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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 8th of November, 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 November 13, 2011.

  
SUE E. GARCIA, CCR, RPR  
WA LIC. NO. 2781

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WASHINGTON STATE REDISTRICTING COMMISSION

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SPECIAL MEETING

November 8, 2011

Cherberg Building  
Olympia, Washington

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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 - COMMUNICATIONS DIRECTOR
- BONNIE BUNNING - EXECUTIVE DIRECTOR
- NICK PHARRIS - PROJECT ANALYST

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1 BE IT REMEMBERED that on Tuesday, November 8, 2011, at  
2 10:34 a.m., at 304 15th Avenue, Cherberg Building,  
3 Olympia, Washington, the following proceedings were  
4 had, to wit:

5  
6 \* \* \* \* \*

7  
8 CHAIRWOMAN POWELL: Good morning, and welcome  
9 to this meeting of the Washington State Redistricting  
10 Commission. My name is Lura Powell, and I am chair of  
11 the Commission.

12 And I would like to start out this morning just  
13 going across the head table and letting people  
14 introduce themselves.

15 So, Bonnie . . .

16 MS. BUNNING: My name is Bonnie Bunning, and  
17 I'm the executive director for the Redistricting  
18 Commission.

19 COMM. GORTON: Slade Gorton, Senate  
20 Republican representative.

21 COMM. CEIS: Tim Ceis, Senate Democrats.

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

24 COMM. HUFF: Tom Huff representing the House  
25 Republicans.

1                   COMM. FOSTER: Dean Foster, House Democrats.

2                   MR. FALLIS: Rusty Fallis, Attorney General's  
3 Office, general counsel for the Commission.

4                   CHAIRWOMAN POWELL: Okay. Thank you.

5                   I'd like to start out this morning with approval  
6 of minutes. So I would like to draw your attention to  
7 the minutes of October 11<sup>th</sup> first and ask if there  
8 are any additions or corrections to those minutes.

9                   COMM. HUFF: I move we accept.

10                  CHAIRWOMAN POWELL: Okay. We have a motion  
11 and -- in for -- to accept, and we do not need a  
12 second.

13                  Is there any further discussion?

14                  Okay. Then all those in favor say "aye."

15                  COMMISSION MEMBERS: Aye.

16                  CHAIRWOMAN POWELL: Opposed?

17                  Thank you.

18                  I would next like to direct your attention to the  
19 minutes of October 14<sup>th</sup> and ask if there's any  
20 additions or corrections to those minutes.

21                  COMM. HUFF: So moved.

22                  CHAIRWOMAN POWELL: I have a motion to  
23 approve the minutes. Is there any further discussion?

24                  Hearing none, all those in favor say "aye."

25                  COMMISSION MEMBERS: Aye.

1 CHAIRWOMAN POWELL: Opposed?

2 Thank you.

3 Okay. The next item of business is under Matters  
4 Pertaining to Redistricting. And I'd like to ask if  
5 any of the commissioners have any --

6 Do we want to do reports first, Bonnie, or do you  
7 want to do the resolution, do you think?

8 MS. BUNNING: Either way.

9 CHAIRWOMAN POWELL: Okay.

10 COMM. GORTON: It's hard to hear.

11 CHAIRWOMAN POWELL: It is hard to hear.

12 The first item we have under Matters Pertaining to  
13 Redistricting is any commissioners' reports and --

14 COMM. FOSTER: Madam Chair.

15 CHAIRWOMAN POWELL: Yes.

16 COMM. FOSTER: I have been on this Commission  
17 before and probably been through the same kind of  
18 exercise that's happening right now, so . . .

19 At the end of last meeting we had -- we had  
20 exchanged maps and reduced the number of maps that were  
21 on the table. The democrats put in a map, and the  
22 Republicans put a map in. And the question that  
23 everybody asked is, "where we go from here, and how do  
24 we get there?" And so I think that's maybe part of  
25 what this conversation is today.

1           And it's really interesting because naturally  
2           what -- what happens is people start talking to each  
3           other. And ten years ago the same exact thing  
4           happened. Representative Huff and I, who represent the  
5           House, started talking about process. And maybe  
6           because we don't live in Seattle, but Senator Gorton  
7           and Commissioner Ceis had their own conversations.

8           And Representative Huff and I met in Tacoma. And  
9           I had talked to him and he talked to me about taking  
10          the two maps that we had and getting -- having received  
11          feedback, a lot of feedback from the public through our  
12          communications network, feedback from people on the  
13          phone who had called us and talked about things, we  
14          have a number of people in the auditor's office, John  
15          Milem, other people who in a more technical way had  
16          given us suggestions on maybe what was wrong with our  
17          maps, both technically and maybe from their own  
18          opinion, roads that weren't there, houses that were  
19          split.

20          So I talked to Tom about maybe taking those two  
21          maps and seeing if we could get closer by producing  
22          another set of maps by either a special meeting that we  
23          could have called in this period of time or this  
24          meeting.

25          And Tom and I went back and forth talking about



1       how that would work and would -- would that kind of a  
2       process do what we all talked about at the first  
3       meeting, and that is, how do we get closer from these  
4       maps that -- that appear pretty far apart. And so the  
5       whole idea of the conversation that Tom and I had was  
6       that we would try to figure out those areas where we  
7       could make changes that might move us closer together.

8               And so from -- from those conversations we wanted  
9       to report back -- Tom can speak for himself, but --  
10      about as a process that we might use to move this  
11      commission toward -- toward closer maps and closer  
12      resolution that would have been a statewide kind of  
13      process where we took all these suggestions and made  
14      some changes.

15              COMM. HUFF: To follow up on that, I --

16              Thanks, Dean.

17              I think we've had a number of thoughts or  
18      proposals that we've been looking at. And I know that  
19      I've discussed one of -- one of those or couple of them  
20      with Slade.

21              And, Slade, do you want to mention anything about  
22      your proposal that you'd like to make?

23              COMM. GORTON: Well, yeah. Dean's right.

24              Just geographically the way we live, you two are closer  
25      to one another, and Tim and I are closer to one

1 another. And we've had some conversations.

2 And I -- and I made a suggestion to him that in  
3 effect we divide up the state into about eight or nine  
4 geographical areas and that the two Republican  
5 commissioners would, you know, start up at the north  
6 end in, say, 40 and 42, and the Democratic  
7 commissioners would then do the southwest part of the  
8 state. The two Republicans would do perhaps the east  
9 side of Lake Washington and so on, and, you know, with  
10 no one able to cross a line that one of the previous  
11 steps had drawn, but that we do it by sections starting  
12 at the corners, north end of the state and southwest  
13 corner of the state, and work in toward the center,  
14 without any of those being absolutely binding,  
15 obviously, until everyone had seen them and until we  
16 saw what the overall results were.

17 And I'll let Tim respond to -- to that original  
18 suggestion that I made to him. I think it would be  
19 safe to say he had some parts of it he liked and some  
20 parts of it he didn't.

21 COMM. CEIS: Yeah. Yeah, I think that's  
22 fair.

23 I -- my response to regional approach to the  
24 problem is positive. I think that makes some sense in  
25 trying to take specific sections, groups of districts,

1 and address them as a grouping.

2 The problem I had is and continues to be with the  
3 groupings I think you proposed in that the way you  
4 proposed them, I think it advantages the Republican  
5 side in terms of the groupings and the order we're  
6 taking them. And, you know, I would have proposed the  
7 same thing, Slade, if I had come up with that first, to  
8 my advantage, however.

9 So I think, you know, the regional approach is  
10 still of interest to me, and I think, though, that we  
11 have to resolve how that can be more bipartisan rather  
12 than partisan in how we approach it regionally. I  
13 think if we can figure that out, that might be a way  
14 through this. It might be.

15 COMM. HUFF: I might add that there's been  
16 many different ideas bandied around. And we've made  
17 some of pretty good progress on one hand, and on the  
18 other hand we have not for the simple reason that we're  
19 trying to come up with a proposal that all of us can  
20 agree to.

