

1                   **ARIZONA INDEPENDENT REDISTRICTING COMMISSION**

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

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8                                   **Location**

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

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13                                  Attending

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

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

22                                  **PREPARED BY:**

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25                                  Certified Reporter  
  CR No. 50637

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

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

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

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

11 (Pledge was recited.)

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

14 Vice Chair Freeman.

15 COMMISSIONER FREEMAN: Here.

16 CHAIRPERSON MATHIS: Vice Chair Herrera.

17 VICE CHAIR HERRERA: Here.

18 CHAIRPERSON MATHIS: Commissioner  
19 McNulty.

20 COMMISSIONER MCNULTY: Here.

21 CHAIRPERSON MATHIS: Commissioner Stertz.

22 COMMISSIONER STERTZ: Here.

23 CHAIRPERSON MATHIS: We have a quorum.

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

1 consultant, Willie Desmond.

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

5 Ray Bladine is our executive director.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25           To recap, I created a map that borrowed

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

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

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

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

1 Unfortunately, that didn't happen this time.

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

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

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

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

25           And Ms. McNulty did last week propose,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

17 WILLIE DESMOND: It's Stapley Drive.

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

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

25 CHAIRPERSON MATHIS: But the eastern

1 boundary --

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

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

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

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

18 VICE CHAIR HERRERA: Madame chair.

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

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

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

1 VICE CHAIR HERRERA: Okay.

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

5 CHAIRPERSON MATHIS: Right.

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

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

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

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

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

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

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

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

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

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

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

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

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

9           VICE CHAIR HERRERA: Madame Chair.

10          CHAIRPERSON MATHIS: Yes, Mr. Herrera.

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

14          Am I correct?

15          CHAIRPERSON MATHIS: Yeah. Yes.

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

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

21          VICE CHAIR HERRERA: Thank you.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25           And they came in and they weren't happy

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

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

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

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

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

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

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

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

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

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

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

1 District 1 to keep the copper corridor intact.

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

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

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

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

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

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

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

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

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

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

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

25          And granted -- again, this is a

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

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

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

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

18 It's a lot to digest.

19 COMMISSIONER MCNULTY: Madame Chair.

20 CHAIRPERSON MATHIS: Ms. McNulty.

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

23 What is our HVAP benchmark in District 3?

24 Maybe Mr. Desmond has the answer to that.

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

1 50.23.

2 COMMISSIONER MCNULTY: Okay. Thank you.

3 VICE CHAIR HERRERA: Madame Chair.

4 CHAIRPERSON MATHIS: Mr. Herrera.

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

7 WILLIE DESMOND: That's correct.

8 VICE CHAIR HERRERA: Thank you.

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

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

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

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

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

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

23 VICE CHAIR FREEMAN: Madame Chair.

24 CHAIRPERSON MATHIS: Mr. Freeman.

25 VICE CHAIR FREEMAN: First of all, I want

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

9 It is a lot to digest.

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

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

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

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

25 But on the whole, thank you for putting

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

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

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

12 CHAIRPERSON MATHIS: Great.

13 VICE CHAIR FREEMAN: That sounds helpful.

14 CHAIRPERSON MATHIS: Comments from other  
15 commissioners?

16 COMMISSIONER STERTZ: Madame Chair.

17 CHAIRPERSON MATHIS: Mr. Stertz.

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

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

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

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

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

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

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

18           COMMISSIONER STERTZ: Thank you.

19           COMMISSIONER MCNULTY: Madame Chair.

20           CHAIRPERSON MATHIS: Ms. McNulty.

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

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

1           COMMISSIONER MCNULTY: This map.

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

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

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

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

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

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

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

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

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

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

18 CHAIRPERSON MATHIS: Okay. Lunchtime.

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

22 CHAIRPERSON MATHIS: Sure.

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

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

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

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

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

1 Tucson and in Yuma and in Maricopa County.

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

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

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

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

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

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

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

25 That's probably more than you wanted, I

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

3 CHAIRPERSON MATHIS: Mr. Desmond.

4 WILLIE DESMOND: I just wanted to  
5 interrupt.

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

8 CHAIRPERSON MATHIS: Thank you.

9 Thanks, Buck.

10 COMMISSIONER MCNULTY: Madame Chair.

11 CHAIRPERSON MATHIS: Ms. McNulty.

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

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

1 out.

2 Is that your understanding?

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

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

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

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

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

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

13           VICE CHAIR HERRERA: Madame Chair.

14           CHAIRPERSON MATHIS: Mr. Herrera.

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

17           CHAIRPERSON MATHIS: Have fun.

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

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

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

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

10 So any oath comments or questions?

11 Mr. Stertz.

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

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

20 CHAIRPERSON MATHIS: Yes.

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

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

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

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

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

18 Ms. McNulty.

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

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

1 the leg map.

2 COMMISSIONER STERTZ: Madame Chair.

3 CHAIRPERSON MATHIS: Mr. Stertz.

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

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

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

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

25 CHAIRPERSON MATHIS: Well, one

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

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

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

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

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

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

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

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

8 UNIDENTIFIED SPEAKER: Public comment  
9 before you vote.

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

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

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

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

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

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

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

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

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

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

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

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

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

17 COMMISSIONER STERTZ: Madame Chair.

18 CHAIRPERSON MATHIS: Mr. Stertz.

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

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

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

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

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

25 Commissioner Freeman mentioned Coolidge

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

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

17           CHAIRPERSON MATHIS: Sounds good.

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

24           Mr. Freeman.

25           COMMISSIONER FREEMAN: Just looking

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

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

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

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

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

25           And to save time over the weekend, that

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

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

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

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

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

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

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

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

7 CHAIRPERSON MATHIS: Okay.

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

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

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

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

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

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

15 UNIDENTIFIED SPEAKER: Madame Chair.

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

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

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

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

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

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

13 Does that makes sense?

14 CHAIRPERSON MATHIS: Yeah, it does.

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

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

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

3 COMMISSIONER MCNULTY: Madame Chair.

4 CHAIRPERSON MATHIS: Ms. McNulty.

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

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

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

24 CHAIRPERSON MATHIS: That sounds good.

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

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

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

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

20 CHAIRPERSON MATHIS: Okay. That works.

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

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

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

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

6 COMMISSIONER MCNULTY: That works for me.

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

12 Thank you.

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

15 (Mr. Herrera joined the meeting.)

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

1           So let's start with public comment.

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

9           VICE CHAIR HERRERA: Madame Chair.

10          CHAIRPERSON MATHIS: Oh, Mr. Herrera.

11          VICE CHAIR HERRERA: Just a  
12 clarification.

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

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

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

24          Bill Engler, representing self from  
25 Anthem.

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

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

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

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

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

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

25           But what I would urge on this Commission

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

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

9 CHAIRPERSON MATHIS: Thank you.

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

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

14 CHAIRPERSON MATHIS: Certainly.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25 So not everybody has to say the exact

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25 And so what I want to suggest to you is

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

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

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

25 So imagine, right, we as a community are

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

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

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

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

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

1 to have a much better outcome for our state.

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

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

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

12 CHAIRPERSON MATHIS: Thank you.

13 Any comments or questions?

14 VICE CHAIR HERRERA: Thank you.

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

17 SARA PRESLER: Thank you.

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

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

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

1 measure competitiveness.

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

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

16 Thanks.

17 CHAIRPERSON MATHIS: Thank you.

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

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

25 I listened this morning when you first

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

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

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

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

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

25 I mean, the district you've created is

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

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

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

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

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

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

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

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

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

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

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

1 different.

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

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

19           Thank you very much.

20           CHAIRPERSON MATHIS: Thank, you  
21 Representative.

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

24           MARY O'GRADY: Yes.

25           CHAIRPERSON MATHIS: Okay. The map

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

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

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

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

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

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

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

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

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

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

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

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

1 beneficial to the state overall.

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

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

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

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

25 I would just put that forth as a

1 consideration for you.

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

6 Thank you.

7 CHAIRPERSON MATHIS: Thank you very much.

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

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

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

18 CHAIRPERSON MATHIS: Sorry.

19 TOM RANSDELL: This is much better.

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

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

25 TOM RANSDELL: Okay. Thank you very

1 much.

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

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

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

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

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

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

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

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

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

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

20 CHAIRPERSON MATHIS: Thank you very much.

21 TOM RANSDELL: Thank you for your time.

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

25 STEPHEN MILLER: Good afternoon,

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

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

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

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

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

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

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

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

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

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

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

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

17           With that, I thank you for your time.

18           CHAIRPERSON MATHIS: Thank you.

19           COMMISSIONER MCNULTY: Madame Chair.

20           CHAIRPERSON MATHIS: Ms McNulty.

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

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

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

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

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

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

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

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

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

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

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

5 UNIDENTIFIED SPEAKER: We don't have it.

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

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

10 WILLIE DESMOND: It's up.

11 COMMISSIONER MCNULTY: It is up online.

12 UNIDENTIFIED SPEAKER: It's up where?

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

18 CHAIRPERSON MATHIS: Sure. Good idea.

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

23 CHAIRPERSON MATHIS: I see it.

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

1 referencing.

2 CHAIRPERSON MATHIS: Thank you.

3 COMMISSIONER STERTZ: Madame Chair.

4 CHAIRPERSON MATHIS: Mr. Stertz.

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

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

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

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

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

8 CHAIRPERSON MATHIS: Mr. Desmond.

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

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

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

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

25 WILLIE DESMOND: I believe so.

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

3 VICE CHAIR HERRERA: Madame Chair.

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

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

10 CHAIRPERSON MATHIS: Right.

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

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

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

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

23 CHAIRPERSON MATHIS: Great.

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

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

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

10          VICE CHAIR HERRERA: Madame Chair.

11          CHAIRPERSON MATHIS: Mr. Herrera.

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

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

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

20          WILLIE DESMOND: Okay.

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

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

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

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

5           Tom Miller, representing self from Pinal.

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

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

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

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

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

1 final map.

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

6           CHAIRPERSON MATHIS: Thank you.

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

9           VICE CHAIR HERRERA: Madame Chair.

10          CHAIRPERSON MATHIS: Mr. Herrera.

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

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

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

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

1 need to give us a street-level address.

2 Sorry about that.

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

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

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

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

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

25 So we appreciate that and I believe that

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

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

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

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

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

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

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

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

6 God bless you.

7 Thank you.

8 CHAIRPERSON MATHIS: Thank you very much.

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

11 JERRY BROOKS: Thank you, Madame  
12 Chairman.

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

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

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

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

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

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

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

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

10           CHAIRPERSON MATHIS: Thank you.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25 And moving right on down, we have

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

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

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

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

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

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

1 listen to you anyway.

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

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

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

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

19           Thank you very much.

20           Have you got any questions?

21           CHAIRPERSON MATHIS: Any questions?

22           Thank you.

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

1 name.

2 PETER LIMPERIS: You got close.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8 CHAIRPERSON MATHIS: Thank you.

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

11 PETE BENGTON: I'll pass until later.

12 CHAIRPERSON MATHIS: Oh, okay.

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

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

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

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

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

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

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

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

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

25           And the same with the voting rights'

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

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

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

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

25           My last point.

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

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

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

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

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

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

22           CHAIRPERSON MATHIS: Thank you.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

16           Okay. There you go.

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

21           But thank you very much for hearing us.

22           CHAIRPERSON MATHIS: Thank you.

23           VICE CHAIR HERRERA: Thank you.

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

1 PAULA LINKER: Thank you very much.

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

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

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

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

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

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

1 expectations of excellence.

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

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

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

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

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

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

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

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

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

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

23 Please consider community of interest.

24 Thank you.

25 CHAIRPERSON MATHIS: Thank you.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10           Thank you very much.

11           CHAIRPERSON MATHIS: Thank you.

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

14           BILL ROE: Good afternoon.

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

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

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

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

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

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

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

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

1 somewhere in between?

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

10           Thank you very much.

11           CHAIRPERSON MATHIS: Thank you.

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

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

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

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

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

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

11           Thank you very much.

12           CHAIRPERSON MATHIS: Thank you.

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

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

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

23           I appreciate it very much.

24           CHAIRPERSON MATHIS: Thank you.

25           Our next speaker is Barbara Ann Olbinski,

1 representing self.

2           You can tell us where you're from.

3           BARBARA OLBINSKI: Thank you very much.

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

10           I'm speaking for competitiveness.

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

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

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

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

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

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

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

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

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

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

1 reform.

2 Think about it.

3 I'm not done.

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

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

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

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

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

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

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

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

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

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

16 Thank you.

17 CHAIRPERSON MATHIS: Thank you.

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

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

25 I'm from Peoria.

1 CHAIRPERSON MATHIS: Thank you.

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

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

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

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

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

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

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

1 a prejudiced person.

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

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

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

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

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

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

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

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

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

1 things to do.

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

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

11           Thank you.

12           CHAIRPERSON MATHIS: Thank you.

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

15           BENNY WHITE: Thank you.

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

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

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

1 presented this morning.

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

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

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

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

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

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

1 discussions.

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

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

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

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

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

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

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

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

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

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

25           In addition, you extremely exacerbated

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

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

15 Thank you.

16 CHAIRPERSON MATHIS: Thank you.

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

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

22 And I have a couple of comments.

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

1 this has been.

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

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

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

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

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

1           And thank you for your time.

2           CHAIRPERSON MATHIS: Thank you.

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

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

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

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

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

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

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

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

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

18           Thank you.

19           CHAIRPERSON MATHIS: Thank you very much.

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

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

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

1 I'm not representing the ASU interests here.

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

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

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

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

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

25 If you just tinker with one corner of a

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

21 So have fun.

22 CHAIRPERSON MATHIS: Thank you very much.

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

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

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

4 Thanks.

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

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

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

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

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

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

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

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

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

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

11 VICE CHAIR HERRERA: Madame Chair.

12 CHAIRPERSON MATHIS: Thank you.

13 Mr. Herrera.

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

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

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

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

25 MARY O'GRADY: And that analysis, of

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

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

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

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

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

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

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

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

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

13           Mary, anything you want to add?

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

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

24           WILLIE DESMOND: Sure.

25           I spoke with Ken over the break and

1 confirmed some things.

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

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

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

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

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

1 information section.

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

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

11           I think that's it.

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

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

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

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

1 VICE CHAIR HERRERA: Madame Chair.

2 CHAIRPERSON MATHIS: Mr. Herrera.

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

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

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

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

1 VICE CHAIR HERRERA: Sure.

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

4 VICE CHAIR HERRERA: Madame Chair.

5 CHAIRPERSON MATHIS: Mr. Herrera.

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

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

13 CHAIRPERSON MATHIS: Okay. Thank you.

14 Other comments, thoughts?

15 VICE CHAIR FREEMAN: Madame Chair.

16 CHAIRPERSON MATHIS: Mr. Freeman.

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

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

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

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

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

13           CHAIRPERSON MATHIS: Thank you.

14           Any other comments?

15           COMMISSIONER MCNULTY: Madame Chair.

16           CHAIRPERSON MATHIS: Ms. McNulty.

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

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

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

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

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

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

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

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

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

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

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

23           And so we worked very hard to have  
24 compact districts, but at the same time we have  
25 large rural expanses.

1           So that is a challenge, but we've  
2 certainly worked hard to try and come up with a  
3 draft that the public can comment on.

4           I think that we've learned as a group a  
5 great deal about the state and the communities that  
6 make up the state.

7           We have gotten a great deal of comment  
8 from communities, and that's starting to increase,  
9 which is wonderful.

10           We are starting to hear directly from  
11 communities about their specific concerns with  
12 regard to the map and we are trying very hard to  
13 take those into account and build them into the map.

14           And with regard to competitiveness, I --  
15 again, I think we as commissioners have different  
16 perspectives on that. My own perspective and the  
17 measure that I used, or the standard that I looked  
18 at in the congressional maps, is that we are charged  
19 with creating fair and competitive districts. And I  
20 believe that that means that we should work towards  
21 blending with all of the other criteria, achieving  
22 congressional districts in which given average  
23 candidates and average years, neither party has a  
24 built-in advantage.

25           So that's my standard for

1 competitiveness, and I think that the consultants  
2 have given us several tools that we can use in an  
3 effort to make assessments in these draft maps about  
4 how close we are getting to that goal. And I know  
5 that they will continue to refine that with the  
6 additional data that has been requested that they  
7 build in.

8           So with that, I think I would just close  
9 by saying I think it's really important now to give  
10 the public something that they can actually comment  
11 on, an actual draft that doesn't change from day to  
12 day. And I hope that we will hear more from  
13 communities about how -- about their communities and  
14 how this -- these proposals work for them. I think  
15 it's a good start, and I think we should let the  
16 public comment on it.

17           CHAIRPERSON MATHIS: Any other comments?

18           COMMISSIONER STERTZ: Madame Chair.

19           CHAIRPERSON MATHIS: Mr. Stertz.

20           COMMISSIONER STERTZ: In regards to  
21 competitiveness, let's just go through the  
22 districts.

23           District 1, the map that you've got --  
24 and by the way, thank you very much for taking the  
25 hard work and putting this map together this

1 weekend. If I would have known we were going to  
2 have another shot at redrafting maps, I would have  
3 actually gone through the process of sending a map  
4 that I had been working on over the weekend to  
5 Mr. Desmond so that we could have some comparison  
6 analysis, because I have actually gone through this  
7 iteration and actually had another -- I've been  
8 studying this map for quite some time.

9 Let's talk about -- let's just talk about  
10 District 1.

11 There are 35,000 more Democrats than  
12 there are Republicans in District 1 yet it shows up  
13 on the competition analysis that it's a 50 percent  
14 -- that that somehow is competitive.

15 So it's clear that District 1 is not  
16 competitive. There's a 24 percent Democrat over  
17 Republican registration advantage in District 1.

18 In Districts 4, 5, and 6, we've actually  
19 gone from the map from Friday to the map today  
20 adding more Republicans to the already Republican  
21 districts.

22 District 4, the large growth area in the  
23 San Tan, is going to continue to have more  
24 Republicans grow. So again, it's going to expand  
25 the percentage of Republican advantage in District

1 4. That's got me greatly concerned that that's been  
2 designed into that district.

3 District 2, which is a rural -- or excuse  
4 me, the urban Tucson district is shown to be a  
5 competitive district probably only because there's  
6 equality between the Democrats and the Republicans  
7 where there is no significant advantage to the  
8 registration, though I can't imagine that the --  
9 that it's going to be actually ever someone from the  
10 Republican party that will be elected there.

11 District 8 is also a heavily -- it's  
12 holding actually a 59 -- in fact, my percentages are  
13 just astounding.

14 In District 4 there's a 78 percent  
15 Republican over Democrat advantage for registrants.

16 98.7 percent Republicans over Democrats  
17 in District 5.

18 68.1 percent Republicans over Democrats  
19 in District 6.

20 I would hope that if we were actually  
21 talking about trying to get competition that we  
22 would try to narrow that gap instead of placing so  
23 many Republicans in a particular district that we  
24 know is going to grow, as Republican districts will  
25 continue to grow, as District 4. These are sort of

1 the districts where growth is naturally going to  
2 take place.

3 In District 8, again, it's a heavily  
4 Republican district where it's also a growing  
5 district that's got a 59 percent Republican over  
6 Democrat advantage. Those are clearly going to be  
7 four Republican districts.

8 I don't see that 9 is actually  
9 competitive. There is a 5.8 percent Democrat  
10 over -- Republican over Democrat advantage, which is  
11 really curious to me that it actually has an  
12 advantage yet it shows more competitive on the  
13 Democratic side. Obviously, the folks that are  
14 voting in the other category, the Independents are  
15 voting mostly Democrat.

16 So I can't get my arms around the  
17 statistics because I don't have the algorithms.  
18 Once I have them, I'll be able to have a better  
19 analysis of that. Right now the only way that I can  
20 look at is sort of trusting the information that  
21 Strategic has provided in their analysis and -- but  
22 I'm really looking at registration.

23 So I was hoping, Madame Chair, to  
24 actually get areas that would be growing to be  
25 growing and having more -- more of the -- we've

1 heard so much over and over again that the state is  
2 third, a third, and a third. There are actually  
3 more Republicans than there are Independents and  
4 there's more Independents registered than there are  
5 Democrats. And it would have been great if we could  
6 have had a little bit more spreading out of these so  
7 we could actually increase the level of competition  
8 going forward.

9 I can't -- although I really am excited  
10 about some of the things that you have included in  
11 this map, I can't -- I would love to have a couple  
12 more days to be able to be able to analyze it.  
13 We're going to get some algorithms tonight from  
14 Strategic. I'll be able to do some homework on it  
15 tomorrow and would love to see us come to the table  
16 on Wednesday so at least I could be able to say,  
17 yeah, I see it or tweak these things here and I'm on  
18 or not.

19 CHAIRPERSON MATHIS: Great.

20 Any other comments or questions?

21 VICE CHAIR FREEMAN: Madame Chair.

22 CHAIRPERSON MATHIS: Mr. Freeman.

23 COMMISSIONER FREEMAN: I had two things  
24 to say and I only remember one. Maybe that's a good  
25 thing.

1           One comment that was made that was --  
2 that in terms of our splits analysis, there's really  
3 no significant difference in all of these maps in  
4 terms of splits. And I have to disagree with that.

5           If one map shows one more split than the  
6 other, that may not seem like a big deal unless it's  
7 splitting Mesa twice or three times. I mean, that  
8 could be a big deal. I hope we don't have that in  
9 this one, but that could make a difference. That  
10 could be a significant impact on the map.

11           The other thing is none of the other maps  
12 were refined to the point as this map is. This map  
13 is down to one person.

14           The whole counties map that I was working  
15 on, that line of maps, it wasn't finished, so it's  
16 not a fair comparison. A lot of those what-if  
17 splits there were, there weren't that many in that  
18 map, could have rectified. So it's not a fair  
19 comparison.

20           And we don't have -- I know Commissioner  
21 Stertz had worked on this map that -- in filling in  
22 the donut hole that he presented on Friday and made  
23 that part of the record. I'm not sure if -- I would  
24 like to see how that map played out to see if that  
25 would give us a competitive district and also

1 improve results on the other factors we're supposed  
2 to consider under the Constitution.

3           Actually, I think I remembered both of my  
4 points.

5           CHAIRPERSON MATHIS: Okay.

6           Other comments.

7           VICE CHAIR HERRERA: Madame Chair.

8           CHAIRPERSON MATHIS: Mr. Herrera.

9           VICE CHAIR HERRERA: Let's see, where do  
10 I start.

11           One of the reasons why I decided to vote  
12 for this -- obviously this map has changed since we  
13 voted for the working map because I wanted to move  
14 forward with the draft map. And I think we've all  
15 worked on our different versions of maps. It's been  
16 a while.

17           We've all put some time and effort into  
18 these maps and, obviously, you did your best to try  
19 to get a -- sort of a mixture of three different  
20 maps into one, including Stertz's map, the whole  
21 counties and Commissioner -- excuse me, Commissioner  
22 Stertz's map where he talks about the three border  
23 districts, Freeman with the whole counties map and  
24 then the river district.

25           And although I don't -- I'm not quite

1 happy with the outcome, there's some things that I  
2 can live with and there's some things that I'm  
3 hoping will change. But again, this is a draft map.

