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C E R T I F I C A T E

I, SUE E. GARCIA, a Certified Court Reporter in and for the State of Washington, residing at Tacoma, authorized to administer oaths and affirmations pursuant to RCW 5.28.010, do hereby certify:

That the foregoing proceedings were taken before me on the 14th of October, 2011, and thereafter transcribed by me by means of computer-aided transcription, that the transcript is a full, true, and complete transcript of said proceedings;

That I am not a relative, employee, attorney, or counsel of any party to this action or relative or employee of any such attorney or counsel, and I am not financially interested in the said action or the outcome thereof;

IN WITNESS WHEREOF, I have hereunto set my hand this October 28, 2011.


SUE E. GARCIA, CCR, RPR
WA Lic. No. 2781

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WASHINGTON STATE REDISTRICTING COMMISSION

SPECIAL MEETING

October 14, 2011

1063 Capitol Way South
Olympia, Washington

Taken Before:

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of
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APPEARANCES

- LURA POWELL - CHAIRWOMAN
- TOM HUFF - COMMISSIONER
- TIM CEIS - COMMISSIONER
- SLADE GORTON - COMMISSIONER
- DEAN FOSTER - COMMISSIONER
- RUSTY FALLIS - ASSISTANT ATTORNEY GENERAL
- GENEVIEVE O'SULLIVAN - OUTREACH COORDINATOR
- BONNIE BUNNING - EXECUTIVE DIRECTOR
- HEATHER BOE - EXECUTIVE ASSISTANT

NOTE: (As read) - paraphrased quote
(Indiscernible) = words heard but not understood
(phonetic) = phonetic spelling of name

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1 BE IT REMEMBERED that on Friday, October 14, 2011, at
2 11:30 a.m., at 1063 Capitol Way South, Olympia,
3 Washington, the following proceedings were had, to wit:

4
5 * * * * *

6
7 CHAIRWOMAN POWELL: Okay. Good morning.

8 Do I have to get this up closer or no? You're
9 okay? All right.

10 welcome to this meeting of the Washington State
11 Redistricting Commission. I would like to start with
12 introductions and let people introduce themselves
13 before we begin.

14 And my name is Lura Powell, and I am chair of the
15 Commission.

16 Commissioner Gorton, do you want to start with
17 introductions?

18 COMM. GORTON: Yes. Slade Gorton for the
19 Senate Republican appointee.

20 COMM. CEIS: Tim Ceis, the Senate Democrat
21 appointment.

22 COMM. HUFF: Tom Huff, the House appointee.

23 MS. O'SULLIVAN: Genevieve O'Sullivan,
24 communications director.

25 COMM. FOSTER: Dean Foster, the House

1 Democratic appointee.

2 COMM. HUFF: I guess I should have mentioned
3 Republican.

4 CHAIRWOMAN POWELL: Yes. Okay.

5 COMM. CEIS: Thought I had you.

6 CHAIRWOMAN POWELL: Like to start out this
7 meeting with asking for any additions or corrections to
8 the minutes of our meeting of October 11th.

9 COMM. FOSTER: I have a couple.

10 CHAIRWOMAN POWELL: Okay.

11 COMM. FOSTER: We really didn't have draft
12 congressional and legislative resolutions. What we had
13 were resolutions for the final congressional and
14 legislative plans.

15 CHAIRWOMAN POWELL: Okay. I'm sorry. Can
16 you just -- where are you?

17 COMM. FOSTER: Under Matters Pertaining to
18 Redistricting.

19 CHAIRWOMAN POWELL: Okay. And which
20 paragraph?

21 COMM. FOSTER: First paragraph.

22 CHAIRWOMAN POWELL: Okay.

23 COMM. FOSTER: We don't really have draft
24 congressional and legislative resolutions. What we
25 have are resolutions for final congressional and

1 legislative plans.

2 CHAIRWOMAN POWELL: Oh, okay.

3 COMM. FOSTER: And so I thought that
4 distinction ought to be made.

5 And then I -- I remember saying that -- I talked
6 about the purpose of Section 4 and what it does for the
7 Secretary of State and auditors. And if somebody could
8 look at that language, I think that ought to be there
9 just for clarification of what these resolutions are
10 about, especially Section 4 because Section 4 can
11 become real controversial real fast.

12 CHAIRWOMAN POWELL: Good point.

13 Heather, do you have those changes?

14 MS. BOE: Yes.

15 CHAIRWOMAN POWELL: Okay. Great.

16 Are there -- are there any other additions or
17 corrections to the minutes?

18 Can I hear a motion for approval as amended?

19 COMM. GORTON: Well, they haven't been
20 amended yet. I think you probably have to --

21 CHAIRWOMAN POWELL: Oh, I have to do the
22 amendment. You're correct.

23 COMM. GORTON: We have to do those, and --

24 COMM. CEIS: We can do them next meeting.

25 COMM. FOSTER: Let's make sure we get -- the

1 language, I think, is more important than adopting
2 this -- those minutes. So --

3 CHAIRWOMAN POWELL: Okay.

4 COMM. CEIS: Can we wait till next meeting?

5 CHAIRWOMAN POWELL: Sure. We can certainly
6 do that.

7 COMM. FOSTER: Absolutely.

8 CHAIRWOMAN POWELL: Okay. The next item of
9 business is matters pertaining to redistricting. And
10 we do have planned a presentation of two maps today.
11 And I don't know who the presenters are or if you've
12 decided amongst yourself which party goes first,
13 but . . .

