the options, alternatives
21 before we go into public meetings to take a look at
22 alternatives they are proposing to solve some of the
23 issues we have in each one of areas and know how it fits
24 together on a conceptual basis. I know we'll move
25 probably every line on map some.

1 COMMISSIONER MINKOFF: But I don't think
2 we're going to get the kind of information we need to
3 make competitive adjustments.

4 I'm not suggesting when we have the more
5 complete report in 10 days we can tell NDC to start
6 moving lines. We're not going to move lines until the
7 end of the public comment period. They can begin to
8 develop more sophisticated scenarios for us. We just
9 adopted draft maps today. And I don't want to change
10 those maps until we've heard public comment and until we
11 have a sophisticated, competitive analysis. I do want
12 NDC to begin to apply that data to draft maps we've been
13 adopting and to tell us some areas where shifts might be
14 made with Voting Rights information. It doesn't mean
15 we're authorizing them to make shifts.

16 CHAIRMAN LYNN: Mr. Huntwork.

17 COMMISSIONER HUNTWORK: Commissioner Hall
18 asks a good question. I want to --

19 I think there may be some --

20 Excuse me. Maybe I could point to a
21 question over there, ask a question I'm attempting to
22 answer while he's speaking to someone else.

23 Commissioner Hall, if we could simply say
24 now that NDC should begin analyzing competitive
25 alternatives for both the Legislative and the

1 Congressional plan as soon as we have the --

2 COMMISSIONER MINKOFF: Judge it.

3 COMMISSIONER HUNTWORK: -- the Judge It
4 program in place, and very early in that process consult
5 with each of us informally on the telephone to get our
6 reactions based on the preliminary data that we've
7 gotten and hopefully our initial confirmation of that
8 data based on the Judge It program. I think we don't
9 need to call another meeting to get them started. The
10 problem I had was I want that all in place, don't want
11 to waste time on preliminary data and want them to have
12 some guidance from us as they go through this process.
13 If we agree on that, that's the sense of the motion.
14 I'd gladly vote in favor of it.

15 CHAIRMAN LYNN: Mr. Hall.

16 COMMISSIONER HALL: Again, realize it's
17 not my motion, it's Mr. Elder's motion.

18 COMMISSIONER HUNTWORK: It was your
19 question.

20 COMMISSIONER HALL: I needed to clarify a
21 couple things, ask Mr. Elder.

22 Did your motion include Congressional and
23 Legislative?

24 COMMISSIONER ELDER: Congressional per the
25 original motion. I wouldn't mind if it includes

1 Legislative. My sense is as we ask them to address
2 certain issues, I'd also like to have a sense when it
3 comes back to us, here are alternatives, and this is how
4 it affected competitiveness. Rather than looking at a
5 series of alternatives, we get a sense how it fits into
6 the fabric, not address competitiveness at the same
7 time.

8 COMMISSIONER HUNTWORK: May I explain the
9 difference between Congressional and Legislative? I
10 take the point we need to get busy looking at this, the
11 sooner the better. Also take Commissioner Minkoff's
12 point of not going to do anything with it in the
13 interim. So I don't see why we have a distinction
14 between the two. We need to get going on both, and we
15 need to do it as soon as we have the data and the
16 Commissioners can provide guidance.

17 MS. LEONI: I would like to throw some
18 additional considerations into the discussion of this
19 motion, because it will be important to my client in
20 following your instructions.

21 Number one, we would need to presume that
22 based on some very preliminary data the Commission is
23 prepared to make a determination that the drafts are not
24 competitive. And at, after that determination is made,
25 we would need some guidance on the specific districts

1 that the Commission would like to see rebalanced for
2 competitiveness and precisely what ranges or criteria
3 are that the Commission would deem to be appropriate.

4 We're pleased to follow instruction. I'll
5 assist my client in doing that. Vague instruction to
6 examine competitiveness is not helpful to us in being
7 responsive to you.

8 CHAIRMAN LYNN: Mr. Huntwork.

9 COMMISSIONER HUNTWORK: Mr. Chairman, that
10 really isn't my point. The consultants need guidance
11 from the Commission. There isn't no indication based on
12 this, we find districts competitive, noncompetitive, are
13 surprised by it, disappointed by it, anything else, no
14 reaction at all. We don't even know how this
15 information -- I can't visualize how this column of
16 information relates to districts laid out on the map or
17 why we made a decision about a particular District.