21 I have a proposal I'd like to hand out at this  
22 point and see if we can probably -- I think we all like  
23 the regional idea. I think we've got a lot of great  
24 input and so forth. And basically the proposal would  
25 call for regional assignments, along what Ceis was

1 saying and basically Slade was saying and certainly  
2 tying in what Dean was talking about.

3 But the regional assignments would be a  
4 nonpartisan approach, with two teams of commissioners  
5 and subcommittees concentrating on the state. Each  
6 team would take a portion of the state. Initial  
7 assignments would be as follows: Just a suggestion,  
8 Dean and myself would take the 17th, 18th, 19th,  
9 19th, 20th, 22nd, 23rd, 24th, 26th, and 35th.

10 I might as well hand those out.

11 COMM. CEIS: Yeah, easier to follow.

12 COMM. HUFF: This is better. Sorry about  
13 that.

14 And then Tim and Slade would handle 1, 10, 21, 32,  
15 38, 39, 40, 42, 44, basically that would be -- we would  
16 start from the Canadian border -- Tim and Slade would  
17 start from the Canadian border, and Dean and myself  
18 would start from Vancouver and come north. And then we  
19 would leave King County, Pierce County, Eastern  
20 Washington for a later schedule. That's just my  
21 initial suggestion. I have had had some discussion  
22 with some of the groups. So that's my proposal at this  
23 point.

24 COMM. GORTON: But that suggestion is the  
25 teams not be two Republicans together and two

1 Democrats --

2 COMM. HUFF: Exactly, yes.

3 COMM. GORTON: But one and two.

4 COMM. HUFF: In other words, it would be Dean  
5 and Tom, and Tim and Slade. That could possibly  
6 change, too, if Ceis moves down my way or I move his  
7 way.

8 COMM. CEIS: You want to trade houses?

9 COMM. HUFF: There you go.

10 COMM. FOSTER: This looks to me like sort  
11 of -- it covers those regions and works -- you either  
12 start in the middle and work out, or you start at the  
13 outside or work in. That's sort of the way you have to  
14 do this. And this starts on the outside, works in and  
15 works toward the -- the -- the Puget Sound area. It's  
16 done in a bipartisan or nonpartisan way.

17 I hate to continue to be the historian. In 1963  
18 we went through this same exercise. Senator Grieve and  
19 Senator Gorton did something like this, and they could  
20 never agree on which district to start it with or which  
21 one got to draw them. It was the 32<sup>nd</sup> District that  
22 was the district that was in contention.

23 So I think it's an approach that works, or at  
24 least it's an approach that we should try. I don't  
25 know if it will work, but --

1                   COMM. GORTON: Well --

2                   COMM. FOSTER: And then the proposal is that  
3 each of us -- Tom used the word "subcommittees."

4                   And we would sort of have another meeting and come  
5 back and exchanges maps or something?

6                   COMM. CEIS: I would presume we have to do  
7 that. I mean, we -- if you're as a subcommittee going  
8 to produce a map and we do the same, then we need to  
9 present those at the next regularly scheduled or  
10 special meeting we hold in order to show them to each  
11 other, right?

12                  COMM. HUFF: Makes sense.

13                  COMM. CEIS: Yeah.

14                  COMM. FOSTER: Yeah.

15                  COMM. GORTON: And actually the list that Tom  
16 has here is not very different than the -- than the  
17 list I have. The big difference is it's one R and one  
18 D on each one rather than from a partisan point of  
19 view. I think that's --

20                  COMM. CEIS: Yeah.

21                  COMM. GORTON: That's where we have to get to  
22 eventually, anyway. So starting that way is fine.

23                  COMM. CEIS: Yeah. And that takes away my  
24 concern --

25                  COMM. GORTON: Yeah.

1           COMM. CEIS: -- about who starts with which  
2           districts. If it's bipartisan, then that's not an  
3           issue any longer.

4           COMM. HUFF: And might -- while we're at it,  
5           you might -- we need to have special meetings, and I  
6           think it would be nice if we were to start beginning a  
7           schedule so we know when we're probably going to  
8           continue with maybe a special meeting. And certainly  
9           Dean and I need to work on a schedule, and I know you  
10          guys need to work. But I think scheduling is important  
11          because we've lost some time because we did have a  
12          meeting later on. And today is November what? 8th?  
13          And we wanted to be done by November 1, but that was  
14          sort of a goal. But I hope we can get done by the end  
15          of this month, and I think by scheduling we can do  
16          that.

17          COMM. GORTON: I think we have to finish  
18          before the Legislature starts.

19          COMM. HUFF: 28th.

20          COMM. GORTON: The ones that you're talking  
21          about here have to be done by the end of this -- by the  
22          beginning of next week.

23          COMM. HUFF: Next week.

24          COMM. CEIS: well, we should schedule a  
25          meeting for next week, and we should probably schedule

1 weekly meetings from now until the end. And if we need  
2 special meetings in between, we can call them with 24  
3 hours' notice as long as --

4 COMM. HUFF: Yes.

5 COMM. CEIS: -- the chair, you know, can get  
6 everybody's schedules together to do that.

7 But I -- I would think that between today and the  
8 end -- I would suggest -- I know everybody's goal is to  
9 be done by the end of November, but I would suggest we  
10 schedule those weekly meetings all the way through  
11 December just in case and -- and be prepared to come  
12 back with a status of our work based on this plan, this  
13 process, next week.

14 COMM. FOSTER: I don't have a problem  
15 scheduling meetings through December.

16 The other alternative is every time we meet we  
17 schedule the next meeting. People have a variety of  
18 things going on in their lives. We only need 24-hour  
19 notice. If we meet next week and if we make progress,  
20 we might decide to meet the following week or later  
21 next week or the following weekend.

22 COMM. GORTON: If you'll indulge me, I'm --  
23 this is a Tuesday meeting, and we've usually set them  
24 on Tuesday. I won't -- I'll be in New York. We're  
25 going to New York next Tuesday. So if it's possible to



1 schedule the next meeting, it should be next Monday.

2 COMM. FOSTER: what time does your plane  
3 leave? Could we meet at the airport?

4 COMM. GORTON: At 8:00 o'clock in the  
5 morning.

6 COMM. FOSTER: That's pretty early, isn't it?

7 COMM. CEIS: We could meet at 6:00. I don't  
8 think so.

9 COMM. HUFF: I'm fine with Monday. That's --

10 COMM. CEIS: I think Monday works.

11 COMM. HUFF: -- if anybody else has a  
12 problem.

13 COMM. FOSTER: I'm okay with Monday.

14 COMM. CEIS: I'm okay with Monday. That  
15 works for me.

16 CHAIRWOMAN POWELL:: well, I think that  
17 the -- one of the things we can do at the Commission,  
18 as we have been doing this, having days -- finding days  
19 where all the commissioners are going to be available  
20 so it's a little bit easier. You know, when you feel  
21 like you're ready, then we can, you know, get a meeting  
22 in place 'cause we'll already have some schedules --

23 COMM. GORTON: I like Dean's suggestion that  
24 we schedule the meetings just each time we have one  
25 'cause if we were -- if we luck out and can make any

1 decisions by next Monday, it might be that the next one  
2 could be the end of that week.

3 COMM. FOSTER: I don't know if this is a  
4 personal question. But when will you be back?

5 COMM. GORTON: Wednesday night.

6 COMM. FOSTER: Okay.

7 COMM. GORTON: So I'm -- so I'm here Thursday  
8 and Friday. I'm here Monday, Thursday, and Friday of  
9 next week.

10 COMM. FOSTER: Okay.

11 COMM. CEIS: My only concern with waiting is  
12 schedules fill up.

13 COMM. FOSTER: Yeah.

14 COMM. CEIS: That's a problem for me. If I  
15 know I've got a target, I'll hold it. And I know that  
16 personal lives also fit into that. Maybe Tuesdays  
17 aren't the right day anymore. Maybe it has to be  
18 Mondays, but -- or maybe it's Monday sometimes and  
19 Tuesdays other times. But I'd really like to suggest  
20 we set a schedule, and if we have to change that  
21 schedule week to week, that's fine.