14 COMM. GORTON: Well, they went first last
15 time. We should go first this time.

16 CHAIRWOMAN POWELL: Is that okay?

17 COMM. FOSTER: Sure.

18 CHAIRWOMAN POWELL: Okay. Great.

19 COMM. GORTON: The legislative-district
20 proposal that Commissioner Huff and I will propose meld
21 the September 13th proposals that the two of us have
22 but include some ideas that are taken from the maps of
23 our Democrat counterparts, best to follow the
24 constitutional and statutory requirements under which
25 we work. And the first of those, of course, is

1 population equality.

2 All of the districts in this map are within
3 one-tenth of 1 percent of the ideal population, a
4 somewhat smaller deviation than was the case in 2001.
5 I think most significantly it reduces by more than
6 two-thirds the number of cities smaller than a district
7 that are split from 49 now to 15, and, in fact, that's
8 fewer split cities than was the case in any of the four
9 original legislative maps.

10 Tom.

11 COMM. HUFF: Yep. Next one is we're
12 encouraging the electoral competition. We meet the
13 statutory requirement. We're using the 2008 governor's
14 race. Number of competitive districts is increased by
15 over 25 percent. And the legislative-district
16 continuity statewide, we continue with 76 percent of
17 the population that remains in the current district,
18 which means we're really protecting the constituents,
19 and that's important.

20 COMM. GORTON: Going through the sections of
21 the state on the map above, in the Spokane area this
22 was -- this is basically the Senate Republicans'
23 Spokane -- plans for Spokane. It creates more
24 competitive legislative districts. 3, 4, and 6 all
25 become closer to being 50:50. It does -- it splits

1 Spokane among -- the City of Spokane among four
2 legislative districts, but every suburban city
3 boundaries are within a single district.

4 COMM. HUFF: In the Yakima area we proposed
5 the House Democrat plan for legislative districts, 14
6 and 15 both. In the interest of combining the Democrat
7 and Republican plans into a final plan, we agree with
8 Commissioner Foster's original submission. And that
9 makes the 15th Legislative District as a majority-
10 minority legislative district and definitely has
11 Hispanic puerility, and, of course, it retains a good
12 share of its population in those districts.

13 COMM. GORTON: In the northwestern part of
14 the state, that focusing on District No. 42, this comes
15 from the Senate Republican plan for that district. It
16 establishes a clear line between rural and urban and
17 suburban areas in Whatcom County. And, in fact, it
18 keeps intact another present political set of lines;
19 the first watershed planning basin at Nooksack is
20 entirely within a single district.

21 COMM. HUFF: As we move down to southwest
22 Washington, we propose the House Republican plan for
23 the southwest Washington. And it unites the
24 20th Legislative District in Pacific County as it
25 existed prior to 1991 redistricting. And then also

1 combines the regional timber interests within one
2 district, the 19th Legislative District.

3 COMM. GORTON: And finally, with respect to
4 King County, it has elements of both the House and
5 Senate Republican plans. I think it probably maximizes
6 the competitiveness in the Puget Sound area where it's
7 possible. That won't take place in the City of
8 Seattle, but it will in much of the rest of the
9 counties.

10 Competitive districts, of course, give voters more
11 choices. Eight of the 12 King County districts,
12 including the Seattle districts, would be classified as
13 swing, using a combination of the governor's race in
14 2008 and the Senate race in 2010.

15 And that's the presentation. Now we can answer
16 any other questions. We have a summary of residents
17 who live currently in the district that will be in the
18 new and whether or not there are split cities in the
19 districts and, if so, which ones they are.

20 COMM. HUFF: That's it.

21 CHAIRWOMAN POWELL: Okay. Thank you.

22 Are you going to present for the other map?

23 COMM. FOSTER: We don't have a formal
24 presentation. We were -- we have been working together
25 to combine the two maps that Commissioner Ceis and I

1 had. And we thought that that material, which is
2 included in -- in the -- I think these are being passed
3 out. I'm not sure.

4 MS. BOE: You want them passed out?

5 COMM. HUFF: Pass them out. That would be
6 fine.

7 UNIDENTIFIED SPEAKER: (Indiscernible).

8 COMM. FOSTER: And so we just thought we
9 would leave that for people to review and study.

10 MS. BOE: Oh, sorry.

11 UNIDENTIFIED SPEAKER: (Indiscernible).

12 MS. BOE: I'm multitasking. Sorry.

13 COMM. HUFF: well, it's an interesting
14 project because, you know, we had the meeting on
15 Tuesday, and that's when we determined that we would
16 try to move the process ahead and make sure that we
17 make the November 1 or at least November 15th
18 deadlines. And so we come to an agreement that we
19 would reduce the four maps to two, and that's not an
20 easy process. I congratulate all the staffs for
21 getting it all put together in such quick order.

