

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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 13th of December, 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 HEREOF, I have hereunto set my hand this December 15, 2011.


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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

WASHINGTON STATE REDISTRICTING COMMISSION

PUBLIC MEETING

DECEMBER 13, 2011

Cherberg Building
Olympia, Washington

Taken Before:

SUE E. GARCIA, CCR # 2781, RPR
Registered Professional Reporter
of
Capitol Pacific Reporting, Inc.

2401 Bristol Court SW, #A-104, Olympia, WA 98502
Tel (360) 352-2054 Fax (360) 705-6539
Toll Free (800) 407-0148

Tacoma (253) 564-8494	Seattle (206) 622-9919	Aberdeen (360) 532-7445	Chehalis (360) 330-0262	Bremerton (360) 373-9032
-----------------------------	------------------------------	-------------------------------	-------------------------------	--------------------------------

e-mail: admin@capitolpacificreporting.com
www.capitolpacificreporting.com

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

APPEARANCES

- LURA POWELL - CHAIRWOMAN
- TOM HUFF - COMMISSIONER
- TIM CEIS - COMMISSIONER (by telephone)
- SLADE GORTON - COMMISSIONER
- DEAN FOSTER - COMMISSIONER
- RUSTY FALLIS - ASSISTANT ATTORNEY GENERAL
- GENEVIEVE O'SULLIVAN - COMMUNICATIONS DIRECTOR

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

EXAMINATION INDEX

PAGE

APPROVAL OF RESOLUTIONS

Presentation by Ms. Bunning

5

MATTERS PERTAINING TO REDISTRICTING

Discussion of progress made on legislative plans

10

Discussion of eastern WA and congressional assignments

18

Discussion of completion deadlines

22

PUBLIC COMMENT

Mr. John Milem

32

Mr. Dwayne Berg

33

Mr. Paul Wagemann

34

1 BE IT REMEMBERED that on Tuesday, December 13, 2011,
2 at 10:32 a.m., at 304 15th Avenue, Olympia, Washington,
3 the following proceedings were had, to wit:

4
5 * * * * *

6
7 CHAIRWOMAN POWELL: Okay. I'd like to call
8 this meeting to order for the Washington State
9 Redistricting Commission.

10 And my name is Lura Powell, and I am the chairman
11 of the Commission. I'd like to start out by just going
12 around the table and having each person say their name
13 and their affiliation. So, Bonnie?

14 MS. BUNNING: My name is Bonnie Bunning, and
15 I'm the executive director of the Redistricting
16 Commission.

17 COMM. GORTON: Slade Gorton, commissioner
18 appointed by Senate Republicans.

19 MS. O'SULLIVAN: Genevieve O'Sullivan,
20 communications director.

21 COMM. FOSTER: Dean Foster appointed by the
22 House Democrats.

23 COMM. HUFF: Tom Huff appointed by the House
24 Republicans.

25 MR. FALLIS: Rusty Fallis with the Attorney

1 General's Office, general counsel for the Commission.

2 CHAIRWOMAN POWELL: And by phone we have
3 Commissioner Tim Ceis. Tim?

4 COMM. CEIS: Hello, Tim Ceis appointed by the
5 Senate Democrats.

6 CHAIRWOMAN POWELL: Thank you.

7 Okay. Our first item of business is approval of
8 the minutes of December 6th. And I'd like to call
9 your attention to those minutes, which are on the
10 yellow pages, and ask if there are any additions or
11 corrections to the minutes.

12 COMM. FOSTER: I move they be approved.

13 CHAIRWOMAN POWELL: Okay. We have a motion
14 for approval.

15 Any additional questions or comments?

16 Okay. All those in favor of approving the minutes
17 for December 6th say "aye."

18 COMMISSION MEMBERS: Aye.

19 CHAIRWOMAN POWELL: Opposed?

20 Okay. Thank you.

21 Our next item of business is approval of the
22 resolution. And I would like to ask Executive Director
23 Bunning to go over that with us.

24 MS. BUNNING: Thank you, Madam Chair.

25 On the purple sheet is the latest version of the

1 resolution itself. And I am proposing a couple of
2 changes in there, after discussion with Rusty Fallis.
3 The first page, basically the recitals or "whereases,"
4 are not changed from the last version that you saw.
5 And they more or less document the process of -- that
6 brought us to where we are or will be.

7 On page 2 you'll note red strikeout I have
8 proposed to eliminate the fifth resolution, which on
9 second thinking we thought was really a matter of
10 existing state law, over which the Commission had no
11 actual authority, and was probably in the original
12 draft we used as a base as a kind of a remnant from a
13 past situation. So the proposal is to eliminate that
14 fifth paragraph.

