

IN THE SUPREME COURT FOR THE STATE OF ALASKA

In Re 2011 Redistricting Cases.

) Supreme Court Case No. S-14721

) Trial Court Case No. 4FA-11-2209-CI

) (Consolidated Cases)

) 4FA-11-2213 CI

) 1JU-11-782 CI

ALASKA REDISTRICTING BOARD'S NOTICE OF COMPLIANCE WITH MAY 10, 2012 ORDER RE: RECONFIGURATION OF SOUTHEAST ALASKA ELECTION DISTRICTS

INTRODUCTION

COMES NOW the Alaska Redistricting Board ("Board"), by and through counsel Patton Boggs LLP, and hereby files its Notice of Compliance with this Court's Order of May 10, 2012 ("5/10/12 Order") requiring the Board to reconfigure the election districts in Southeast Alaska and submit the reformulated plan to this Court for approval. The Board has redrawn the Southeast districts without regard to the requirements of the federal Voting Rights Act ("VRA"), focusing exclusively on the requirements of Article VI, section 6 of the Alaska Constitution. The reformulated Southeast plan, attached hereto as Exhibit A, complies in all respects with the Alaska Constitution and should be approved by this Court.

FACTUAL BACKGROUND

On May 10, 2012, this Court ordered that the Board's Amended Proclamation Plan be adopted as the interim redistricting plan to govern the 2012 elections with the exception of the Southeast Alaska election districts, which were remanded to the Board

for reconfiguration in accordance with this Court's instructions.¹ Specifically, this Court instructed the Board to (1) focus on "compliance with the Article VI, section 6 requirements of contiguity, compactness and relative socioeconomic integration;" and (2) not alter the reformulated plan based on the federal Voting Rights Act ("VRA") because "there is no VRA justification for deviating from Alaska constitutional requirements in Southeast Alaska."²

Pursuant to this Court's order, the Board met on Monday, May 14, 2012, to consider and develop a new plan of redistricting for Southeast Alaska.³ At that meeting, the Board reviewed and considered five different configurations of the Southeast districts prepared by Board staff with individual Board member input over the weekend.⁴ The five Option Plans, denominated Options A, B, C, D, & E, took various approaches to the reformulation of the Southeast election districts.⁵ All five of the Option Plans were drawn focusing solely on the requirements of Article VI, section 6 of the Alaska Constitution.⁶

¹ 5/10/12 Order at ¶¶ 2-3.

² *Id.* at ¶ 3.

³ Written Findings in Support of Alaska Redistricting Board's Reconfiguration of Southeast Election Districts ("SE Written Findings") at 1. A copy of the Board's SE Written Findings is attached hereto as Exhibit B. A copy of the transcript of the Board's May 14, 2012 meeting is attached hereto as Exhibit C.

⁴ *Id.*

⁵ A copy of the five Southeast Option Plans is attached hereto as Exhibit D.

⁶ SE Written Findings at ¶ 1.

After discussion and deliberation on the record, the Board unanimously adopted “Option A” as the plan that best met the contiguity, compactness, and relative socioeconomic integration requirements of the Alaska Constitution.⁷ The Board made specific findings both on the record and in writing that (1) reconfigured House Districts 31-34 are each contiguous, compact, and relatively socioeconomically integrated and therefore meet, to the fullest extent practicable, the requirements of Article VI, section 6 of the Alaska Constitution;⁸ and (2) Senate Districts P and Q are both composed of two contiguous House districts and therefore meet the requirements of Article VI, section 6 of the Alaska Constitution.⁹ The Board also unanimously voted to incorporate its reformulated Southeast election districts into its Amended Proclamation Plan for submission to this Court for approval.¹⁰

ARGUMENT

The Board’s reformulated plan for the Southeast Alaska districts fully comply with this Court’s 5/10/12 Order. Each of the four Southeast House districts, drawn exclusively based on Alaska constitutional requirements, is contiguous, compact, and relatively socioeconomically integrated as required by Article VI, section 6 of the Alaska Constitution.¹¹ The two Senate districts both consist of two contiguous House

⁷ SE Written Findings at ¶¶ 1-3; Exhibit C at 8, 24:20-25:13.