22 COMM. GORTON: Okay.

23 COMM. CEIS: But --

24 COMM. GORTON: Then Tuesdays?

25 COMM. CEIS: whatever. I --

1                   COMM. GORTON: Tuesdays?

2                   COMM. CEIS: I'm fine with Tuesdays or  
3 Mondays, whatever we decide. Just like to have a goal  
4 of having those scheduled and set. And then if they  
5 have to be changed, we'll change them.

6                   COMM. HUFF: Yeah.

7                   COMM. FOSTER: Does the 24-hour period  
8 include weekends?

9                   CHAIRWOMAN POWELL: Rusty? I --

10                  MR. FALLIS: No, I don't think it does  
11 because I think --

12                  well, I'm going to take that back. If the --  
13 Are you asking if you schedule a meeting for a  
14 weekend?

15                  COMM. FOSTER: Actually I was wondering --

16                  COMM. GORTON: On a Friday, could you  
17 schedule a Saturday meeting? I guess that's the  
18 question.

19                  MR. FALLIS: Yes, you could do that.

20                  COMM. CEIS: And if we wanted to have a  
21 Monday meeting and we called for it on Saturday, is  
22 that still -- notice is still all right to have notice  
23 on a weekend for a business day?

24                  MR. FALLIS: I think -- I think so.

25                  COMM. CEIS: Okay.

1                   COMM. HUFF: To start with, let's plan on  
2 Monday, huh?

3                   COMM. FOSTER: Monday the 14<sup>th</sup> at --

4                   COMM. HUFF: What time?

5                   COMM. GORTON: This time, I guess.

6                   COMM. HUFF: 10:30?

7                   COMM. CEIS: And can we look at the following  
8 week? Is that possible, to look at either a Monday or  
9 Tuesday that following week?

10                  COMM. GORTON: You've indulged me. I think  
11 Tuesday's better because it gives us Monday for the  
12 subcommittees to meet.

13                  CHAIRWOMAN POWELL: Yeah.

14                  COMM. HUFF: Well, I prefer Tuesday at this  
15 point because I -- my wife's going in for a knee  
16 surgery on Monday, so . . .

17                  COMM. CEIS: Oh, okay. So Tuesday better?

18                  COMM. HUFF: Tuesday would be better for me.

19                  COMM. CEIS: Okay. That's fine.

20                  COMM. HUFF: 10:30?

21                  COMM. FOSTER: We're talking about the  
22 22<sup>nd</sup>, day before -- two days before Thanksgiving?

23                  COMM. CEIS: Yes.

24                  COMM. HUFF: So at this point I'm assuming  
25 that the proposal that I handed out is what we're going

1 to work with and move on with; is that correct? I  
2 don't think it needs a motion, but I just want a  
3 consensus.

4 CHAIRWOMAN POWELL: Any changes suggested to  
5 that?

6 COMM. FOSTER: Looks good to me.

7 COMM. CEIS: Fine.

8 COMM. GORTON: Seems like logical groupings.

9 COMM. CEIS: Works.

10 CHAIRWOMAN POWELL: To Tim's point, though,  
11 one of the things we can do, if you all agree, is to  
12 sort of take a look at blocks of time, you know,  
13 through the end of December when you all are available  
14 so that, you know, we do have some flexibility, and  
15 then, you know, just sort of let dates go as we can.

16 COMM. FOSTER: Or we could -- I mean, maybe  
17 we're on a roll. Maybe we schedule every Tuesday  
18 through December.

19 COMM. CEIS: That's fine.

20 COMM. HUFF: I have no problem with that.

21 CHAIRWOMAN POWELL: Everybody else okay with  
22 that?

23 COMM. HUFF: I would agree with that.

24 CHAIRWOMAN POWELL: Okay. Well, let's do  
25 that, then.

1                   COMM. HUFF: 10:30, is that -- same time.

2                   And location would be here?

3                   CHAIRWOMAN POWELL: well, I don't --

4                   COMM. FOSTER: We may have a problem starting  
5                   on Tuesday the 29<sup>th</sup>. We may get -- although, the  
6                   legislature probably would be pretty accommodating  
7                   toward us.

8                   CHAIRWOMAN POWELL: They may be. But they've  
9                   got to have a lot of other activities. I understand  
10                  they're even starting before the 28<sup>th</sup>. Some are  
11                  starting now.

12                  COMM. HUFF: That doesn't surprise me.

13                  CHAIRWOMAN POWELL: But I will announce the  
14                  location. If this room is not available, then we'll  
15                  find an appropriate location.

16                  COMM. FOSTER: So our issue with this room  
17                  has to do with TVW?

18                  CHAIRWOMAN POWELL: well, I --

19                  Bonnie, I'll let you answer that 'cause you're --

20                  MS. BUNNING: Yes. Through November we have  
21                  all of the whole dates that we have identified on your  
22                  calendars scheduled both here and in the Archaeology &  
23                  Historic Preservation conference room that we met in on  
24                  the 14<sup>th</sup> of October.

25                  The problem with that location was intermittent

1 power to the cameras, and we lost some of the  
2 webcasting for a few minutes there. So this is a  
3 preferred location both from a technical point of view  
4 and the ease for TVW; they don't -- they're all set up  
5 to do it. However, we can do it elsewhere if we need  
6 to.

7 And in December we don't have meeting rooms held  
8 anywhere yet, as far as I know; so we'll have to look  
9 into that. But now that we've -- if it's Tuesday,  
10 every Tuesday, we can -- we can proceed.

11 CHAIRWOMAN POWELL: Okay. One other thing, I  
12 would just like to encourage -- and I know you all are  
13 mindful of this -- is that we, of course, do need to  
14 finish as early as we can just so let the auditors take  
15 a look at things and make sure, you know, we're not  
16 putting lines down empty creek beds or along power  
17 lines that no longer exist or through people's houses.  
18 So if we can -- I would love to see us target, you  
19 know, as early as possible but no later than  
20 mid-December.

21 COMM. CEIS: It will happen when it happens.

22 CHAIRWOMAN POWELL: Oh, I understand. I'm --

23 COMM. CEIS: Kind of like giving birth, I  
24 imagine.

25 CHAIRWOMAN POWELL: Well, yeah.

1                   COMM. HUFF: Kind of what? Giving what?  
2 Birth?

3                   CHAIRWOMAN POWELL: Yeah. Except usually it  
4 doesn't -- you know, you're not in labor for too long.

5                   Okay. Any other issues any of the commissioners  
6 wants to raise at this time?

7                   COMM. HUFF: Well, I think we're making a  
8 good start here by scheduling meetings and moving  
9 forward and having a plan. And certainly I agree with  
10 you, Lura, that we need to get done as we can -- as  
11 soon as we can. I don't think I would like to be here  
12 at Christmastime, and maybe some of the commissioners  
13 would be. But I would rather be home with my family,  
14 so -- and I think everybody would like -- out there,  
15 the legislators and people that are running for office  
16 would like to know what the game plan is and where they  
17 can run and so forth.

18                   So I think we've made good headway here, and I  
19 think as we keep our shoulders to the wheel, we'll get  
20 the job done. So thank you very much.

21                   COMM. GORTON: Well, all we talked about is  
22 the legislative redistricting. We've got a  
23 congressional plan --

24                   COMM. HUFF: That's right.

25                   COMM. GORTON: -- to do, as well.



1                   COMM. HUFF: Right.

2                   COMM. GORTON: And that ought to be easier.  
3 A lot fewer lines. But to complete it in time, we've  
4 got to do that one, as well.