15 And then going down to the new sixth and former
16 seventh paragraph on page 2, we're proposing to change
17 the language from "intends" to "recognizes" and then
18 separate the sentences just for clarity. The change
19 from "intends" to "recognizes" is a subtle change. The
20 word "intends" suggests that the Commission might have
21 more authority over that than it actually has, which is
22 not any. So -- but it's important, I think, to
23 continue mentioning the holdover-senator status and the
24 district numbering and how that will work.

25 The rest of the changes are all just renumbering

1 the various resolution clauses.

2 CHAIRWOMAN POWELL: Okay. And the attachment
3 is as was, right?

4 MS. BUNNING: The attachment is as was.

5 And I will just say that we did go over the
6 comments we received primarily from John Milem from the
7 original wording, not this wording, and for the most
8 part I think this new wording deals with his concerns,
9 specifically population as the driver. Population is
10 now kind of the third criterion after municipality
11 boundaries and county boundaries, and we have also
12 dealt with the issue of intervening blocks of water
13 between islands and mainland and so on. That said,
14 population is still a criterion in here to solve those
15 issues.

16 I think -- I think this will serve in a
17 particular -- should be used as a very last-ditch
18 effort if we're able to have time to do some error-
19 correction ahead of time, which autoBound allows for
20 pretty efficiently.

21 So I am hoping that -- to have a discussion, if
22 you'd like, on this for -- maybe we can agree that this
23 is the language we'll use, and we'll just hold that in
24 abeyance until we're ready to adopt a plan.

25 CHAIRWOMAN POWELL: Okay. Are there any

1 comments? Dean?

2 COMM. FOSTER: As a nonlawyer I get nervous
3 when we take things out of things that were precedent,
4 that being the fifth section here, and changing the
5 word "intends" to "recognize."

6 So I guess I'd ask Rusty:

7 By -- by taking the words out that call for
8 at-large -- at-large elections in each legislative
9 district, have we sent any kind of a signal to anybody?

10 MR. FALLIS: Well, no, nothing that is
11 legally troubling. This is as much art as science, and
12 there's a balance to be struck between giving something
13 that people are familiar with but also not cluttering
14 it up with things that really don't need to be there.

15 And as Bonnie said, you know, the state
16 constitution says what it says, and if you -- you know,
17 if you want it in here just because you think it reads
18 well, we can leave it in. But you can't change the
19 state constitution, anyway; so if I were writing this
20 today, I wouldn't have put it in there.

21 I do think that -- in the paragraph that's
22 recaptioned 6, I do think that that subtle word change
23 is important because that paragraph is a remnant from
24 the time when the legislature did redistricting, and I
25 think it's potentially confusing to have a paragraph

1 that implies that the Commission can change substantive
2 election law. So I think that's a -- although it's
3 subtle, I think that's an important one.

4 That -- that other paragraph, the proposed
5 deletion, I think, just makes this a more efficient
6 document. But --

7 COMM. GORTON: It's just -- it's state law.
8 It's state law.

9 MR. FALLIS: It's state law. And so there's
10 no real operative purpose served by including it. And
11 I suppose the person -- you know, when this language
12 was generated a long time ago, the drafter might have
13 been a completist and thought, well, let's include
14 everything.

15 So the short answer is, I don't think there's
16 any -- any legal risk or serious misunderstanding that
17 could result from these edits.

18 COMM. FOSTER: Okay.

19 CHAIRWOMAN POWELL: Okay. Any other
20 questions or comments on the document?

21 COMM. GORTON: Do you want a motion to accept
22 it?

23 CHAIRWOMAN POWELL: As the draft, yeah, I --
24 'cause it will -- there will be changes, you know, as
25 far as filling -- filling --

1 COMM. GORTON: All the little extras.

2 CHAIRWOMAN POWELL: -- filling in some of the
3 blocks. Right.

4 COMM. GORTON: Let's just leave in a draft
5 until we have it.

6 CHAIRWOMAN POWELL: Yeah. But we've -- I
7 think I do hear consensus. I want to give Commissioner
8 Ceis a chance.

9 Do you have any questions or comments on this?

10 COMM. CEIS: well, I'm at a bit of a
11 disadvantage. I don't have the copy in front of me.

12 As long as we're just continuing to carry this
13 forward as a draft, I'm fine. I would ask that we not
14 take any kind of formal action on it as a draft or
15 acceptable form until I'm able to really look at it.