⁸ *Id.* at ¶ 2; Exhibit C at 7, 19:9-20:9; 8, 22:15-22:18; 24:2-16; 11, 36:10-37:3.

⁹ *Id.* at ¶ 3. Exhibit B at 8, 23:9-25:13.

¹⁰ Exhibit C at 8, 24:20-25:13.

¹¹ Exhibit A at 1-7; SE Written Findings at ¶ 2; Exhibit D at 1.

districts.¹² Of the various Option Plans considered, the plan adopted by the Board was the plan that best complied with Alaska constitutional redistricting principals.¹³ In addition to meeting the requirements of Article VI, section 6, the reconfigured Southeast election districts (House and Senate) all have a deviation of less than plus or minus one percent.¹⁴

In short, the Board's reformulated Southeast districts are constitutional and fully comply with the requirements of this Court's 5/10/12 Order.¹⁵ Accordingly, this Court should approve the Southeast districts for use in the Board's Amended Proclamation Plan which this Court has already ordered is to be used as the interim redistricting plan for the 2012 elections.

CONCLUSION

The Board has fully complied with this Court's 5/10/12 Order. The reformulated election districts for Southeast Alaska meet all the requirements of Article VI, section 6 of the Alaska Constitution and should be approved by this Court. In fact, with the reformulated election Districts in Southeast, the Board believes that its Amended Proclamation Plan is now constitutional in all respects and that it should be approved by this Court for implementation as the final plan of redistricting.

¹² Exhibit A at 1-2; SE Written Findings at ¶ 3.

¹³ SE Written Findings at ¶ 4. Compare Exhibit A at 2-7 & Exhibit D at 1 to Exhibit D at 3, 4, 6, & 8.

¹⁴ The overall range for the four adopted Southeast House districts is 1.19% and for the two Senate districts 0.69%. [Exhibit A at 8; Exhibit D at 2.]

¹⁵ Counsel for the Petersburg Plaintiffs has represented to Board Counsel that his clients have no objection to the new Southeast districts and will so inform the Court in writing.

DATED at Anchorage, Alaska this 15th day of May 2012.

PATTON BOGGS LLP
Counsel for Defendant
Alaska Redistricting Board

By: 

Michael D. White
Alaska Bar No. 8611144
Nicole A. Corr
Alaska Bar No. 0805022

PATTON BOGGS LLP
601 West Fifth Avenue
Suite 700
Anchorage, AK 99501
Phone: (907) 263-6300
Fax: (907) 263-6345

CERTIFICATE OF TYPEFACE

Pursuant to Alaska Rule of Appellate Procedure 513.5(c)(2), I hereby certify that the foregoing document was prepared in typeface 13 point Times New Roman.

CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of May 2012, a true and correct copy of the foregoing document was served on the following via **US Mail with a courtesy copy via Electronic Mail**:

Michael J. Walleri
walleri@gci.net

Jason Gazewood jason@fairbanksaklaw.com
Gazewood & Weiner PC
Attorneys for Riley/Dearborn
1008 16th Ave., Suite 200
Fairbanks, AK 99701

Thomas F. Klinkner tklinkner@BHB.com
Birch, Horton, Bittner & Cherot
Attorney for Petersburg Plaintiffs
1127 W. 7th Avenue
Anchorage, AK 99501

Jill Dolan
jdolan@co.fairbanks.ak.us
Attorney for Fairbanks North Star Borough
P.O. Box 71267
Fairbanks, AK 99707

Carol Brown
cbrown@avcp.org
Association of Village Council Presidents
P.O. Box 219, 101A Main Street
Bethel, AK 99550

Joseph N. Levesque
joe-wwa@ak.net
Walker & Levesque LLC
Attorney for Aleutians East Borough
731 N Street
Anchorage, AK 99501

Natalie A. Landreth
landreth@narf.org
Native American Rights Fund
Attorney for Bristol Bay Native Corporation
801 B Street, Suite 401
Anchorage, AK 99501

Marcia R. Davis
mdavis@calistacorp.com
Attorney for Calista Corporation
301 Calista Court
Anchorage, AK 99518

Scott A. Brandt-Erichsen
scottb@kgbak.us
Ketchikan Gateway Borough
1900 1st Avenue, Suite 215
Ketchikan, AK 99901