5                   COMM. CEIS: Tom, I just want to thank you  
6 for presenting this proposal. I think it was very  
7 helpful. And appreciate you --

8                   COMM. HUFF: Thank you.

9                   COMM. CEIS: -- doing that. Thanks.

10                  CHAIRWOMAN POWELL: Okay. Anything else?

11                  Okay. Our next item of business is to go through  
12 a discussion of the draft resolution.

13                  And, Bonnie, do you have a presentation?

14                  MS. BUNNING: Yes. Thank you, Madam Chair.  
15 I'm directing your attention now to the lavender draft  
16 resolution in your packet, and also following that  
17 we'll talk about the salmon-colored attachment to that  
18 resolution.

19                  You may recall that in October I presented you  
20 with two draft resolutions, one for the legislative  
21 part of the plan and one for the congressional part.  
22 And there was a brief discussion. Commissioner Foster  
23 asked that the auditors review some of the language.  
24 There were a couple of errors that Commissioner Gorton  
25 pointed out and also asked that we look into how other

1 states do this job.

2 we did that. I want to say that the county  
3 auditor for Spokane, Vicky Dalton, was extremely  
4 helpful in putting together this version, very  
5 responsive, and I really appreciated her help. And I  
6 also thank Rusty, our AG, for providing me with some  
7 research into other states' approaches.

8 we looked into California, Alaska, Idaho, Montana,  
9 and California. And I found that California's  
10 approach, I thought, was too small, Idaho's was too  
11 big, and Alaska was just right. So like Goldilocks, I  
12 have provided the new draft resolution modeled on the  
13 proclamation from the State of Alaska.

14 what this does now is combine the two separate  
15 versions we saw in October into one for the entire  
16 plan. And the confounding language that we discussed  
17 from the previous Section 4, which was basically error-  
18 correction instructions for the county auditors, I've  
19 taken out of the resolution body itself and made the  
20 attachment. And we'll go through all of those cases  
21 and examples with illustrations in a minute.

22 I want to note that although we've been focused on  
23 maps throughout this process as part of the plan, the  
24 actual plan that gets codified is the list of counties,  
25 census tracts, block groups, and census blocks. And so

1 among those -- between those two products there can be  
2 errors that linger at the end in a small way.

3 And I want to talk a little bit about the error-  
4 checking aspects of this. We intend -- we have the  
5 software, of course, in autoBound that can do some  
6 error-checking at the Commission before we are done.  
7 We are hoping that we have time for the auditors around  
8 the state to take a look and find any split houses or  
9 dry creek beds that don't work. And finally, of  
10 course, there's the institutional error correction or  
11 change opportunity with the legislature.

12 Should all of that fail, these are the  
13 instructions an auditor might use for those individual  
14 blocks, is what I'm expecting, at the end of the day so  
15 that they can put their precincts in line with the new  
16 districts in time for the election preparation, which  
17 happens this spring.

18 Last time there were some concerns about the rigid  
19 application of a set of rules producing an illogical  
20 result. And, for example, if you always took a block  
21 that wasn't assigned to the -- to the district with the  
22 least population, you could still come out with an  
23 imbalanced population. But I think by the time we've  
24 gone through all those layers of looking at this and  
25 making sure it does what it's supposed to do, I think

1 the errors should be minimal.

2 If, however, an error were to pass through all of  
3 those screens, including the Legislature, and still be  
4 there, and it was significant to the meaning of the  
5 plan, not simply an unpopulated block that is across a  
6 line, then the Commission could be reconvened by the  
7 Legislature to come back and fix that if it were  
8 substantive. So I think there's corrections all the  
9 way around to make this work.

10 Now, looking at the resolution, the document  
11 begins with a series of "whereas" clauses. The  
12 "whereas" -- the first "whereas" cites the legal  
13 framework within which the Commission works. The  
14 second one deals with redistricting to the census data  
15 from 2010. The third establishes that the Commission  
16 was duly formed according to the law. The fourth notes  
17 that the public was involved through hearings and  
18 third-party plan, the process required in our  
19 commission rules. And the fifth memorializes the fact  
20 of plan approval by vote of the Commission in the  
21 constitutionally established time frame.

22 Then the 11 resolution phrases basically are what  
23 was contained in the two versions we looked at in  
24 October, minus the -- the error corrections that I  
25 talked about: So the 11 resolutions basically express

1 the intent of the Commission to redistrict according to  
2 the constitution and laws of the United States and of  
3 Washington;

4 It addresses the application of definitions from  
5 our statute, establishes that the 2010 census was used  
6 to determine population of the districts;

7 It relates or refers to the certificate of  
8 entitlement from the clerk of the U.S. House of  
9 Representatives, which is the document that grants  
10 Washington a 10<sup>th</sup> Congressional District;

11 And it also defines the districts as blocks and  
12 precinct lines that will be as -- published as the  
13 official definition of the districts;

14 It establishes that the plan has 49 legislative  
15 districts, according to the constitution of the state  
16 and law;

17 This clause No. 6 is the state version of the  
18 No. 4 clause that deals with congressional districts --  
19 so that's how they were merged as two independent  
20 clauses there -- how and when district descriptions  
21 will be available;

22 Provision 7 declares that the existing law will  
23 govern such matters of terms and dates of election,  
24 status of hold-over senators whose districts may have  
25 changed in the midterm, and how any district-number

1 changes will be dealt with;

2 clause 8 expresses the intention that the new  
3 district descriptions will replace those that are  
4 codified in state law ten years ago;

5 9 is a disclaimer that any portion that's found to  
6 be invalid won't affect the rest of the plan;

7 10 establishes how districts will be described;

8 And 11 then calls out Attachment A as instructions  
9 to the state auditors to make the minor corrections in  
10 implementation.

11 Are there any questions on it?

12 Yes.

13 COMM. FOSTER: The severability clause,  
14 No. 9, was that in the last?

15 MS. BUNNING: Yes. Yes. All of these things  
16 were basically consolidated from the past.

17 COMM. GORTON: Yeah. Let me ask a couple of  
18 questions.

19 Just in the last week or two weeks we've had a  
20 state senator die. We have two members of the  
21 Legislature who are running for county executive.

22 Let's say that that or something like that  
23 happened after we finished. Is it clear that the  
24 replacement for next year's legislature would come from  
25 the old district lines rather than the new district

1 lines? Or is --

2 well, I'll ask the assistant attorney general:

3 Is that already a matter of statute law?

4 MR. FALLIS: well, I think -- I think there  
5 is a body of law, at least case law, that would deal  
6 with that, and the way that this is written is that  
7 existing law would govern those situations.

8 COMM. GORTON: Okay. So -- so any appointed  
9 replacement all the way through next year will come  
10 from what are now the present district lines, not from  
11 the new ones we draw?

12 MR. FALLIS: I think that's -- I think that's  
13 the case. But I guess I want to emphasize the point  
14 that this isn't trying to change substantive law.  
15 whatever --

16 COMM. GORTON: Okay.

17 MR. FALLIS: whatever case law there is or  
18 whatever AG opinion guidance there is would govern  
19 those particular issues.

20 COMM. GORTON: And I have another question  
21 that's come up a couple of times on -- on contiguity  
22 and a place I visited a couple of times.

23 Point Roberts isn't contiguous with anyplace in  
24 the state of Washington by road or by ferry. It's  
25 entirely isolated. But does contiguity --

1           Is every part of an existing county automatically  
2 contiguous to the rest of that county, whether there's  
3 a road or not?

4           I think it's got to be. But if we didn't -- but  
5 Point Roberts, those very small San Juan Islands that  
6 have a handful of people but don't have a ferry, are  
7 they just -- are they considered automatically to be --  
8 if -- if -- contiguous to the rest of the county of  
9 which they're a part?