16 CHAIRWOMAN POWELL: It will remain a draft.
17 We just wanted to make sure we sort of sorted out any
18 possible issues associated. So if -- if you do have
19 any questions or concerns when you get a chance to
20 review the document, please let Bonnie know.

21 COMM. CEIS: Yes. That will be fine.

22 CHAIRWOMAN POWELL: Thank you.

23 Okay. Our next item is matters pertaining to
24 redistricting. And I'm not -- I can't remember who
25 came first the last time.

1 COMM. GORTON: Senate went first last time.

2 CHAIRWOMAN POWELL: Senate did? Okay. So
3 how about you, House -- the House team.

4 COMM. FOSTER: Okay. In the minutes of the
5 last meeting Commissioner Huff is quoted as saying, "we
6 continue to make nominal gains." I would like to
7 report that I think we've made fantastic gains in the
8 past week.

9 we had -- we owe our staff quite a bit of thanks.
10 They had terrible computer problems this weekend,
11 and -- and a lot of people hung around, but we got a
12 lot done. I think we're within a couple little areas
13 and a final quality-control check of being done in our
14 assigned area, which was western -- western Washington
15 west -- south of King County and the peninsula --

16 CHAIRWOMAN POWELL: Very good.

17 COMM. FOSTER: -- and the coast and down to
18 Clark County. So I'm reporting great progress.

19 COMM. HUFF: And I will second that. I spent
20 a good week. Like Foster said, we worked over the
21 weekend. We thought we would probably end it
22 yesterday, but we didn't quite make it. Ran into a
23 couple of glitches, which I think we'll rectify, I'm
24 sure, today.

25 So we should be ready to work with the Senate.

1 I'm sure Gorton and Ceis will give their report. I
2 think we're ready to -- we can move to the next step,
3 and that can be like Friday or whatever, like another
4 commissioners meeting, to present maps, and I'll see
5 what the rest of them feel.

6 CHAIRWOMAN POWELL: That's excellent.
7 Pleased to hear.

8 Senate?

9 COMM. GORTON: Tim and I now have a proposal
10 for the legislative districts from the Canadian border
11 to the King-Pierce County line east of Puget Sound
12 ready to present to our -- our colleagues for their
13 examination and approval as soon as they have moved up
14 from the south to the north with us. And through our
15 staffs we've told them where the -- you know, the
16 meeting lines are or at least, you know, where we've
17 made a decision of one district that will go between
18 King and Pierce Counties. And we'll have to resolve
19 that -- those lines with them.

20 But we had a good week --

21 CHAIRWOMAN POWELL: Excellent.

22 COMM. GORTON: -- Tim and I, and we're ready
23 to move on to a next assignment.

24 CHAIRWOMAN POWELL: Thank you.

25 Tim, any additional comments?

1 COMM. CEIS: No. I would concur with
2 Commissioner Gorton that I think we do have a finished
3 proposal about ready to make to the whole Commission.
4 I -- I think that the sooner we do that, the better,
5 depending on how soon Commissioner Huff and Foster can
6 think it'd be done.

7 I would suggest that, you know, perhaps we'd want
8 to schedule -- discuss scheduling a special meeting for
9 that purpose, if that meets their timeline, rather than
10 waiting till next Tuesday, you know, sometime the end
11 of this week. Friday would be a good day if we could
12 present our two proposals publicly and start discussing
13 how we put them together into a single map.

14 CHAIRWOMAN POWELL: What --

15 COMM. FOSTER: When do you get back, Tim?

16 COMM. CEIS: I'll be back in town Wednesday
17 night.

18 COMM. FOSTER: How's your travel schedule,
19 Senator?

20 COMM. GORTON: I'm -- I'm here this week.

21 COMM. FOSTER: Okay.

22 COMM. GORTON: I do have requests with
23 respect to Friday, however. Friday noon will be the
24 45th consecutive year in which I've had a Christmas
25 luncheon with my former deputy attorneys general; we've

1 never missed it during that period of time. And at
2 10:00 o'clock on Friday morning I have a corporate
3 board meeting at which I'm chairman of the board, which
4 I'll do by telephone.

5 So I agree with Tim: I think we ought to meet on
6 Friday, assuming that you two have finished by then.
7 But if it was necessary for me to be present, we'd need
8 it at 9:30 in the morning or something like 1:45 in the
9 afternoon.