PATTON BOGGS LLP
601 West Fifth Avenue
Suite 700
Anchorage, AK 99501
Phone: (907) 263-6300
Fax: (907) 263-6345

Thomas E. Schultz tschulz235@gmail.com
Attorney for RIGHTS Coalition
715 Miller Ridge Road
Ketchikan, AK 99901

Joe McKinnon
jmckinn@gci.net
Attorney for Alaska Democratic Party
1434 Kinnikinnick Street
Anchorage, AK 99508

By: 

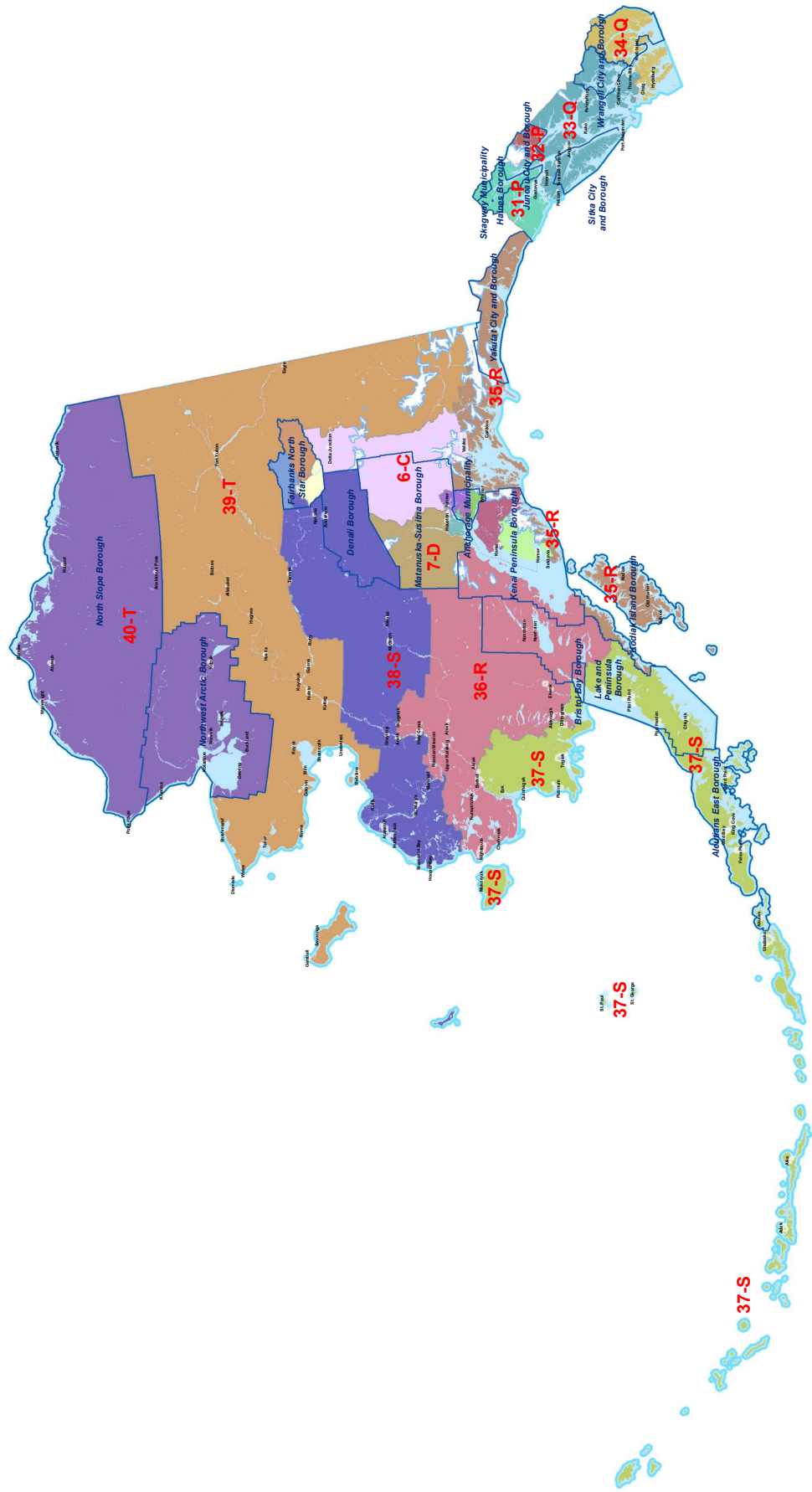
Anita R. Tardugno, PLS
Legal Secretary
PATTON BOGGS LLP