10           MR. FALLIS: Well, I can't give you an answer  
11 off of top of my head. I'd want to talk to the  
12 executive director about the way she sees this as  
13 operating because, to be honest with you, her  
14 understanding of the way this plays out in real life is  
15 better than mine is. But I understand what you're  
16 saying: We got to make sure that there isn't something  
17 that's left undone. And Point Roberts is --

18           COMM. GORTON: Yeah. I -- I think the answer  
19 to those question is yes. But it's come up in a couple  
20 of the conversations we've had that --

21           Another example, which is just by land, would be  
22 Skykomish, which is -- which is now included in the  
23 39th District and, I suppose, probably will be in the  
24 future. But it's in King County, but you can't get to  
25 it without going outside of King County, unless you



1 took a helicopter.

2 But is it -- you know, could it legally be  
3 included in a district that didn't include any of  
4 Snohomish County, it was all a King County district?  
5 would that -- would the fact that it's in King County  
6 have it judged to be contiguous?

7 COMM. FOSTER: Another case could be Island  
8 County --

9 COMM. GORTON: Yeah.

10 COMM. FOSTER: -- where --

11 COMM. GORTON: The two islands are not  
12 connected.

13 COMM. FOSTER: -- Camano and Whidbey.

14 COMM. GORTON: That's right. That's another  
15 case.

16 COMM. CEIS: What are you up to?

17 I mean, those are interesting questions to pose,  
18 but I don't think --

19 COMM. GORTON: Well, I've had -- I -- in a  
20 couple of the conversations I've had and in some of the  
21 talks with staff particularly, you know, that question  
22 is, you know -- has come up.

23 COMM. CEIS: I appreciate the question. But  
24 it's almost theoretical, I mean, where are we going to  
25 put Point Roberts. I mean, it really --

1                   COMM. GORTON: Yeah. We're going -- we're  
2 going to put it in it.

3                   COMM. CEIS: Yeah.

4                   COMM. GORTON: But I don't think the people  
5 who wrote the statute after this constitution was  
6 passed were thinking about --

7                   COMM. CEIS: Clearly not.

8                   COMM. GORTON: -- were thinking about that.

9                   COMM. CEIS: But just the practical aspect of  
10 redistricting that we have to deal with.

11                  I just want to ask back to your earlier question,  
12 Rusty: Once the legislature approves a redistricting  
13 plan and it's in effect, then if there's a vacancy,  
14 that's -- I mean, I guess that's the theoretical  
15 question, is:

16                  When does the new district take effect; at the  
17 election or at the point the legislature adopts the  
18 plan?

19                  COMM. FOSTER: Well, I don't think the  
20 Legislature does adopt the plan. I think the  
21 Legislature has the opportunity --

22                  COMM. CEIS: That's right.

23                  COMM. FOSTER: -- to amend it.

24                  COMM. CEIS: That's right. They have 30  
25 days, but the plan becomes effective --

1                   COMM. GORTON: But the plan does --

2                   COMM. FOSTER: Without action, it becomes  
3 law.

4                   COMM. CEIS: -- yeah, within 30 days or  
5 whatever the time limit.

6                   COMM. FOSTER: I'd sort of like follow up  
7 your question with Senator Gorton. Senator Gorton's  
8 first question was: Is it clear what will happen? And  
9 based on what I heard Rusty say, it's not clear, if  
10 there were a vacancy, where that would be -- where that  
11 person would be appointed from. So --

12                   COMM. GORTON: Yeah.

13                   COMM. FOSTER: -- hopefully between now and  
14 at least the next regular meeting, if not the next  
15 meeting next week, we can get a clear answer which set  
16 of boundaries is used.

17                   COMM. GORTON: would the vacancy be filled  
18 from.

19                   COMM. FOSTER: I happen to believe that it's  
20 been ruled upon. But I'm not going to prejudice this  
21 conversation with my opinion.

22                   COMM. GORTON: I think it has, too.

23                   MR. FALLIS: I think there are two questions.  
24 One is -- you know, one is whether there's some  
25 ambiguity in the resolution itself, which I think we're

1       trying --

2               COMM. CEIS: Right.

3               MR. FALLIS: -- to protect against. And as  
4       it's written now, it in effect says, existing law will  
5       govern the analysis of those kinds of questions.

6               Now, if there's uncertainty, part of the  
7       uncertainty is I don't know off the top of my head what  
8       the existing law says about Question A, B, or C. But  
9       I'm happy to look at that. But, you know, if you see  
10      ambiguities in the resolution itself, we certainly want  
11      to know about that.

12              MS. BUNNING: To the second point about the  
13      pieces of counties that -- like Point Roberts or some  
14      of the islands, I -- I can look into that also. And  
15      it's possible that we could add another element in the  
16      resolution to make it clear what this commission means  
17      to do, if it isn't already clear by definition of  
18      "county."

19              COMM. GORTON: I think every part of a given  
20      county is contiguous to every other part. That's my  
21      only view of the subject.

22              MS. BUNNING: Right. And if we felt we  
23      needed it, we could make that statement. It may not be  
24      necessary, but . . .

25              CHAIRWOMAN POWELL: Okay.

1 MS. BUNNING: Okay. We'll move on to the  
2 attachment on in the salmon color. I just wanted to  
3 step you through, with Nick's help, some of the  
4 examples so we can decide if this is what we need and  
5 if it's clear enough. Okay.

6 MR. PHARRIS: On our first map basically, as  
7 Bonnie mentioned, this is an attempt to make the plan  
8 sort of self-correcting in case there are any errors  
9 left over. And since we'll have so many sets of eyes  
10 on this, I -- we don't anticipate there will be very  
11 many errors left over, either in population or in  
12 geographic extent. This does cover some of the things  
13 that drawing the maps in autoBound can introduce if  
14 you're not careful.

15 So Section A1 is -- excuse me. Section A deals  
16 with areas that have not been assigned to any district.  
17 Section A1, "If the area is surrounded by or adjacent  
18 to a single district, it shall be part of that  
19 district." That's fairly obvious; there's only one  
20 place for it to go. The next slide shows the same  
21 thing. The other -- either it's entirely surrounded by  
22 a district, or it's trapped by the district and the  
23 edge of a state.

24 Section A2, how to resolve it if the area is  
25 adjacent to more than one district, subsection a, "The

1 area shall be part of the adjacent district that is not  
2 separated from the area by a county boundary." This  
3 is -- you know, after a discussion with the county  
4 auditors, that is something to make their lives easier.

5 If we -- for instance, up here, the white area is  
6 unassigned at the moment. If it were to be -- it could  
7 be assigned to the 35<sup>th</sup> District in the upper left or  
8 the 20<sup>th</sup>. If it were assigned to the 20<sup>th</sup>, it  
9 would be the only part of Grays Harbor County in the  
10 20<sup>th</sup>, which would make the auditor's life difficult.  
11 So we say, if you have a choice, go with the district  
12 that does not cross a county boundary.

13 If there is more than one district that would not  
14 require crossing a county boundary, go with the  
15 district that does not involve crossing a municipal  
16 boundary, obviously also to make the auditors' lives  
17 easier since this would be, in this case, the only  
18 section of District 8 in the southwest that would be  
19 outside of the City of Richland, or at least would  
20 be -- would be isolated from any other unincorporated  
21 areas that are in District 8.

22 If you have your choice of two districts, neither  
23 of which is separated from the area in question by a  
24 county or municipal boundary, go to the one with the  
25 lower population, as seen here.

1                   COMM. CEIS: In this -- in that example, that  
2 area is outside of the municipal boundary of Covington,  
3 then, right?

4                   MR. PHARRIS: That is correct.

5                   COMM. CEIS: Okay.

6                   MR. PHARRIS: The heavy black line is the  
7 Covington municipal boundary.

8                   And if you have a case where you're not crossing a  
9 county boundary and you're either within a single  
10 municipality or outside of any municipality and you  
11 have two districts that share the lowest population,  
12 which is a theoretical possibility, you go with the one  
13 that shares the longer boundary with the area you're  
14 trying to assign.

15                  If, on the other hand, staying within the county  
16 requires you to cross a municipal boundary, you cross  
17 the municipal boundary, but go with the one with the  
18 lower population.