10 COMM. FOSTER: I'm confident enough where we
11 are that I'm willing to say that we'd be ready to have
12 that. Basically what we're talking about is -- is
13 making public the maps that we're --

14 COMM. GORTON: Yeah.

15 COMM. FOSTER: -- we've been working on,
16 which would be all of western Washington.

17 COMM. GORTON: Yeah.

18 COMM. FOSTER: And there will be some
19 reconciliation between King and Pierce Counties.

20 COMM. GORTON: Uh-huh.

21 COMM. FOSTER: And then there will be some
22 discussion about what each of us have done. I'd prefer
23 the morning meeting.

24 COMM. GORTON: would you? Or do you think
25 you need -- we and the staff might need the morning to

1 work together?

2 COMM. FOSTER: Well, I -- no. I -- I would
3 hope that the staff and Commission staff might be able
4 to get together and talk about getting maps ready so we
5 could have maps here.

6 COMM. GORTON: Okay.

7 COMM. FOSTER: If that took -- I would hope
8 we'd be done this afternoon, as Commissioner Huff
9 suggested.

10 COMM. GORTON: Well, then, Friday morning
11 would be fine.

12 COMM. FOSTER: Then they -- we could work
13 at -- at putting maps out that wouldn't fit together
14 totally, but there'd be a start for a public
15 discussion.

16 CHAIRWOMAN POWELL: So what -- what time is
17 your meeting Monday morning?

18 COMM. GORTON: 10:00 o'clock.

19 CHAIRWOMAN POWELL: Or Friday morning,
20 rather?

21 COMM. GORTON: 10:00 o'clock.

22 CHAIRWOMAN POWELL: 10:00 o'clock?

23 So we probably should meet around 9:00, then?

24 COMM. GORTON: Well, I think that might be
25 safer than 9:30.

1 CHAIRWOMAN POWELL: Yeah. Just in -- just so
2 we have adequate time for discussion, and . . .

3 COMM. HUFF: Slade, you have a conference
4 call at 10:00? Is that what it is?

5 COMM. GORTON: Yes. Yeah.

6 COMM. HUFF: Okay. So you can do it right
7 from here?

8 COMM. GORTON: I can do it from anywhere,
9 yeah.

10 COMM. HUFF: Bonnie, how much time will your
11 staff need to participate in this?

12 MS. BUNNING: We're ready to help you at any
13 point.

14 COMM. HUFF: I know that. You've been ready
15 for a long time. That's obvious.

16 MS. BUNNING: Maybe champing at the bit's too
17 strong.

18 COMM. HUFF: I guess what -- let's -- let's
19 say Dean and I get done today. That gives you plenty
20 of time?

21 MS. BUNNING: I think so, yes.

22 COMM. HUFF: If we need tomorrow, does that
23 give you plenty of time for Friday?

24 MS. BUNNING: Yes. We'll -- we'll be able to
25 do it.

1 COMM. HUFF: Just want to make sure timing
2 situation and what we're up against. Okay?

3 COMM. GORTON: One of the great advantages of
4 doing this is something we talked about early: This
5 will give us an opportunity to send it out to county
6 auditors and correct before it's done and final.

7 CHAIRWOMAN POWELL: Yes.

8 COMM. GORTON: What has not been the case in
9 previous commissions.

10 COMM. HUFF: I think that's a good point.

11 CHAIRWOMAN POWELL: Okay. So we'll --

12 COMM. FOSTER: Tim, are you okay on
13 9:00 o'clock on Friday?

14 COMM. CEIS: Yeah. 9:00 o'clock on Friday
15 will be fine. And if for some reason we're not
16 completely ready at 9:00 o'clock, we can always recess
17 and --

18 COMM. FOSTER: Sure.

19 COMM. CEIS: -- reconvene at 1:45 in the
20 afternoon. So I'd just as soon try for the
21 9:00 o'clock time.

22 CHAIRWOMAN POWELL: Okay. Sounds great. I'm
23 really very pleased --

24 COMM. FOSTER: Okay.

25 CHAIRWOMAN POWELL: -- with the progress.

1 Very excited, actually.

2 COMM. GORTON: Teacher is giving us a
3 checkmark.

4 CHAIRWOMAN POWELL: Yes, gold star. Okay.

5 COMM. FOSTER: So that's --

6 CHAIRWOMAN POWELL: You get two gold
7 stars for next (indiscernible).

8 COMM. FOSTER: Well, there's -- now there's
9 one more part in this process. We have congressional
10 and eastern Washington left to do and unassigned.