22 COMM. FOSTER: Yes. It is -- it does take a
23 lot of hard staff work. And along with what Tom just
24 said, as he just said --

25 CHAIRWOMAN POWELL: We need them up here,

1 too.

2 COMM. FOSTER: -- we do have a goal of moving
3 this processing along.

4 And I would like to ask, I think, probably our
5 attorney. Our next meeting is scheduled for
6 November 8th, and I would like to know the process,
7 if we were to want to have a meeting prior to
8 November 8th, what would be the process that that
9 would be called?

10 MR. FALLIS: Do I need to be in front of a
11 microphone?

12 CHAIRWOMAN POWELL: Probably. I think
13 there's one on there.

14 MR. FALLIS: This one work? Okay.
15 well, it's relatively simple. Either the
16 presiding officer, which would be the chair, or a
17 majority of the governing body can call a special
18 meeting by providing a minimum of 24 hours' notice to
19 the members of the governing body and also to the local
20 newspapers of general circulation as well as to radio
21 and television stations that have on file with the
22 Commission that request to be notified of those things.

23 One of the things about special meetings that's
24 different from regular meetings is that you cannot take
25 action on any items that are not specifically included

1 in the agenda. So if you -- if you want to take final
2 action on something, you have to make sure it's in the
3 public agenda. And there may be more to the mechanics
4 than I've mentioned, and if there are, I'll defer to
5 Ms. Bunning. But the basic requirements are 24 hours'
6 notice to all of you, the local newspapers and radio
7 and television stations that have a request on file.

8 COMM. HUFF: Rusty, did you say 24 hours? Is
9 that what you mentioned?

10 MR. FALLIS: Minimum of 24 hours, correct.

11 MS. BUNNING: I just have a little bit to add
12 to that. We send out, as soon as we know there's going
13 to be a special meeting, on our -- to everybody who
14 signed up on our Listserv, we post it on the website,
15 we have a list of radio, television, media, and get it
16 out there in every way that we can.

17 COMM. CEIS: So I assume we're going to have
18 a need for being able to call some special meetings
19 here periodically, particularly given the amount of
20 time we have left to achieve that goal of an early
21 completion. So I'm just thinking how we're going to
22 kind of do that.

23 And it occurs to me the best way is for any
24 commissioner that thinks that we probably need a
25 meeting to contact the chair, contact Lura, and have

1 her do the work to poll all the members about their
2 willingness to have that meeting and set a date and
3 time for it sufficient -- sufficiently in advance to
4 accomplish the 24-hour notice.

5 CHAIRWOMAN POWELL: That work for everybody?

6 COMM. HUFF: Yeah. Works for me.

7 COMM. FOSTER: Works.

8 COMM. GORTON: Yeah.

9 CHAIRWOMAN POWELL: We'll do that, then.

10 Thanks, Dean.

11 Any other?

12 COMM. HUFF: Well, I think another thing we
13 ought to keep in mind is there is a special legislative
14 session again this year. It starts on November 28th.
15 So needless to say, that's another probably need for to
16 us take action as soon as we can. What we did today, I
17 think it's a real positive step forward, reducing it
18 from four maps to two, particularly in the legislative
19 areas. Sort of give us a quick start and move on from
20 there. So I'm looking forward to doing that.

21 COMM. GORTON: I had a question that came up
22 yesterday. And maybe Rusty can take a crack at
23 answering it.

24 If we assume that we have plans and submit them to
25 the legislature on November 28th, well, it's pretty

1 clear if that session lasted until Christmas Day, the
2 30 days would be up. But what if that session lasts
3 one week or two weeks? Do the balance of the 30 days
4 that -- hold over until they -- until the legislature
5 meets again in January, or would the adjournment of the
6 legislature make the -- the plans final?

7 MR. FALLIS: I've thought of that question
8 myself, and I haven't had a chance to get all of an
9 answer to it. So I will work on it 'cause that was
10 something I was thinking of the other day at the
11 meeting. So I will -- I'll give that some thought and
12 get back to you.

13 COMM. GORTON: Thank you.

14 MR. FALLIS: Thank you.

15 COMM. CEIS: I just also want to point out
16 that I wonder how welcome an additional agenda item at
17 a special session might be given challenges the
18 legislature has in front of it. But, of course, we can
19 discuss that with leadership.

20 I just want to ensure, you know, as we set
21 these -- these goals, these objectives for an early
22 completion, that we also just keep our minds on the
23 fact that the calendar is running, and we need to
24 probably be a little bit more deliberate about our --
25 our work. And I'd rather make sure that we have the

1 plans done in a comprehensive fashion rather than being
2 too quick to try and meet the objective of special
3 session. So just want to caution that that is a goal,
4 but to me getting these plans right is more important
5 than rushing to get to the session.

6 COMM. HUFF: well, I might add to that, I
7 think that -- that Tim's 100 percent right. However,
8 on the other hand, I do know the auditors would love to
9 have us -- have it done early, number one. And number
10 two, I know that the candidates out there running for
11 election would like to know early on, too, if that's
12 possible.