4           And let's talk about the -- just quickly,  
5 some of the things that Republicans get. They get  
6 three border districts. That's something they've  
7 been talking about for awhile.

8           They minimize the number of competitive  
9 districts from what I thought we could get was four  
10 down to three. And this is something that I think  
11 I've been pushing since we started the draft maps.

12           Now, this particular version --  
13 congressional map that was printed on 10/2 gives the  
14 Republicans four solidly Republican districts based  
15 on the 2008, 2010 information and gives three  
16 districts that -- let's see. I think it's three  
17 competitive districts; two that are leaning  
18 Republican and one that's leaning somewhat  
19 Democratic. So two slightly Republican districts  
20 are competitive and one in 9 that's slightly  
21 Democratic. So that's -- so that's, like I said, I  
22 think a big advantage to the Republicans.

23           And again, I don't really care much for  
24 this map. Well, there's some things that I care  
25 about, some things that I don't.

1           And again, I see this as a draft map  
2 which we're going to be putting it in for public  
3 comment.

4           And in regards to the voter registration,  
5 I think Mr. Stertz made the point for me of why we  
6 shouldn't be considering voter registration or we  
7 should be considering it but we should look at the  
8 nuances and what are the differences.

9           For example, he talks about in  
10 Congressional District 1 that has a Democratic  
11 advantage. But when you look at the  
12 competitiveness, in fact, it is slightly Republican.  
13 And I think if -- I can be incorrect -- what I would  
14 like to do is have Ken Strasma look at that  
15 information.

16           For example, I think in the Navajo and  
17 Apache Counties there is about 40,000 voters that  
18 have not voted in the 2008, 2010 elections and they  
19 registered as mostly Democratic. So they are  
20 registered at Democrat but they haven't been voting,  
21 so I don't know what happened to these voters. Did  
22 they move and never reregistered? So that's a  
23 concern of mine.

24           And also in these particular two  
25 counties, you have, again, a slight -- or a

1 Democratic advantage, but I would probably guess  
2 that there's people there that probably register as  
3 Democrat but they are not Democrat. They want their  
4 voices heard, so they ended up registering for the  
5 majority -- the ruling political party in those  
6 particular counties but they are not -- again, they  
7 are not Democrats.

8           And you could probably get some  
9 information on these -- on the Presidential races  
10 and figure that out, if that's truly the case.

11           So that's why when Stertz and Freeman or  
12 whoever talks about voter registration, I don't  
13 think voter registration is a good measurement to  
14 use for competitiveness. And I think Stertz made  
15 that point for me that -- on District 1.

16           So what I would like to do is have -- if  
17 we could direct Mr. Strasma to look at voter  
18 registration and the -- why it's difficult to  
19 include it as a competitiveness model.

20           But again, some of the issues I have with  
21 this map are, again, it doesn't create as many  
22 competitive districts as I would like, which is  
23 four.

24           It provides the Republicans with four  
25 solidly Republican districts, two solidly Republican

1 -- Democratic districts. And the only reason we get  
2 those two is because of the Voting Rights Act.

3 So unless Stertz and Freeman want nine  
4 solidly Republican districts, which then they may  
5 support, but I think this is a map that favors the  
6 Republicans, and it concerns me. But I'm willing to  
7 go forward as a draft map because I think we can  
8 make some changes and tweak this map a bit.

9 So those are my comments.

10 CHAIRPERSON MATHIS: Thank you.

11 Other comments?

12 COMMISSIONER MCNULTY: Madame Chair, I do  
13 have a couple comments about District 1, the  
14 competitiveness issue.

15 It's also the case that we have a  
16 long-standing tradition in Arizona, particularly in  
17 Cochise County, that's the county I know best, but  
18 maybe in the other rural counties, of a kind of  
19 blue-dog Democrats or folks who register as  
20 Democrats but who really vote very conservatively.

21 I did take a look this weekend at the  
22 results of the 2010 elections in that part of the  
23 world. And Felicia Rotellini won by I think it was  
24 .1 percent and Terry Goddard lost by I think it was  
25 6 percent.

1           So when you look at election results, it  
2 is I think a much better indicator of the  
3 competitiveness of the district. And I think there  
4 are a lot of other forces at work there on the voter  
5 registration that are reflected in that 9 percent  
6 number. But the election results do, in fact, show  
7 that competitive nature of the district.

8           VICE CHAIR HERRERA: Madame Chair.

9           CHAIRPERSON MATHIS: Mr. Herrera.

10          VICE CHAIR HERRERA: Just one more item.

11           On the report of competitiveness report  
12 on page -- it doesn't have a page number, but the  
13 last page on the congressional map 2010 to 2011,  
14 what it does is it equals out the 2008, 2010  
15 elections and weighs them equally.

16           So in 2010 you have a year that  
17 Republicans -- I think they won all of the state --  
18 I think they won all of the state elections --  
19 statewide elections and you have in 2008 where  
20 Democrats won I think five out of the eight seats  
21 in -- the congressional seats and they won two out  
22 of the three Corporation Commission seats.

23           So I think that's a pretty good  
24 measurement of weighing competitiveness. When you  
25 had an awesome year for the Republicans in 2010 and

1 a really good year for Democrats in 2008.

2 As I said before, to me this is the best  
3 measurement of competitiveness. Using the 2004,  
4 2006 model, again, that's outdated information and I  
5 think that Professor Steen probably made an eloquent  
6 argument for not using -- or at least not weighing  
7 it the same way.

8 So again, I think Mr. Strasma and  
9 Strategic Telemetry gave us pretty good information  
10 on competitiveness, although it's not complete, I  
11 think they are doing pretty good with the  
12 information that they do have at their disposal.

13 CHAIRPERSON MATHIS: Thank you.

14 Other comments?

15 VICE CHAIR FREEMAN: Madame Chair.

16 CHAIRPERSON MATHIS: Mr. Freeman.

17 VICE CHAIR FREEMAN: I would remind  
18 Commissioner Herrera that in 2008, Republicans  
19 increased their majorities in the state house to  
20 historic levels. That Senator McCain was the  
21 presidential candidate, Republican from Arizona. It  
22 was a big year.

23 And the Democrats, as I believe  
24 reshuffled their leadership in the state. I don't  
25 know if that was in reaction to the 2008 election

1 results or not, although it probably did have a  
2 factor in the displeasure with that.

3 I think if -- there should be no  
4 compromising on following the Constitution. So if  
5 someone is not happy with the way this map looks  
6 because they don't think it really meets  
7 constitutional muster, they should be voting no on  
8 it.

9 I think this should be -- although it's  
10 called a draft map, I think it should be the  
11 proposed final draft. It should be drilled down to  
12 equal population or one person. We have that.

13 I think we should have a very good sense  
14 as to the competitiveness measure. I think we  
15 should have a very good sense as to whether the  
16 districts are compact or could be made more compact,  
17 whether they respect county and municipal lines or  
18 whether the map could do a better job with that.

19 Because I think we need to know that  
20 baseline map to really complete our assessment.

21 I also think that when we publish a draft  
22 map -- I mean, this is what we are really telling  
23 the public, this is what we are proposing as our  
24 map. Come out and make a comment on it. And what  
25 it does, it builds in -- once we vote on a draft

1 map, it builds in a presumption. The presumption is  
2 this is the map. Now, public, you need to push us  
3 off this map. You need to tell us where we need to  
4 move the lines.

5 It puts the burden on the public rather  
6 than put the burden on us right now, where it is,  
7 following the Constitution.

8 So I think we should be very careful  
9 about this and think long and hard. I don't think  
10 we should vote on this today. I think we should go  
11 ahead and start moving the ball down the road on the  
12 legislative maps. And then we'll work -- we did  
13 that to a point near completion, we can go ahead and  
14 vote on both maps.

15 COMMISSIONER MCNULTY: Madame Chair.

16 CHAIRPERSON MATHIS: Ms. McNulty.

17 COMMISSIONER MCNULTY: I just have one or  
18 two more comments, and I thank you, Mr. Freeman, for  
19 bringing this to mind.

20 The analysis that's attached to each of  
21 these maps includes in addition to a voting rights'  
22 analysis and competitive analysis and an analysis of  
23 how many counties are split, how many census places  
24 are split, how many reservations are split, how many  
25 tribal subdivisions are split, the percentage of

1 which county is in each district, and the percentage  
2 of each district, which is comprised of each county.  
3 And the same is true of each census place. Three  
4 different -- two different measures of  
5 competitiveness, and in addition, three measures of  
6 compactness, which I hadn't mentioned earlier.

7           So for each of the maps that we've been  
8 looking at for the last few weeks, we've had three  
9 different ways of looking at compactness to give us  
10 different perspectives on that. The Reock measure,  
11 the Perimeter measure, and the Polsby-Popper  
12 measure, and that's attached to this map as well.

13           VICE CHAIR HERRERA: Madame Chair.

14           CHAIRPERSON MATHIS: Mr. Herrera.

15           VICE CHAIR HERRERA: Let me be clear that  
16 just because this is not my ideal map, does not mean  
17 that we didn't use all of the six criteria to put  
18 together this map.

19           I think we all did a pretty good job when  
20 we were making -- not only when we were making  
21 changes but also when you went home this weekend and  
22 started working on this map, you talked a lot about  
23 making some areas a little bit more compact, talking  
24 about communities of interest, especially Pinal  
25 County.

1           So I definitely disagree with  
2 Commissioner Freeman, that we did use the six  
3 criteria in putting together this map. That I feel  
4 comfortable with, although, again, I didn't get  
5 everything I wanted, not even close, but I do think  
6 that the six criteria were used to determine -- to  
7 design this map. And so that's to me -- that, I  
8 disagree with.

9           I also think that the -- that not only  
10 the first public hearing but also all of the public  
11 comments that we have taken into account from people  
12 commenting on our website, people making public  
13 comments here, people making comments, listening to  
14 the streaming of these meetings. I think we've  
15 taken quite a bit of public comment into account.

16           I think Mr. -- or Commissioner -- or  
17 Mr. Bladine has done an excellent job of summarizing  
18 that at every meeting in terms of how we are doing  
19 in terms of reaching out to the public.

20           So that I'm pretty impressed -- the  
21 outreach efforts that we are doing, not only with  
22 the Native American population, the Hispanic  
23 population, but everyone else throughout the state.

24           So that I feel extremely comfortable that  
25 we've used all of the six criteria equally to put

1 together this map.

2 CHAIRPERSON MATHIS: Thank you.

3 COMMISSIONER MCNULTY: Madame Chair,  
4 would you entertain a motion?

5 CHAIRPERSON MATHIS: I would.

6 I would like to just say a couple of  
7 things.

8 If someone got everything they wanted in  
9 this map, then I need to take it away from them  
10 because that was not the goal, for somebody to come  
11 away with everything they wanted.

12 The whole idea of this map is compromise.  
13 I'm in the center. I'm an Independent, as we all  
14 know. I'm trying to balance the Rs and the Ds in  
15 terms of their desires.

16 I tried to do that with this compromised  
17 map, which we've called the everything bagel map.

18 It had its roots in what-if scenarios  
19 that the two different sides generated. Everyone  
20 was considering all the criteria in an equal manner  
21 as we went through this process. We understand the  
22 Constitution and what it says and how we are to  
23 interpret it. Thankfully it has been resolved from  
24 the last commission.

25 I think we've been doing that all along

1 and have been bending over backwards to make that  
2 happen.

3 I also tried very hard to be responsive  
4 to what we heard this past week, and that is why the  
5 map looks the way it does today. Because we got a  
6 lot of comment on Thursday and Friday and then into  
7 the weekend, as you heard from certain groups. And  
8 it was all excellent comment and we needed to take  
9 it into account. And that's what I tried to do.

10 And thankfully -- I couldn't have  
11 balanced the population to one person by myself.  
12 Mr. Desmond had to work really hard and long last  
13 night to make this happen and get us, you know,  
14 printouts and analysis today. So I really thank him  
15 for being able to come forward.

16 When I interviewed for this position as  
17 the Independent chair -- and I went back and checked  
18 the minutes on this. And if anyone would like to, I  
19 think it was February 24th. It could have been the  
20 26th -- actually, I think it was a Thursday, and the  
21 minutes reflect this -- I told these commissioners  
22 that I view my role as being one that strives for  
23 consensus. That is what I view the role of the  
24 chair is supposed to do. Some may interpret that  
25 role differently, that's what I think my job is.

1           That's why I created this compromised  
2 map. I'm hoping that, you know, we can get --  
3 achieve consensus. And, again, consensus to me is  
4 not everyone gets everything they or one person even  
5 does.

6           It's not ideal. There is no doubt that,  
7 you know, things will likely need to be looked at  
8 more closely. We have to do all kinds of analysis.  
9 And you can never do enough analysis, frankly, on  
10 this information. There's all kinds of information  
11 out there and we just have to do the best that we  
12 can in the amount of time that we have.

13           And we are going to take these maps on  
14 the road, as I will remind everyone, for three weeks  
15 of second round hearings and expect to get all kinds  
16 of public comment. And people can tell us the error  
17 of their ways -- of our ways, I mean, as we go  
18 though these different cities across the state.

19           And I expect that we'll have to shift  
20 some lines. We heard some comments today that I  
21 thought were interesting, and I would love to  
22 explore those.

23           But to me, the basics are all here, and I  
24 think what we have is a good compromise and I would  
25 hope that all of the commissioners could see it that

1 way and be able to vote for this draft map but at  
2 the same time, we also have to move forward.

3 So if I don't have -- you know, a  
4 majority rules on this Commission and if we don't  
5 have everybody behind it, then we don't have  
6 everyone behind it and that's kind of how I'm seeing  
7 it at this point.

8 I think we've worked really, really hard  
9 on this and it's time to move forward.

10 COMMISSIONER MCNULTY: Madame Chair.

11 CHAIRPERSON MATHIS: Mr. Stertz.

12 COMMISSIONER STERTZ: With all due  
13 respect to the all working together for this map,  
14 this is a map that was created around the district  
15 that was designed by Commissioner McNulty and the  
16 rest of the districts have been adjusted by you.  
17 They all have inferences and stylings that infer  
18 ideas that have come from all members of the  
19 Commission, but certainly this has not been a  
20 partnered effort.

21 I certainly -- and frankly, am in strong  
22 agreement with Commissioner Herrera where I was  
23 hoping that we would be able to get more competition  
24 in more districts and am in total disagreement with  
25 his belief that as a Republican and as a

1 conservative that my goal would be to have nine  
2 Republican districts.

3 Our goal is to work for all six and a  
4 half million people of this state for the highest  
5 and the best and the most dynamic political process  
6 that's possible.

7 So this is not a map that -- this is a  
8 McNulty/Mathis map with some inferences from Stertz,  
9 Herrera, and Freeman.

10 But certainly I do not believe that we  
11 are following in constitutional principle in several  
12 areas: Geographic, the communities of interest of  
13 fracturing -- I believe that we are accumulating  
14 Republicans in highly Republican growth districts  
15 that will over the next ten years continue to be  
16 hyperpacked Republican districts to the detriment to  
17 the other state (sic) and the detriment of potential  
18 competitiveness.

19 So I cannot -- obviously, you're hearing  
20 from me that I can't support this for just not  
21 following our constitutional effort. And right now  
22 I do not understand the competitive analysis because  
23 currently I do not have data.

24 I'm also looking at compactness following  
25 the three, the Reock, the Perimeter, and the

1 Polsby-Popper test. We have -- the goal of  
2 Polsby-Popper is to get the closest to 1 and some of  
3 our districts are .18. Two districts are .18 in  
4 Polsby-Popper.

5 From Perimeter design for compactness,  
6 we've had districts -- we've had Perimeter analysis  
7 that accumulates down into the high 4800s. We're at  
8 5910.

9 In the Reock analysis, again, our target  
10 is to be closest to 1. We've got districts -- our  
11 closest to 1 is .55 -- or .56. The majority have  
12 been in the .37s, .35s. We are not meeting the  
13 highest and best.

14 I know this is a rural state and it's  
15 very challenging, but it's disingenuous to say that  
16 we have been using those and studying those and  
17 making a strong attempt to get compactness.

18 So I'm in favor of continuing to review  
19 this map. I'm in favor of you tabling this issue of  
20 giving us the opportunity to review it and to  
21 improve it and to try to expand on competitiveness.

22 And if not, this will not be, in my mind,  
23 an everything bagel map or a donut hole map. This  
24 will be the McNulty/Mathis map.

25 VICE CHAIR HERRERA: Madame Chair.

1 VICE CHAIR FREEMAN: Mr. Herrera.

2 VICE CHAIR HERRERA: One of the reasons  
3 why I was not in favor of changing the date -- I  
4 think we had originally scheduled to go out in  
5 public with the -- with the draft -- I think it was  
6 the 16th of September, it was that week. I think  
7 then we changed it back another week.

8 I think we changed it -- ended up  
9 changing it twice. And we ended up changing it the  
10 last time to the week of the 10th was because of  
11 this issue that it just seems like there's people on  
12 this Commission want to keep postponing it.

13 That there is -- no matter how much of  
14 their ideas you take into account, since you  
15 originally had mentioned that you based your map on  
16 the whole counties map and also on Stertz's three  
17 border districts idea, that no matter how many of  
18 their ideas you take into account, it's not going to  
19 be enough.

20 That -- they will want to keep pushing  
21 the map further and further along where we will --  
22 that this Commission will lose its power and it will  
23 have someone doing the maps for us.

24 So that worries me and that's my belief.  
25 I could be wrong and I hope I'm wrong, but again,

1 the Democrats and people that care about competition  
2 didn't get what they wanted in this map. They got  
3 some of what they wanted but not all.

4           Again, I was pushing for four competitive  
5 districts. We didn't get them. We were pushing for  
6 two border districts and we didn't get those either.

7           So there's a lot of things on this map  
8 that we didn't get, but, again, in the spirit of  
9 compromise, what I'm just -- and I don't want to  
10 argue with Stertz and Freeman. I really don't. I  
11 respect their comments. I disagree with them, but I  
12 want to compromise.

13           I was not in favor of this map. I was  
14 pretty clear that I didn't care for this map, but I  
15 wanted to compromise. And I've compromised quite a  
16 bit in my role, and I'm willing to do this again  
17 because I want to move forward. I want us to put  
18 these maps out there.

19           I disagree with Commissioner Freeman  
20 that -- this is a draft map. I think if we looked  
21 up the word "draft" in the dictionary, it will tell  
22 us what it is. It's not a final product. And we  
23 never intended it to be a final product.

24           There's four phases in this process.  
25 That's, I think, the third phase out of the fourth

1 phase, meaning we have one more phase to go and  
2 that's completing the final draft.

3           So again, I respectfully disagree with  
4 Freeman and Stertz. I don't want to argue. I  
5 really don't.

6           I just want to state it clearly that we  
7 all gave up something in this map. We all did. And  
8 I am not happy with this map, but again, doesn't  
9 mean that this map shouldn't go forward.

10           Those are my comments.

11           CHAIRPERSON MATHIS: Mr. Freeman.

12           VICE CHAIR FREEMAN: Madame Chair, well,  
13 Commissioner Herrera used some words that I've heard  
14 him use before on this Commission which was this is  
15 in the spirit of compromise and negotiation.

16           He used that when the Commission made its  
17 first big decision to hire lawyers. You can look at  
18 the result on what happened there.

19           He used the same term -- same phraseology  
20 when the Commission voted to hire a mapping  
21 consultant, and that was another 3-2 vote. Now he's  
22 using it here.

23           He's also -- we've heard repeatedly that  
24 this is just a draft and the lines can change. I  
25 think that could be a change for good but it could

1 be some foreshadowing that the Democrats are going  
2 to get even more of what they want in a final map.

3 So I'm not particularly pleased to hear  
4 that form of emphasis.

5 I think it should be a proposed final map  
6 that we put out for public comment with every issue  
7 being drilled town and considered completely by the  
8 Commission and not some sort of fuzzy map that we  
9 may or may not change. Let's just get it out the  
10 door and take 30 days of public comment.

11 CHAIRPERSON MATHIS: Thank you.

12 Any other comments?

13 VICE CHAIR HERRERA: I think Commissioner  
14 McNulty made a motion or she was in the process of  
15 making a motion.

16 COMMISSIONER MCNULTY: If the chair will  
17 entertain it, I would make a motion.

18 CHAIRPERSON MATHIS: I would entertain  
19 it.

20 COMMISSIONER MCNULTY: I would move that  
21 we adopt congressional map as of 10/2/11 that we've  
22 discussed today as a draft map of the congressional  
23 districts and that we instruct our staff to  
24 advertise the draft map in accordance with the  
25 requirement of the Constitution and to take public

1 comment on it for at least 30 days.

2 VICE CHAIR HERRERA: I second that  
3 motion.

4 CHAIRPERSON MATHIS: Any discussion?  
5 All in favor?

6 VICE CHAIR HERRERA: Aye.

7 COMMISSIONER MCNULTY: Aye.

8 CHAIRPERSON MATHIS: Aye.

9 Any opposed?

10 COMMISSIONER STERTZ: Nay.

11 CHAIRPERSON MATHIS: Okay. I heard one  
12 "nay."

13 VICE CHAIR FREEMAN: Abstain.

14 CHAIRPERSON MATHIS: And one abstention.  
15 So I have Commissioner Freeman  
16 abstaining, Commissioner Stertz no, and Herrera,  
17 McNulty, Mathis yes.

18 So we have a draft map for congressional  
19 districts and we look forward to going out to the  
20 public with this. And all of the appropriate  
21 measures will be taken, I'm sure, by our staff to  
22 get this onto our website.

23 And I know there are certain requirements  
24 regarding advertising this map, and I don't know if  
25 legal counsel can advise on that if they have any

1 information on advertising this map, what we need to  
2 do going forward, but we'll need to take those steps  
3 and make it clear to people that this is the draft  
4 map for congressional districts.

5           JOE KANEFIELD: Madame Chair, the map  
6 will be posted today. And we've looked -- we are  
7 looking to see how the prior Commission advertised.  
8 We believe we found out how they did it, but we're  
9 going to confirm to make sure that they didn't take  
10 any additional steps. And we'll make sure that the  
11 Commission is in compliance with the advertising  
12 requirement for the Constitution.

13           CHAIRPERSON MATHIS: Great. Thank you.

14           VICE CHAIR HERRERA: Madame Chair.

15           CHAIRPERSON MATHIS: Mr. Herrera.

16           VICE CHAIR HERRERA: Our website  
17 currently has all of the proposed maps in one area.  
18 So I would not recommend lumping this draft map with  
19 the rest. I think it should have its own --  
20 something where it stands out because I don't want  
21 people to get confused. So --

22           CHAIRPERSON MATHIS: It's confusing  
23 enough.

24           VICE CHAIR HERRERA: It's confusing  
25 enough.

1           And, Madame Chair, if it's okay with you,  
2 I would like to take a quick break.

3           CHAIRPERSON MATHIS: Oh, sure, we can do  
4 that.

5           So Mr. Forst can put this in a special  
6 place on the website so it's real clear what version  
7 is the draft map and have all of the analysis and  
8 splits report that are associated with it tied to  
9 it.