19                  And again, if you -- this is the subset of the  
20 previous case where you've got two districts that are  
21 tied for population. The dark blue district's a little  
22 harder to see. Both populations are 137,238. But  
23 the -- the 21<sup>st</sup>, where Mountlake Terrace is, has a  
24 longer boundary with the area, so it gets it.

25                  This is something that can up quite -- can come up

1 quite easily when you're working in autoBound. This is  
2 a real area. The rectangle that's assigned to the 47<sup>th</sup>  
3 in the upper right is a disconnected piece of the City  
4 of Kent. If you go in and assign the entire City of  
5 Kent, you will get this area along for the ride.

6 COMM. CEIS: I see. That's the Kent  
7 watershed, isn't it?

8 MR. PHARRIS: Yes. Yeah.

9 So this is a disconnected piece. And we've --  
10 we've made it explicit. And we're now in Section C.  
11 "If any district described herein is found to consist  
12 of multiple nonadjacent areas, the area having the  
13 largest population shall be the district." That was  
14 important to clarify that. And the areas with lesser  
15 population shall be assigned as if they hadn't been  
16 unassigned to any district, so according to the same  
17 criteria as in A.

18 So in this case you have two disconnected pieces  
19 of the 47<sup>th</sup> District. The area with lesser  
20 population, in fact, no population, in this case, gets  
21 transferred into the 5<sup>th</sup> District since it entirely  
22 surrounds it.

23 There is an exception to this. It's quite easy in  
24 autoBound, since by default the water layer is  
25 opaque -- you -- you can't see what's under it. It's



1 quite easy, for instance -- perhaps in an earlier  
2 version of this plan, the entire portion of the City of  
3 Bremerton south of the Port Washington Narrows had been  
4 in the 26<sup>th</sup> District. Then a decision was made to  
5 bring the 23<sup>rd</sup> across the bridge. But maybe the water  
6 didn't get reassigned. So technically you have an  
7 island in the 23<sup>rd</sup> District entirely surrounded by the  
8 26<sup>th</sup>. There may be several thousand people in there  
9 who probably don't want that island to simply wink out  
10 of existence and become part of the 26<sup>th</sup>.

11 So we say, if the entire area separating it from  
12 the rest of its district is water and it's connected by  
13 a bridge or ferry to the rest of the district, reassign  
14 the water; don't reassign the -- the land area.

15 This is Case -- Sections D and E -- Sections A, B,  
16 and C are issues you pretty much have to resolve: You  
17 can't have unassigned areas; you can't have multiply  
18 assigned areas; you can't have little islands of a  
19 district that are disconnected. D and E are more  
20 aesthetic. And if you don't like the results, they  
21 could potentially be stricken.

22 Case D is a case like Senator Gorton was asking  
23 about. Commissioner Gorton. Excuse me.

24 Technically -- in this -- in this case -- so what you  
25 have there is the -- a portion of the 27<sup>th</sup> District,

1 including Point Defiance, and then across the water on  
2 the Gig Harbor peninsula another area that perhaps in  
3 drawing them up got left behind. And once upon a time  
4 Gig Harbor was included in the 27<sup>th</sup>. We decided --  
5 somebody decided to move that into the 26<sup>th</sup> instead,  
6 but a little chunk got left behind. And crucially  
7 here, the water got left behind, as well. So autoBound  
8 would not catch this as a mistake because, according to  
9 its criteria, the district is contiguous.

10 So we have a clause in here stating that, if there  
11 is a land area that is separated by water from the  
12 remainder of its district and inaccessible by bridge or  
13 ferry and -- and basically there's a better place for  
14 it to go, there is adjacent land area that is not  
15 across a county boundary, then you can break the  
16 district in the middle of the water and assign it to  
17 the other side.

18 One reason why we specifically say "not separated  
19 by a county boundary," because there are areas like  
20 this one. This is showing Grant County on the east,  
21 Douglas county on the west, and the county boundary  
22 zigzags through Banks Lake, isolating several bits of  
23 Grant County on the other side. It would be annoying  
24 for the Grant County auditor, certainly, if all of  
25 those areas west of Banks Lake were to be sort of

1 automatically flipped over into the other district. So  
2 we say Section D does not apply if there is no  
3 alternative district that doesn't involve crossing a  
4 county line.

5 And looking at Section E we have a proviso in here  
6 where if there is an area that is separated from the  
7 rest of its district by a county line -- so the -- the  
8 bluish line about two-thirds of the way over is the  
9 county boundary, Spokane County on the east, Lincoln  
10 County on the west. The one block of Lincoln County  
11 has a little 0 in it; that means there is no  
12 population. If there is an area that's isolated from  
13 the rest of its district by a county line and it has no  
14 population, that area will get moved into a district in  
15 the same county, namely the one with which it shares  
16 the longest boundary. And --

17 MS. BUNNING: That's it.

18 MR. PHARRIS: -- the final slide shows the  
19 same thing with a water area, again easy to do.  
20 Technically -- so we've got Kittitas County above,  
21 Yakima County in the southwest, Grant in the northeast,  
22 Benton in the southeast. This section of the Columbia  
23 River -- the entire river has been assigned to the  
24 13<sup>th</sup> District. We're saying, "It's okay. You  
25 can" -- the Yakima County auditor can consider that

1 portion of the river, which obviously has no people in  
2 it, to be part of the 15<sup>th</sup> District instead. It  
3 would break along the county line, and the part west of  
4 the county line would be in the 15<sup>th</sup> District.

5 Oh, and I should mention, I neglected to go over  
6 Part B, which covers any areas that have been assigned  
7 to more than one district. So there -- I am  
8 envisioning, as we had last time, a list of census  
9 blocks in each district. Should any census block be  
10 listed under two districts, it will have to be  
11 reassigned. We suggested it would be reassigned under  
12 the same criteria in Section A, with a proviso that  
13 only districts to which had originally been assigned  
14 would be eligible to receive it.

15 MS. BUNNING: Thank you.

16 COMM. FOSTER: I heard you mention auditors.  
17 Is the Secretary of State involved in this process,  
18 too?

19 MR. PHARRIS: Well, we -- we haven't spoken  
20 to anybody with the Secretary of State's office.  
21 The -- the auditors are really where the rubber meets  
22 the road. They're the ones that actually have to  
23 conduct the elections.

24 COMM. FOSTER: Who -- who referees if it's  
25 between two counties?

1 MR. PHARRIS: Well, every area -- let's see.  
2 Every area's going to be in one county or another.

3 So is there a specific instance you were wondering  
4 about?

5 COMM. FOSTER: No.

6 MR. PHARRIS: I'm just trying --

7 COMM. FOSTER: No. I just -- it would seem  
8 like to me that the auditors, the state elections  
9 supervisor -- I mean, the Secretary of State, and the  
10 Secretary of State, if not in legislative districts, in  
11 congressional districts would be involved in these  
12 conversations, either preliminary conversations as we  
13 have -- work on this draft or in the final resolution,  
14 and -- and therefore, should be involved now.

15 MR. PHARRIS: Makes sense. I believe -- last  
16 time these were sort of taken as instructions to the  
17 county auditors. But yeah.

18 MS. BUNNING: I haven't spoken with the  
19 Secretary of State's office, but I certainly can.

20 COMM. FOSTER: Yeah.

21 MS. BUNNING: If this looks like something  
22 that you think makes sense and covers the options of  
23 possible error.

24 COMM. GORTON: Sure seems like it.

25 COMM. FOSTER: I have no clue if it makes

1 sense.

2 But I have a question about a split house.

3 MR. PHARRIS: Oh, yes.

4 COMM. FOSTER: Is that in here?

5 MR. PHARRIS: It is not. Generally I believe  
6 the county auditor handles that. And if a line is  
7 running through a house, as I recall from conversations  
8 with Dave, who is now at Pierce County Elections and  
9 was at Thurston County Elections, they would basically  
10 go and try to figure out where the bedroom was and  
11 which side of line and assign the house to one side or  
12 the other that way.