13 Certainly as special session will be here, and
14 that will take a lot of effort on the legislators'
15 part. But I think the thing that we got to remember is
16 that we need to decide to put our shoulder to the wheel
17 and set up a schedule and develop procedures and
18 process that we can indeed take the time we need to
19 have good plans.

20 And finally is that, if we get it done before the
21 1st of January next year, we have time to make
22 corrections to the plan. As we checked yesterday and
23 found out the resolutions weren't correct, that this
24 would give us another opportunity look at the maps and
25 say, "Hey, we made a mistake here. We need to correct

1 that."

2 So I'm still very, very much in favor of hanging
3 with -- we're not going to make November 1; I agree
4 with that. But I think we can get the legislative
5 districts done by November 1 if we work the plan and
6 then look for perhaps having it done at least by
7 November 15th for both plans, or a minimum would be
8 for the special session. That's just my opinion.

9 CHAIRWOMAN POWELL: I know the auditors do
10 need time to look at it.

11 But, Bonnie, I believe you had some feedback from
12 the auditors on how long they thought it might take
13 them to review our plans once, you know, we've come
14 pretty near to our essential final plan.

15 MS. BUNNING: Yes. I've had a conversation
16 with the Spokane County Auditor, who's the chair of the
17 county auditors in the state. And on the draft -- the
18 drafts that we looked at for final adoption of the
19 congressional and legislative plans, they will be
20 providing us some feedback on the wording that we were
21 talking about so that it works for them probably next
22 week.

23 And then they thought that, given what they've
24 seen of the maps and the sophistication of their GIS in
25 the larger counties, that they can turn around some of

1 those detailed corrections, like we saw from Pierce
2 County, in a matter of days rather than weeks once the
3 plan -- final shapefiles are -- are in for the final
4 plans, our final maps. So I think we're in good shape
5 to do that, and, of course, our staff has some editing
6 and error-checking that we can be doing simultaneously.
7 So . . .

8 COMM. HUFF: Along that line, I was reviewing
9 the valiant -- of course, gave us the Pierce County
10 plan yesterday. Rather interesting to see his comments
11 and so forth. But I don't see any flagrant changes
12 that are necessary in that report.

13 MS. BUNNING: I think the thing from the
14 auditors' perspective is where they make it very
15 challenging for them to deal with precincts and there's
16 an alternative to --

17 COMM. HUFF: Yeah.

18 MS. BUNNING: -- that's -- that's a minor
19 change.

20 COMM. HUFF: Right. Exactly.

21 MS. BUNNING: Okay.

22 CHAIRWOMAN POWELL: Okay. Any other comments
23 before we go into the public-comment part of our
24 meeting?

25 Okay. Heather, do we have some lists of anyone

1 that wanted to speak?

2 Okay. John Milem.

3 MR. MILEM: I'm John Milem. I live in
4 Vancouver. And I'm an advocate for redistricting in
5 the public interest.

6 I've given each of you a copy of a page that's
7 headed by the title "Redistricting Plan Quality Index."
8 The issue of evaluating the quality of redistricting
9 plans is something which I don't know that I've ever
10 seen done by anybody, and I've been working for about
11 the last 20 years to try to come up with a way of
12 quantifying quality of plans. And this, what I've
13 given you here, is my assessment of the quality of
14 congressional districting plans that you've offered.

15 As you can see, it covers eight matters. Seven of
16 those are directly responsive to the state
17 constitution; although this was actually -- this work
18 was actually done originally in the context of Kentucky
19 and Texas and I view it as a generic approach rather
20 than a state-specific approach to the issue. So it was
21 interesting to me when I got to Washington and looked
22 at the constitution to find out that, ah-ha, seven of
23 the eight issues that I had included in this are -- are
24 in our state constitution.

25 The eighth one is the second item on the list,

1 population stability, which you all talked about on
2 Tuesday and you -- and was talked about again today.
3 This is a question of the retention of voters with the
4 same group of voters that they've been voting with for
5 Congress and Legislature, as the case may be.

6 Just to step through these very quickly,
7 population quality is simply a measure of the extent to
8 which the leeway that the supreme court allows in
9 variations of population quality are actually used.

10 Population stability, as I say, is the extent
11 which voters are removed from the group of voters from
12 with whom they've typically been voting for the --
13 in -- for Legislature or Congress.

14 County integrity is a measure of the extent to
15 which counties are divided.

16 Municipal integrity is a measure of the extent to
17 which municipalities are divided. And all -- all of
18 these four are based solely on population. Makes no
19 difference whether a city's geography is divided; there
20 is no deduction for municipal integrity as long as the
21 population's all in one district. So at least
22 noncontiguous cities in -- split into different
23 districts don't cause a deduction in municipal
24 integrity.

25 Compactness and concurrent boundaries are kind of

1 paired, and those really relate to more geographic
2 issues. I'm having some difficulty in my system with
3 compactness measures, and I've been working this
4 morning and auto-bound here to try to get better data.
5 As you can see, the compactness information in here
6 does not discriminate very much among the four plans.

7 The concurrent-boundaries test is responsive to
8 information in the state constitution that says that
9 district boundaries shall -- I don't remember the words
10 exactly -- but shall follow the boundaries of political
11 subdivisions.