10           The time 4:06 p.m. Did we want to take a  
11 quick break?

12           Mr. Desmond.

13           WILLIE DESMOND: Just before we go to  
14 recess, I want to mention that this map and the two  
15 legislative maps that we'll be discussing later  
16 today are available now in the back for members of  
17 the public that are here. They are also on our  
18 website.

19           And when we do post this as a draft map,  
20 I'll change the title and stuff and call it "draft  
21 map."

22           CHAIRPERSON MATHIS: Great. Perfect.  
23 Thank you.

24           Okay. So we'll take a quick ten-minute  
25 break. It's 4:06 p.m. We'll go out to recess.

1 (A recess was taken from 4:06 p.m. to  
2 4:22 p.m.)

3 CHAIRPERSON MATHIS: Recess is over. The  
4 time is 4:22 p.m., and we are now on agenda item 3.

5 Just to give people a sense of what we're  
6 thinking what might work for commissioners, I know  
7 that Commissioners McNulty and Freeman both have  
8 done some work on some legislative map ideas and we  
9 thought it might be great to get our feet wet again  
10 with those and start changing gears and thinking  
11 about the legislative districts.

12 There's an executive director's report.  
13 I'm not sure how much Ray has, but we have a little  
14 bit of public comment and that's kind of the rest of  
15 the agenda.

16 So I thought what we could do is whoever  
17 wants to go first, Mr. Freeman or Ms. McNulty, could  
18 each present their ideas. And Mr. Desmond, I know,  
19 has though maps ready or if you guys want to flip a  
20 coin.

21 COMMISSIONER FREEMAN: Go ahead.

22 COMMISSIONER MCNULTY: Are you sure,  
23 Mr. Freeman, because you submitted your map first,  
24 if you would like to go. I'm happy to --

25 VICE CHAIR FREEMAN: No.

1           COMMISSIONER MCNULTY:  Would you put the  
2 9 minority district option 2 version 8a up, Willie?

3           WILLIE DESMOND:  Yeah.

4           COMMISSIONER MCNULTY:  Thank you.

5           WILLIE DESMOND:  Okay.  The map is up,  
6 whenever you're ready for 9 minority district option  
7 2 version 8a.

8           COMMISSIONER MCNULTY:  This is a first  
9 effort to pull together proposals for legislative  
10 districts, and I'm going to start -- I'm going to go  
11 around it geographically, I think, and just very  
12 briefly summarize each one.

13           The first one -- because our grid started  
14 in Southeast Arizona, the first district is in  
15 Southeast Arizona and this includes most of Cochise  
16 County, the nonreservation portions of Graham  
17 County.  There is kind of a geographic and economic,  
18 to a certain extent, cultural tie between the  
19 Sulphur Springs Valley and the Safford area.

20           This area also includes the Corona de  
21 Tucson -- far east areas of Tucson, Rincon Valley,  
22 Corona de Tucson, and Vail.  We actually heard some  
23 testimony last week about that.  It also includes  
24 Green Valley, which is an area along the Santa Cruz  
25 River that I'll talk about a little bit when we get

1 to that district.

2           The second district, this one that looks  
3 a little bit by Nessie, I guess, is comprised mostly  
4 of Santa Cruz County, Nogales and then continues up  
5 into South Tucson.

6           It also includes the communities of  
7 Bisbee and Douglas on the border. And I did that  
8 for a couple of reasons. There is a fair bit of  
9 minority population here, and I thought it made  
10 sense to get public comment on whether to include  
11 those with this district or leave them in this  
12 district. I thought that this idea, although from a  
13 compactness and contiguity point of view, it doesn't  
14 look very pretty. From a community point of view,  
15 it may make some sense.

16           So that's why I proposed it, and I hope  
17 that people might have an opportunity to comment on  
18 it and give us their thoughts.

19           This district would replace -- be a  
20 replacement for an existing Voting Rights Act  
21 district. I think I made a note here from when I  
22 looked at the splits report -- it's been a while  
23 since I made this note -- I think it's approximately  
24 49.8 percent Hispanic voting-age population.

25           There was a concern here I think for the

1 last Commission -- since the last Commission about  
2 whether the population in this district is actually  
3 able to elect a candidate of their choice.

4           Nogales is surrounded by some nonsimilar  
5 population, and I thought that it made sense to  
6 consider combining Nogales with the minority  
7 population in South Tucson, which is the way the  
8 district was configured about 20 years ago, way back  
9 when.

10           This also is kind of a Santa Cruz River  
11 district that follows the Santa Cruz River north and  
12 south of there. And there are historic, cultural,  
13 economic and -- economic development issues common  
14 to these communities.

15           So that's the thinking behind that  
16 district.

17           Moving up to District 3, which is South  
18 and Southwest Tucson, that includes -- that would  
19 also be a majority-minority district.

20           It includes West Tucson, downtown, the  
21 University of Arizona, this Drexel Heights area, the  
22 Valencia West area, Tucson Estates, and the Pascua  
23 Yaqui Reservation.

24           The east boundary would be Campbell  
25 Avenue, which takes in the University of Arizona

1 takes that into District 3.

2 The Hispanic voting-age population, I  
3 think, is around 50, 51 percent. So the thinking is  
4 that this would create some opportunity for a  
5 performing majority-minority district.

6 District 10 is Central Tucson. It  
7 includes East and Northeast Tucson out to the Tanque  
8 Verde area, including the Tanque Verde Valley.

9 The south boundary, as this is  
10 configured, is the north boundary of the Air Force  
11 base.

12 My notes are not in the same order as the  
13 geography, so I think it will take me a second to go  
14 back and forth here.

15 Let's go to --

16 WILLIE DESMOND: You can go according to  
17 your notes, if that's easier.

18 COMMISSIONER MCNULTY: I'm sorry?

19 WILLIE DESMOND: If you want to jump  
20 around the map according to your notes --

21 COMMISSIONER MCNULTY: I think I would  
22 rather go geographically.

23 Let's look at District 11.

24 So this -- sorry, District 9 is next,  
25 which is the Catalina Foothills.

1           So we talked about the Central Tucson  
2 district. There is a district just north of that  
3 that includes the Catalina Foothills, Flowing Wells  
4 area, Casas Adobes, and some of -- kind of west-ish  
5 Central Tucson. Not West Tucson, but the west part  
6 of Central Tucson.

7           There are folks, I'm sure in this room,  
8 who live in this area. There's a lot of commerce  
9 back and forth here. The people who live here tend  
10 to shop in this area and the same is true of some of  
11 these -- there's a lot of connection between those  
12 areas in Tucson.

13           WILLIE DESMOND: I don't want to  
14 interrupt you, but would you like me to turn off the  
15 shading so you can see the census places underneath?  
16 Would that be easier?

17           COMMISSIONER MCNULTY: I'm happy to do  
18 whatever folks would like.

19           Let's go north to 11.

20           So this 11 is directly north of Tucson.  
21 These are the Catalina Mountains, Summerhaven up  
22 top, Saddlebrooke, Catalina, Oro Valley, Marana,  
23 which would all be together with the I-10 corridor.

24           We've heard a lot of testimony about  
25 keeping these areas together. We've also heard

1 testimony about the importance of the I-10 corridor  
2 for economic development. That these areas are  
3 growing north, the town manager of Marana talking  
4 about collaboration with Casa Grande for future  
5 economic development.

6 CHAIRPERSON MATHIS: I think that  
7 district, the way it's currently drawn, is also a  
8 good example of trying to balance communities of  
9 interest with compactness and contiguousness because  
10 you have to weigh them equally and it's a really  
11 tough call when you have these communities of  
12 interest but it also -- you need to be compact and  
13 contiguous.

14 So I just thought I would make that point  
15 on that one particularly.

16 COMMISSIONER MCNULTY: This is a  
17 challenge here because of the way the communities  
18 are laid out. They are growing but they haven't  
19 fully grown yet so there's a lot of -- you know,  
20 they are pretty spread out. Eloy is right here.  
21 You can see that that is a function of what you just  
22 described.

23 If we could go just a little bit north,  
24 Willie, to District 12.

25 This includes north Pinal County and

1 south Gila County. It also includes Apache Junction  
2 and Gold Canyon, and that was a population issue.

3 The rest of this proposed district is  
4 pretty rural, but in order to make up the district,  
5 it was necessary to have some additional population.  
6 So that's the way this draft is configured and  
7 includes Florence and Coolidge, the nonreservation  
8 portions of Gila County, and that includes Globe and  
9 Miami, Superior, Kearny, Oracle, all of those copper  
10 corridor towns. It also includes the Gila River  
11 Indian Community and the Ak-Chin community.

12 Let's go into Phoenix, District 8.

13 We'll all be pretty familiar with that at  
14 this moment.

15 One thing that we've all found I think in  
16 doing this process is that once you -- whichever map  
17 you study first, you learn a great deal about the  
18 state that is relevant to the next set of maps.

19 And in this particular area we were  
20 looking at the Mesa, Queen Creek, San Tan Valley  
21 area pretty closely on Friday and again today, and  
22 this south far east district in the Phoenix metro  
23 area would include Queen Creek, San Tan Valley, and  
24 East Mesa.

25 They all have a similar mix of rapidly

1 developing formally agricultural areas. As I  
2 recall, the west boundary here is Power Road. It  
3 includes Williams Air Force Base.

4           So let's continue to go west a little  
5 bit.

6           16 is mostly the town of Gilbert.  
7 Gilbert has about 95 percent of the population  
8 necessary to make up a legislative district, so  
9 we've got, you know, a little bit of extra  
10 population that we needed to pull into the Gilbert  
11 district.

12           And moving west, this district includes  
13 Chandler and Sun Lakes and a little bit of Gilbert.  
14 I guess a little piece of Mesa here.

15           Chandler had requested that it only be in  
16 two legislative districts and that Sun Lakes be  
17 included with it, and that's what this map is  
18 designed to do.

19           Then moving further west, this is the  
20 Ahwatukee area and this is North Chandler and this  
21 is the I-10. These communities are similar in many  
22 ways. Ahwatukee is bounded -- is kind of blocked in  
23 here by South Mountain on the north and the Gila  
24 River Indian Community on the south. So there's a  
25 lot of interchange this way and this way.

1           Let's go north, Willie, to 26.

2           This is the -- this is Tempe and West  
3 Mesa. East Tempe and West Mesa north of Baseline  
4 Road. There's, I think, some potential here for a  
5 coalition district. The Hispanic population is over  
6 35 percent. There's some African-American  
7 population, some Native American population. I  
8 think the non-Hispanic white population is in the  
9 48, 49 percent range.

10           This includes both ASU and Mesa Community  
11 College. We've talked about the light rail and the  
12 fact that that creates a -- you know, was put here  
13 because it binds communities and is an economic  
14 development driver for this area.

15           You should probably go to 25, if I  
16 haven't done that yet.

17           This is East Mesa, sits right on top of  
18 the Gilbert district. This is similar to what we  
19 experienced on Friday in the congressional map,  
20 trying to figure out the best way to create  
21 districts in a context of the configuration of Mesa.

22           So there's probably more work to be done  
23 here, but what this is right now is essentially East  
24 Mesa district. It may be that some of the northern  
25 areas fit better with Fountain Hills or Scottsdale.

1           Okay. Willie, you're driving. Where do  
2 we go next?

3           WILLIE DESMOND: How about 24.

4           COMMISSIONER MCNULTY: Okay. 24 is just  
5 north of this Tempe district. It includes South  
6 Scottsdale, Paradise Valley, Arcadia -- the Arcadia  
7 district and parts of Central Phoenix.

8           The west boundary is the 51, which is  
9 kind of a good divide between East Phoenix and  
10 Central Phoenix.

11           Should we go to 28?

12           Obviously, this is comprised mostly of  
13 Central Phoenix. This south boundary I think is Van  
14 Buren. It goes north up to Greenway and Bell Roads  
15 in this area. The 51, as I just said, is the east  
16 boundary and then 19th Avenue, which is kind of  
17 traditionally viewed as, you know, where you leave  
18 Central Phoenix and move -- start to move into the  
19 West Valley is the west boundary here.

20           I think that Van Buren is right in this  
21 area. And when you cross over that, you're kind of  
22 into downtown.

23           A lot of historical neighborhoods in this  
24 area. It's a typical downtown, western metropolitan  
25 area where you have a mix of communities, older

1 communities, businesses, and neighborhoods.

2 Let's see. Do you think 29 is probably  
3 next?

4 This includes Glendale in the area  
5 between Grand Avenue and Thunderbird and some of  
6 West Central Phoenix.

7 Again, I think there's a potential for a  
8 coalition minority-majority district here. There  
9 are about 38 percent Hispanic population, 6 percent  
10 African-America population. The non-Hispanic white  
11 population is about 47 percent.

12 Let's go east to 13.

13 This is a West Valley district that  
14 includes El Mirage, parts of Peoria, kind of  
15 wrapping around Sun City, includes Luke Air Force  
16 Base and Litchfield Park. It's grown in the last  
17 decade. The Hispanic population is apparently about  
18 32 percent in that area.

19 That brings us up to District 21, which  
20 includes Sun City and Sun City West and portions of  
21 Surprise and Peoria.

22 And 22 are some of the -- kind of central  
23 neighborhoods north of the 101 and west of  
24 Scottsdale. Again, I talked about this earlier.  
25 We've got Scottsdale here in several places.

1           23, I guess we haven't talked about that.  
2 That's North Scottsdale, Fountain Hills, Rio Verde.  
3 There's a population from Mesa that is kind of  
4 included in the other district. It also includes  
5 the Fort McDowell and Gila River Indian Communities.

6           And then it extends kind of north until  
7 Lost Dutchman country, includes the area along the  
8 Beeline Highway, the Superstitions, Canyon, and  
9 Saguaro Lakes.

10           WILLIE DESMOND: We just forgot 29 and  
11 30. Maybe just 30.

12           COMMISSIONER MCNULTY: Okay. Let's go  
13 back there.

14           So 30 includes North Phoenix and some of  
15 North Glendale. I think that this is between  
16 Thunderbird and the 101.

17           Who have we forgotten, Willie?

18           WILLIE DESMOND: I think that's it. 29  
19 and 30 were the only two.

20           COMMISSIONER MCNULTY: Shall we go west?

21           WILLIE DESMOND: I don't think we hit 4.

22           COMMISSIONER MCNULTY: No, we haven't  
23 done 4 yet.

24           So in 4, the split is very similar to the  
25 congressional map. It includes the large Hispanic

1 population that has historically resided along the  
2 border with the Tohono O'odham Reservation. And the  
3 way that this district interfaces with Phoenix, the  
4 metropolitan area in Maricopa County is very similar  
5 to the way it does on the congressional map.

6 The issue of this minority population and  
7 the way it's situated in an area that potentially  
8 racially polarized voting, I think makes it even  
9 more important in the legislative context that we  
10 consider ensuring that that population has the  
11 ability to elect its candidate of choice.

12 Yuma is continuing to grow, and my  
13 thought was that it makes some sense -- we've talked  
14 a lot about having multiple voices, having more than  
15 one voice, and it may actually make sense for Yuma,  
16 as it continues to grow over the next decade, to  
17 have two representatives at the state legislature,  
18 one to represent the North Yuma area and one to  
19 represent this minority population.

20 I want to talk about District 14 as soon  
21 as I find my -- where did I put it?

22 WILLIE DESMOND: While you're looking,  
23 I'll just add that these maps are online right now.

24 COMMISSIONER MCNULTY: This is a big  
25 rural area, obviously. It includes some of Buckeye,

1 Quartzsite, and the whole northern half of Yuma  
2 County. It's a western rural Arizona district.

3 Then moving north on the map, this is  
4 another river district, a river legislative  
5 district. It includes the tri-city area of Bullhead  
6 City, Kingman, Lake Havasu City, Northern La Paz  
7 County, and the Colorado River Indian communities.

8 Then District -- maybe we should talk  
9 about District 15, which includes most of Yavapai  
10 County. What's been taken out of this is Sedona and  
11 the Verde Valley. Those have been combined in this  
12 map with the Flagstaff area. This area also comes  
13 down and includes some of the North Phoenix areas:  
14 Anthem, New River, Cave Creek, which, you know, have  
15 connections with Black Canyon City in this area.

16 Then 6, grid 6 -- District 6 includes  
17 Flagstaff and the I-40 corridor, which we've heard a  
18 lot of testimony about from folks in Northern  
19 Arizona, that they see this as the focus of a great  
20 deal of collaboration on economic development.

21 We've also heard a lot of testimony about  
22 watershed issues, forest health issues, tourism  
23 issues, and things that they have in common with  
24 Sedona and the Verde Valley. And there are  
25 legislative issues, there are economic development

1 issues before the legislature represents some  
2 different areas of focus and concern than the tribal  
3 issues.

4           So I think it makes no sense to have  
5 these -- the tribal areas and the Coconino County  
6 area in two separate districts. I think we've heard  
7 a lot of discussion about why that make sense from  
8 the perspective of the folks that live there.

9           I think this also includes some of the  
10 forested towns down above the rim here.

11           So that leaves us with the grid 7, which  
12 is the Navajo Native American district. I think  
13 we've heard a great deal of testimony that they  
14 would like to combine these nations together in a  
15 legislative district to increase the strength of  
16 their voice.

17           We don't have packing issues with Native  
18 Americans in the way that we do with the Hispanic  
19 community because we aren't precluding them from --  
20 they would not be precluded from creating another  
21 district if they are predominant in one district.

22           So I think that given that that's  
23 something that they have requested, that it's a  
24 worthy goal and that it makes a lot of sense, it  
25 doesn't dilute their ability to elect a candidate of

1 choice elsewhere.

2           These funny little things and this are  
3 all tribal lands and the sacred San Francisco Peaks,  
4 which I proposed to put in the legislative district  
5 within the Navajo Nation.

6           I think that's kind of it in a nutshell.

7           CHAIRPERSON MATHIS: Thank you for  
8 walking us through that.

9           Was there -- it seems like the basis --  
10 and correct me if I'm wrong -- but it just seems  
11 like you were trying to group communities of  
12 interest together.

13           COMMISSIONER MCNULTY: I was. I was --  
14 that's exactly what I was doing. I'm not sure all  
15 of these things are communities of interest, but I  
16 was definitely trying to put communities together,  
17 things that made sense together, people and  
18 communities that collaborate together, that have  
19 common geography or common economic development  
20 interests. And I was also looking at ensuring that  
21 we preserve our majority-minority districts and  
22 trying to look for opportunities to create coalition  
23 districts.

24           And I know we would need to do some more  
25 work on that, but that was one of the things I was

1 focused on.

2 I also looked to a certain extent about  
3 where in the state competitiveness already exists,  
4 you know, where we have competitive legislative  
5 districts where we've had the split representation  
6 and where we might have opportunities for  
7 competitiveness. But again, that really would need  
8 more attention.

9 My first focus in putting this together  
10 was putting together communities with other  
11 communities that made sense for common  
12 representation.

13 CHAIRPERSON MATHIS: Any questions for  
14 Ms. McNulty?

15 VICE CHAIR HERRERA: Madame Chair.

16 CHAIRPERSON MATHIS: Mr. Herrera.

17 VICE CHAIR HERRERA: District 14, I kind  
18 of missed some of the talking points, the highlights  
19 of District 14.

20 Do you mind going over that real quickly?

21 COMMISSIONER MCNULTY: It's really  
22 western rural Arizona. It includes Quartzsite and  
23 includes some of Buckeye on this eastern -- or the  
24 western edge of the metropolitan area in Phoenix and  
25 then Northern Yuma County.

1 VICE CHAIR FREEMAN: Thank you.

2 Madame Chair.

3 CHAIRPERSON MATHIS: Mr. Herrera.

4 VICE CHAIR HERRERA: I would like to  
5 see -- once you're ready to show us how many  
6 competitive districts you believe you would create  
7 on option 2 version of minority districts.

8 COMMISSIONER MCNULTY: I think that there  
9 is an analysis that's attached to the map. And I  
10 think what the analysis shows is that it could use  
11 some work.

12 But I think what we have is a combination  
13 of Republican districts, some Democratic districts,  
14 and that a lot of districts in the middle that lean  
15 one way or another that provide opportunities for  
16 competitiveness that -- and it would make sense for  
17 us to focus on that more carefully.

18 VICE CHAIR HERRERA: Madame Chair.

19 CHAIRPERSON MATHIS: Mr. Herrera.

20 VICE CHAIR HERRERA: Quick follow-up.

21 Would it be too soon to ask you how many  
22 competitive districts you think you were able to  
23 create using your version of the 9 minority district  
24 map?

25 COMMISSIONER MCNULTY: Maybe a little,

1 but I guess I would say maybe eight or nine.

2 VICE CHAIR HERRERA: Thank you.

3 CHAIRPERSON MATHIS: And I know one of  
4 our earlier goals when we started off was to try to  
5 keep Indian reservations whole, and it looks like in  
6 your map -- if I'm reading this correctly, two that  
7 are in two districts and two that are in three or  
8 more districts.

9 COMMISSIONER MCNULTY: And I don't know  
10 why that is. I didn't intentionally split any of  
11 the reservation lands, but very well may have  
12 inadvertently.

13 So what I would like to do with this next  
14 is work on the opportunities for majority-minority  
15 districts, work on better understanding the  
16 opportunities for competitiveness and maybe  
17 fine-tuning that some.

18 And then once Commissioner Freeman has  
19 presented his proposal, give thought to whether we  
20 can -- we have common themes in our maps, common  
21 concepts that we might be able to build on together.

22 WILLIE DESMOND: I can show you -- just  
23 going back on some of the splits in the Native  
24 American areas.

25 The Pai tribes -- I mean, there's these

1 little areas that are kind of --

2 CHAIRPERSON MATHIS: Tribal lands?

3 WILLIE DESMOND: Yeah, kind of floating  
4 out there, not contiguous areas. So some -- I think  
5 most of the splits are affecting some of those,  
6 since there are 30 districts instead of 9, it's  
7 accentuated in the leg maps.

8 If there are some that are close, you  
9 know, I think we would invite anyone who wants to  
10 point out any particularly glaring example of split  
11 reservations. But I think at least initially that's  
12 probably some --

13 CHAIRPERSON MATHIS: Why that's like  
14 that.

15 Okay. Thank you.

16 COMMISSIONER MCNULTY: You know what, I  
17 don't think I talked about grid 20 and grid 19, both  
18 of which are majority-minority districts. I  
19 probably should just mention those.

20 Grid 20 includes Maryvale and the Old  
21 Glendale and is predominantly Latino. I think this  
22 is the one of the districts that the Department of  
23 Justice had issues with last time and concerns about  
24 whether it was an effective voting district and  
25 whether they were able to elect a candidate of their

1 choice.

2 CHAIRPERSON MATHIS: I like that Tolleson  
3 is whole there. I went to the Glendale hearing for  
4 our first round and that was something that got  
5 mentioned during the hearing. Apparently they have  
6 a really good fireworks show there. FYI.

7 COMMISSIONER MCNULTY: So that district  
8 includes Tolleson and most of Avondale and West  
9 Phoenix. And that should be a majority-minority  
10 district.