18 CHAIRMAN LYNN: Mr. Hall.

19 COMMISSIONER HUNTWORK: Therefore the
20 District has to include additional input from the
21 Commission.

22 CHAIRMAN LYNN: Mr. Hall.

23 COMMISSIONER HALL: We have, for example,
24 speaking Congressionally, several districts that are in
25 very tight quarters. I would suggest, respectfully, and

1 would request a correction if my suggestion is
2 inaccurate, District F, for example, wherein percentages
3 are 62.4, four Republican, two 32.56. Any additional
4 information is not going to somehow reveal
5 Democratically dominated districts. We can analyze
6 reports until next Friday, and I would suggest that fact
7 is going to remain the same.

8 While I understand, I see this as a
9 two-phase process. I agree we need to analyze
10 additional information. I welcome any and all
11 information that would be forthcoming. Meanwhile, given
12 the time schedule we just reviewed for an hour and
13 change, I think it's imperative you guys at least would
14 say look, here are some ideas; because we also know in
15 that area there are some districts that have some very
16 sensitive voting rights issues. So it seems to me you
17 can give us some general ideas, alternatives,
18 parameters, and principles relative, for example, to
19 possibly adjusting Congressional Districts, increasing
20 the level of competitiveness and maintaining compliance
21 with the Voting Rights Act and, thereby, we look at that
22 or hear that, or read that, or whatever the format is
23 comfortable for my fellow Commissioners, and then at
24 some future date say: You know what, we need another
25 opportunity to have another level of input and thereby

1 we can look and hopefully make more specific
2 recommendations for guidance with respect to moving
3 lines.

4 CHAIRMAN LYNN: Mr. Elder and then
5 Ms. Minkoff.

6 COMMISSIONER ELDER: I guess I had a
7 concern with one of Mrs. Leoni's comments, that we first
8 have to make concern known with districts not
9 competitive. I disagree with that standpoint. We need
10 to get advice from counsel on where we are in light of
11 Voting Rights Act constraints or opportunities. So I --
12 I want to still have information be fed as to how we can
13 make them better and how they can be improved.

14 I also need to wait until I have advice of
15 counsel on what represents a noncompetitive or
16 noncompliance district. It may be a few days before we
17 get advice from counsel. I'd still like to see the
18 effects as we go through and consider the changes or ask
19 you to consider the ideas. It would be nice, I'd like
20 it if we had the data that said this would modify an
21 AUR, or modify Hispanic percentages, and might take it
22 out of a minority-majority district. The same would be
23 true to say this would be a further difference between
24 competitive and noncompetitive, or make it closer. It
25 can be a plus or remain. Are we going by the right

1 direction? I don't care specifically -- is there
2 something I missed here? Why do we have to make a
3 decision?

4 MS. HAUSER: Mr. Chairman, at this point,
5 I don't think you have to actually make a specific
6 decision or finding that the districts are not
7 competitive. Remember, under the constitutional
8 provision created by Proposition 106, it is
9 competitiveness that is a criteria that should be
10 considered. You are now using it to test the map that
11 you have, the draft maps that you have adopted. You
12 should do so insofar as practicable but not to the
13 substantial detriment of other criteria. Those are the
14 kinds of things you are thinking of, Mr. Elder,
15 specifically, as I mentioned before with respect to the
16 Voting Rights Act.

17 Some of the districts, all districts
18 qualify as majority-minority districts and will be
19 heavily Democratic districts. That is a given. So the
20 suggestion I have is to take preliminary information,
21 get familiar at least with looking at where those
22 particular districts are on the map.

23 You are familiar enough with the state and
24 demographics within the state to have some idea with
25 respect to the districts you'd like to keep an eye on

1 with respect to possibilities for additional
2 competitiveness. Again, they will be districts whether
3 because of geography or because of other criteria that
4 are going to tend to go one direction or another. You
5 need to get familiar with this point.

6 CHAIRMAN LYNN: Ms. Minkoff, I'll call on
7 you in one second. If I may, let me move this on,
8 listening to the discussion.