12 And then competitiveness and party parity are
13 related to the nature and characteristics of the
14 political -- political characteristics of the district.

15 And then the -- the final figure there, the
16 redistricting plan quality index, is basically just the
17 individual sum -- individual scores totaled and divided
18 by -- by 8.

19 A plan obviously does not qualify to even be put
20 through this test until -- or this -- this procedure
21 unless it satisfies three mandatory requirements, which
22 are that it satisfies the constitutional requirements
23 on population, that it satisfy applicable provisions of
24 the Voting Rights Act, which basically -- in the state
25 of Washington basically means don't create

1 discrimination, and -- and that the plan has geographic
2 integrity.

3 I probably ran over my three minutes, haven't I?

4 CHAIRWOMAN POWELL: You're fine. Are you
5 done, or . . . ?

6 MR. MILEM: Well, what I want to say is, I'm
7 sorry to give you a single sheet of paper. I view this
8 as kind of an hors d'ourves today. I hoped to have the
9 meal ready last Tuesday, but I ran into some tactical
10 difficulties, and it's just been a huge mass of work
11 to -- to -- to go through.

12 I do intend to get you the background of this
13 because obviously these are just numbers on a piece of
14 paper, and what can they mean to anybody. But I do
15 have background for them. Eventually you'll see it. I
16 hope sooner rather than later.

17 CHAIRWOMAN POWELL: Okay. Thanks.

18 COMM. HUFF: John, I have a quick question.

19 MR. MILEM: Yes.

20 COMM. HUFF: Explain to me population
21 stability again.

22 MR. MILEM: It's -- it's -- it's a point that
23 you were making today about the number of voters who
24 stay in the voter groups that they were in.

25 COMM. HUFF: (Indiscernible).

1 MR. MILEM: If you -- if you -- but -- but
2 this is not tied -- I don't tie it to district number.

3 I -- what I do is I look at each district and I
4 say each district -- each new district or each proposed
5 district is composed of people who were in old
6 districts. Which old district provided the largest
7 number of people to this new district? And that --
8 that percentage -- if -- let's say that -- that a
9 proposed district includes 60 percent of its population
10 from a particular old district; population stability
11 score for the new district could be 60.

12 In the case of like -- I'm thinking, for example,
13 of the Spokane district. In -- in my plan where it
14 was -- where it all came out of the existing 5th
15 District, you know, population stability score for that
16 would be 100. That would be because 100 percent of the
17 people in the new district were in -- all in the same
18 old district. Now, of course, the people we've had to
19 take out of that because of the population growth,
20 that's going to reduce the score for the district that
21 those people go into.

22 COMM. HUFF: Okay. Thanks.

23 CHAIRWOMAN POWELL: And, John, before you
24 leave, for our court reporter, I forgot to ask you to
25 spell your first and last name so she can have it.

1 MR. MILEM: I'm sorry.

2 John Milem, J-o-h-n M-i-l-e-m.

3 COMM. GORTON: Lura.

4 CHAIRWOMAN POWELL: Yes.

5 COMM. GORTON: Before he leaves:

6 Give a brief explanation of the competitiveness of
7 the party-parity lines.

8 MR. MILEM: Okay.

9 Competitiveness is something that there's not
10 agreement on in terms of the range of -- of how wide
11 the competitive band is. For Washington I think that
12 any district that falls within 5 percent of the vote in
13 the state is a competitive district. And one of the
14 things that I point out in support of that is that in
15 some of the districts you can find -- you can find
16 results that are 5 points -- more than 5 points more
17 Republican than the state and others that are five
18 points more Democratic than the state.

19 So I -- I use a band of 5 points on either side.
20 And -- and so I simply classify -- I look at the 11
21 K -- 11 races that we have disaggregated data for, that
22 is, the election results were disaggregated by
23 Commission staff to census blocks and -- for those 11
24 races. And then I figure for each of those races, for
25 each district -- wait a minute. Getting two mixed up.

1 For competitiveness I simply look at the question
2 of, in each of those races did the district result fall
3 within 5 points of the state result. If it did, I
4 classify that as a competitive district. If it fell --
5 it's more than 5 points more Republican than the state,
6 then it's classified as Republican; 5 points more
7 Democratic is classified as Democratic.

8 So I have -- for each district that -- I have 11
9 of those indicators. And some districts will --
10 they'll all 11 be Republican. For example, say, the
11 Yakima district would be -- all 11 would be Republican;
12 Seattle district, all 11 would be Democratic. So I --
13 I simply add up those totals for the 11 races for the
14 ten districts, and that gives me a total.

15 Now, the -- what I do with that is I subtract the
16 difference between the Republican and Democratic
17 numbers from the competitive number because what that
18 basically reflects is the fact that the competitiveness
19 is skewed one direction or the other. We've got a lot
20 more Republican results than we have Democratic
21 results. We've talked about this before, that
22 Republicans are more -- more advantageously distributed
23 throughout the state than Democrats are.