11 CHAIRPERSON MATHIS: Okay. Well, thank  
12 you very much for walking us through that and for  
13 all of the effort.

14 If anybody has any other comments or  
15 questions for her?

16 VICE CHAIR FREEMAN: No.

17 CHAIRPERSON MATHIS: Otherwise we can  
18 have Mr. Freeman present his.

19 VICE CHAIR FREEMAN: Thank you, Madame  
20 Chair. I want to thank Commissioner McNulty. It's  
21 a lot of work to put one of these together.

22 Maybe if someone could pass the laser  
23 pointer, we'll continue the show.

24 Okay. Just backing up to the genealogy  
25 of this map, we began with our grid map that we're

1 constitutionally required to create.

2           We created -- we had a grid map created  
3 for legislative and congressional districts.

4           Starting with the grid map, I had asked  
5 our mapping consultant just to demonstrate that  
6 there are multiple ways this puzzle could be put  
7 together to create two options, an option 1 and an  
8 option 2. Two different maps in essence that at  
9 least on the first map focused on the  
10 majority-minority districts we're going to  
11 ultimately need.

12           Then the Commission as a whole gave the  
13 mapping consultant some direction to modify that map  
14 a number of times and got them to a version 5 of  
15 both option 1 and option 2, I believe.

16           At that point it was looking like someone  
17 needed to really get their claws into this map and  
18 start really pushing the lines around, based upon  
19 all of the constitutional criteria and acknowledging  
20 communities of interest and sort of put the  
21 districts together the way that Arizona works.

22           I went ahead -- and this was a couple of  
23 weeks ago -- and gave some direction as a first  
24 crack at that on a comprehensive basis all 30  
25 districts. That was a version 6.

1           I think there was a version 7, I guess,  
2 was the one last week. And then over the weekend I  
3 further refined the map to try to get it very close  
4 on population and to tweak the minority-majority  
5 districts, which all -- I think even -- both of  
6 these sets maps we can do work on both of them to  
7 massage most of those issues and look at the  
8 competitiveness issue.

9           And basically, the approach I took on  
10 developing the map was similar to the approach I  
11 took on the congressional map.

12           I mean, where do you begin? 30 districts  
13 to fit in there. And I thought, well, I'll start  
14 from the outside of the state and work my way  
15 inside. The outside of the state is kind of rural  
16 in nature. It's going to require large districts to  
17 capture the needed population. What is one of the  
18 constitutional criteria that also sort of captures  
19 large tracts of territory, well, it's the  
20 constitutional criteria that we're required to  
21 follow, which is to respect county lines.

22           So I started in county lines, and I  
23 didn't start with 1, I actually started with our  
24 river district. And basically where there was a  
25 district sort of floating over a county, I at first

1 crack just sort of looking at it on Maptitude just  
2 moved the lines out to the county lines to see how  
3 much population that gives you and then adjust  
4 accordingly from there to make it into a district  
5 that's a little more close to the population we need  
6 and to do so in a sensible way.

7           If there was some obvious way, you know,  
8 a county line needed to be split to grab population  
9 or give it up, that's the what I did. So there was  
10 a consideration for how the state is put together.

11           So beginning here, this is District 4.  
12 That basically gives you all of La Paz County, all  
13 of Mohave County, up to the Colorado River. That's  
14 where the cut is.

15           Those two counties together give you a  
16 legislative district, nice straight line there.  
17 That's the county line.

18           There's a small cutout here next to the  
19 Canyon, which is some -- I believe it's the Navajo  
20 Reservation land up there, so there's a little  
21 crinkle there where that's cut out.

22           Next, going around -- sort of around the  
23 clock face here is District 7. That is essentially  
24 the Navajo Nation district. We also had these  
25 tribal areas around the Grand Canyon, we get the Big

1 Boquillas Ranch land that the Navajo Nation owns,  
2 some other tribal areas north of Flagstaff. We get  
3 Flagstaff, acknowledging that strong bonds between  
4 those two communities.

5           These other crinkles down here are to  
6 capture some more Navajo Nation land. I know  
7 there's another little spot right about here and  
8 you'll see it on Commissioner McNulty's map as well.  
9 That was some zero population Navajo land. So at  
10 least for this draft, I left a nice straight line  
11 there, which is basically the border of the Navajo  
12 Nation.

13           So that gives you that, a congressional  
14 district that's a majority-minority district.

15           Then working south, I put together the  
16 remainder of Apache County, Navajo County with  
17 Graham, Greenlee. That gives you the White Mountain  
18 Apache and the San Carlos Apache tribes. It did  
19 have to cut into Gila County here where the San  
20 Carlos tribal leaders lands cut in there. That's  
21 not quite enough -- oh, you also get all of Gila  
22 County in there and it cuts into Pinal County, I'm  
23 sorry.

24           Not quite enough for a congressional  
25 (sic) district. We heard lots of comments at

1 Hon-Dah and Pinetop about people up there, including  
2 representatives of the White Mountain Apaches. And  
3 a logical place to grab more population was over  
4 here in the Verde Valley. There was also the  
5 Yavapai/Apache community there, that joins them with  
6 the White Mountain and San Carlos Apaches as well.

7 Then going down to the southeast corner  
8 of the state, you put Cochise County to get whole  
9 together with Santa Cruz County whole. We heard  
10 public comment about the ties between those two  
11 counties. It was logical to put those two together.

12 That's not quite enough for a  
13 congressional district -- or a legislative district,  
14 I'm sorry, so I thought a logical place to add  
15 population was to move up this transportation  
16 corridor, which is the I-19 transportation corridor  
17 and grab those towns that run along that corridor.

18 And then completing the circle here is  
19 District 3. We heard about Yuma County wanting in  
20 essence its own legislative district. They almost  
21 give you one.

22 So basically use the Yuma County line,  
23 grab Gila Bend, the Tohono O'odham Tribe -- tribal  
24 areas and a little bit over here to grab some more  
25 population.

1           That gives you a minority-majority  
2 district, although it's close and it's also, at  
3 least on this draft, it's slightly overpopulated by  
4 I think 1.5 percent or something like that. So some  
5 population could be shed there easily to further  
6 tweak that district.

7           Then where to next? I guess we're going  
8 to the Tucson area.

9           WILLIE DESMOND: Would you prefer like we  
10 did last time and turn off the district coloring so  
11 you can see the areas or do you prefer to have the  
12 districts shown?

13          VICE CHAIR FREEMAN: Well, for one thing,  
14 I'm going to have to look at my own computer because  
15 my eyesight is not that good.

16          Okay. The first thing that might jump  
17 out at you is what's the number 20 doing in there  
18 because on the grid map, 20 wasn't there down. But  
19 as I moved the lines, I had a district disappear in  
20 one place and reappear in another. And I don't know  
21 why Maptitude gave it 20, but it gave it 20.

22          So this 20, I guess we'll start there, is  
23 sort of rural -- primarily comprised as sort of  
24 rural Eastern Pima County. It comes down and uses  
25 the Santa Cruz County line, the Cochise County line

1 up to this point here.

2           It grabs the communities on the east side  
3 of Tucson, puts them together with Tanque Verde and  
4 the Catalina Foothills. It would also grab  
5 Summerhaven up here on top of the mountain, but all  
6 of those seemed to be likely grouped communities.  
7 And we have heard public comment about the sort of  
8 nature of those communities and how they are  
9 similarly situated.

10           District 2 is a minority-majority  
11 district in South Tucson. I think it's somewhat  
12 similar to the district in Commissioner McNulty's  
13 map.

14           District 10 is sort of just south of the  
15 Catalina Foothills and running along -- I forget  
16 what road I used. Let's see.

17           WILLIE DESMOND: Looks like 22nd Street.

18           VICE CHAIR FREEMAN: To divide south from  
19 north there.

20           Let's see. Maybe you can pull out a  
21 little bit.

22           Okay. Then we have District 9, which is  
23 using the county line again. We take Marana and put  
24 it with these western -- West Tucson communities  
25 together. It's a little crinkly down here because

1 we had to tie these reservation lands together and  
2 actually require a little channel there to make sure  
3 we don't split off those tribal areas and also the  
4 edge of the reservation here is kind of crinkly, but  
5 we kept the tribal areas whole.

6           Then pulling out a little bit, if you  
7 could focus on Pinal County.

8           All right. To populate Pinal County,  
9 basically put Pinal County in two legislative  
10 districts. There is this cutout here for the Tohono  
11 O'odham tribal areas, but -- oh, basically we start  
12 here with District 8 and took Oro Valley and  
13 Saddlebrooke and put it together with Western Pinal  
14 County.

15           It does not include the copper corridor  
16 because I thought it was better to put that together  
17 with Gila County because we have Globe and Miami up  
18 here. So the Gila County line was broken right  
19 there to capture Superior and Kearny and Winkelman  
20 and Hayden and those -- and Dudleyville. They are  
21 all together in District 5, which we already talked  
22 about.

23           Then we have Eastern Pinal County, which  
24 puts Florence, Coolidge, and Casa Grande together.  
25 And I think -- I dated a girl in college from

1 Coolidge and I spent some time -- and we hit all of  
2 those towns. So I do think there's a link there.  
3 So that's Eastern Pinal County.

4 Then I guess let's dive into the Phoenix  
5 area.

6 All right. I'm going to have to look at  
7 this on my computer. Okay. Let's start with the  
8 Southeast Valley and work our way sort of north and  
9 west. And then let's put the -- thanks.

10 So 8, again, is the Eastern Pinal County  
11 and we keep the county line there. So we keep -- so  
12 Apache Junction, Gold Canyon, San Tan Valley it all  
13 stays with Pinal County.

14 There was a slight -- San Tan Valley did  
15 have to be split just slightly to balance  
16 population. With this sort of Southern Southeast  
17 Valley district that includes South Chandler, South  
18 Queen Creek -- or South Gilbert and all of Queen  
19 Creek is kept whole.

20 Then on top of that is another district,  
21 which is the remainder of Gilbert and sort of  
22 Southwest Mesa comprises the district.

23 Then we have an East Mesa district and a  
24 West Mesa district. They are not connected to  
25 Fountain Hills or anything like that. They are all

1 fully contained therein.

2 We needed another piece of Mesa right  
3 here to balance this district out here.

4 We've got Ahwatukee connected with South  
5 Chandler. Yes, there was a thinner bite out of  
6 Chandler to balance population and that's perhaps  
7 something that can be rectified on a subsequent  
8 revision of this map.

9 We've got Tempe together with a little  
10 bit of South Scottsdale. I think that line is  
11 probably Thomas. Connected with tribal areas to  
12 create another district.

13 We've got -- let's see. Let's go to -- I  
14 should probably add as an aside, I chose option 1 of  
15 our maps because I thought of the two options that  
16 yielded the more compact looking districts. And  
17 this district right here, 24, is kind of a biggy for  
18 me in Phoenix. It's very compact and that's because  
19 that's where I live and that's where I'm from and I  
20 know it really well and it does compromise a  
21 community of interest there.

22 You got Arcadia -- or I call it the  
23 Greater Arcadia and I think that is the area where  
24 the school districts that feed into Arcadia High  
25 School. And you get that -- it is connected to, in

1 my mind, Paradise Valley and sort of North Central  
2 Phoenix, sort of the Madison school district area,  
3 Madison school district, Scottsdale school district  
4 kind of go together and always have my entire life.

5           And I do view -- I agree with some of the  
6 public comment that you cross Scottsdale Road, it's,  
7 like, a great place to go but it's very different.  
8 And you end up -- I know my wife and I when we had  
9 to move, lots of great places in the Valley to live,  
10 but this area is kind of the home area. It's kind  
11 of the area we focused on.

12           So I was able to form a nice, compact  
13 box-like district right over it.

14           And we've got the remainder of Scottsdale  
15 over here in 23, putting the entirety of the rest of  
16 Scottsdale -- there's a little bite there in far  
17 North Scottsdale, but essentially the rest of  
18 Scottsdale together with Fountain Hills. I think  
19 that's a strong tie there.

20           Fountain Hills started off being a remote  
21 outpost and now it's just right down Shea Boulevard  
22 and got together with Rio Verde area.

23           Let's see. Then moving across from east  
24 to west, 22 puts -- if there's another community  
25 that I think 24 is tied to, it's the area just north

1 of it. Transportation corridors being the 51, Cave  
2 Creek Road I-17, all lead to this North Valley area.

3 So I tied it together with Cave Creek and  
4 Carefree. We heard public comment about how they  
5 feel tied to this area. And I think I might have  
6 alluded to the fact back when I was allowed to ride  
7 motorcycles, that's where you would go. Best area  
8 directly north, any places in between.

9 Then moving west there, another district,  
10 District 15, where the New River, Anthem area is  
11 tied via I-17 to this North Central Phoenix area.

12 This line here basically follows the  
13 Phoenix/Peoria municipal line. So that is  
14 respected.

15 District 21 is basically all of Peoria  
16 kept together with Sun City. I think there was a  
17 small bite into --

18 WILLIE DESMOND: Glendale.

19 COMMISSIONER FREEMAN: That's North  
20 Glendale, right, to balance population.

21 Then moving south here, these are some of  
22 the minority-majority district that were  
23 constructed. I think, again, this district -- one  
24 of them -- this was basically modeled after the  
25 proposed district by Senator Taylor that grabs

1 Guadalupe and puts it in the South Phoenix area.

2 We do have Tolleson all together in a  
3 minority-majority district. Again, these lines --  
4 that can be tweaked to get the numbers just right,  
5 but it seemed sensible in this cut to configure  
6 these districts the way they are.

7 There was lots of iterations given the  
8 population balance and to keep it sort of somewhat  
9 compact looking to get to this end product.

10 And then moving -- let's see. Move to  
11 western Maricopa County.

12 Districts 13 and 14, basically this is  
13 the county line again. And basically for this sort  
14 of Southwestern Maricopa County district is Buckeye  
15 and Goodyear, putting those two communities together  
16 whole basically comprises a district.

17 And then to the north, and I-10 runs  
18 right along about here. To the north we basically  
19 have Surprise and Wickenburg together would  
20 compromise another district, again, using the county  
21 lines. There's not much population out here, so  
22 it's using the county lines to balance that out.

23 And I think in cursory fashion, I hit all  
24 of the districts. Give me a second.

25 Yeah, I think that's basically it. And

1 we've got a population balance pretty good. There's  
2 no district that's outside 3 percent. In fact, I  
3 think they are all mostly 1 percent or below in  
4 terms of population balance.

5 The splits report looks real good. It  
6 fits on one page, which I was impressed by,  
7 considering it's 30 legislative districts.

8 Were you going to correct me on that?

9 WILLIE DESMOND: I was just going to say  
10 that's the splits report that we took out zero  
11 population splits to remove those from the report.  
12 So not that it's bad --

13 VICE CHAIR FREEMAN: Right. Well, still,  
14 it fits on one page.

15 You know, you try to respect cities and  
16 towns as communities and keep them as whole as  
17 possible and minimize any splits, that would  
18 certainly favor any iterations to see if we can --  
19 if there's a community that should be split twice,  
20 is it really necessary to split more than twice. I  
21 think we should look long and hard at that. Not to  
22 split a community like that too much.

23 I think -- you know, this does use the  
24 constitutional approach of looking at counties and  
25 municipal lines, looking at compactness. I think it

1 yields -- I know the data is not as complete as I  
2 would like it to be, but I do think it yields  
3 competitive districts and it yields our  
4 minority-majority districts.

5           Again, both of those things, as long as  
6 we are meeting the other constitutional criteria,  
7 are things we can tweak to get it into a final form.

8           CHAIRPERSON MATHIS: Thank you very much.  
9 That was excellent.

10           You both did an amazing job trying to  
11 carve up the state into 30 districts. It's very  
12 complex, and I appreciate you guys taking a stab at  
13 it.

14           Any questions for Mr. Freeman and his  
15 approach on the map?

16           VICE CHAIR FREEMAN: Madame Chair.

17           CHAIRPERSON MATHIS: Mr. Herrera.

18           VICE CHAIR HERRERA: Not a question --  
19 maybe the question is directed to Mr. Desmond.

20           If you look at the packet that was, let's  
21 see, 9 minority district option 2 version 8a, that's  
22 McNulty's map, it has all of the detailed  
23 information on how she got to, where she got to on  
24 the map, but I'm looking at Freeman's and I don't  
25 have that information.

1           Is there any way we can get the same  
2 information provided by McNulty?

3           COMMISSIONER FREEMAN: I can certainly  
4 provide that.

5           VICE CHAIR HERRERA: Can I ask how it was  
6 provided?

7           VICE CHAIR FREEMAN: I took the last  
8 version of the map and modified it over the weekend.  
9 So this product was finished on Sunday.

10          WILLIE DESMOND: He did provide written  
11 stuff but I didn't get as far as his.

12          VICE CHAIR FREEMAN: It was e-mailed to  
13 you?

14          WILLIE DESMOND: No, it's handwritten. I  
15 haven't --

16          VICE CHAIR HERRERA: Okay. I was just  
17 wanting some clarification.

18           Thank you.

19          CHAIRPERSON MATHIS: Okay. Any other  
20 comments or questions?

21          COMMISSIONER STERTZ: Madame Chair.

22          CHAIRPERSON MATHIS: Mr. Stertz.

23          COMMISSIONER STERTZ: Kudos to both  
24 Commissioners Freeman and McNulty on their work  
25 product. It's clear that you can take two

1 different -- the same corners of the same state and  
2 break it up into different ways.

3 Commissioner Freeman, in your approach to  
4 this, it's clear that you were looking at the county  
5 lines and the communities as being your drive.

6 Do you think that your -- one of the  
7 comments that Commissioner McNulty made before I had  
8 to step out for a phone call that I really grabbed  
9 onto was that there were economic interests and  
10 transportation interests that -- in her map tried to  
11 remain contiguous.

12 Could you respond to some of those points  
13 regarding traffic ways and economic relationships  
14 between the community and whether or not you broke  
15 any of those this your mapping?

16 VICE CHAIR FREEMAN: Sure.

17 I mean, that was a consideration. I  
18 wasn't always able to do that perfectly, but, for  
19 example, one of the first places I mentioned was  
20 this I-19 corridor, traffic corridor to Nogales up  
21 to Tucson. That seemed like a logical place to have  
22 those along that corridor to the district that  
23 includes all of Santa Cruz County.

24 Similarly, I-10 between Phoenix and  
25 Tucson, we've got a district that basically

1 straddles I-10 and gets those communities that run  
2 along I-10 from the Pima County border up into the  
3 northern part of Pinal County.

4 Same thing on District 13, sort of  
5 Western Maricopa County that runs along the I-10  
6 corridor.

7 District 3 encaptures the I-8 corridor  
8 that runs kind of along the Union Pacific line and  
9 the Gila River down there.

10 And I-17 corridor was put into District  
11 6. Those communities along there are all kept  
12 together in that district, which includes mostly  
13 Yavapai County and, of course, this also has the --  
14 a lot of communities along I-40 together in this  
15 Western -- Eastern Arizona district.

16 So, yeah, that did -- when the  
17 opportunity presented itself, sure, in putting  
18 together a district, I looked at the transportation  
19 corridors.

20 COMMISSIONER STERTZ: Thank you.

21 COMMISSIONER MCNULTY: Could we look at  
22 Flagstaff? Could you just walk through what you did  
23 up there? I think I missed part of that.

24 VICE CHAIR FREEMAN: It's kept with  
25 District 7.

1           COMMISSIONER MCNULTY:  So that's it in  
2 that little place there?  Is that Flagstaff?

3           VICE CHAIR FREEMAN:  Yes, it is.

4           COMMISSIONER MCNULTY:  Okay.

5           COMMISSIONER STERTZ:  Madame Chair.

6           CHAIRPERSON MATHIS:  Mr. Stertz.

7           COMMISSIONER STERTZ:  Commissioner  
8 Freeman, did you -- the reason why you kept  
9 Flagstaff with that group -- I mean, it's very  
10 similar to that -- there was a desire in the  
11 congressional map for Flagstaff to remain with the  
12 first nations; is that correct?

13          VICE CHAIR FREEMAN:  Well, certainly  
14 that -- I remember hearing those comments.

15          COMMISSIONER STERTZ:  Often.

16          So I'm glad to see that you kept them  
17 there.

18          VICE CHAIR HERRERA:  Madame Chair.

19          CHAIRPERSON MATHIS:  Mr. Herrera.

20          VICE CHAIR HERRERA:  If I remember  
21 correctly, the maps you guys created didn't have  
22 Flagstaff with the Navajo Nation in the  
23 congressional map.  So I'm just curious to see why  
24 the change in the opinion for the legislative map.

25          VICE CHAIR FREEMAN:  It's not a change of

1 opinion, it's just the approach that led to the  
2 development of the whole counties congressional map  
3 did not, at least on that iteration of the map,  
4 until -- when we switched over to using the chair's  
5 map, did not include Flagstaff because we felt it  
6 was -- that district included all of Apache, Navajo  
7 Counties and -- which go up into the Navajo Nations.

8           So what I didn't really technically  
9 regard as a split of a county, which was when I had  
10 to go into another county to keep a tribal area  
11 whole. So it did go into Coconino County to follow  
12 the boundary of the Navajo Nation.

13           VICE CHAIR HERRERA: Madame Chair.

14           CHAIRPERSON MATHIS: Mr. Herrera.

15           VICE CHAIR HERRERA: I think some of the  
16 comments that people that Navajo -- or the Navajo  
17 tribal leaders that were here and have been before  
18 us talked about having the Navajo Nation along with  
19 the other Native American groups together to  
20 increase their -- the -- I guess the strength of --  
21 the voting strength of the Native American groups,  
22 not wanting it diluted by having Flagstaff included  
23 in that district.

24           Because, I mean, I think I understand  
25 their point that it would dilute the voting strength

1 of the Native American population.

2 I think Flagstaff is able to be in a  
3 district on its own along with some of the other  
4 areas that are pretty common or have a common  
5 interest of Flagstaff.

6 So I just want to point that out.

7 VICE CHAIR FREEMAN: Well, I'll also  
8 point out while we were at the Hon-Dah Casino up  
9 outside of Pinetop, which I know you watched that  
10 public comment online, there were lots of comments  
11 about keeping those areas together, including from  
12 representatives of the White Mountain Apache Tribe.  
13 So that's why I drew the line where it was.

14 VICE CHAIR HERRERA: And another --  
15 Madame Chair.

16 CHAIRPERSON MATHIS: Mr. Herrera.

17 VICE CHAIR HERRERA: Another area of  
18 concern is the Yuma County area. There was a reason  
19 why we had split Yuma County into two in the  
20 congressional map, and that was to increase the  
21 voting strength of the majority-minority population  
22 in Southern Yuma and allow them to elect a  
23 representative of their choosing.

24 This particular map combines all of Yuma  
25 County. And I would love to see what the racial

1 polarization in that area would be if we were to  
2 document Mr. Freeman's map because that is a concern  
3 of mine.

4 CHAIRPERSON MATHIS: So I ask the  
5 question I guess of both of you in terms of next  
6 steps on your maps, what were you thinking you would  
7 like to see differently in your next version or what  
8 were your plans?