029810.0101\74048

PATTON BOGGS LLP
601 West Fifth Avenue
Suite 700
Anchorage, AK 99501
Phone: (907) 263-6300
Fax: (907) 263-6345

Amended Proclamation House Districts

Statewide



Legend

City

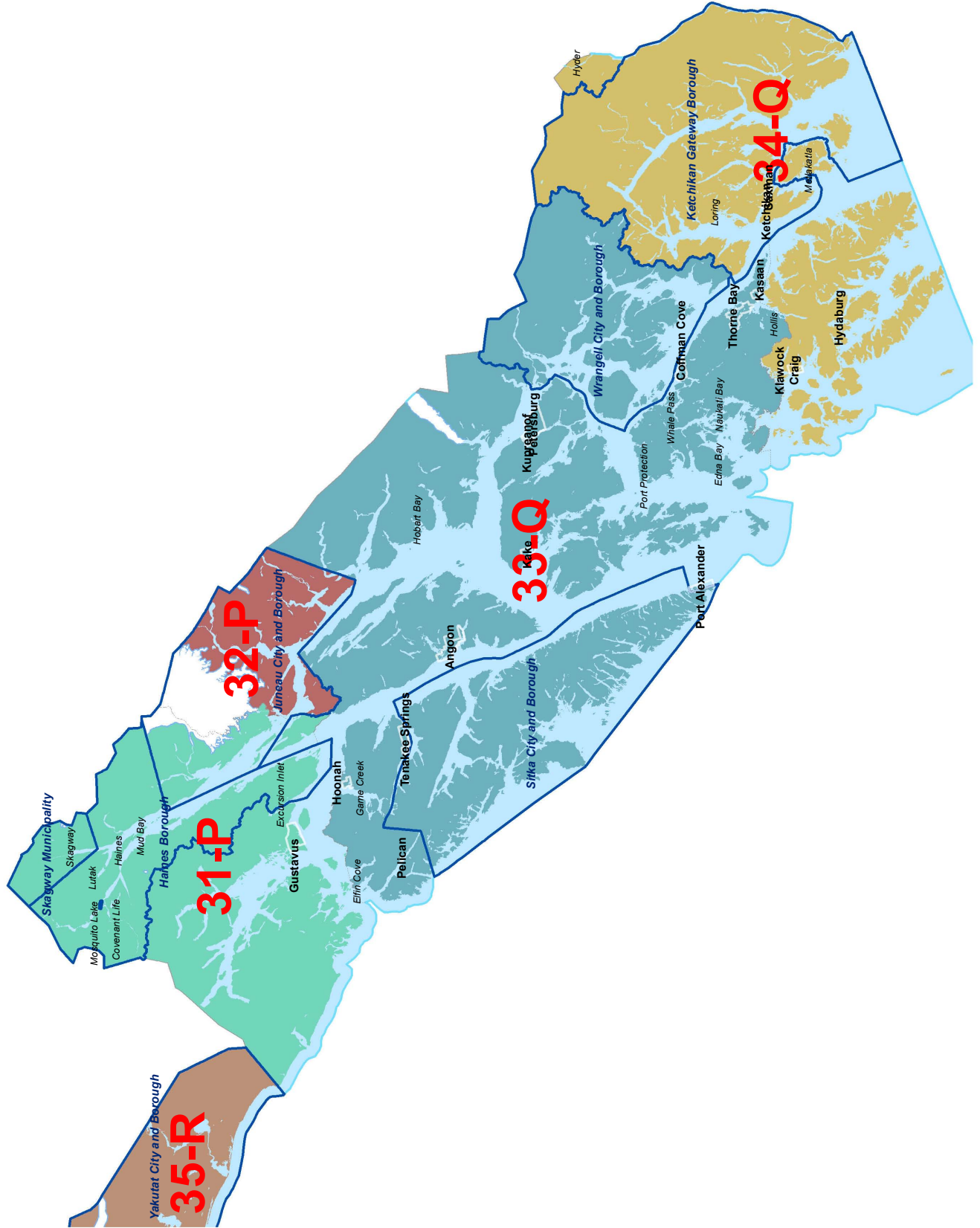
Borough

Water Boundary



Amended Proclamation House Districts