24 So I -- I tried to adjust for that in this
25 competitive measure by reducing the -- the number of

1 competitive districts by the imbalance in the
2 noncompetitive districts. So -- and then -- then
3 it's -- it's simply then a question of percentage. But
4 what number of competitive districts are left after
5 that subtraction is made.

6 COMM. GORTON: Doesn't that system assume
7 that the state as a whole is 50:50?

8 MR. MILEM: No. No. No. It's whatever --
9 whatever the result was in a particular race. If
10 you've got a race that was 66:34, then the district is
11 going to be considered competitive if the result in
12 that race fell in the range of 61 to 71. So no, it has
13 to nothing to do with that, nothing to do with what the
14 state is. I don't have -- I don't have to get into the
15 business of what the state is. The question is: Does
16 this district vote like the state, or does this
17 district vote significantly differently from the state?

18 My concern about competitiveness is that when the
19 voters of the state shift their preference from one
20 party to the other, I want control of the legislature
21 to shift from one party to the other. And so the issue
22 is, what is happening in the state, and how far is each
23 district varying from that.

24 In a noncompetitive situation, for example,
25 California or Texas, the state's going to be here, and

1 you have a lot of districts over here, a lot of
2 districts over here, and very few districts here. And
3 obviously, to maximize competitiveness, you want a lot
4 of districts here and few districts over there.

5 Now, in Washington we're limited to the extent we
6 can do that because we have such a mass of Democrats in
7 the Seattle area and such a mass of Republicans in
8 Eastern Washington. But we do the best we can.

9 Those competitiveness scores are low, and the
10 reason they're low is because this whole issue of the
11 distribution of voters in the state and the difficulty
12 it is to make competitive districts as long as you have
13 -- and comply at the same time with things like not
14 splitting counties unnecessarily and not splitting
15 cities unnecessarily and so on.

16 Party parity -- some of these things are little
17 hard for me to talk about.

18 Party parity is matching the districts. I -- I
19 take those 11 races, and I figure out what the average
20 vote was in the state and what the average vote in
21 those 11 races was in each of the 11 districts. Then I
22 pair the districts, the most Democratic district -- and
23 then for -- for Congress obviously I paired the Seattle
24 district, the most Democratic district, with the Yakima
25 district, the most Republican district, pair them all

1 the way down.

2 I drop the top third because those are -- party
3 parity in noncompetitive districts is not particularly
4 interesting or helpful and will simply confuse the
5 results. So I'm only looking then -- in the case of
6 Congress that means I'm looking at four pairs. And the
7 purpose would be to try to assure that those districts
8 are about equal in terms of their difference from the
9 state so that if -- you know, the ideal situation would
10 be that those four pairs of districts would all
11 basically be the same as the state to the extent -- and
12 the same as each other.

13 And I should -- there I'm mixing the two concepts.
14 The same as the state is an issue of competitiveness.
15 The same as each other is an issue of party parity.

16 And so if the districts are matched in terms of
17 the distance that they are from the state, then I view
18 that the parties are in parity with respect to that
19 particular pair of districts.

20 Now, obviously there are always differences. They
21 don't match exactly, and -- and here again, this
22 disparity in the distribution of voters plays a role in
23 it so that typically the imbalance in the party-parity
24 test is always falling on the Republican side. And so
25 we just do the best we can with that.

1 we don't do a very good job of meeting party
2 parity here. There is a solution to that, but the
3 solution is not presently available to us under the
4 federal constitution, which is not to use population as
5 the basis.

6 what we've got here is we've got a situation where
7 we have highly concentrated populations of Democrats in
8 areas that are relatively sparse in children, and then
9 we've got Republican areas that are families. And, you
10 know, Republicans' votes are worth more when you
11 district on the basis of population than when you
12 district on the basis of voters.

13 I've always thought, as you may remember from
14 50-years-plus ago, Slade, that I believe that we should
15 be redistricting on the basis of voters. But since
16 1963 it's been clear we -- well, not 100 percent clear.
17 I mean, Hawaii has been allowed to do it. But that's
18 kind of going to another subject. Sorry.

19 Any more questions?

20 COMM. HUFF: John, one more quick question.

21 MR. MILEM: Yeah.

22 COMM. HUFF: what you're referring to here
23 has been for congressional districts?

24 MR. MILEM: This is for congressional
25 districts.

1 COMM. HUFF: Are you working with the same
2 thing for legislative districts?

3 MR. MILEM: Yes, but, of course, it's five
4 times as much work.

5 COMM. GORTON: Then you've got two new maps
6 now.

7 MR. MILEM: well, and I think actually that
8 that's where I'm going to put my effort. I mean, I've
9 gotten -- I have most of the work done, too, for the
10 legislative districts. But I -- I just can't -- I
11 can't go ahead with all four plans. I think I just
12 need to -- to process these two.

13 Anything else?

14 Thanks for giving me more than three minutes.

15 CHAIRWOMAN POWELL: Thank you.

16 Okay. We had just a couple online, and then I'd
17 like to ask -- is it -- it looks like Marvin -- is it
18 Rosete?

19 MR. ROSETE: Rosete.

20 CHAIRWOMAN POWELL: Rosete? Okay. If you
21 could come up, work your way over to the mic. And I'll
22 just read these fairly quickly.