9 COMMISSIONER MCNULTY: Well, Madame  
10 Chair, what I hoped to do was look at Commissioner  
11 Freeman's map, see if we have common ground that we  
12 might be able to build on, see what our overall  
13 objectives and concepts are that with regard to each  
14 map and bring those all back and have a conversation  
15 about how we move forward.

16 If we can agree upon some areas of the  
17 state in which we have the same perspective that we  
18 could propose something to all of us, then I think  
19 that would be great.

20 And then to the extent that we have  
21 different perspectives, and Flagstaff I think is  
22 going to be one of them, Yuma is going to be another  
23 one, and there are probably others, maybe we can  
24 talk about ways in which we might be able to reach  
25 agreement on those various issues. But I think it

1 makes sense first to see what those are and lay them  
2 out.

3 I would also like to do a little bit more  
4 -- I have not refined this map. I haven't looked at  
5 -- I really did start with the communities. And by  
6 that I mean both kinds of communities that work  
7 together and had a shared interest but also the  
8 boundaries of those communities and respecting those  
9 and keeping them intact to the greatest extent  
10 possible to create districts that are compact to the  
11 extent possible.

12 So I would like to do a little more  
13 looking at the minority-majority district and the  
14 coalition districts and what the possibilities are  
15 and how we coalesce those together and also -- and  
16 that may have some bearing on the competitiveness  
17 also.

18 VICE CHAIR HERRERA: Madame Chair.

19 CHAIRPERSON MATHIS: Mr. Herrera.

20 VICE CHAIR HERRERA: I would like to  
21 see -- I know Commissioner McNulty had mentioned  
22 that she -- that she had a rough estimate of how  
23 many competitive districts we could create using the  
24 option 2 version 8a map, and she said roughly about  
25 eight or nine.

1           And I would love to see that from Freeman  
2 as well, see how many competitive districts he could  
3 create. Because, obviously, I want to maximize the  
4 number of competitive districts as we did with the  
5 congressional map, I think we could do the same with  
6 these maps and try to get as many as possible.

7           VICE CHAIR FREEMAN: Madame Chair.

8           CHAIRPERSON MATHIS: Mr. Freeman.

9           VICE CHAIR FREEMAN: Well, Commissioner  
10 Herrera, you have the report generated. You can  
11 take a look at it and tell me how many districts you  
12 think are competitive.

13           VICE CHAIR HERRERA: Yeah, but I don't --  
14 Madame Chair.

15           CHAIRPERSON MATHIS: Mr. Herrera.

16           VICE CHAIR HERRERA: Assuming just like  
17 Commissioner McNulty mentioned, that she is not  
18 quite done refining her map and she stated that  
19 there was roughly eight or nine she could possibly  
20 come up with. I'm assuming the same goes for you,  
21 that you're not quite done refining some of the --  
22 your map.

23           So I'm assuming that there's some things  
24 you could tweak to make it more competitive. That's  
25 what I was assuming. I could be wrong.

1           VICE CHAIR FREEMAN: Well, I thought  
2 maybe you'd be able to look at the sheets and tell  
3 me right now how many in my map would be deemed  
4 competitive.

5           But I don't begin the map with any sort  
6 of preconceived notion as to how many competitive  
7 districts will result. The Commission hasn't even  
8 defined what a competitive district is.

9           Although that is a concern of mine in  
10 terms of finalizing the map, I went ahead and looked  
11 and tried to apply all five -- all six  
12 constitutional criteria because the sixth one was  
13 competitiveness. That's something I looked at the  
14 end, at least based on the data we have.

15           So I looked, in constructing the map, at  
16 compactness. I tried to make them all as compact  
17 and boxy-looking as I could.

18           A lot of that falls out of following  
19 county lines. I mean, a lot of our counties in  
20 Arizona are kind of rectangular-looking.

21           Most definitely tried to respect  
22 municipal lines, minimize splits to towns. I think  
23 the splits report is -- even on this iteration of  
24 this map is looking pretty good. And also trying to  
25 consider how, in my view, the state sort of fits

1 together, the communities fit together, the  
2 transportation corridors fit together, and that's  
3 based on the public comment I heard and read all of  
4 those binders of materials we have and my own  
5 experience in Arizona.

6 VICE CHAIR HERRERA: Madame Chair.

7 CHAIRPERSON MATHIS: Mr. Herrera.

8 VICE CHAIR HERRERA: Just real quickly,  
9 both Freeman and -- Commissioner Freeman and  
10 Commissioner McNulty did a lot of work on these two  
11 maps, so I do thank them, but I want to mention  
12 that, you know, the sixth criteria isn't the last  
13 criteria. It's an important criteria, which is  
14 competitiveness.

15 So I want to make sure that that is  
16 equally weighted as the other five. That's just my  
17 input.

18 My concern is that, again,  
19 competitiveness is an important criteria.

20 CHAIRPERSON MATHIS: Okay. Thank you.

21 COMMISSIONER MCNULTY: Madame Chair.

22 CHAIRPERSON MATHIS: Ms. McNulty.

23 COMMISSIONER MCNULTY: I would just like  
24 to comment that I'm mindful of our time constraints  
25 here. I think we really need to get to the heart of

1 this matter very quickly.

2           And I think we both -- we all need to  
3 look at the maps and list what it is that the  
4 concepts are, what we can agree on and what we  
5 simply don't agree on. And I think there will  
6 probably be things like, you know, the way Flagstaff  
7 and the Navajo Nation are configured, the way Yuma  
8 County is configured, the degree to which we want to  
9 see competitiveness and where we think those  
10 opportunities are.

11           So at the same time that I would be  
12 asking Willie and Mary probably and Joe also to help  
13 evaluate the possibilities for coalition districts  
14 in the maps, I would suggest that we really focus on  
15 that and then have those conversations and if we can  
16 arrive as a group, either through consensus or  
17 unanimity on the approach with respect to some of  
18 these issues, then maybe Willie can help us take the  
19 maps to the next step.

20           But I think it makes more sense to reach  
21 agreement on concepts than to have dueling maps  
22 continuing to go back and forth or try to merge the  
23 maps because of the 30 districts we've got to work  
24 in the same way.

25           COMMISSIONER STERTZ: Madame Chair.

1 CHAIRPERSON MATHIS: Mr. Stertz.

2 COMMISSIONER STERTZ: A couple of things.

3 One, I wanted -- are we anticipating that  
4 there's going to be a Wednesday morning map that's  
5 going to be something different from these two? Is  
6 there going to be -- are you going to be working on  
7 a third version tomorrow?

8 CHAIRPERSON MATHIS: No, I am not.

9 COMMISSIONER STERTZ: I just wanted to  
10 make sure that we weren't going to have a  
11 Wednesday-morning surprise.

12 My question for Mr. Desmond is what's the  
13 easiest way -- if I'm picking -- if I want to say  
14 District 25 and I want to make that a competitive  
15 district, what's the method that I should go through  
16 in Maptitude to be able to pick certain areas and  
17 blocks to be able to create competition?

18 WILLIE DESMOND: I would suggest starting  
19 with either a combination of the fields to make an  
20 index that you're comfortable with. I believe Ken  
21 has sent the sheet the lays out the algorithms to  
22 use for all three of those. And I would be more  
23 than happy to help you set up some of those formula  
24 fields. You can save them in Maptitude and then  
25 reload them multiple times as formula field.

1           COMMISSIONER STERTZ: And a formula field  
2 might be an example of Republicans minus Democrats  
3 equals --

4           WILLIE DESMOND: For instance, the one  
5 that I have loaded up and that is -- that I provided  
6 as part of the data table, I can show you right up  
7 here how that looks in Maptitude for me.

8           So if you go to data view, you go to  
9 formula fields, you go to load -- so, for instance,  
10 the statewide percent Republican, how that is  
11 comprised is right here. And that's just a long one  
12 that averages the different statewide races.

13           You know, you add that to your data view  
14 and then it becomes available in each one of your  
15 fields. So then if you wanted to go to, like,  
16 census block group or something, if you zoom in, you  
17 could then shade by that setup any sort of color  
18 scale you want to indicate different breaks in that  
19 index.

20           COMMISSIONER STERTZ: So we can go ahead  
21 and shape and design based on picking and choosing  
22 specific precincts based on competitiveness; is that  
23 correct?

24           WILLIE DESMOND: You can -- just like  
25 percent Hispanic, any sort of field that comprises

1 the underlying data, you can shade the map and  
2 display it that way. So you could design districts  
3 based on -- if you want to do something that I  
4 would say a combination of voting-age Hispanic and  
5 also Democratic percentage, if you are trying to  
6 make a district to increase the ability to elect,  
7 all of those things are possible.

8 So, yes.

9 COMMISSIONER STERTZ: So the next  
10 iteration, Madame Chair, I guess would be -- that  
11 we'll be looking at trying to pick and choose and to  
12 create some more competitive districts in certain  
13 parts of the state?

14 CHAIRPERSON MATHIS: I would say that the  
15 way I would like to see this progress is for both --  
16 what Commissioner McNulty said that she wanted to  
17 look at Mr. Freeman's work and see, in her opinion,  
18 what areas of common ground there are, which I think  
19 is a very reasonable thing to do.

20 I think we should all do that, and I  
21 would challenge Mr. Freeman to also look at Ms.  
22 McNulty's work, too, see his thoughts on how he can  
23 -- areas that we can maybe agree on early.

24 You know, I don't know how a compromised  
25 map could be done on this. Maybe it is similar in

1 that you deal with the outer rural areas first and  
2 then you focus on the center.

3 But I think that the next step is for us  
4 to try to identify the areas where we think we might  
5 be able to agree. And then that will also identify  
6 the ones where we don't.

7 And we need to figure out -- we're going  
8 to have to hear from the public on this.

9 I would also say that I remember Marsha  
10 Bushing the other day suggested we take a look at  
11 the mapping contest that occurred through the  
12 Arizona Competitive Districts Coalition and --  
13 because apparently there were some good suggestions  
14 made through that. I'm sure other folks out there  
15 have other suggestions and have submitted maps. And  
16 maybe they are not complete maps, but for certain  
17 areas they know well. And we need to be looking at  
18 all of it.

19 So I think that over this next day, since  
20 we're not meeting tomorrow -- and on Wednesday we  
21 start at 2:00?

22 MARY O'GRADY: I believe we start at  
23 2:00.

24 CHAIRPERSON MATHIS: So we have Wednesday  
25 morning, too.

1 MARY O'GRADY: On the voting rights  
2 issue, Madame Chair --

3 CHAIRPERSON MATHIS: Yes.

4 MARY O'GRADY: -- Joe and I have been  
5 going through them and the mapping consultant has.  
6 And to the extent we have suggestions or comments,  
7 we'll follow up with Commissioners McNulty and  
8 Freeman in terms of addressing some of those issues  
9 as well.

10 VICE CHAIR HERRERA: Madame Chair.

11 CHAIRPERSON MATHIS: Mr. Herrera.

12 VICE CHAIR HERRERA: I think Commissioner  
13 McNulty had a good point in trying to find  
14 commonality between these two maps, but I think we  
15 first have to start with the majority-minority  
16 districts.

17 I think that's -- we all know that  
18 there's no way around the Voting Rights Act. If  
19 some of the minority groups are going to be chiming  
20 in about what they feel is appropriate to meet the  
21 Voting Rights Act, to me, that's first and foremost  
22 because I know you said before that you wanted to  
23 meet preclearance for the congressional map. I'm  
24 assuming that this is the same scenario for you in  
25 the case for the legislative map. So we want to

1 make sure that that is respected.

2           So I'm definitely concerned, because I'm  
3 looking at Yuma, the way it's kept together whole in  
4 Freeman's map, that the -- based on the comments  
5 from the -- that they had on the congressional map,  
6 I already am envisioning them having problems  
7 with -- staying whole with the northern part of  
8 Yuma, which tends to be a lot more conservative than  
9 the southern part.

10           So I want to make sure that we address  
11 those issues. And then that probably should be the  
12 first thing that we do. Find commonality on the  
13 nine -- on the seven majority-minority districts,  
14 the two coalitions to see if there's any more  
15 possible coalition areas we can make. I think we  
16 should start there.

17           That's just my opinion.

18           CHAIRPERSON MATHIS: Okay. That's a -- I  
19 think that's a reasonable suggestion.

20           How do you folks feel if we do that and  
21 also look for areas of common ground and also try to  
22 keep Indian reservations whole, which I know we  
23 tried to do from the beginning. That's just being  
24 sensitive to all of those things.

25           And then and I don't know. I guess I

1 look at Mr. Desmond, too. If a way to create a  
2 common ground map is to create a new map, it's  
3 almost like a puzzle that you are filling in the  
4 blocks that -- and separate from these two tracts.

5 WILLIE DESMOND: I mean, it's possible to  
6 merge the two plans together and any areas that are  
7 not common would be left unassigned.

8 I think I would prefer to do that in  
9 session, just so that you guys can really direct me  
10 how you want to deal with those areas.

11 I think that would be a very tedious and  
12 long process. So everybody needs to be in the right  
13 mindset kind of going into that that it's not going  
14 to be -- it's not going to be quick.

15 But if that is -- the plan is to merge  
16 these two together, I think that's something that we  
17 should at least try to do in session with the public  
18 there and you guys able to really direct me how --  
19 when it's one or the other, which way to go.

20 It may involve some votes of the chair,  
21 or it might involve just people taking a back seat  
22 on some areas. However you want to do it, but I  
23 could try to do it, but I'm not sure that -- what I  
24 came up with would be entirely what you guys want.

25 So however you want to direct me, but

1 that's something we could do as a group, certainly.

2 COMMISSIONER MCNULTY: Madame Chair, I  
3 don't know how merging the maps could possibly  
4 satisfy the constitutional criteria, particularly  
5 when we have the 30 districts because we're looking  
6 at all of these different criteria.

7 And as we've learned, every time you  
8 change one thing, you change everything else. So if  
9 we merge 30 with 30, I don't even know how we'd go  
10 from there.

11 I think it probably is a little less  
12 cumbersome for us just to decide, you know, what  
13 works for all of us and what doesn't and just plow  
14 through the decision making, what doesn't --  
15 probably on another map, but maybe not without  
16 merging them.

17 I also really like the idea of using the  
18 -- looking at the Arizona Competitive Coalition  
19 maps. I had intended to go back to that and I have  
20 forgotten about it. I hope we can find those and  
21 look at what they did, get the benefit of their  
22 ideas.

23 I'd forgotten how Marsha suggested that  
24 we go about getting those. I guess she suggested we  
25 get staff to get them for us.

1           WILLIE DESMOND:  If that we -- I mean, we  
2 could ask staff tomorrow to see what they can --  
3 whether they could gather and then we could get  
4 those.  I'm not sure I have handouts for all of  
5 those, but, you know, if there's -- I know they  
6 picked winners, so if we wanted to have some of them  
7 loaded, we could at least overlay the lines on our  
8 maps.

9           COMMISSIONER MCNULTY:  Even if we could  
10 just get them by e-mail so we could look at the way  
11 they, you know, came at the various districts.  I  
12 don't think the lines are so important but as the  
13 way they constructed them.  The way they dealt with  
14 the communities.

15           WILLIE DESMOND:  Okay.  I'll work with  
16 Ray and Kristina tomorrow to get those and then I'll  
17 try to find a way of sharing those with you.

18           Maybe it's possible -- the easiest thing  
19 might be to just load up a bunch of Google maps.  I  
20 think those are the easiest for us to develop and  
21 the easiest to send you guys so that you can -- if  
22 you're just kind of looking at what comprises the  
23 districts, that might be the fastest way.

24           CHAIRPERSON MATHIS:  I have a question  
25 for legal counsel, too.  Sorry, local counsel.

1           Do you guys have some -- any suggestions  
2 on process with regard to the best, most efficient  
3 way to work through the constitutional criteria and  
4 having two different tracts right now for the leg  
5 and how we might go about bringing it together in  
6 one map and working through everything.

7           MARY O'GRADY: We haven't consulted on  
8 that yet, but my reaction is that it might take a  
9 little more working of the issues and perhaps some  
10 public comment on the options that have been  
11 discussed, which you might get some -- well, maybe  
12 not. You would like to get some today, but at least  
13 everybody is studying.

14           I just don't feel like we are quite there  
15 yet. But maybe we will get there Wednesday after we  
16 see a little bit more.

17           I can give you some of my voting rights  
18 concerns right now, if you would like to help push  
19 things along.

20           CHAIRPERSON MATHIS: Yeah, please.

21           MARY O'GRADY: Let me see.

22           They both have majority Native American  
23 district, but the current benchmark is 58.9. The  
24 one in option 2, the McNulty proposal, was at 59.98  
25 and the one that -- Commissioner Freeman's proposal

1 was at 52.05. So since Commissioner Freeman's was  
2 lower than the benchmark, I thought that was one  
3 thing to look at in the revisions, of whether that  
4 number could be bumped up.

5 And also I think for all of the -- the  
6 two plans, the majority-minority districts from  
7 different places, there's some overlap but not  
8 completely.

9 The McNulty map has three  
10 majority-minority districts in Tucson. The Freeman  
11 plan has two. Both of them have one plan that  
12 reaches into the Yuma area but they are structured a  
13 little differently, as has been discussed.

14 So one of the issues that we'll take a  
15 closer look at, the Commission should as well, in  
16 terms of whether the one that reaches over Yuma is a  
17 viable minority district.

18 The McNulty proposal has three  
19 majority-minority Hispanic districts in Maricopa  
20 County right now. There are three majority  
21 Hispanic districts in Maricopa County. The Freeman  
22 plan has four majority-minority. So there's a  
23 little difference where McNulty has the majority  
24 Hispanic one in Tucson and the Freeman one has an  
25 additional one in Phoenix.

1           But at the end of the day, they both have  
2 six majority districts, which is similar to the  
3 benchmark where we have four that are majority  
4 voting-age Hispanic and two that are so close we've  
5 been counting them as majority Hispanic.

6           I think that the area where both plans  
7 could use some examination is whether there are  
8 others within striking distance, because we have  
9 others that have an opportunity to elect, under the  
10 benchmark, we believe that aren't majority Hispanic,  
11 or majority-minority even.

12           And both plans have some that are in the  
13 total minority population, they are in the 50s,  
14 which may be in striking distance and making sure  
15 that those -- looking closer at those as we compare  
16 the benchmark to see if there truly is an  
17 opportunity to elect.

18           And so those are the issues that we'll be  
19 -- that I thought we would take a closer look at,  
20 again, comparing to the benchmark districts.

21           And we can follow up with more detail  
22 with the individual commissioners. And I don't know  
23 if Willie has anything on those issues also.

24           But we obviously have been consulting  
25 with the mapping consultants as we look at that in

1 terms of that analysis.

2 CHAIRPERSON MATHIS: Thank you for that  
3 analysis.

4 WILLIE DESMOND: I would just say we're  
5 probably going to need to increase some of the  
6 majority-minority either coalition or -- I'm sorry,  
7 the other type. Coalition and plurality.

8 CHAIRPERSON MATHIS: Don't take it  
9 personally.

10 WILLIE DESMOND: It's been a long day.  
11 Yeah, because Bruce initially indicated that there  
12 should be nine. We might need to explore the  
13 possibility that there could be ten, but I think  
14 that -- that's priority number one for these maps.  
15 That has to kind of supersede everything else.

16 VICE CHAIR HERRERA: Madame Chair.

17 CHAIRPERSON MATHIS: Mr. Herrera.

18 VICE CHAIR HERRERA: It's a slight  
19 difference, but I want to note for the record that  
20 there are seven majority-minority districts and two  
21 coalition districts.

22 So -- I mean, I know at the end of the  
23 day -- I don't know how much of a difference it  
24 makes, but I want to make sure that we clarify that  
25 there are seven and two coalition districts but the

1 possibility for more coalition districts.

2 CHAIRPERSON MATHIS: Is that right,  
3 Ms. O'Grady?

4 MARY O'GRADY: That's right. Based on  
5 the numbers in the current benchmark, we have seven  
6 majority, based on the single -- either Native  
7 American or Hispanic -- and we have others that are  
8 coalition districts but also some that elect that  
9 aren't at the majority level and that's why the  
10 electoral analysis.

11 So we've been working with the benchmark  
12 of nine, perhaps ten, opportunity to elect, not  
13 necessarily reaching the majority level. And that's  
14 where we want to take a closer look at these  
15 compared to the benchmarks.

16 VICE CHAIR HERRERA: Madame Chair.

17 CHAIRPERSON MATHIS: Mr. Herrera.

18 VICE CHAIR HERRERA: And I think that our  
19 legal counsel will be looking at this more closely  
20 today and tomorrow. But if they could also look at  
21 the -- any of the public comments made from any of  
22 the Hispanic groups or the Native American groups or  
23 any that would affect the Voting Rights Act and the  
24 majority-minority and also the coalition districts,  
25 getting their comments -- compiling their comments

1 and taking that into account, because I think that  
2 would be extremely helpful.

3 CHAIRPERSON MATHIS: I agree.

4 Commissioner McNulty.

5 COMMISSIONER MCNULTY: Do we have the  
6 analysis of the benchmark in the majority districts  
7 in Phoenix that were provided to us by the Arizona  
8 Minority Coalition compared to the current  
9 benchmark, the HVAP versus current benchmark?

10 MARY O'GRADY: Sure. I don't have that  
11 information with me right now, but we can have that  
12 for you at the next meeting and even before then.

13 COMMISSIONER MCNULTY: As soon as we  
14 could get that, that would be good.

15 CHAIRPERSON MATHIS: Okay.

16 Go ahead.

17 COMMISSIONER MCNULTY: I was also  
18 thinking about that Cruz index, just to look at --

19 CHAIRPERSON MATHIS: The mine  
20 inspector --

21 COMMISSIONER MCNULTY: -- the mine  
22 inspector while we're still adjusting these. I  
23 don't know if we need it right now, but I think we  
24 should use it. Maybe we should, maybe that will  
25 help us.

1 WILLIE DESMOND: That's something that's  
2 on all of your --

3 COMMISSIONER MCNULTY: Is it?

4 WILLIE DESMOND: -- computers, but it's  
5 also something that I can add to either the back  
6 competitiveness report or the data report.

7 COMMISSIONER MCNULTY: Again, it would be  
8 the comparison of performance as the district is  
9 configured now against actual performance in the  
10 2010 race.

11 WILLIE DESMOND: Okay. It might be  
12 helpful to, you know, run our same reports on the  
13 current districts so that you guys have that as a  
14 what-if comparison, I guess, and then you can just  
15 kind of use that to reference how these different  
16 maps stack up against that.

17 COMMISSIONER MCNULTY: All right.

18 CHAIRPERSON MATHIS: So do we have  
19 agreement that we could at least all look at the two  
20 tracts, these two different versions, and see what  
21 areas of common ground we think we see here and then  
22 talk about those maybe on Wednesday when we get back  
23 here at 2 p.m.?

24 VICE CHAIR HERRERA: Madame Chair.

25 CHAIRPERSON MATHIS: Mr. Herrera.

1           VICE CHAIR HERRERA: I would like to see  
2 first for the staff to reach out to any of the  
3 Native American groups and the Hispanic groups to  
4 come present as soon as possible because we do need  
5 them on board and see what they are looking for from  
6 us and see where we can find some compromise.