11 So I would like to -- I believe that we're far
12 enough along that we can also make those assignments
13 and so we could get started --

14 CHAIRWOMAN POWELL: (Indiscernible).

15 COMM. FOSTER: -- working on those. Nobody
16 should believe that they'd be ready by Friday. But --

17 CHAIRWOMAN POWELL: If by some miracle --

18 COMM. GORTON: Tim and I have talked about
19 volunteering to move over to Congress.

20 COMM. FOSTER: You've been in Congress for --
21 no. Okay.

22 COMM. GORTON: Not the one we're dealing
23 with, though.

24 COMM. FOSTER: Okay. That's fine.

25 COMM. HUFF: I mean, odd man's out; we get

1 the east.

2 COMM. FOSTER: We'd get -- we'd get eastern
3 washington. I was born in Yakima. You have Sears
4 stores in Yakima, in eastern washington.

5 COMM. HUFF: Yeah.

6 COMM. FOSTER: Okay. I just thought it would
7 be important to get that little administrative part
8 taken care of.

9 COMM. GORTON: Good.

10 COMM. FOSTER: You okay with that, Tim? You
11 there?

12 COMM. CEIS: That's fine. It makes sense.
13 Let's make the assignments, and then we can get started
14 on them. I -- I think that's good.

15 COMM. FOSTER: Good.

16 CHAIRWOMAN POWELL: Okay. So -- so you're
17 going to start on the con- --

18 Are you all going to start on congressional? I
19 just want to make clear. You're going to --

20 COMM. FOSTER: Tim --

21 COMM. GORTON: No. They're going to start on
22 eastern washington.

23 CHAIRWOMAN POWELL: You're going to start on
24 eastern washington.

25 COMM. FOSTER: Tim and Slade are going to

1 start on congressional.

2 CHAIRWOMAN POWELL: And you guys are going to
3 start on congressional.

4 COMM. FOSTER: Just like we've been doing,
5 we'll --

6 CHAIRWOMAN POWELL: Yeah. Okay.

7 COMM. FOSTER: -- break into teams. And
8 we'll work on eastern washington. We have started with
9 four maps. We went down to two. We'll work on --

10 CHAIRWOMAN POWELL: Right.

11 COMM. FOSTER: -- eastern washington.

12 CHAIRWOMAN POWELL: When you're saying
13 eastern washington, are you talking eastern washington
14 congressional or eastern washington legislative?

15 COMM. FOSTER: We're talking about eastern
16 washington legislative.

17 COMM. HUFF: We're talking legislative.

18 CHAIRWOMAN POWELL: Okay. I just want -- I
19 just wanted to -- I just wanted to clarify.

20 COMM. FOSTER: With the understanding that
21 all four of our maps in Clark County had a little piece
22 of about 3,000 people that we -- we in our map reserved
23 for to equalize the populations west of Skamania County
24 for eastern washington. So -- so that will fit in
25 there.

1 CHAIRWOMAN POWELL: Okay. That's great.

2 COMM. FOSTER: So we'll do eastern Washington
3 legislative, and they'll do all of congressional.

4 CHAIRWOMAN POWELL: Okay. And if you all are
5 particularly productive this week, keep in mind that
6 maybe you might want to prepare additional maps. Just
7 depends on how things go and get some of those --

8 COMM. HUFF: Prepare what additional maps?

9 CHAIRWOMAN POWELL: Of your -- of your next
10 assignment.

11 COMM. HUFF: Oh.

12 COMM. FOSTER: She's -- she's pushing us.

13 CHAIRWOMAN POWELL: So what want to finish
14 today and --

15 COMM. GORTON: Teacher's pushing.

16 CHAIRWOMAN POWELL: I've been known to be
17 pushy before.

18 COMM. CEIS: On that, Lura, I think -- I
19 think we'll need a little bit of time.

20 CHAIRWOMAN POWELL: That's okay. This is
21 just as an if. It's always -- I always like to
22 encourage as much productivity as possible.

23 Okay. That sounds great, and I --

24 COMM. HUFF: You'll have to be a commissioner
25 next time around.

1 CHAIRWOMAN POWELL: I -- but I'm nonpartisan,
2 so I don't know if they'd let me.

3 COMM. HUFF: You can be partisan.

4 CHAIRWOMAN POWELL: Okay. All right. So
5 this is -- this is really great progress. And I know
6 you all have been working hard, and I want you to know
7 how much, you know, I appreciate and acknowledge that
8 effort.

9 I did want to, as we sort of move forward with
10 this, just have a sort of brief discussion. We've been
11 talking in the Commission office about how we're going
12 to progress through. And I am very pleased at the
13 progress, but we do have some time limits. Of course,
14 we all know about the January 1. But what we've been
15 trying to sort out is: what does January 1 mean? Does
16 it mean just a resolution, or does it mean actual
17 report going forward to the legislature and having the
18 report finished? Or --

19 So I know Bonnie's been trying to sort this out.
20 So I'm going to turn it over to you just so we know
21 what we're dealing with.