23 We have a comment from Dave Schmidt (phonetic) of
24 Everett. And he says:

25 (As read) "Just to confirm, the 'preferred'

1 timeline is to have the final legislative maps done by
2 November 28th? Longer for congressional?"

3 And I think what our target is, is to try to get
4 all the maps done by mid-November, but again it's a
5 target.

6 And then a comment from Carin Chase, and that's
7 C-a-r-i-n C-h-a-s-e:

8 (As read) "Thank you for your work. It appears
9 that a slight change to the 32nd and 46th
10 configuration could keep communities of interest
11 intact. In the interest of not breaking up communities
12 I suggest that the City of Shoreline stay within the
13 32nd Legislative District and the 46th retains North
14 West portion of Seattle."

15 Okay. Would you please sort of spell your first
16 and last name before you start?

17 MR. ROSETE: Sure. By all means.

18 Thank you, and good morning. My name is Marvin
19 Rosete. Last name is spelled R-o-s-e-t-e. And I live
20 in the northwest part of the Renton Highlands in
21 Renton.

22 Before I give testimony today, I have -- I have a
23 few maps I would like to give to the -- give the
24 Commission on what I would like to do specifically on
25 my -- on the precincts in my legislative district.

1 So

2 COMM. FOSTER: So is this one set?

3 MR. ROSETE: Hold on one second. Sorry.

4 COMM. FOSTER: Is there --

5 MR. ROSETE: There are more, but --

6 COMM. FOSTER: -- for everybody?

7 MR. ROSETE: There's not enough for everyone,

8 so

9 COMM. FOSTER: why don't I give that all to
10 the chair, then.

11 MR. ROSETE: Okay. I'll give that all to the
12 chair. Sorry about that. Thank you.

13 Again, my name is Marvin Rosete, and I -- for the
14 record, too, I'm also the vice-chair for the
15 11th District Democrats.

16 And I happen to be living on the line in Renton,
17 which is located at 4308 on Sunset Boulevard. This
18 puts us onto the -- on the Foster and Ceis maps, this
19 also puts us on the line putting myself and our
20 neighbors here into the 41st District, where we're
21 currently in the 11th district. I know that we are
22 currently -- we'd like to also recognize that -- we'd
23 like to thank the Commission for respecting these
24 natural boundaries.

25 However, where my neighborhood is located, we're

1 located on a very important part of Renton where --
2 where it's part of a very distinct community of
3 interest. In our narrative here down in -- that I'm
4 reading, the neighborhood borders on well-know Renton
5 landmarks to include Sunset Boulevard or -- otherwise
6 known as State Route 900, moving east to west to
7 Issaquah and the Duvall Road and heading to Newcastle.

8 Again, known as the Renton Highlands, the precinct
9 is -- known as 113223 is the very top of the Highlands
10 and has several well-known Renton landmarks to include,
11 of all things, the Highland -- Highland Starbucks and
12 the Bank of America, which is the only bank within a
13 3-mile radius. So we have a whole neighborhood that
14 would be there that would essentially be cut in half by
15 the current redistricting plan.

16 This neighborhood also includes, which is south of
17 the 900 -- excuse me -- Hazen High School as well as a
18 Washington State Department of Licensing office, where
19 a lot of -- a lot of neighbors, including myself, got
20 to take their driver's-license test in that area. Also
21 means that we're also served by King County Metro Route
22 105 and Route 240, which goes -- which covers Renton
23 Highlands specifically.

24 The reasons for not going into the 41st District
25 are pretty simple. Again, this is a -- this particular

1 neighborhood is a distinct neighborhood of interest and
2 served by -- and thereby active -- both active
3 Republicans and Democrats. So again dividing that
4 particular -- this particular neighborhood would, you
5 know, kind of cut off a lot of our own representation.

6 The neighborhood itself again has a synergy, and
7 so these landmarks again include the ones that I
8 mentioned. And the neighbors that are in this
9 neighborhood specifically identify themselves with
10 Renton residents, similar to those living south of 900.
11 So representation for the 11th District would --
12 would not -- in other words, representation, or at
13 least state representation, from the 41st District,
14 those residents see that representation as part of
15 Bellevue or a part of Newcastle, not part of Renton.

16 Not that we don't love or respect some of the
17 people representing 41st, we know that, for example,
18 representative Marcie Maxwell is a Renton resident,
19 represents the 41st. But we're talking -- her
20 residence is farther south, near the water -- I mean,
21 farther north, near the water, not bordering near the
22 Newcastle area.

23 And so one, for example -- another example is one
24 of the other businesses that's there is King & Bunny's,
25 which is an appliance store, which is also owned by

1 current city -- current sitting city councilmember King
2 Parker.

3 So all of these -- all of these neighborhood
4 interests kind of mesh together where, you know, I
5 would like specifically for this particular
6 neighborhood in this particular precinct to be part --
7 and continue to be part into the 11th District.