7           I think the sooner the better we get them  
8 on board and get them talking to us, making formal  
9 presentations.

10          CHAIRPERSON MATHIS: That reminds me,  
11 should we have an agenda item that is for map  
12 presentations with regard to legislative?

13          MARY O'GRADY: If you would like to. I  
14 don't think we have it on for Wednesday, but we can  
15 add it for Thursday.

16          CHAIRPERSON MATHIS: Yeah, that would  
17 probably be good. We do have maps.

18          MARY O'GRADY: And they are also welcome  
19 always during the public comment period.

20          CHAIRPERSON MATHIS: Sure.

21          WILLIE DESMOND: I think we do have one  
22 today during the public comment period.

23          CHAIRPERSON MATHIS: Okay. Great.

24          So we'll all agree to try to find areas  
25 of common ground by looking at those two versions

1 and talk about what we think on Wednesday when we  
2 come back.

3 And we're also going to have some more  
4 information on the minority-majority districts so  
5 that we'll be able to make sound decisions and  
6 ensuring that we are meeting the benchmark.

7 Anything else on this legislative  
8 process?

9 COMMISSIONER MCNULTY: Just one final  
10 question.

11 Is there -- do you have -- the map that  
12 you walked us through today is a new map. Do we  
13 have that?

14 VICE CHAIR FREEMAN: It's not a new map.  
15 It's the last iteration.

16 COMMISSIONER MCNULTY: I understand, but  
17 it's the iteration of your map. And it's on the  
18 website, I understand, but do we have -- I didn't  
19 pick up a copy.

20 VICE CHAIR FREEMAN: We haven't --

21 WILLIE DESMOND: I handed them out, so  
22 there should be one.

23 COMMISSIONER MCNULTY: Okay.

24 WILLIE DESMOND: Just the one -- on the  
25 commissioner's copies, there is a typo in the title.

1 It says option 1 version 7a. Just change that to 7  
2 to 8. I fixed that, so on the website it has the  
3 correct title. They are labeled -- the files are  
4 all labeled correctly, on your copies it's the wrong  
5 version.

6 You can have mine. I printed myself  
7 another one. Feel free to.

8 CHAIRPERSON MATHIS: Okay. With that, I  
9 think that concludes that agenda item.

10 Thank you everyone for your help and  
11 especially to Commissioners McNulty and Freeman for  
12 all of that effort and time.

13 The next item on the agenda is the exec  
14 director's report. I'm not sure if Mr. Bladine has  
15 anything that he wants to cover.

16 RAY BLADINE: Madame Chair, I'll be very  
17 brief.

18 Just a few things I wanted to confirm  
19 with you, and that is the first thing, the meetings  
20 for the rest of the week.

21 We have Wednesday here, 2 o'clock  
22 probably until 7:00.

23 We have Thursday, 9:30 to probably to  
24 4:00 -- I'm sorry, to 2:45 and Friday 9:30 to 7:00.

25 I have posted the Thursday agenda just a

1 few minutes ago. We could do an addendum in the  
2 morning if you really want to add a specific thing  
3 for mapping presentations.

4 CHAIRPERSON MATHIS: That's okay. I  
5 think that they can present during public comment.

6 RAY BLADINE: Okay. Great. So we have  
7 those posted.

8 Saturday we have a hold but have no  
9 locations set up and have not set a meeting yet and  
10 also Sunday we have a hold, nothing set up.

11 On Monday at 9:30, we are tentatively  
12 scheduled here, however, that might -- there might  
13 be -- the meeting being switched to Tucson so that  
14 we could have a hearing with the minority coalition.  
15 So I'll let you know as soon as I hear from them and  
16 they can find us a facility in Tucson.

17 Another thing that snuck up on me last  
18 week is I had a meeting with Megan Darian, who  
19 basically oversees our budget along with the members  
20 of the governor's office budget staff, and they are  
21 asking for request for budget appropriations for  
22 2013.

23 And I will be meeting with them this  
24 week, and I think tentative on the Thursday agenda,  
25 just to give you a quick briefing on that and get

1 some direction as to what we should put in the  
2 budget for 2013.

3           There was some discussion we might ask  
4 for a multiyear appropriation or ask for a  
5 single-year appropriation. I'll discuss it with  
6 you. My general reaction after thinking about it is  
7 we don't know what the future is going to bring.  
8 I'm not going to tie up in appropriation, but do a  
9 single year probably in the area of 1.3 million,  
10 something like that. And that, of course, would  
11 revert to the State general fund if we're not sued  
12 and we don't need to be there.

13           But I'll bring that back on the agenda  
14 Thursday to discuss with you.

15           And finally, second round public hearings  
16 are scheduled to start a week from tomorrow. I  
17 think Kristina sent all of you a list of meetings  
18 that are being set up asking for some indication as  
19 to when you might be able to cover a meeting.

20           As of this afternoon, she has 11 set, 5  
21 almost set out of I think 27, including a couple  
22 that are linked. We're starting to make travel  
23 arrangements, as we mentioned before. There would  
24 be probably -- planning on two hearings a day, two  
25 teams, and we've had really good response from the

1 community in terms of offering facilities and that  
2 has been very helpful.

3 And I think that is all I wanted to  
4 cover, unless there's any questions or things you  
5 would like me to follow up on.

6 CHAIRPERSON MATHIS: Thank you.

7 Any comments or questions for  
8 Mr. Bladine?

9 Thank you. So we'll be meeting Wednesday  
10 at 2 p.m. here and then it's Fiesta Inn again  
11 Thursday and Friday?

12 RAY BLADINE: Correct.

13 CHAIRPERSON MATHIS: Okay.

14 RAY BLADINE: So probably Wednesday,  
15 Thursday we'll want to talk about what additional  
16 meeting for the following week.

17 CHAIRPERSON MATHIS: Right, and whether  
18 or not we have a meeting on the weekend.

19 RAY BLADINE: But you're going to have  
20 this all done the way you're going. Congratulation  
21 today.

22 CHAIRPERSON MATHIS: I love your  
23 optimism.

24 RAY BLADINE: Thank you, Madame Chair.

25 CHAIRPERSON MATHIS: Thank you.

1           Okay. It's 6:03 p.m.

2           Are we okay on the court reporter's side  
3 of things?

4           All right. We've discussed item 5 as  
5 well, discussion of future meetings and agenda item,  
6 unless anybody has an agenda item to add.

7           Okay. So we will -- I think there is a  
8 update on the Attorney General inquiry but we'll do  
9 public comment first; is that correct?

10          So we'll go to public comment.

11          I've got a few request to sleep --  
12 request to speak. You can tell what I want to do --  
13 request to speak forms.

14          The next -- this next speaker I have is  
15 Pete Bengtson, representing self from Pima.

16          PETE BENGTON: My name is Pete Bengtson.  
17 That's B-e-n-g-t-s-o-n.

18          I've come up and talked to you so many  
19 times you probably know what I'm going to say, so I  
20 spent the weekend trying to come up with something  
21 different.

22          I've talked on competitive districts,  
23 just straight competitive districts' view, but I've  
24 got quite a bit different view.

25          Let me give you some background.

1 I've worked with the Sierra Club  
2 Conservation organization for about 40 years, mostly  
3 leading national outings in the early years.

4 And I was working on the conservation  
5 issues and found that lobbying your legislators is  
6 okay, but you're a lot better off if you get the  
7 right people elected in the first place.

8 So for the past ten years I've been  
9 working in the political area, working to get what I  
10 consider the right people elected. And most of the  
11 time that means I'm a Democrat.

12 When I moved to Tucson -- Betty and I  
13 moved to Tucson ten years ago. I registered as a  
14 Democrat and was a PC and then became familiar with  
15 Pete Hershberger in LD 26.

16 I gave up being a Democrat because I  
17 couldn't work for Pete. He's a Republican.

18 I started working for Pete Hershberger  
19 donating money to him, and I'm perfectly willing to  
20 register as an Independent to support the right  
21 people from the environmental side.

22 When Pete Hershberger ran for the senate  
23 as a Republican and lost to Al Melvin, I just lost  
24 all faith in Republicans and reregistered as a  
25 Democrat, and I've been working hard on Democratic

1 politics.

2 Now, when I talk about competitive, I'm  
3 looking for moderate rate Republicans or Democrats  
4 that support environmental districts. And if we can  
5 find some Republicans, I would surely love it.

6 Thank you.

7 CHAIRPERSON MATHIS: Thank you.

8 VICE CHAIR HERRERA: Madame Chair.

9 CHAIRPERSON MATHIS: Mr. Herrera.

10 VICE CHAIR HERRERA: I was asked if our  
11 attorneys could mention what the seven  
12 majority-minority districts are, the two coalition  
13 districts are, if you can name the -- what the  
14 current -- which they are right now.

15 CHAIRPERSON MATHIS: Sure.

16 Ms. O'Grady stepped out. I don't know if  
17 Mr. Kanefield has that information on him or we can  
18 get it from her when she comes back.

19 JOE KANEFIELD: Madame Chair,  
20 Commissioner Herrera, are you talking about the  
21 existing --

22 VICE CHAIR HERRERA: Right, the existing  
23 ones.

24 CHAIRPERSON MATHIS: Are you talking  
25 about the grids?

1 VICE CHAIR HERRERA: No, the current --

2 JOE KANEFIELD: The current majority --  
3 yeah, let me just look here to make sure. 2, 13,  
4 14, 16, 15 is a coalition district, 23 -- no, 24,  
5 27, and 29.

6 VICE CHAIR HERRERA: So which are the two  
7 coalition ones again?

8 WILLIE DESMOND: The one that's closest  
9 to a coalition is probably District 25, the  
10 non-Hispanic white percentage is 50.29. It's very  
11 close to being a coalition district.

12 And then the other one would be District  
13 15. The non-Hispanic white percentage is 46.47. So  
14 that is a coalition district.

15 VICE CHAIR HERRERA: Thank you.

16 CHAIRPERSON MATHIS: So did I get all of  
17 those because I counted eight. I had 2, 13, 14, 16,  
18 23, 24, 27, and 29.

19 JOE KANEFIELD: Let me -- I don't want to  
20 speak for Mary. So when she comes back -- the ones  
21 I have marked are 2 --

22 WILLIE DESMOND: I think it's 2, 13, 14,  
23 15, 16.

24 CHAIRPERSON MATHIS: But 15 is coalition?

25 WILLIE DESMOND: 15 is coalition.

1 24, 25, 27, 29.

2 JOE KANEFIELD: That's what I have.

3 WILLIE DESMOND: With 25 and 15 being  
4 coalition.

5 CHAIRPERSON MATHIS: So 23 is not?

6 WILLIE DESMOND: 23 is not. It's close  
7 and there might be an opportunity to elect there.

8 CHAIRPERSON MATHIS: Okay.

9 Thank you for that clarification.

10 We'll go on to the next speaker, Shirley  
11 Dye representing Gila and Northern Arizona.

12 She spoke earlier.

13 Thomas Woody on behalf of Wes Gullett  
14 from Phoenix.

15 No.

16 Sara Presler, mayor of Flagstaff.

17 SARA PRESLER: Good evening, members of  
18 the Commission, Madame Chair.

19 The 2001 Independent Redistricting  
20 Commission drew only three out of 30 competitive  
21 districts in the legislature.

22 The current IRC, in our view, bears the  
23 responsibility to make Arizona elections a fair  
24 process and infuse integrity into the process by  
25 creating more competitive districts.

1           Competitiveness will bring more citizens  
2 into the political process and candidates will have  
3 to engage the wider array of voters in order to get  
4 elected.

5           Both of these factors will lead to more  
6 constructive discussion to find good solutions for  
7 our entire state of Arizona.

8           Flagstaff is the largest city in Northern  
9 Arizona. The seat of government for Coconino County  
10 and the home of Northern Arizona University.

11           Flagstaff deserves a fair opportunity to  
12 elect a candidate of either party to represent its  
13 interests.

14           Rather than looking to which map might be  
15 boxier or more circular or even U-shaped in nature,  
16 we ask you to take a stronger focus on the Arizona  
17 Constitution and the Voting Rights Act.

18           When we look at the numbers that were  
19 provided by the IRC that are attached to the two  
20 scenarios that have been provided to us, it appears  
21 to the city of Flagstaff that option 2 is more  
22 competitive at 12.092 percent in the differential of  
23 competitiveness as contrasted to the map that was  
24 offered by Commissioner Freeman.

25           And there's good things in both maps and

1 I think that there is more common ground than  
2 uncommon ground. And a municipality would just  
3 encourage you to consider in particular the  
4 following issues as you move forward in this  
5 legislative process.

6 One, the municipality has made  
7 significant investments in our economic corridor.  
8 The Northern Arizona Center for Emerging  
9 Technologies a couple years ago created 80 new jobs.  
10 The average wage of those jobs is about \$80,000 a  
11 year in the biosciences.

12 T-Gen, Nestle Purina, Southwest Wind  
13 Power, W.L. Gore, these are all employers that  
14 intend to testify to you through Flagstaff Forty by  
15 the end of this week to talk to you about the  
16 business interests and the economic investments.

17 I arrived this morning and testified to  
18 you wearing my municipal City of Flagstaff mayor's  
19 pin. I leave today wearing a pin from Navajo  
20 County, a commissioner as a county commissioner  
21 county supervisor who spoke to you earlier, he's  
22 also on the Navajo Nation council. And while we  
23 have lots of things in common when we have to group  
24 communities of interest in a larger congressional  
25 area, when it comes to legislative areas, we can

1 become much more narrow, especially much more  
2 strategic in our business interests and investments.

3           And so we find ourselves aligning, and I  
4 think you'll hear from Navajo later, on options 2 in  
5 particular.

6           And transportation, I think about the  
7 Flagstaff Metropolitan Planning Organization and the  
8 hundred thousand population that's encompassed in  
9 our strategic plans that already exist for our  
10 region.

11           So when I look at option 2, I tried to  
12 think about that compared to option 1 in our  
13 existing plans that we have and aligning them to our  
14 existing community planning efforts rather than  
15 trying to re-create the wheel to fit into your new  
16 lines that you might draw.

17           So when I align that, I also think about  
18 governance issues. And Coconino County being the  
19 seat, but at the same time our ability for municipal  
20 governments to work better with other municipal  
21 government in a state system as contrasted to a  
22 federal system that's more opportune in a  
23 congressional discussion.

24           I think about water resource issues. I  
25 think about the fact that the Hopi Tribe is

1 currently in litigation against the City of  
2 Flagstaff.

3           And so I think about all of these issues  
4 when I think about our natural resources.

5           I think about education. Flagstaff  
6 Unified School District and our state public  
7 schools, including our charter schools, for the  
8 state of Arizona and I contrast those to Bureau of  
9 Indian Affairs and Bureau of Indian schools that  
10 might exist out on the Navajo Nation.

11           I think about Flagstaff's medical center  
12 and North Country Community Health Center, a health  
13 clinic, and I contrast that to Indian Health  
14 Services and Hopi Health Center, both falling under  
15 federal jurisdiction.

16           When we start talking about legislative  
17 districts, we get much more narrow and we need to  
18 think about how we group these communities of  
19 interest.

20           I think about forest health for Coconino  
21 and Kaibab and then I think about the natural  
22 resource issues that are distinctly related to  
23 uranium mining that fall more into the Nation's  
24 issues related to natural resources.

25           I encourage you to take strong note of

1 the Native population and the distinction in the two  
2 proposed maps of option 1 and option 2 related to  
3 those percentages and encourage us first and  
4 foremost to not regress in our representation of  
5 Native population.

6 I appreciate the opportunity to address  
7 you and to spend today with you. I'll probably see  
8 you at some point later in the week, and I stand  
9 open for any questions or clarification.

10 Thank you for your time.

11 CHAIRPERSON MATHIS: Thank you.

12 Our next speaker is Lynne Breyer,  
13 representing self from Scottsdale.

14 UNIDENTIFIED SPEAKER: She left.

15 CHAIRPERSON MATHIS: Vera Anderson,  
16 representing self from Anthem.

17 UNIDENTIFIED SPEAKER: She left.

18 CHAIRPERSON MATHIS: Maureen Bayardi,  
19 representing self from Phoenix.

20 MAUREEN BAYARDI: Well, I'm happy to see  
21 you all at the end at the day. I think we're  
22 getting close to an end, and I gather from our  
23 conversations of the day that you didn't have much  
24 opportunity to catch too much rest over the weekend,  
25 and I'm sorry about that and I hope that you've had

1 a pleasant evening.

2 I'm not going to talk about maps. As you  
3 know, I'm not a student of the map, but what I would  
4 like to say is I would like to express my concern  
5 regarding the Arizona Hispanic Coalition.

6 It appears to me personally that they are  
7 heavy-handed and are pushing their agenda without  
8 regard to fairness for all citizens of the state of  
9 Arizona.

10 I have nothing against the people that  
11 are Hispanic or the Hispanic Coalition. However, I  
12 think we need to look at all citizens, Hispanic,  
13 blacks, Anglos, Asians, Native Americans, and they  
14 need to have a little more representation.

15 And I thank you so much for listening to  
16 me once again.

17 Good night.

18 CHAIRPERSON MATHIS: Thank you.

19 Our next speaker is Carol Corsica,  
20 representing self from Tempe.

21 CAROL CORSICA: Hi. Yeah, I live in that  
22 part of Tempe that it seems like somebody wants to  
23 throw it out of Tempe -- I mean -- or out of the  
24 legislative district.

25 So this is -- Tempe is a small city with

1 a large university. It is small enough to fit in  
2 one legislative district.

3 I am curious -- it appears that everyone,  
4 whatever their leaning is, is splitting it up.

5 And the problem that I see with this,  
6 splitting it up, is that Tempe -- the southern  
7 border of Tempe is not Baseline. It's not Elliot.  
8 It's not even Warner. Part of it goes all the way  
9 down to Ray.

10 I'm curious why it is that anybody would  
11 suggest we should split it up at Baseline. It's  
12 like taking the land and splitting it in half.

13 And the effect of what has already been  
14 done ten years ago is that people are starting to  
15 forget that people south of where I live actually  
16 live in Tempe.

17 So I am serious about a community of  
18 interest. When people start forgetting that they  
19 are even part of the city anymore, then you really  
20 have broken up the community. So when people forget  
21 that we -- part of Tempe actually goes all the way  
22 down to Ray.

23 I don't understand why we're not adding  
24 to move population of Tempe so it can be a  
25 legislative district rather than taking away from a

1 small city and splitting it in half.

2           So I'm against -- I don't think anyone  
3 has proposed a map to keep Tempe together. And  
4 that's the point. It is a community. It's a city.  
5 And when you do separate them out, it really does  
6 have an effect of people forgetting that they are  
7 even part of a city anymore.

8           Thank you.

9           CHAIRPERSON MATHIS: Thank you.

10           Our next speaker is David Bushman, and I  
11 think he has a mapping presentation.

12           DAVID BUSHMAN: Madame Chair and members  
13 of the Commission, thank you for taking the time to  
14 let me make this presentation.

15           I am representing self in this regard.  
16 However, I have worked with a number of different  
17 individuals across the state, and so it is a full  
18 statewide map.

19           And I would ask as you consider the  
20 various maps that are being proposed, for example,  
21 from the Arizona -- the Competitive Coalition as  
22 well as the Arizona Minority Coalition, that you  
23 give this map equal weight inasmuch as it does  
24 represent a coalition of individuals, although not  
25 normally organized as such, I would consider

1 ourselves a coalition in that regard.

2 Next slide, please.

3 This is an overview. The very first  
4 item -- with regard to all of these maps, I believe  
5 what everyone's intent ultimately is, the way the  
6 laws are constructed -- the way we codify our laws,  
7 is to make sure that we have the ability to fairly  
8 and properly be represented.

9 To those ends, we have created a number  
10 of laws. And these maps have been created with  
11 those intents, all of the various requirements.  
12 There was not any one requirement that I can  
13 honestly say was ever weighted as heavier or less  
14 than any of the other requirements.

15 So to highlight some of the things. The  
16 Voting Rights Act. We had no retrogression, in our  
17 opinion. No packing, which was an issue that could  
18 potentially come up.

19 Our population deviation is low. Lower  
20 than what it is in the 2004 maps.

21 Our compactness, using the numbers from  
22 the Maptitude online are consistent, if not even  
23 somewhat lower than some of the other maps that have  
24 been proposed.

25 Competitiveness, unfortunately, is

1 undeterminable using Maptitude online. There's a  
2 number of data issues which have been addressed and  
3 we're hoping to resolve.

4           Contiguosness, I do not know of any  
5 noncontiguous districts.

6           With regard to city and county  
7 boundaries, the approach to the maps is to, again,  
8 keep whole cities and counties together to the  
9 extent practicable.

10           And finally, the communities of interest,  
11 again, try to respect those communities based on  
12 schools, economic commerce issues, and other  
13 commonalities that individuals have expressed to our  
14 coalition in the time we put these maps together.

15           Again, not any one requirement we  
16 consider to have any greater weight than any other  
17 requirement, as the Arizona Supreme Court has made  
18 very clear in the 2009 ruling.

19           Next slide, please.

20           So to highlight, the very beginning of  
21 the Voting Rights Act. On the 2004 map, there were  
22 three districts with greater than 50 percent  
23 Hispanic voting-age population, four districts  
24 between 40 and 50 percent, and 2 what I'll call  
25 coalition districts or minority-influenced district

1 between 30 and 40 percent.

2 My map has 11. Again, 3 above 50, 5  
3 between 40 and 50 percent, and 3 between 30 and 40  
4 percent Hispanic VAP.

5 Next map.

6 This is a comparison of the districts  
7 that -- and we're using 2004. And just for the sake  
8 of clarity, the numbering system that I used was  
9 to -- is the same as what was used in the 2004 maps.

10 We found that as we discussed these maps  
11 with various people in the areas, if we would say,  
12 for example, LD 2 and then go, oh, yeah, LD 2 is  
13 that area in Northeastern Arizona or LD 21, oh yeah,  
14 that's the Chandler area.

15 So when I created these maps, to the  
16 extent practicable, we tried to maintain those  
17 numbers so they approximated the same areas.

18 If you compared it to -- again, in  
19 particular, 18, which would now be a new coalition  
20 area that an area of West Mesa, as I'll point out  
21 later on, and also 12, which was 27 percent -- and  
22 this also may, Madame Chair, might address your  
23 question with regard to which areas in the 2004 maps  
24 were considered the nine majority -- or the minority  
25 of influenced areas and those that were just

1 coalition areas, perhaps. And the attempt is that  
2 the green --

3 If you could go back one slide, please.

4 The green areas were the majority,  
5 yellows were the -- again, between 30 and  
6 40 percent, and then the influenced area in the  
7 orange.

8 Next slide, please.

9 Okay. Again, this is just an overview of  
10 the whole state and I'll address large geographic  
11 regions and then go down and dial into each LD  
12 individually -- legislative district desperately.

13 Next slide, please.

14 Okay. Go back one, please.

15 This doesn't -- this slide, what you're  
16 going to see, it is grayed out a bit. What I'm  
17 emphasizing here is the rural areas LDs 1, 2, 3, 5,  
18 24, 4, and 25, you'll probably see some similarities  
19 to other maps.