22 MS. BUNNING: Yes. Thank you.

23 I -- I'm very pleased with what I'm hearing today
24 because I think it dovetails well with what I've been
25 thinking.

1 We have two statutes that pertain to sort of
2 the -- the deadline. The January 1st is the outside
3 time frame -- I presume midnight on January 1st -- to
4 approve the plan and submit it to the legislature. And
5 then there's a report that's due to the legislature and
6 to the public that is -- amplifies the plan itself with
7 some specified materials.

8 Both of those take some time to get prepared, of
9 course. So ideally before the stroke of midnight on
10 January 1st at some point, if the plan is tentatively
11 agreed to, then we would go through the process of
12 error-checking at this Commission office as well as
13 getting the auditors a chance to look at that, fairly
14 quick time turnaround, I think, on those things, and
15 have a pretty clean plan to approve via the resolution,
16 and at that point then send it to the leadership in the
17 House and Senate and commence to produce the -- the new
18 version of the report, which includes some discussion
19 of criteria and population deviation and things like
20 that that are in the law.

21 So thinking about just the timing and time frame
22 that's left, there are arguably about six days between
23 Christmas and New Year's to do this, whether it's all
24 six days or not. But that kind of gives us a sense of
25 work that needs to be done to dovetail with the

1 development of the plan itself. As you're moving in
2 this direction, I'm trying to think back from getting
3 the plan finished. So if we can continue to make great
4 progress, which I'm pleased to see today, I think we're
5 right on track.

6 COMM. HUFF: Bonnie, I have a question.

7 Relative to the final resolution or agreement,
8 that can be done anytime before January 1?

9 MS. BUNNING: Correct.

10 COMM. HUFF: January 1 being the deadline.

11 MS. BUNNING: Right. And the operating
12 phrase is "upon approval of the plan, but no later than
13 January 1st, it gets submitted to the legislature,"
14 so at any point we've error-checked, we're happy with
15 the plan. It could be before January 1st or
16 January 1st at midnight, somewhere in between there,
17 a meeting to adopt the plan formally as the plan via
18 the resolution and signing, would be how I'm looking at
19 it.

20 COMM. HUFF: Once -- once we have final
21 resolution, how much time do you need to prepare
22 whatever you need to prepare for before January 1?

23 MS. BUNNING: Well, we'll live with whatever
24 we have. But I think in order to really do a decent
25 job of checking through it and getting it finalized, it

1 kind of depends on the form of the product that the
2 Commission staff is working with, and -- and that's
3 another question I'll mention in a minute. But I would
4 say a week or slightly less would be ideal, knowing
5 that it may not be ideal.

6 COMM. CEIS: (Indiscernible).

7 COMM. HUFF: So before Christmas would be
8 better than after Christmas.

9 MS. BUNNING: By Christmas would be better.
10 Right.

11 And the -- one of the -- one of the questions that
12 we'll be talking to staff with this week, your staff,
13 is what form will the product that your working on take
14 and come to us. And if it was a completed shapefile
15 with the whole plan in it, then Commission staff would
16 need less time to deal with. If it's parts or needs
17 to be finalized into that shapefile, then more time.
18 And either way can be done. It's just -- we'll figure
19 that out among ourselves, I think, this week if we have
20 discussion.

21 COMM. CEIS: Madam Chair, could I --

22 CHAIRWOMAN POWELL: Yes, please.

23 COMM. CEIS: So a week, Bonnie, that seems
24 fairly generous. I mean, our staff have been working
25 with shapefiles, so that's what I presume they would

1 provide to your staff in terms of developing a final
2 plan.

3 So can we revisit this question of timing again on
4 Friday after you get some more information? I -- I
5 would love to give you a week, but in case that's not
6 possible, I'd really like to nail down exactly how much
7 time is necessary to convert over to produce a plan
8 that is sufficient to meet the requirements of the
9 statute.

10 MS. BUNNING: Absolutely, Commissioner Ceis.
11 It is -- as I said, I'm talking about on the outside,
12 assuming we have the most work that's possible to do,
13 and I don't know that. So with the discussions before
14 the Friday meeting, I hope to pin that down. I would
15 think at a minimum getting the county auditors, say, 48
16 hours -- that's not a lot of time, but that's a couple
17 of days, and then whatever else needs to be done.

18 COMM. CEIS: (Indiscernible). I -- I just
19 want to be clear, though. I -- the county auditors
20 would be great, but they're not required in this
21 process. We'd like to get them engaged, and we're
22 going to shoot for that.