8 So with that, I can take any questions, but I wish
9 I had more maps.

10 COMM. GORTON: which maps are -- have divided
11 you?

12 MR. ROSETE: The maps that divided me are the
13 Ceis and Foster maps. So . . .

14 COMM. FOSTER: Today's map?

15 MR. ROSETE: Pardon me?

16 COMM. FOSTER: Today's maps?

17 MR. ROSETE: The maps that are proposed by
18 Commissioners Ceis and Foster. And I know, like I
19 said, further, my -- for my own party, it seems kind
20 of, why would I want to do that? It's only because --
21 and again I'm speaking more from the issue of the
22 community of interest that's there. We don't want to
23 divide that particular -- that particular group.

24 In -- in what I submitted to you there's -- there
25 are also pictures that we put in. Near the corner of

1 Duvall Road and Sunset Boulevard there's also a marker
2 there that says "Welcome to the City of Renton," and to
3 divide that up we're talking about pretty much a
4 well-known -- a visual landmark, if you will, to -- to
5 bring that up.

6 And so and if you follow down the Duvall Road
7 going north, just about literally about five minutes or
8 less would be the Newcastle border. Then we can
9 start -- as you go father on the Duvall Road heading
10 towards Newcastle, then you can see even -- then you
11 can start seeing where the neighborhood starts changing
12 into Newcastle and 41st District politics.

13 So my -- my request, in defending my own
14 neighborhood of interest here, is that a few blocks
15 north, a few precincts -- a few precincts north would
16 help to us preserve this part of this particular
17 neighborhood. If we break south, then that kind of
18 changes our representation slightly.

19 I see I have questions from the commissioners.

20 CHAIRWOMAN POWELL: Are there questions?

21 COMM. FOSTER: We'll all look at the maps.

22 MR. ROSETE: I see Senator Gorton there
23 who's . . .

24 CHAIRWOMAN POWELL: what we'll do is we'll
25 have these duplicated and provided to all the --

1 MR. ROSETE: What I can do, too, is I can
2 provide this electronically to the commissioners.

3 CHAIRWOMAN POWELL: That would be helpful.

4 MR. ROSETE: Right now I -- what I -- what
5 I've done is that -- I didn't have access to color
6 copies, which I know -- I know would have been a lot
7 helpful. But we'll be able -- I do have this in word
8 format, which -- in color, which would be able to
9 hopefully be more helpful.

10 CHAIRWOMAN POWELL: Okay.

11 MR. ROSETE: Thank you so much.

12 CHAIRWOMAN POWELL: Thank you for your
13 testimony.

14 Okay. Our next person to speak is David Anderson.
15 And again, please spell your first and last name for
16 the court reporter.

17 MR. ANDERSON: Okay. My named is David
18 Anderson, D-a-v-i-d A-n-d-e-r-s-o-n. Thank you. I'm a
19 citizen here today to, I guess, make a request of
20 procedure for the Commission.

21 At the last meeting on Tuesday there were some
22 questions about the -- whether or not the Commission
23 was following the Open Meetings Act.

24 Right before lunch there was a recess, and then
25 right at 1:30, when the Commission resumed its

1 meetings, the -- there was an announcement that you
2 were agreed to make two maps and that you had agreed to
3 meet at 11:30 today to create this meeting. And so
4 there was concerns that that is a violation of the Open
5 Meetings Act, that discussion of the People's business
6 is not going on before the People; it's going on behind
7 the curtain of this Commission. So --

8 And I -- I'm concerned that the future of this
9 Commission is just going to be a series of
10 presentations of what your maps are, what has been
11 decided elsewhere. And so I have a proposal that what
12 you could do to solve this, is just put all your
13 negotiations on television. Don't meet anymore
14 individually; just put all the negotiations on in one
15 big meeting. The five of you or, I guess, six of you
16 sit down on television and just hash it out and get it
17 done, put all of the -- maybe have two -- two shows on
18 TVW, one for the legislative maps to finish the
19 negotiations of these maps and then another one to just
20 hash out the negotiations of what are the congressional
21 districts going to be.

22 Again I think it's really of benefit to the people
23 of the state of Washington to watch you negotiate what
24 the actual lines of our state going to be. I have
25 stated that there has been special interests involved

1 in the districting of this state. I think that if it's
2 just the five you sitting around a table negotiating
3 out, showing people how negotiation happens and how --
4 how consensus is made for the state of Washington, that
5 would be a great benefit for the people the state of
6 Washington.

7 And so I hope that you can really take this
8 proposal seriously, bring as much transparency to the
9 state of Washington through this process, because in
10 the end it's not these maps that are going to be the
11 legacy of this Commission; it's the culture that these
12 maps create. And I think that is what's really
13 important, to preserve a culture of transparency and a
14 culture of independence and openmindedness in the state
15 of Washington.

16 Thank you for this opportunity.

17 CHAIRWOMAN POWELL: Thank you.

18 Does anyone else wish to speak?

19 Okay. Are there any other matters that need to
20 come before this Commission today? Commissioners?

21 COMM. HUFF: Got another meeting down here.

22 CHAIRWOMAN POWELL: I know. I just wanted to
23 see if there's -- before we adjourn if there's any
24 other matters that any of you want to bring before the
25 Commission today.

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Okay. Then we are adjourned. And thank you all
for coming.

(Proceedings concluded at 12:16 p.m)