20 There will probably be the question has  
21 there been any communication with any of the  
22 commissioners, between at least myself and any of  
23 the commissioners, and the answer is, no.

24 I am somewhat surprised at some of the  
25 similarities I've seen between Commissioner

1 McNulty's and Commissioner Freeman's map and the one  
2 I have created.

3           So that to me dictates some these things  
4 are simply a matter of numbers and how the  
5 populations and how they are distributed and the way  
6 in which the maps are ultimately created.

7           Next slide, please.

8           Again, focusing on the West Valley of  
9 Phoenix, I tried to keep communities together that  
10 most would consider to be West Valley communities as  
11 a matter of conversing with one another.  
12 Communities that were described as those being West  
13 Valley.

14           Next slide.

15           North central community of Scottsdale  
16 reaching from Anthem and then some areas in North  
17 Central Phoenix.

18           Next slide.

19           South central, again, these are areas  
20 where you'll see a lot of the Voting Rights Act-type  
21 districts, as far as compliance purposes will go.

22           Next slide, please.

23           Then the East Valley, Mesa, Chandler,  
24 Gilbert and areas extending into Queen Creek, San  
25 Tan, and a little bit beyond that.

1           Next slide, please.

2           We also have the Metro Tucson areas.

3 This is just an overview of the area.

4           Next slide, please.

5           Again, the goal was to keep those urban  
6 and those suburban -- or urban areas separate from  
7 the rural areas as much as possible since they have  
8 different economic needs and interests.

9           Here is Central Tucson, again, this  
10 probably looks familiar to some of the maps we have  
11 already seen.

12          Next slide, please.

13          Okay. Focusing on LD 1, LD 1 is a rural  
14 district mostly in Yavapai County with some mountain  
15 town given over to LD 5, such as Camp Verde.

16          And again, these are just highlight  
17 comments that I'm making.

18          Next slide for LD 2.

19          LD 2 is also, again, a rural district  
20 with a large Native American population, including  
21 Navajo, Hopi, Kaibab-Paiute, and Hualapai and  
22 Havasupai tribes.

23          Next slide, please.

24          District 3 is a rural district, again,  
25 and is largely based on keeping whole counties

1 together, such as Mohave and La Paz Counties.

2 Next slide, please.

3 LD 4, this is a semirural district, a  
4 combination of Pinal and Maricopa Counties. It is a  
5 balance between the Tucson and Phoenix metro areas  
6 and the less urban areas. Its shape is similar to  
7 the 2004 map and includes such communities as Casa  
8 Grande, Coolidge, Florence, and Apache Junction, as  
9 well as the Salt River and Fort McDowell Native  
10 American tribes.

11 Next slide.

12 LD 5 is a rural district with a diverse  
13 group of communities ranging from mountain towns  
14 along the Mogollon Rim and White Mountains, towns  
15 along the I-40, such as Winslow, Joseph City, and  
16 Holbrook, towns in the Gila River Valley, such as  
17 Pima, Safford and Thatcher, and some of the  
18 traditional copper corridor towns from Superior  
19 to -- the south down to Dudleyville and to Native  
20 American tribes of San Carlos, Fort Apache, Camp  
21 Verde, Tonto Apache, Zuni Pueblo.

22 Next slide, please.

23 Moving over in to the more urban areas,  
24 we're encroaching the urban areas, so this is a  
25 semirural to urban district, LD 6.

1           The focus of this district was to keep  
2 that not-in-the-city feel, as some of the comments I  
3 have heard where people said, yeah, there's Phoenix  
4 but we're not exactly part of Phoenix, even though  
5 technically that's where the political boundaries  
6 may lie.

7           Again, we're recognizing the separate  
8 needs and wants of those areas versus a strictly  
9 urban Phoenix area.

10          Next slide, please.

11          LD 7 is an urban/suburban district. It's  
12 an area of moderate growth and boundaries are  
13 reflecting the shared communities of interest and  
14 was created such that areas around it could be  
15 compliant with the Voting Rights Act. That's  
16 largely why that shape evolved the way that it did.

17          Next slide, please, for LD 8.

18          This is a recognizable Scottsdale. It's  
19 a semirural-to-urban district. Again, largely the  
20 city of Scottsdale. This reflects the city's shared  
21 communities of interest and city boundaries.

22          Next slide, please.

23          LD 9, a rural-to-urban district. A West  
24 Valley district reflecting the shared communities of  
25 interest, compliance with the Voting Rights Act, and

1 the city boundaries of Wickenburg, Surprise, Sun  
2 City West, Youngtown, and El Mirage.

3 I should also make a note that the city  
4 boundaries that I used are not strictly the city  
5 boundaries as you see perhaps on some maps, rather  
6 the city planning areas.

7 So if you look at any of the various  
8 cities' general plan for what they consider their  
9 areas of how they are going to do things, that's how  
10 I tried to include the boundaries.

11 So most of these areas you'll see the  
12 planning areas and the actual official boundaries,  
13 again, going out to year 2020, 2030. These maps  
14 will be lasting that long, or at least until the  
15 year 2020. That's something that I tried to keep in  
16 mind.

17 Next slide, please.

18 For LD 10, a semirural/urban district.  
19 It compromises the cities of Sun City and Peoria.  
20 Again, reflecting the cities' shared communities of  
21 interest and those city boundaries. And that's why  
22 we see some of the funny shapes based on the current  
23 boundaries of those cities, especially Peoria there  
24 on the east side of LD 10.

25 Next slide.

1 LD 11, an urban district with areas and  
2 boundaries of Arcadia, Paradise Valley, and Phoenix  
3 Urban Villages. That's another area that I tried to  
4 focus on as what did Phoenix consider its various  
5 communities within that very large city.

6 So if you look at the various urban  
7 villages, that was something that was taken into  
8 account.

9 So again, the urban villages of Central  
10 City, Encanto, and Camelback East reflect their  
11 common interests and, again, it allowed compliance  
12 with the Voting Rights Act with the adjacent nearby  
13 legislative districts.

14 Next slide.

15 LD 2 is a semirural-to-urban district.  
16 This is one of the Voting Rights Act  
17 minority-influenced districts, where I think the  
18 term is coalition districts now.

19 It has just about 34 percent Hispanic  
20 VAP. It comprises most of the West Valley cities of  
21 Buckeye, Goodyear, and Avondale, reflecting those  
22 cities shared communities of interest and city  
23 boundaries.

24 Next slide.

25 LD 13 is an urban district, also a

1 minority-influenced district at 42-plus percent  
2 Hispanic VAP. It's contained mostly within the city  
3 of Glendale, or the northern portion of Glendale,  
4 reflecting those shared communities of interest.

5 And again, keep in mind that we have to have  
6 districts in compliance with the Voting Rights Act.

7 Next slide.

8 LD 14, an urban district, this would be a  
9 minority-majority district at just over 60 percent  
10 Hispanic VAP with areas and boundaries within  
11 Phoenix, including the Phoenix urban villages of  
12 Maryvale, Estrella, and Laveen.

13 And again, reflecting those common  
14 communities of interest and making it compliant but  
15 not overpacking with respect to the Voting Rights  
16 Act.

17 LD 15, next slide, please.

18 Again a suburban-to-urban district, also  
19 a Voting Rights Act minority-influenced district at  
20 42-plus percent Hispanic VAP with areas bounded  
21 within Phoenix. It includes Phoenix urban villages,  
22 Alhambra, and North Mountain and reflecting those  
23 particular shared communities of interest.

24 Next slide, please.

25 LD 16 is a suburban-to-urban district,

1 also a minority-majority district at 61-plus percent  
2 Hispanic VAP. That avoids packing.

3 This is a note. Some of the other  
4 earlier maps I've seen were quite heavy and I  
5 believe would not pass the Department of Justice's  
6 criteria as far as packing, which is something it  
7 was actually quite a bit of work to make sure you  
8 didn't overpack.

9 As I initially drew these, it took quite  
10 a bit of work to move things around to make those  
11 balance out a little better. Otherwise, you would  
12 have easily had 70-plus percent Hispanic VAP in some  
13 of the areas, especially north of I-10 and between  
14 the 101 on the west side and the I-10 on the east  
15 side, which a very heavy area. So that's why that  
16 was broken up some, if you look carefully at the  
17 map.

18 LD 16 also includes the urban villages of  
19 South Mountain and Estrella, which also reflects  
20 those areas' communities of interest.

21 Next slide, please.

22 LD 17, suburban-to-urban district. This  
23 would be one of the new influenced area --  
24 influenced Hispanic districts with respect to the  
25 Voting Rights Act at 38-plus percent Hispanic VAP

1 with areas and boundaries within North Tempe, ASU,  
2 and Phoenix, also referred to by some as the  
3 light-rail corridor district of Phoenix.

4           Again, these have shared interests. Of  
5 note, I grew up in Tempe, so I'm very familiar with  
6 it. And there is a distinct difference socially,  
7 economically, culturally, perhaps, with respect to  
8 an area north of Broadway versus south of Broadway,  
9 which is why that line is drawn. And also as we  
10 address LD 20, there's other reasons why, which I'll  
11 come to in a moment.

12           Next slide, please.

13           LD 18, again, is a suburban West Mesa  
14 district in the East Valley. One of the new Voting  
15 Rights Act-influenced districts, 32-plus percent.

16           So basically it's a West Mesa district  
17 but also is fully contained within Mesa itself,  
18 reflecting city of Mesa shared communities of value  
19 as well as the city of Mesa city boundaries.

20           Next slide.

21           LD 19, suburban East Mesa district of the  
22 East Valley, reflecting the city Mesa shared  
23 communities and, again, interests -- shared  
24 communities of interest.

25           Next slide, please.

1           And that goes to the Pinal County line on  
2 the east side.

3           District 20, a suburban East Valley  
4 district. Of note, there is the hard stop  
5 geographically of South Mountain down in the lower  
6 southwest area of the district.

7           South of the district you have the Native  
8 American tribes, which is a hard stop as far as it  
9 would be unlike communities of interest.

10           Chandler was chosen as a stop. Excuse  
11 me, there is West Chandler, but the 101 was chosen  
12 as an eastern boundary and this district -- also  
13 when the arizonaredistricting.com website was  
14 available, we were able to use that for a time to  
15 create what they considered to be a balance, you  
16 know, competitive district, almost a perfect 50/50  
17 split. Another reason why those boundaries were  
18 chosen.

19           So I believe they used the governor's  
20 race as a criteria for competitiveness. Again, we  
21 would have loved to have done that with all of the  
22 districts, but due to the technical issues, we  
23 weren't able to do that with the current Maptitude  
24 software.

25           Next slide, please.

1           LD 21, this is a suburban Chandler, Sun  
2 Lakes district of the East Valley. There has been  
3 lots of testimony given with regard to Sun Lakes and  
4 Chandler being very tight-knit related communities  
5 and also that Sun Lakes is kept within Maricopa  
6 County inasmuch as it is governed by -- it is a  
7 county island and not governed by a particular  
8 municipality and would not have things in common  
9 with the communities off the Pinal County area or  
10 the Indian reservation.

11           The boundaries on the east would reflect  
12 the Chandler, Gilbert, that diagonal line going  
13 north down southeasterly to the county line. Again,  
14 that reflects the city boundaries between Chandler  
15 and Gilbert.

16           Next slide, please.

17           LD 22, this is almost entirely  
18 encompassing the town of Gilbert. There's a few  
19 items which are -- to make populations work, were  
20 moved down to the very south. There was some  
21 irrigation districts which made more sense to go  
22 with a more rural LD 23.

23           Also the Higley school district, the  
24 people I have talked to there consider that to  
25 belong more to a Gilbert as opposed to do Queen

1 Creek community.

2 Next slide, please.

3 LD 23, again this is suburban/rural East  
4 Valley district comprising parts of Mesa, the town  
5 of Queen Creek, San Tan Valley, Gold Canyon, and  
6 Queen Valley as well as other farming areas.

7 This seemed to be a balance between what  
8 would be going into Pinal County, again recognizing  
9 that it does cross the county line there.

10 But again, you do things to the extent  
11 practicable. And based on the individuals I spoke  
12 with, San Tan Valley and Queen Creek, in particular,  
13 have a very strong community of interest. Much as  
14 San Tan's population is actually rooted originally  
15 in areas of the East Valley when they moved out  
16 there. So they do share a very strong a correlation  
17 and tie with the East Valley cities.

18 Next slide, please.

19 LD 24, this is a Yuma district. A lot of  
20 farming communities. Particular emphasis was to  
21 make sure that Gila Bend and Yuma were joined  
22 together.

23 Gila -- this also is a Voting Rights Act,  
24 minority-majority district at 51-plus percent  
25 Hispanic VAP. This would be a shift, but according

1 to -- a shift in where the Voting Rights Act  
2 districts are located in the previous maps, they  
3 were all located in Phoenix, the ones that were  
4 above 50 percent.

5 But according to the August 22nd  
6 testimony, one of the consultants from the -- he  
7 used to work for the Justice Department, my  
8 recollection is that he said as long as there's no  
9 retrogression within the state as a whole, that the  
10 various districts were allowed to move about, as  
11 long as it wasn't retrogression overall.

12 Next slide, please.

13 25, again, this is a mostly rural  
14 district. There is a large amount of -- it's a  
15 funny-looking district. It's also similar to that  
16 same district in the 2004 map.

17 There was an emphasis to include the  
18 Tohono O'odham Nation, the Ak-Chin, the Gila River,  
19 Pascua Yaqui tribes all together in that district so  
20 that they could have a common voice along with some  
21 of those areas in Cochise County that you're  
22 familiar with, Douglas, Benson, also Nogales down in  
23 south of Santa Cruz County.

24 Next slide, please.

25 LD 26, this was the suburban/rural Tucson

1 district. Again, reflecting common communities of  
2 interest, Oro Valley, Catalina, Marana, and  
3 Saddlebrooke, as well as some of the traditional  
4 copper corridor towns of Oracle, San Manuel, and  
5 Mammoth, again, to make the population numbers work  
6 correctly.

7 Next slide, please.

8 27, a suburban/rural Tucson district with  
9 a borderline Voting Rights Act minority influence at  
10 48 percent. Upon doing a bivariate analysis of the  
11 voting in those areas, you might find that that  
12 actually does have sufficient voting -- or, excuse  
13 me, Hispanic voting-age population to elect a  
14 candidate of choice. And we hope to provide that  
15 analysis shortly.

16 This district also would include as  
17 common areas the Tucson Estates area and Drexel  
18 Heights areas.

19 District 28. Next slide, please.

20 This is a Central -- Tucson central area  
21 that reflects the common areas of Catalina  
22 Foothills, the University of Arizona, Casas Adobes,  
23 and the -- what's recognized as the Central Tucson  
24 area within Tucson.

25 Next slide, please.

1           29 is a suburban/rural Tucson district.  
2 Again, a borderline Voting Rights Act minority  
3 influenced/minority-majority district at 47 percent  
4 Hispanic voting-age population and it contains the  
5 areas of Tucson Estates and Drexel Heights. I  
6 believe I said that correctly.

7           No, I'm sorry, that's a misspeak. That  
8 would be LD 27 has those two areas.

9           Next slide, please.

10           LD 30, finally, again, is a  
11 rural/suburban area. And this district contains the  
12 communities of interest of Sahuarita, Green Valley,  
13 Sierra Vista, Davis-Monthan Air Force Base,  
14 Ronjerita, Fort Huachuca, as well as the communities  
15 of -- near the Saguaro National Park and those areas  
16 that border -- or those communities that border that  
17 area of Saguaro National Park.

18           That is the presentation. I am not sure  
19 actually per the agenda whether or not you're  
20 allowed to address me with questions at this point.

21           VICE CHAIR HERRERA: Madame Chair.

22           CHAIRPERSON MATHIS: We can.

23           Mr. Herrera.

24           VICE CHAIR HERRERA: Is there a way we  
25 could find out who makes up your coalition?

1           DAVID BUSHMAN: I could ask the various  
2 members if they would be comfortable with me  
3 divulging who they are. I would simply have to ask.  
4 They are all individual persons such as myself.

5           VICE CHAIR HERRERA: I would like for you  
6 to ask them. I would love to see who is part of  
7 this coalition.

8           DAVID BUSHMAN: I'll ask and I'll forward  
9 that to you.

10          VICE CHAIR HERRERA: And you can get in  
11 touch with us through Mr. Bladine. I would  
12 appreciate that.

13          DAVID BUSHMAN: Very well.

14          CHAIRPERSON MATHIS: Any other questions  
15 for Mr. Bushman or comments?

16          VICE CHAIR FREEMAN: Do we have the shape  
17 files for these maps so we can do our own analysis?

18          DAVID BUSHMAN: Yes, commissioner, I did  
19 submit it through the Maptitude online -- the  
20 submission portion. So those are submitted and  
21 hopefully some of the data that you are able to  
22 generate from those shape files you can generate  
23 some of the other reports that I was not able to  
24 generate.

25          VICE CHAIR HERRERA: Madame Chair.

1 CHAIRPERSON MATHIS: Mr. Herrera.

2 VICE CHAIR HERRERA: Just A quick  
3 question for Mr. Desmond about the issues that Mr.  
4 Bushman is having with the competitiveness model  
5 using Maptitude.

6 Is that something that we're  
7 experiencing?

8 WILLIE DESMOND: Mr. Bushman was very  
9 generous reaching out to us and helping you work  
10 through some of the issues that they have  
11 encountered.

12 Part of the issue is that for your  
13 Maptitude, we're able to use different denominators  
14 to form percentages.

15 I believe the Maptitude online defaults  
16 to just using total population when you're using  
17 some of the different race -- not -- like using some  
18 of different election race data. You don't want to  
19 use population as the denominator to form a  
20 percentage of Democrat or Republican. You want to  
21 use a total of both. And I believe that's some of  
22 the issue.

23 We're trying to find a work-around.

24 There was also an issue with contiguity  
25 that was pointed out by -- I don't know if it was

1 Mr. Bushman or someone else. I think we found a  
2 patch for that.

3 So Brad in our office has been very, very  
4 active on a daily basis handling different issues,  
5 uploading new initial starting plans, working with  
6 people such as Mr. Bushman to rectify some of these  
7 issues. And it's kind of an ongoing basis as they  
8 come up.

9 Some of them we've been able to find  
10 work-around, some of them are just unfortunate  
11 limitations on an online system that doesn't have  
12 the full capabilities of Maptitude.

13 DAVID BUSHMAN: Madame Chair.

14 CHAIRPERSON MATHIS: Mr. Bushman.

15 DAVID BUSHMAN: Some of those -- I am  
16 pleased to announce the ability to find  
17 noncontiguous areas have been resolved as of today.  
18 I cleaned them all up. So that was very pleasing to  
19 me.

20 It appears that some of the new -- when  
21 Maptitude online went on, became online, I was  
22 immediately using files. And what I have noticed is  
23 that maps that have been created subsequent to the  
24 initial release seemed to calculate the various  
25 ethnic voting-age populations correctly -- or

1 percentages, whereas the file version that I have  
2 does not.

3 I proposed that it was -- that my shape  
4 files basically be pulled off and reapplied to a new  
5 template. That way the voting-age percentage can  
6 be -- for the various ethnicities could be  
7 calculated correctly.

8 As it was, I had to calculate those  
9 manually using a variety of other techniques made  
10 available to me through other sources.

11 CHAIRPERSON MATHIS: Any other --

12 Mr. Herrera.

13 VICE CHAIR HERRERA: One last question.

14 Did any -- did you work with any of the  
15 minority groups to form this map at all?

16 DAVID BUSHMAN: I did not. I did reach  
17 out to Senator Gallardo. I spoke with him very  
18 briefly expressing interest in doing that. I had  
19 not heard back from him since that time. I would  
20 have loved to have worked with them, but I never  
21 heard back from him.

22 So fully recognizing that it's just a  
23 matter of the law, we have to have minority Voting  
24 Rights Act, compliant districts, and so to the  
25 greatest extent possible, I tried to do those. And

1 much to my surprise, I was able to create 11, and  
2 that's ranging from 30 to 61 percent.

3 CHAIRPERSON MATHIS: Any other questions  
4 or comments?

5 Well, I would just say that was an  
6 impressive presentation. Thank you very --

7 DAVID BUSHMAN: Thank you for allowing me  
8 the time, Madame Chair.

9 CHAIRPERSON MATHIS: I don't know if  
10 you're an Independent, but I could use another  
11 Independent on the Commission. It's not up to me to  
12 increase the size of the Commission, but if you  
13 wanted to join us, you could.

14 DAVID BUSHMAN: Thank you for the offer.

15 CHAIRPERSON MATHIS: All right. Thanks a  
16 lot.

17 VICE CHAIR HERRERA: Madame Chair.

18 CHAIRPERSON MATHIS: Mr. Herrera.

19 VICE CHAIR HERRERA: Just to reiterate, I  
20 would like to see who makes up the coalition of the  
21 -- I'm serious about that. I loved the  
22 presentation, but I would like to see who is in the  
23 coalition. That's something we've been asking --  
24 I've been asking people when they present when they  
25 say they are part of a coalition.

1           DAVID BUSHMAN:  And I have asked --  
2  Madame Chair, I have asked members of my informal  
3  coalition, do we give ourselves a name at some point  
4  to give us more weight.  That's why I asked at the  
5  beginning of the presentation if this map with my  
6  name, while I believe it's going to be put under a  
7  citizen submission area of the website, that it be  
8  given equal consideration as well as the Arizona  
9  Redistricting Coalition and the Minority Coalition.

10           I believe it is that very reasonable  
11  balance between all of the different requirements  
12  showing that basically all sides can be satisfied to  
13  a large degree.

14           VICE CHAIR HERRERA:  Madame Chair.

15           CHAIRPERSON MATHIS:  Mr. Herrera.

16           VICE CHAIR HERRERA:  The reason we give  
17  those organizations the -- just I guess a separation  
18  in terms of individual versus organizational maps  
19  that are submitted, because they've submitted to us  
20  who makes up that organization.  At least that's to  
21  the best my knowledge.  That's -- I could be wrong,  
22  but I think that's been the reasons why we name them  
23  or distinguish them as opposed to an individual.

24           DAVID BUSHMAN:  And, Madame Chair, I  
25  would be happy to give ourselves a name if that

1 would help improve the process.

2 CHAIRPERSON MATHIS: Thank you very much.

3 VICE CHAIR HERRERA: Thank you.

4 CHAIRPERSON MATHIS: No other questions?

5 VICE CHAIR FREEMAN: Thank you.

6 CHAIRPERSON MATHIS: Our next speaker is  
7 Ken Clark, co-chair for Arizona Competitive  
8 Districts Coalition from Phoenix.

9 KEN CLARK: Madame Chair, members, thank  
10 you. You couldn't have put me in a better order. I  
11 really want to commend Mr. Bushman.

12 He approached me once a couple months ago  
13 and said what's the future of your online mapping  
14 tool? And at the time we didn't know, and I'm  
15 thrilled to see that despite the unfortunate  
16 nonadoption of the mapping tool by the Commission,  
17 they were able to revive.

18 We have 500-some people who were starting  
19 to work on maps who then had to start all over again  
20 because they couldn't import their data files into  
21 Maptitude.