13 COMM. CEIS: We just don't want to create  
14 marital problems.

15 COMM. FOSTER: My second question was: As we  
16 proceed from where we -- where we just left, that is,  
17 we're going to be maybe sharing some maps, can you or  
18 the auditors or whoever's involved in this process take  
19 these rules against what we're proposing and see if  
20 they all hold up?

21 MR. PHARRIS: I'm sure we and the auditors  
22 would be happy to do that, and public, as well, I  
23 imagine.

24 COMM. FOSTER: By the time we get this far,  
25 we're going to be out of this.

1                   COMM. CEIS: Yes.

2                   COMM. FOSTER: So --

3                   COMM. CEIS: Yeah. We're getting down to  
4 pretty fine detail at that point.

5                   COMM. FOSTER: Yeah.

6                   COMM. CEIS: The auditors also brought up the  
7 issue of split lots. But that sometimes happens  
8 inadvertently.

9                   MR. PHARRIS: Yeah.

10                  COMM. CEIS: This doesn't really address that  
11 either, does it?

12                  MR. PHARRIS: No. It would be --

13                  COMM. CEIS: Not down to that level.

14                  MR. PHARRIS: -- sort of the same question as  
15 Commissioner Foster's.

16                  COMM. CEIS: Yeah. Okay.

17                  CHAIRWOMAN POWELL: Well, thank you very  
18 much. And having the maps integrated with this was  
19 very, very helpful. So appreciate you doing that.

20                  MR. PHARRIS: Thank you.

21                  COMM. GORTON: Yes. Very hard to read.

22                  CHAIRWOMAN POWELL: Are there any other  
23 matters to come up during discussion before we go into  
24 public comment? Okay.

25                  COMM. HUFF: Do we need to approve this now,

1 or . . . ?

2 CHAIRWOMAN POWELL: No. No. This will be  
3 down the road. And, you know, once we're done, I think  
4 it's one of the last --

5 COMM. HUFF: I got it.

6 CHAIRWOMAN POWELL: -- acts.

7 COMM. HUFF: Acts.

8 CHAIRWOMAN POWELL: Let's go through the  
9 public comment. The first one that I have is John Paul  
10 Wagemann.

11 MR. WAGEMANN: That's me.

12 CHAIRWOMAN POWELL: To be followed by Dave  
13 Kaplan. So Mr. Kaplan can sort of get ready to move  
14 forward, as well.

15 Please state your name for the record and spell it  
16 for our transcription person.

17 MR. WAGEMANN: Okay. John Paul Wagemann,  
18 spelled w-a-g-e-m-a-n-n. I'm from Lakewood,  
19 Washington, 28th District.

20 My only comment is probably pretty short. First  
21 off, I just want to thank each of you for the time  
22 you're putting into this. It's important to the  
23 representatives of the people that we have equal  
24 representation, and I just want to tell you thank you  
25 for your time. I know how hard it is, and I know



1 there's tough decisions to be made.

2 I -- I spent 23 years in the Marine Corps, and I  
3 kind of look at everything kind of simplistic, a lot of  
4 crayons and coloring. But when I look at the 28th  
5 District I'm confused, when most of the communities  
6 have voted to come out of Tacoma, that we've lumped a  
7 big bunch of Tacoma in there.

8 And so as I look at the process of making equal  
9 representation, when we have to look at who's going to  
10 represent that district, whoever that is, when you have  
11 lots of different communities, you're diluting them, I  
12 think. And so to me, keeping Tacoma as part of the  
13 28th just doesn't make sense, and keeping the other  
14 ones that are more alike that wanted to be away from  
15 Tacoma when they voted themselves into cityhood makes  
16 more sense to me. And so I would just encourage you to  
17 do that.

18 Again, I appreciate what you're doing. And thank  
19 you so much.

20 CHAIRWOMAN POWELL: Okay. Thank you for your  
21 comment.

22 MR. KAPLAN: My name --

23 CHAIRWOMAN POWELL: Before you start, looks  
24 like Matt Hamilton will be next.

25 MR. KAPLAN: My name is Dave Kaplan,

1 K-a-p-l-a-n. I'm a resident of the City Des Moines,  
2 and also I'm on the Des Moines City Council.

3 Back in '97 the area of Woodmont and Redondo,  
4 which was in unincorporated King County, chose to annex  
5 into the City of Des Moines. And they chose to go  
6 north rather than south into Federal Way. In the 2002  
7 redistrict plan, however, a couple of the precincts  
8 from that area were kept in the 30<sup>th</sup> Legislative  
9 District rather than being added to the 33<sup>rd</sup>  
10 District.

11 what we would ask is that we keep the city  
12 whole -- the people in the Redondo area intentionally  
13 chose as a community of interest to be part of the City  
14 of Des Moines, not the part of City of Federal Way --  
15 and that the approximately 1,000 people that live in  
16 these precincts should be combined with the other  
17 29,000 people that live in town so that the city is  
18 maintained as a whole. We're not like Kent or Bellevue  
19 or some of the larger cities where it makes sense --  
20 where you have to carve it up in order to balance  
21 things out. Our city of 30,000 really should remain  
22 whole.

23 So what I'm hoping is that you'll -- you'll take  
24 that into consideration when you make the adjustments  
25 on the legislative plans. We would hate to go for

1 another ten years before that got rectified, and it's  
2 already been 14 years since -- since the area annexed  
3 into the city. And we'd like to see that the city  
4 remain whole under one set of representation.

5 Thanks.

6 CHAIRWOMAN POWELL: Thank you.

7 I would like to ask Greg Angleman -- Anglemyer to  
8 come forward.

9 MR. HAMILTON: Hi. I'm Matt Hamilton from  
10 Graham. That's M-a-t-t H-a-m-i-l-t-o-n. And I want to  
11 comment on the October 14<sup>th</sup> maps.

12 And I do appreciate you folks. I know you're  
13 volunteering your time to come up here and do this for  
14 the state of Washington folks, and I really do  
15 appreciate that. You're doing a wonderful job. And it  
16 sounds like you're going to have a very busy schedule  
17 coming up, so --

18 But you're close, but you didn't quite get it  
19 right. On the October 14<sup>th</sup> maps -- I -- I came here  
20 a month ago, and I asked that Graham be kept together.  
21 And on the Democrat side, they did a pretty good job of  
22 keeping Graham together. On the Republican side, we're  
23 no longer split east and west; now we're split north  
24 and south. So we have to work on that a little bit.

25 So I guess, you know, Graham's been good to me.

1 It's been good to my family. It's been good to my  
2 farm. And my farm sits directly in the center of the  
3 Graham Community Plan, so I have a pretty good idea of  
4 where the Graham Community Plan's at. Yet my neighbor  
5 directly across the street from me, he's in Lakewood.  
6 And my neighbor two doors down, 400 feet away, he's  
7 also in Lakewood.

8 Now, we've also lost three schools. They too  
9 would be in Lakewood. Lakewood is 25 miles away. And  
10 Lakewood is the 17<sup>th</sup> largest city in the state of  
11 Washington, and it's 60,000 people. And I know that  
12 our rural voice would not have much of a voice with  
13 Lakewood being domineering right there. So I would  
14 like to find some way that we could come back and get  
15 Graham back together.

16 I've actually wrote another letter -- and I'll  
17 give this to Ms. Bunning, also -- to actually identify  
18 the approximate boundaries of where Graham is at. Like  
19 I say, this is -- the urban-rural -- your own rules are  
20 that urban-rural don't belong together. And I  
21 understand the complexity of that.

22 And I would think, if you were sitting in my  
23 position and you were defending your community, I would  
24 applaud your actions. And I would hope that I'm  
25 sitting in this position, you would applaud my actions

1 for trying to defend my community.