23 But I'm just looking at, just in case things get
24 hung up, what is what your staff needs to turn around a
25 plan?

1 MS. BUNNING: And -- and I can have that
2 answer, I think, more clear for you on Friday, if
3 that's acceptable.

4 COMM. CEIS: Yeah. That'd be fine. Thank
5 you.

6 MS. BUNNING: Okay. Great.

7 COMM. FOSTER: Well, I --

8 CHAIRWOMAN POWELL: Yeah, please.

9 COMM. FOSTER: I would like to even be more
10 precise than that. I believe we have to take a vote on
11 a specific legislative and congressional plan by
12 midnight January 1st, period.

13 MS. BUNNING: That's the outside. Okay.

14 COMM. FOSTER: Okay.

15 CHAIRWOMAN POWELL: I think the question is,
16 though:

17 we don't have to have something submitted; it's
18 just enough for us to take a vote and sign the
19 resolution?

20 COMM. FOSTER: I believe that.

21 CHAIRWOMAN POWELL: And, Rusty, that's --

22 COMM. FOSTER: People might argue with me,
23 but that's -- that's what I believe now. So -- and --

24 COMM. GORTON: Is that what happened ten
25 years ago?

1 COMM. FOSTER: Actually we finished at --
2 well, ten years ago, remember, we failed because we
3 didn't meet a legislature deadline of, I believe,
4 December 15th.

5 COMM. HUFF: Right.

6 COMM. FOSTER: We accomplished our
7 legislature redistricting by then, and then there was a
8 pretty good understanding, keep moving forward and the
9 legislature would change the legislative deadline to
10 January 1st. And I believe that we met on
11 January 1st during the day, actually, and took a
12 vote. It could have been before then, but I think it
13 was January 1st. And --

14 COMM. GORTON: All right.

15 COMM. FOSTER: And I believe the reports that
16 are required to the legislature, which I don't believe
17 convenes until January 9th, can happen anytime after
18 we're done. And if it happens to be we're done on
19 January 1st, that isn't an impediment to this
20 process. It's our agreement and vote on both plans
21 together that makes the difference.

22 MS. BUNNING: I -- with a little bit of a
23 twist, I'd say. The language says, "upon approval but
24 no later than January 1st, the Commission shall
25 submit a plan to the legislature."

1 Now, you wouldn't be able to agree upon anything
2 if you didn't have the plan. So once that was approved
3 by the commissioners, then that map essentially for the
4 congressional and legislature districts would be
5 conveyed.

6 The report, you're right, would take to the point
7 where the beginning of the session happens, I believe
8 on the 9th. We'd have that time to prepare that.

9 CHAIRWOMAN POWELL: So what I'm hearing you
10 say is that we not only have to vote but we have to
11 have something submitted to the legislature on the 1st.

12 MS. BUNNING: Simultaneous or whatever,
13 which --

14 COMM. GORTON: Yeah.

15 MS. BUNNING: -- which I don't think would be
16 a problem because you would be voting on a plan, so it
17 would have to exist.

18 COMM. FOSTER: And then it would be
19 electronic --

20 CHAIRWOMAN POWELL: Electronic.

21 COMM. FOSTER: -- on disk or something like
22 that. And so --

23 MS. BUNNING: It could be in any form.

24 CHAIRWOMAN POWELL: You could hit the button
25 at 11:59.

1 COMM. FOSTER: I'm hoping none of this is --

2 CHAIRWOMAN POWELL: Yeah.

3 COMM. FOSTER: -- what we're talking about.

4 But I want to make clear that this enthusiasm of today
5 that we're making progress, it could slow down.

6 CHAIRWOMAN POWELL: well, and I just hope we,
7 you know, can continue with this really good pace just
8 'cause, even though we don't have to run it past the
9 county auditors, I'd really would like to -- to see us
10 send a plan that's as error free as possible --

11 COMM. GORTON: Yeah.

12 GAURDIAN AD LITEM: -- to the legislature
13 'cause they've got a lot of other things to wrestle
14 with other than correcting errors that we've made
15 inadvertently.