9 What I take from that is it seems to me
10 what we ought to be doing is essentially the same work
11 contemporaneously with our consultants, that is to say
12 we just received this preliminary data this evening. No
13 one had a chance other than to look at raw numbers, get
14 a very brief explanation of what the numbers mean. Over
15 the next 10 days we'll receive additional information.
16 I believe what we need, in order to have a reasonable
17 discussion of competitiveness, application of
18 competitiveness to what we've done for consultants as
19 well as the Commission, as well as legal counsel, to
20 complete the data review, and then to engage in a
21 discussion about some of the issues Ms. Leoni brought
22 up, some of the issues we've yet had to discuss, how to
23 apply criteria we're going to establish, what criteria
24 should be, and how we will essentially go through the
25 process that we have, and make adjustments as

1 appropriate. I think it is a dual track process.

2 Again, I think part of the intent of the
3 motion is to say: Let's not wait. Let's get started.
4 And I take that point.

5 I think to the extent that these numbers
6 are instructive to anyone, we can all get started.
7 There are other numbers coming, other formulas coming,
8 other things going to come. I do not think we can have
9 meaningful discussion about the next steps until all the
10 information is available.

11 I suggest we simply all get started, all
12 get started understanding the numbers, all think about
13 ways the numbers can be helpful, all take a look about
14 the numbers we have as drafts and ways we might be able
15 to apply the numbers we'll get. At the point at which
16 we are comfortable we have information in order to have
17 discussion, we should call a meeting, whether it's --
18 whatever the date is, we'll have a full, formal
19 discussion about how this should be applied. I think
20 that's the only way to proceed.

21 Mr. Huntwork, Ms. Minkoff.

22 COMMISSIONER MINKOFF: I just wanted to
23 make a point. I believe the reason we needed the more
24 sophisticated Judge It data, you can not tell me a 65-35
25 percent district is competitive. I know it's not

1 competitive. If I wanted to make it more competitive,
2 I'd probably need more sophisticated information to
3 determine how to do that. I can't do it based on what
4 was passed out today. It helps focus thoughts as to
5 where we might have flexibility.

6 If I look at a district, want to make a
7 district more competitive, I need to look at adjoining
8 districts, where things can be shifted to make it more
9 competitive. I don't think I know that.

10 CHAIRMAN LYNN: Mr. Huntwork.

11 COMMISSIONER HUNTWORK: I agree with the
12 suggestion. To the extent there's a motion on the
13 floor, I feel it's overly specific and would vote
14 against it.

15 We either need to call the question or
16 adjourn.

17 COMMISSIONER HALL: I guess I'm hearing
18 something different. I understood the precise intent of
19 both motions. For them to do that and come back
20 whenever that future meeting was and say here are the
21 ideas, the alternatives, that is the intent of what my
22 motion was. Correct me, Mr. Elder, that's the intent of
23 your motion. I guess, maybe it's the sound, whatever,
24 that's exactly what we've been proposing for the last 35
25 minutes.

1 COMMISSIONER HUNTWORK: Call the question.

2 CHAIRMAN LYNN: Well, you know, in truth,
3 I would like, just for a moment, to explore that last
4 comment.

5 Mr. Elder, in the motion that you made,
6 the explanation I just tried to give in compromise, of
7 point of view, is there anything different about your
8 motion than what I said, that is to say, the consultants
9 and we both embark on the study of what we have done in
10 terms of competitiveness with both data received tonight
11 and data that will be received and will we not,
12 essentially not, what we're saying to the consultants is
13 we don't want to wait to begin thinking about the
14 application of not only this data but other data coming.
15 And at some point we'll get together and talk about that
16 rather than suggesting that consultants operating on
17 their own come to some conclusions without further
18 discussion with us.

19 I think that's the essence of the
20 difference in the argument. I'm asking the question for
21 clarification.

22 COMMISSIONER ELDER: I suppose the nuance
23 of it is my assumption was we as Commissioners would
24 also be doing our own analysis. It takes that part of
25 the equation out. We were asked for direction by the

1 consultant, in fact, authorization to proceed. They
2 wanted us to give authorization to proceed, things to
3 proceed on evaluating requests already made.

4 I'd like the idea as to what the effect is
5 on the balance, on the competitiveness between districts
6 is, so as we start to consider what the preponderance of
7 information is we know what the effect on
8 competitiveness is. I'm not asking for analysis from
9 the standpoint of competitiveness solely. I'm only
10 asking it be integrated from this point on, since we
11 have some numbers in the decisions, in the body of
12 information we get.