2 Thank you so much.

3 CHAIRWOMAN POWELL: Thank you very much for  
4 your comments.

5 I would like to ask Bill Trandum to come forward,  
6 please.

7 Please start, sir.

8 MR. ANGLEMYER: Good morning. I'm Greg  
9 Anglemyer. I am the president of the Key Pen Parks --  
10 Metropolitan Parks District on the Key Peninsula. And  
11 thank you for having me here, and thank you for all the  
12 work you do. As a fellow public servant, I certainly  
13 understand, to a much smaller degree, what you must go  
14 through.

15 Our parks district is a nonpartisan group who  
16 tries very hard to stay out of politics. We serve a  
17 population of about 16,000 people. We are kind of the  
18 flip side, the shadow, the opposite area from the  
19 Gig Harbor peninsula.

20 And one of the redistricting programs, at any  
21 rate, is showing us, instead of being part of the  
22 Gig Harbor and then moving into Tacoma, moving us over  
23 into the Shelton area or moving us north into Kitsap  
24 County. Either one of those would move us out of  
25 Pierce County and would move us --

1           Our entire area essentially feeds from one highway  
2           that runs north and south, and then when it gets up to  
3           Highway 16, most of our people go into Tacoma,  
4           Gig Harbor, that area. Everything that we do is really  
5           located east of us. To move us west in any way, shape,  
6           or form is -- number one, truly doesn't make sense,  
7           however it may look on the map.

8           But the other thing is that the majority of our  
9           potential for economic viability is in tourism.  
10          Tourism, again we're going to be looking east. Our  
11          current legislators that have been working with us in  
12          the 26<sup>th</sup> District have been absolutely wonderful  
13          about doing things to try to help us along that way.  
14          And most of our partnering potential again occurs with  
15          people east of us.

16          So, you know, again it's great to look at all the  
17          lines on the map and kind of look at the populations,  
18          but I hope that you'll take a little bit of time to  
19          look at the human impact, as well, and do the best you  
20          can to keep us part of the 26<sup>th</sup>.

21          Thank you.

22                   CHAIRWOMAN POWELL: Thank you.

23                   MR. ANGLEMYER: We did pass a resolution.  
24           I've got a copy of it, if I could give that to you.

25          Thank you.

1                   CHAIRWOMAN POWELL: Okay. I would like to  
2 ask John Milem to come forward, please.

3                   Sir.

4                   MR. TRANDUM: Thank you. My name is Bill  
5 Trandum. I am also here representing the Key  
6 Peninsula, not so much from the parks standpoint but  
7 from the fact that all of our schooling, all of our  
8 transportation, medical care, recreation, et cetera, is  
9 all Gig Harbor-centric. The two peninsulas are sort of  
10 like Siamese twins that are joined at the head. All of  
11 our cooperative efforts are with Gig Harbor, whether  
12 it's with parks, with fire services, and, of course,  
13 we're in their school district.

14                  So again, like Greg Anglemyer said, I really hope  
15 that you will consider the commonality of interest of  
16 the folks that live on the Key Peninsula. If you look  
17 at the census tract, you'll see that for our four ZIP  
18 codes, there are about 18,000 people. We estimate that  
19 16,000 of them are really on our peninsula because  
20 another 2,000 of them in our most densely populated ZIP  
21 code are actually Gig Harbor residents. So keeping  
22 those two peninsulas together legislatively is, we  
23 believe, in the best interests of the folks that live  
24 out there.

25                  Thank you both -- or thank you all very much.

1 CHAIRWOMAN POWELL: Okay. Thank you.

2 Go ahead.

3 MR. MILEM: You don't want to call somebody  
4 else?

5 CHAIRWOMAN POWELL: I don't know. Do we have  
6 any other papers? Okay. And I have not seen any  
7 comments here.

8 So go for it, John.

9 MR. MILEM: Thank you. My name is John  
10 Milem, J-o-h-n M-i-l-e-m. I live in Vancouver, and I'm  
11 an advocate for redistricting in the public interest.

12 I have several things I'm going to leave with you  
13 today. One is a short memorandum on evaluation of  
14 redistricting plans, which provides explanations of the  
15 tests that I use in computing redistricting plan  
16 quality index. You may remember a month ago I gave you  
17 numbers that I generated using that for congressional-  
18 district plans. So this -- this memo will give the  
19 detail of how those formulas work.

20 Then I also have for you today the redistricting  
21 plan quality index values for four legislative plans,  
22 the Democratic plan, the Republican plan, and the two  
23 plans that I submitted.

24 I have the memorandum, finally, that I would like  
25 to have given you last time, which is basically my



1 analysis of the -- the congressional -- the four  
2 congressional plans compared to the two that I  
3 submitted and focusing primarily on the issues which  
4 the redistricting plan quality index identifies. And  
5 as I mentioned to you before, seven of eight of those  
6 items are in either our state constitution or our state  
7 law, and the eighth one is the one that almost all of  
8 you mention when you present your plans. The focus of  
9 this memo is largely on the question of whether or not  
10 the plans comply with the constitution and statutory  
11 requirements.

12 And then the fourth thing that I have for you  
13 today is my take on the Section 4, which you just had a  
14 long discussion of. I -- this is kind of a first draft  
15 on my part. Based on what I've heard in the  
16 discussion, I believe that the issues need to be dealt  
17 with in a more thorough way than the discussion that I  
18 heard presented here.

19 I think that there were at least three premises  
20 that underlie the present Section 4, and those -- those  
21 premises, I think, are very questionable. And I think  
22 you really need to start from recognizing that  
23 Section 4 isn't right as it's written now, is based on  
24 some false premises, and then work from there. And so  
25 I'm presenting you something that's considerably longer

1 than Section 4. At least half the length is the result  
2 of my effort to honor your commitment to zero  
3 population deviation. And if we didn't -- if that were  
4 not an issue, this could all be much shorter.

5 I do think it's very important for you in  
6 Section 4 to separate and deal separately with  
7 unpopulated areas from populated areas. And -- and  
8 when you're dealing with populated areas, you have to  
9 take into account the effect that moving any population  
10 is going to have on your compliance with whatever you  
11 think the applicable population standard is, and I  
12 think then you need to have some provision there that  
13 allows you to make compensating changes.

14 One of the examples that I gave and which I had  
15 mentioned to you previously, there was an area that was  
16 separated by a river; it had 2300 people. I think the  
17 range in that particular plan, the overall range in  
18 that particular plan was two or three hundred. And all  
19 of a sudden when you apply Section 4, now you've got a  
20 range of almost 5,000 people between the two districts  
21 that are involved in the -- in the swapped territory.

22 So this -- I hope that -- I haven't had an  
23 opportunity to look at your work. I will look at it  
24 and hope I have time to comment on it. But I hope also  
25 you'll look at this and consider if there may be some

1 things that -- some things that are holes that haven't  
2 adequately been dealt with in what you've offered.

3 I would like to -- let's see. Yeah.

4 I would like to take a small exception to  
5 Commissioner Gorton's comment that -- on contiguity. I  
6 agree entirely that -- that if two areas are in the  
7 same county, they are -- there's not a lack of  
8 contiguity simply because there doesn't happen to be a  
9 road between them.

10 On the other hand, I'm uncomfortable with the idea  
11 stated as Commissioner Gorton stated it when he said  
12 every part of a county is contiguous to every other  
13 part of a county. I don't think that Commissioner  
14 Gorton would want to carry that to the point where we  
15 could put Skykomish in the same district as Vashon  
16 Island because we have declared since they're both in  
17 King County that, therefore, they are contiguous. No  
18 problem if -- if they're connected. But if they're  
19 not, I don't think you want to go that far. I think  
20 that overstates the case.

21 COMM. GORTON: That's correct.

22 MR. MILEM: Okay. That's all I have.

23 CHAIRWOMAN POWELL: Okay. Thank you very  
24 much.

25 Is there anyone else who wanted to make a comment

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I haven't called on?

Okay. Is there any other business to come before this commission today?

Hearing none, I would like to declare we're adjourned. And we'll see you all on next Tuesday -- Monday, rather. Excuse me. Work hard.

(Proceedings concluded at 11:43 a.m.)