16 COMM. FOSTER: That's true. But my
17 definition of "error" might not be the same as a county
18 auditor's definition of "error," and they like
19 precincts that are clean and not cut through. That
20 might not happen. That isn't an error. That's
21 convenience for them. So --

22 CHAIRWOMAN POWELL: I'm actually thinking
23 more of lines drawn down a series of power lines that
24 don't exist anymore or something. That's the type of
25 thing --

1 COMM. FOSTER: That's the Spokane example.

2 CHAIRWOMAN POWELL: Yeah. That's more what
3 I'm thinking about is an error or clear right down the
4 center of a house. And -- although I think Nick told
5 us, you know, the side of the bedroom is considered the
6 one that --

7 COMM. FOSTER: Uh-huh.

8 CHAIRWOMAN POWELL: -- is the appropriate
9 side or whatever. Anyway --

10 COMM. FOSTER: I don't agree that those are
11 errors. Those are convenience. I think an error is
12 when we leave a section out or something like that.

13 CHAIRWOMAN POWELL: Okay.

14 COMM. GORTON: Put in two districts.

15 COMM. FOSTER: Or put in two districts.

16 CHAIRWOMAN POWELL: Okay. Any other
17 questions or comments?

18 Great. Okay.

19 So anything else under this particular agenda item
20 related to redistricting before we go into public
21 comment?

22 COMM. HUFF: Needless to say we need to look
23 at the calendar and look to schedules and see when
24 certain things need to be done in order to make the
25 schedule work.

1 CHAIRWOMAN POWELL: Right.

2 COMM. HUFF: So we'll be doing that.

3 CHAIRWOMAN POWELL: Okay. Excellent. Well
4 again congratulations to all of you, and thank you for
5 all the hard work.

6 Okay. Our next section is public comment. And we
7 do have some online as well as a couple of people that
8 wanted to make public comment here.

9 So I'd like to first call on John Milem to come
10 forward. And following him will be David An- --

11 Oh, David, you don't want to comment? Okay.

12 So just John Milem. And then we'll go to some
13 electronic.

14 Please just state your name and spell it for the
15 record, please.

16 MR. MILEM: Good morning. I'm John Milem,
17 M-i-l-e-m, and John does have an H in it. I live in
18 Vancouver.

19 And I just would like to say that as part of the
20 public I'm feeling rather out of the loop with respect
21 to this whole process. And I'm here today specifically
22 to request that once any information is available, and
23 specifically some kind of an electronic listing of
24 blocks for these plans, I would appreciate it if the
25 public also be given that as soon as -- as soon as it's

1 possible. I think the commissioners are aware that I
2 played a role in the error-checking in this process,
3 too, and my intention is to participate in that part of
4 this if I'll be allowed to do it.

5 Thank you.

6 CHAIRWOMAN POWELL: Thank you for your
7 comment.

8 Okay. Comment, first one is from Dwayne Berg of
9 Marysville, and that's D-w-a-y-n-e, last name B-e-r-g.
10 And it's really a question.

11 "Why is this taking so long? The last commission
12 was . . . more productive."

13 CHAIRWOMAN POWELL: I think I've heard you
14 say it's pretty much the same, similar pace.

15 COMM. FOSTER: I think it -- it's about the
16 same.

17 CHAIRWOMAN POWELL: Okay. Next comment is --

18 COMM. FOSTER: Remember, last Commission
19 actually was criticized, but we -- that was right in
20 the middle of 9/11, and that slowed us down quite a
21 bit. But remembering ten years ago and 9/11 and how
22 people were -- were reacting to things, it slowed down.
23 I think we were supposed to have some maps ready about
24 then, so it did slow it down.

25 CHAIRWOMAN POWELL: Yeah. Okay. Thank you.

1 Our next comment is from Paul -- I believe it's
2 Wagemann -- it's P-a-u-l, and the last name is
3 W-a-g-e-m-a-n-n -- from Lakewood, Washington.

4 And, (as read) "will there be time to comment on
5 the final draft and presentation to the Legislature?
6 The two draft plans for the 28th appear to be very
7 far apart. As I have commented before including Tacoma
8 in the 28th does not make sense to me for a multitude
9 of reasons. These include breaking up individual
10 cities that have been chosen to break away from Tacoma.
11 It also gives Tacoma additional representation while
12 diluting the representation of outlying communities.
13 It would be helpful to have time to comment on the
14 final draft. I appreciate the committees service to
15 our state. Thank you for your work."

16 And I think you'll start to see some of the maps
17 coming forward and -- you know, on Friday. So I think
18 this comment was submitted before we started talking
19 about all this. So we are going to be getting
20 information out as soon as we can.

21 So I think that's it on public comments. Correct?

22 Okay. Is there anything else to come before the
23 Commission today?

24 COMM. HUFF: I don't want to work on New
25 Year's Day.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CHAIRWOMAN POWELL: Duly noted and agreed.
Okay. Well, thank you all for coming. And we
will resume back in -- on Friday at 9:00 a.m.
(Proceedings concluded at 11:08 a.m.)