13 CHAIRMAN LYNN: Mr. Huntwork.

14 COMMISSIONER HUNTWORK: So is the motion
15 anything we change has to include consideration of
16 competitiveness?

17 COMMISSIONER ELDER: I would like to
18 consider it, as our counsel said, it is a should, not a
19 will, a should issue. I would like to have that so when
20 I am deliberating and say yes, I recommend, or support
21 this change, I know at least how it will affect
22 competitiveness. I want to know how it does that.

23 COMMISSIONER HUNTWORK: I agree completely
24 with that.

25 COMMISSIONER MINKOFF: We don't need a

1 motion to do that.

2 COMMISSIONER HUNTWORK: The proposition
3 requires us to from this point forward, I believe,

4 COMMISSIONER HUNTWORK: It shouldn't say
5 it requires us. It strongly encourages all of us,
6 expressed we will consider competitiveness in further
7 changes we make.

8 COMMISSIONER ELDER: Let me pose an
9 example to both of you, and tell me why or why not it
10 doesn't work. An example in trying to run the eastern
11 valley through a flip-flop of a majority-minority
12 district from the west south Tucson area to the Casa
13 Grande area and west valley, asking how does that affect
14 voting rights. Is it a minority-majority district? I'd
15 like to know the effect of the shift, how did it affect
16 competitiveness of the district that surrounds it.

17 COMMISSIONER MINKOFF: I don't see a
18 problem. The consultants read Proposition 106. They
19 know from this point on competitiveness becomes a part
20 of our consideration. They've responded to every
21 question we asked them, what are the characteristics of
22 the district. Now we add one additional,
23 competitiveness. We haven't been able to do this until
24 we adopted the draft maps. Now we adopted the question.
25 I'm sure they'll be able to come up with an answer. I

1 don't understand why it develops scenarios for us now
2 when we have no idea what changes we're going to want to
3 propose.

4 I'd like to wait until we have some idea
5 of other directions we may be going and then let them
6 factor competitiveness in and give us the whole picture.

7 CHAIRMAN LYNN: On the motion, further
8 discussion?

9 If not, Mr. Huntwork?

10 COMMISSIONER HUNTWORK: "No."

11 CHAIRMAN LYNN: Ms. Minkoff?

12 COMMISSIONER MINKOFF: "No."

13 CHAIRMAN LYNN: Mr. Hall?

14 COMMISSIONER HALL: "Yes."

15 CHAIRMAN LYNN: Mr. Elder?

16 COMMISSIONER ELDER: "Yes."

17 CHAIRMAN LYNN: Chair votes "no."

18 Motion fails three to two.

19 It is the sense of the Commission
20 notwithstanding defeat of the motion we should, the
21 consultants and the Commission, proceed with this and
22 other information as it becomes available and consider
23 competitiveness as we move forward in all of our
24 deliberations on any changes that may be contemplated or
25 any suggestions made by the public, that there is

1 agreement on that whether we have a motion to that or
2 not.

3 MS. LEONI: Commissioner Lynn, Members of
4 the Commission, we will do so.

5 CHAIRMAN LYNN: Is there further business
6 to come before the Commission?

7 COMMISSIONER ELDER: I move we adjourn.

8 CHAIRMAN LYNN: No need to move it.

9 Ms. Hauser, anything further to come
10 before the Commission?

11 Ladies and gentlemen, we are adjourned.

12 (Whereupon, the Commission adjourned at
13 approximately 8:46 p.m.)

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STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

BE IT KNOWN that the foregoing hearing was taken before me, LISA A. NANCE, RPR, CCR, Certified Court Reporter in and for the State of Arizona, Certificate Number 50349; that the proceedings were taken down by me in shorthand and thereafter reduced to typewriting under my direction; that the foregoing 236 pages constitute a true and accurate transcript of all proceedings had upon the taking of said hearing, all done to the best of my ability.

I FURTHER CERTIFY that I am in no way related to any of the parties hereto, nor am I in any way interested in the outcome hereof.

DATED at Phoenix, Arizona, this 17 day of October, 2001.

LISA A. NANCE, RPR, CCR
Certified Court Reporter
Certificate Number 50349