22 And I was thrilled to see -- this is a  
23 surprise to me. I was thrilled to see his  
24 presentation. This is exactly what we were hoping  
25 would happen.

1 I know that you are frustrated with  
2 people coming to you and speaking in generic terms,  
3 we want this or that, you need specificity.

4 And whatever we only ever hopped for with  
5 any mapping tool would be that it would be a  
6 generator of ideas and a possible generator of  
7 ideas.

8 So it looks like despite the roadblocks,  
9 they were able to do that. I don't know if they --  
10 we would agree with them about how many competitive  
11 districts they have created. That's a very  
12 unfortunate problem with Maptitude. It doesn't tell  
13 you -- it doesn't give a good measure of  
14 competition.

15 But -- and I think that would probably be  
16 in his presentation, were you able to do that.

17 So back to the comments I was going to  
18 make, I want to congratulate you on getting to the  
19 point in the process where you now have, well, three  
20 competitiveness districts from the congressional  
21 map. It could have been worse, and we still believe  
22 it could be better.

23 We are not in the role of making specific  
24 map contributions. We are in the role of just  
25 staying on message about competition.

1           But we would -- falling back on our  
2 previous comment, encourage you to push the adoption  
3 very quickly into the Maptitude online interface of  
4 JudgeIt or some similar algorithm that shows some  
5 measure of competition into the mapping tool as  
6 possible.

7           Now is the perfect time because you got  
8 draft maps and you're going to be looking for 30  
9 days of public comment.

10           This is exactly when we hope people will  
11 get on and make very specific suggestions about what  
12 they would like to see differently. That's where  
13 this idea generator comes in.

14           We proved with our mapping contest that  
15 it is possible to do four, and some people had five  
16 competitive districts in the state. We still think  
17 that's possible. We think you've done an admirable  
18 job, certainly bridging differences, but we hope  
19 that you'll look to the public, like Mr. Bushman and  
20 others to see what ideas they can create.

21           That's the idea of crowdsourcing and  
22 using the technology that we have not had before.

23           The legislative maps, the best one that I  
24 saw was 8a option 2, which had only four competitive  
25 districts. And that's very -- that concerns us

1 quite a bit. Again, we hoped that the adoption of  
2 JudgeIt or some other algorithm for that purpose  
3 will help.

4 Let me say something about  
5 competitiveness in terms of mapping tools.

6 We know that there's a problem with  
7 measuring competitiveness based on just the voting  
8 registration. Do you measure folks if they are --  
9 if they haven't voted for awhile? What do you do  
10 with active and inactivate voting registrations?

11 There's also problems inherently in  
12 measuring competition based on performance. Which  
13 years do you use? Which elections do you use?

14 But JudgeIt is used all over the country.  
15 We think it's a very good measure. You can put both  
16 of those measures side by side. In the reports that  
17 we've seen on each of these maps, I'm not sure where  
18 that competitiveness measure comes from. And I  
19 think it would be helpful to the public to be able  
20 to see that, again, certainly through the mapping  
21 tool.

22 I want to end just by pointing out there  
23 has been a lot of back and forth on whether  
24 competition should be last in the list or how you  
25 weight that. And I'm going to quote again the

1 Supreme Court ruling.

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

8           That means it is not last. It's not  
9 first, but it's not last. It is coequal with the  
10 four criteria that come after the first two.

11           And we believe that after all of the  
12 submissions that have been made and will be made, if  
13 the Commission ends up with fewer competitive  
14 districts than we have proven could be out there, it  
15 opens the Commission up for a lawsuit from yet  
16 another direction. We hope there won't be lawsuits,  
17 but we think that that could happen and we would  
18 hate to see that happen.

19           But in general, we're happy to see the  
20 direction you're going. Again, we hope that you can  
21 involve the public through the mapping tool and help  
22 them help you generate ideas.

23           Thank you.

24           CHAIRPERSON MATHIS: Thank you.

25           Our next speaker is Leonard Gorman,

1 executive director from Navajo Nation Human Rights  
2 Commission.

3 LEONARD GORMAN: Good evening, members of  
4 the Commission.

5 Thank you for the opportunity to address  
6 the Commission this evening.

7 My name is Leonard Gorman, G-o-r-m-a-n.  
8 First name Leonard, L-e-o-n-a-r-d.

9 And we express from the Navajo Nation  
10 thank you to the Commission to having made a  
11 decision on the congressional district and that we  
12 are going to be on our way over to further  
13 formulating recommendations as you go out to the  
14 state of Arizona securing public comments.

15 With regards to the legislative districts  
16 and also the congressional districts, Navajo Nation  
17 and Navajo people find itself to try and address the  
18 history not only in the state of Arizona but also  
19 the United States of America. And I think that's  
20 the most fundamental challenge to the Navajo people  
21 all the time and perhaps as also similarly a  
22 fundamental challenge to the Indigenous peoples in  
23 the United States.

24 Let me just read you a little piece of  
25 the U.S. Constitution, 14 Section 2.

1           It reads: Representatives shall be  
2 apportioned among the several states according to  
3 their respective numbers, counting the whole number  
4 of persons in each state, excluding Indians not  
5 taxed.

6           This is the kind of history that the  
7 Navajo people, the Navajo Nation has had as a  
8 challenge for a long, long time. And this is an  
9 issue that Navajo Nation believes it's its  
10 responsibility to convey not only to this group  
11 here, but to the citizens of the state of Arizona,  
12 to the citizens of the United States America, and to  
13 world community that we want to be understood. We  
14 don't want to be the most dismissed and the least  
15 understood anymore.

16           And I think that's our -- part of our  
17 objective, ensuring that our voice, the people, the  
18 Navajo people's voting voice is appropriately  
19 conveyed in these types of forums.

20           So as this challenge is something that  
21 the Navajo Nation wishes to address as a part of --  
22 as a citizen of the state of Arizona, and mind you,  
23 the Navajo people, we have found ourselves being  
24 challenged often and often by the states. And as  
25 recent as 40 years ago, my people, citizens of the

1 Navajo Nation, were discouraged from voting in state  
2 elections, in county legislations.

3           The state of Arizona made its opportunity  
4 to ensure that the first peoples of this nation have  
5 less opportunity to vote.

6           The state of Arizona has imposed the idea  
7 that for a person to vote, to cast a ballot, you  
8 must be able to read the English language.

9           The Navajo people at that time had not  
10 had the opportunity to learn to speak the English  
11 language and were prohibited from casting a ballot  
12 because of that reason. To this day, I find myself  
13 having the same challenges, perhaps they are  
14 different in a variety of respects.

15           Again, in this meeting I find information  
16 that Navajo is still not understood. The most often  
17 frame that's being presented is that Navajo is over  
18 there, we are over here, which is the reason why the  
19 Navajo Nation Council established the office of the  
20 Navajo Nation Human Rights Commission to examine  
21 these issues that exist off the Navajo Nation, in  
22 particular in the border towns.

23           The explanation has been presented  
24 earlier today. I must say that, yes, we do have  
25 federally-funded schools on Navajo Nation; however,

1 we do have private schools.

2 My kids went and are going to school at a  
3 private school on the Navajo Nation. They are not  
4 going to a state-funded school. They are not going  
5 to a federally-funded school. There's diversity of  
6 schools on the Navajo Nation that our Navajo  
7 children attend.

8 Predominantly our Navajo children go to  
9 state-funded schools. Over \$700 million, only on  
10 the Navajo Nation/Arizona side, that's the amount of  
11 funds that are funneled on to the Navajo Nation  
12 lands by state-funded schools.

13 So the iteration that Navajo has BIA  
14 rather the state-funded school system, I must say  
15 that Navajo also enjoys the opportunities that are  
16 provided by the state-funded school on the Navajo  
17 Nation.

18 Navajo students attend in dominant  
19 numbers in the border town school system. The  
20 Flagstaff school district, the Winslow school  
21 district, the Holbrook school district. Navajo  
22 students make up a predominant number in these  
23 school districts.

24 Navajo has actually sued the Holbrook  
25 school district because there was an exercise that

1 was carried on that Navajo people believed was  
2 inappropriate.

3 We prevailed with a consent decree in  
4 which now there are five districts in that school.  
5 Before it was at large. Navajo could never have the  
6 opportunity to elect a member of the school  
7 district. Now we do.

8 So I think that's where Navajo has taken  
9 on as an issue to explain not only to Arizona  
10 citizens, United States citizens, but also to the  
11 world community that this is the Navajo people. We  
12 have these kinds of rights and they are recognized  
13 worldwide.

14 And that's the role that Navajo Nation  
15 has taken on through my office, the Navajo Human  
16 Rights Commission.

17 So bringing this matter to the local  
18 issue, the legislative district, Navajo has put  
19 forward the primary interests of community of  
20 interest.

21 I've seen and I've heard you deliberate.  
22 Census places, demarcated areas. I've seen many  
23 varieties of colors on your maps.

24 Navajo also has demarcated areas, clearly  
25 prescribed boundaries of lands in which Navajo has

1 very special interests in these lands, just like the  
2 community in the city census place of Tempe, Tucson,  
3 Yuma, Flagstaff.

4 Navajo has invested time and opportunity  
5 to purchase lands that were lost from the past. I  
6 think genuine list of the Navajo people and Navajo  
7 Nation is to ensure that certain areas of interest  
8 are protected for future generations, not just a  
9 ten-year time frame.

10 So sacred sites. Sacred sites for Navajo  
11 people and Indigenous peoples in the state of  
12 Arizona is something that you can't put a value on.  
13 You can't put a value on -- a what is the number of  
14 Democrats, Republicans, and Independents for that  
15 purpose. It doesn't.

16 Lands that are purchased off the Navajo  
17 nation, Big Boquillas Ranch, Espil Ranch. And I  
18 don't pretend or intend to even speak for the Hopi  
19 Nation. They've also expressed similar concerns.

20 So there is and there are specific  
21 intentions to ensure that land holdings that were  
22 once traditional lands of Indigenous peoples are  
23 appropriate and just.

24 People talk about economic development,  
25 commerce, and how it's different from the Navajo

1 Nation versus the border towns. And even the  
2 hospital, the health care facilities.

3 We are often misunderstood as first  
4 peoples of this United States that we don't pay  
5 taxes. We pay taxes.

6 As I am staying here in this community, I  
7 am paying taxes. I am not exempt as a Navajo person  
8 at all.

9 Properties that Navajo individuals hold  
10 off the Navajo Nation, they pay taxes. Land  
11 holdings that the Navajo Nation has off the Navajo  
12 Nation, Navajo Nation pays taxes on those  
13 properties.

14 Hospital issues. Yes, predominantly  
15 federally funded on the Navajo Nation.

16 You've seen me limp up to this podium  
17 many a time. There's a reasonable why I limp.

18 I got very good health care in the city  
19 of Flagstaff. Because I was injured, I went to the  
20 Flagstaff Medical Center and that's where I was  
21 attended by physicians. And here I am. I'm  
22 improving.

23 So I as a person, a citizen of the Navajo  
24 Nation put a lot of value in the opportunity that  
25 exists in the city of Flagstaff.

1           These are long-term assets and  
2 investments the Navajo Nation looks at, not just on  
3 a ten-year period. And the fluctuation of the  
4 society from a Democratic party to a Republican  
5 party or Independent party. And that's the primary  
6 reason why Navajo Nation has iterated many times  
7 that competitiveness is not a priority for Navajo.

8           Some of the difficulties that Navajo  
9 people face today as elections happen, one is the  
10 precinct lines that the state uses is not in  
11 conformity with the Navajo Nation's political  
12 precinct lines.

13           So the result of that is that a lot of  
14 Navajos are disenfranchised in voting. You will  
15 find many a place where the precinct lines and what  
16 we call the chapter boundaries are not in sync.  
17 There will be a pocket of population that will vote  
18 in a chapter at a different location and then for  
19 the state election, they would have to go to a  
20 different location to vote over there because of the  
21 way that the whole system is constructed.

22           Apache County has actually told my office  
23 we see that and we understand it. In the last  
24 election, we believe 800 to a thousand Navajos in  
25 Apache County were left out because of the way the

1 system exists.

2           So that's a real critical issue when you  
3 look at voter performance. Voter performance is  
4 also very critical on the grounds.

5           Transportation is a problem on the Navajo  
6 Nation. People talk about transportation corridor.  
7 We have dirt road corridors on the Navajo Nation.  
8 And that's a critical concern.

9           Language issues. As I have mentioned,  
10 one of the critical concerns that we had to overcome  
11 is the fact that there was a requirement that a  
12 person that is casting a ballot must be able to read  
13 the ballot in the English language. We had pressed  
14 and pressed and pressed the counties to ensure that  
15 there is language made available to the Navajo  
16 people.

17           We've come a long ways on that issue but  
18 we still have a long ways to go on that concern.

19           So when grandma goes out to vote, grandpa  
20 goes out to vote, more often that they would need  
21 language services. And that's a critical concern  
22 for the Navajo Nation.

23           So when I see the efforts that you have  
24 been putting forward at ensuring that the census  
25 places, the towns and communities are appropriately

1 addressed and are not divided or placed in one  
2 district, please treat the Navajo Nation's request  
3 as a land area in the same manner.

4           We have demarcated areas off the Navajo  
5 Nation. We have a tremendous amount of land just  
6 northeast of Winslow. It's called Winslow Tract.  
7 The Hopis -- as I indicated, I'm not speaking for  
8 the Hopi Nation, but also has lands south and west  
9 of Winslow. They have a strong interest.

10           So we hope that in the near future we  
11 would have an opportunity to further discuss as we  
12 have done in the past couple of months in preparing  
13 for these presentations to you.

14           We have engaged the community of  
15 Flagstaff, the folks from the west side, the  
16 Hualapais, the Hopis, the Apaches to try and come up  
17 with a unison position and we have had the  
18 opportunity to make all of these discussions and we  
19 thought we were coming in together in unison at the  
20 last meeting that we had on July 20, 2011 in Window  
21 Rock.

22           And that meeting, in our opinion,  
23 precipitated the map that we had submitted to you  
24 many a time in which we have made it an effort to  
25 raise the Native American voting age to 62 percent.

1           And we see that as a very good  
2 opportunity for Navajo voters on the Navajo Nation  
3 to ensure that they elect who they believe would  
4 best respect their interests.

5           Thank you for listening to me.

6           CHAIRPERSON MATHIS: Thank you.

7           Our next and last speaker is Randall  
8 Holmes, representing self from Tempe.

9           RANDALL HOLMES: Hi, folks.

10          Pardon me. I just have to show up every  
11 couple of weeks to reiterate what I have said  
12 before. I don't want you to forget that those of us  
13 who have supported you and your work and defended  
14 your independence and integrity against attacks from  
15 ideological and business interests masquerading as  
16 ideological interests, masquerading as communities  
17 of interest.

18          A friend of mine here today just reminded  
19 me that a lot of these communities of interest are  
20 not what they pretend to be interested in. They are  
21 masquerading as legitimate communities of interest  
22 when they have ulterior motives.

23          I have to reiterate that I represent the  
24 grand community of interest, the people of Arizona.  
25 The people that voted for clean elections. The

1 people that voted for the Independent Redistricting  
2 Commission. The people that wanted to take the  
3 redistricting process out of the hands of special  
4 interests and political operatives. And that's the  
5 community of interest I represent.

6 I live here in the city of Tempe, and I  
7 would prefer that Tempe be sliced into five  
8 different districts and have five different  
9 legislators in the federal as well as the state  
10 legislator who have to compete for my vote rather  
11 than one legislator in a safe district that takes my  
12 vote for granted that doesn't really represent me.  
13 And that's my community of interest.

14 I'm so glad to see Ken Clark here today,  
15 and I'm so glad to hear a couple of you mention  
16 using the mapping tool that was commissioned by the  
17 Arizona Competitive Districts Coalition.

18 It is -- I'm not enough of a geek to  
19 know, but I understand that it's slight -- it has a  
20 lot of advantages over Maptitude as far as getting  
21 down to the granularity of competitiveness and past  
22 performance -- is that the word -- not just -- as  
23 has been said, it's not just about voter  
24 registration, the political party, it's about actual  
25 turnout and performance in past elections.

1 I'm glad we're looking at the '08 and the  
2 '10 election rather than previous elections. We  
3 seem to have two big partisan waves that sort of  
4 cancel each other out. Maybe if we take an average  
5 of the performance in those two elections, we might  
6 get somewhere close to reality.

7 But if we don't have competitive  
8 districts, we don't have democracy. And we  
9 absolutely have to have democracy, otherwise there  
10 are no communities of interest that will be served.

11 And thanks for your time.

12 CHAIRPERSON MATHIS: Thank you very much.

13 That concludes public comment.

14 Thank you all for coming out and talking  
15 to us today.

16 We have one more item on the agenda, item  
17 6, report legal advice and direction to counsel  
18 regarding Attorney General inquiry. The Commission  
19 may vote to go into executive session and will not  
20 be open to the public for the purpose of obtaining  
21 legal advice and providing direction to counsel.

22 So with that, Mr. Kanefield.

23 JOE KANEFIELD: Madame Chair, members of  
24 the Commission, allow me to provide you a brief  
25 update on what occurred this morning in court.

1           This morning Judge Fink, Maricopa County  
2 Superior Court, held a return hearing in State v.  
3 Mathis. This is the lawsuit brought by Attorney  
4 General Tom Horne against the three individual  
5 commissioners to enforce his investigative demands  
6 as part of his open meeting law inquiry.

7           It was a 15-minute return hearing, which  
8 really meant it was a scheduling hearing. There  
9 were a few additional developments that occurred.

10           As you know, we -- the Commission  
11 instructed us to file a separate action, which is  
12 called AIRC versus Horne, raising the constitutional  
13 issues. That was a separate lawsuit.

14           We also moved to consolidate. The  
15 Attorney General opposed -- filed a motion in  
16 opposition to the motion to consolidate.

17           So we suspected that that would be  
18 brought up this morning, and it was.

19           In addition, on the other case, on the  
20 State versus Mathis case, there was a motion to  
21 disqualify the Attorney General as counsel filed by  
22 the -- Commissioner McNulty's counsel and joined in  
23 by Commissioner Herrera and Commissioner Mathis's  
24 counsel. So that was filed also.

25           The judge scheduled a briefing for the --

1 well, first the judge granted the motion to  
2 consolidate over the objection to the Attorney  
3 General. So the two cases are now essentially one,  
4 although they are two -- captioned as two separate  
5 matters, they will be heard in the same proceeding.

6 With respect to the motion to disqualify  
7 the Attorney General, the judge asked that the --  
8 well, the Attorney General has already filed his  
9 response to that motion to disqualify.

10 So he filed it this morning. He  
11 obviously was anticipating that it may be filed. So  
12 there's already a motion to disqualify in response.

13 The judge asked for the reply brief to be  
14 filed by October 11th. He's scheduled oral argument  
15 to be heard on the motion to disqualify the Attorney  
16 General for October 14th at 1:30.

17 With respect to the other case, the AIRC  
18 versus Horne on the constitutional issues, the  
19 Attorney General has moved to dismiss that case on  
20 standing grounds. He's essentially arguing that the  
21 Commission doesn't have standing to bring the  
22 action. That its standing is limited to defending  
23 its maps and asking for more money, essentially  
24 which is how he reads the Constitution.

25 Obviously, we'll respond to that motion.

1           The timeline for that process is we will  
2 respond on October 18th. We will also file a cross  
3 motion for summary judgment on the constitutional  
4 issues.

5           The Attorney General will then be able to  
6 reply October 25th and then the oral argument will  
7 take place on November 7th at 2:30 p.m. in that  
8 case.

9           The only other issue that we needed to  
10 address with you, as part of the motion to  
11 disqualify the Attorney General, counsel for the  
12 three named commissioners have asked for a complete  
13 copy of the Attorney General's file regarding its  
14 representation of the Commission and the individual  
15 commissioners.

16           The Attorney General indicated that he  
17 will not provide that information unless the  
18 Commission waives its attorney/client privilege.

19           So what we would suggest at this point is  
20 that the Commission go into executive session so we  
21 can advise you with respect to that request for  
22 waiver.

23           CHAIRPERSON MATHIS: So I have a  
24 question.

25           If these cases State v. Mathis and AIRC

1 versus Horne have been consolidated, what is it  
2 called now?

3 JOE KANEFIELD: They are consolidated  
4 under the first filed suit. So the case will be  
5 known as State v Mathis.

6 Sorry, Madame Chair.

7 CHAIRPERSON MATHIS: Thanks.

8 JOE KANEFIELD: But the case will be  
9 captioned in every pleading with both cases in the  
10 caption.

11 CHAIRPERSON MATHIS: All right.

12 Any other questions for counsel?

13 COMMISSIONER MCNULTY: Are you requesting  
14 that we go into executive session?

15 I'll move that we go to executive session  
16 for the purpose of obtaining legal advice and giving  
17 direction to counsel.

18 VICE CHAIR HERRERA: I second that.

19 CHAIRPERSON MATHIS: Any discussion?

20 All in favor?

21 ("Aye.")

22 CHAIRPERSON MATHIS: Any opposed?

23 Okay. We will go into executive session.

24 For now we'll end public session. The  
25 time is 7:21. And once the public clears out we'll

1 enter executive.

2 Thank you.

3 (Whereupon the public session recessed  
4 and executive session ensued.)

5

6 \* \* \* \* \*

7

8 (There was no discussion during executive  
9 session and the matter was tabled to the next  
10 meeting.)

11 (Mr. Stertz was no longer present.)

12 (Whereupon the public session resumes.)

13 CHAIRPERSON MATHIS: Okay. The time is  
14 7:43 p.m. We'll enter back into public session.

15 There is one item from agenda item 2  
16 today that needs addressing with regard to our  
17 approval of the draft congressional map.

18 There's one small census block with zero  
19 population and .001 square miles in size and it's in  
20 Cochise County.

21 And without objection, I would authorize  
22 our mapping consultant to clean that up so it's gone  
23 and he'll upload that file to our website as soon as  
24 that cleanup has been accomplished.

25 VICE CHAIR HERRERA: Okay.

1           JOE KANEFIELD:  Madame Chair, I think  
2 that can be done without objection.

3           CHAIRPERSON MATHIS:  Okay.

4           Hearing no objection, that passes.

5           So, yes, you are authorized to clean up  
6 that census block and then put that up on the  
7 website as soon as possible.

8           WILLIE DESMOND:  Okay.  The draft map  
9 will have that -- reflect that one little change.  
10 And it's zero population, .001 square miles.  It's  
11 really bugging me.

12          CHAIRPERSON MATHIS:  Okay.  All right.

13          Thank you, and with that, the time is  
14 7:45 and this meeting is adjourned.

15          Thank you.

16          (The meeting adjourned at 7:45 p.m.)  
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I, MICHELLE D. ELAM, Certified Reporter  
No. 50637 for the State of Arizona, do hereby  
certify that the foregoing 310 printed pages  
constitute a full, true, and accurate transcript of  
the proceedings had in the foregoing matter, all  
done to the best of my skill and ability.

WITNESS my hand this 21st day of October,  
2011.

-----  
MICHELLE D. ELAM  
Certified Reporter  
Certificate No. 50637