Southeast



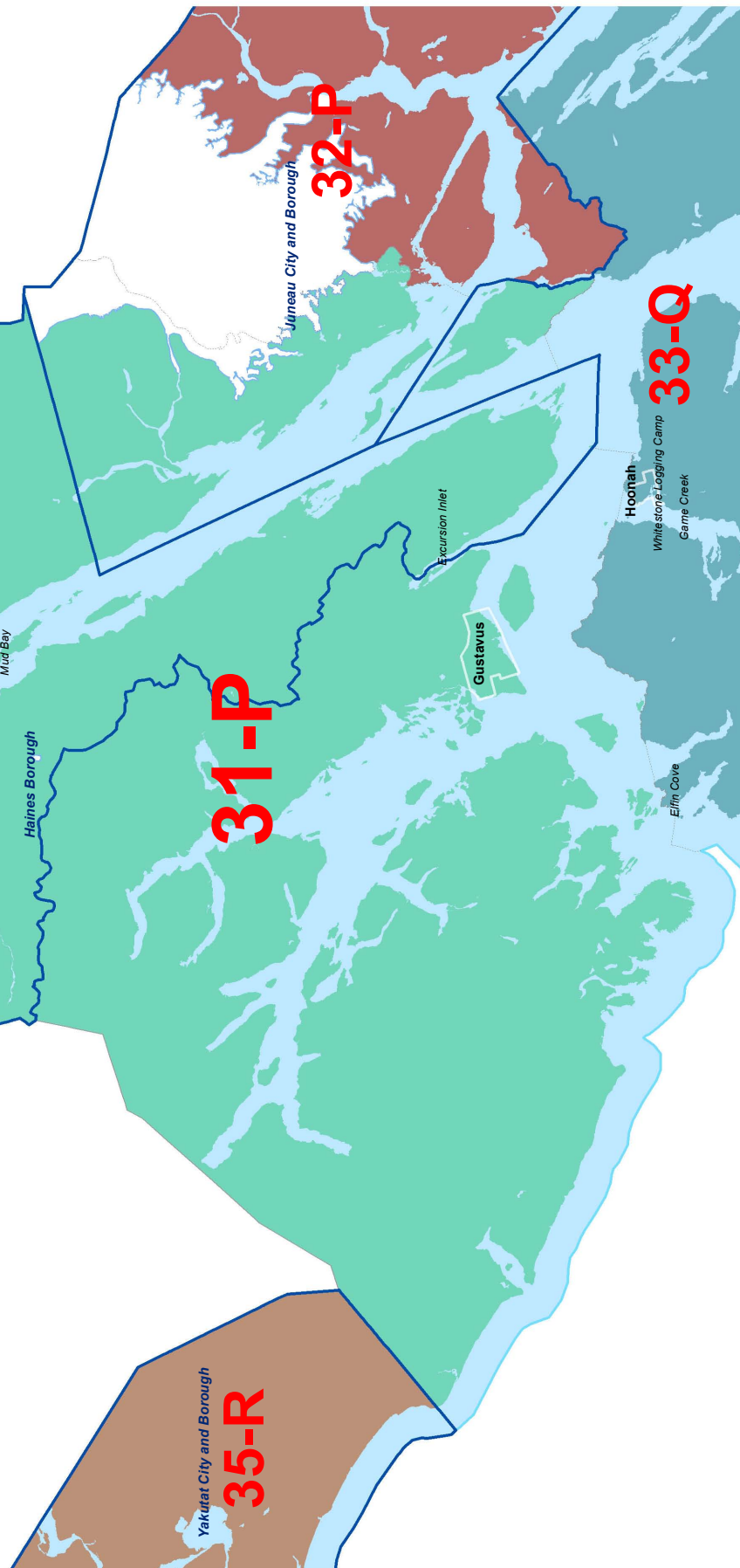
Legend

- Military
- City
- Borough
- Water Boundary



Amended Proclamation House Districts

House
District
31



Legend

- Military
- City
- Borough
- Water Boundary



Amended Proclamation House Districts

House
District
31 & 32
in detail

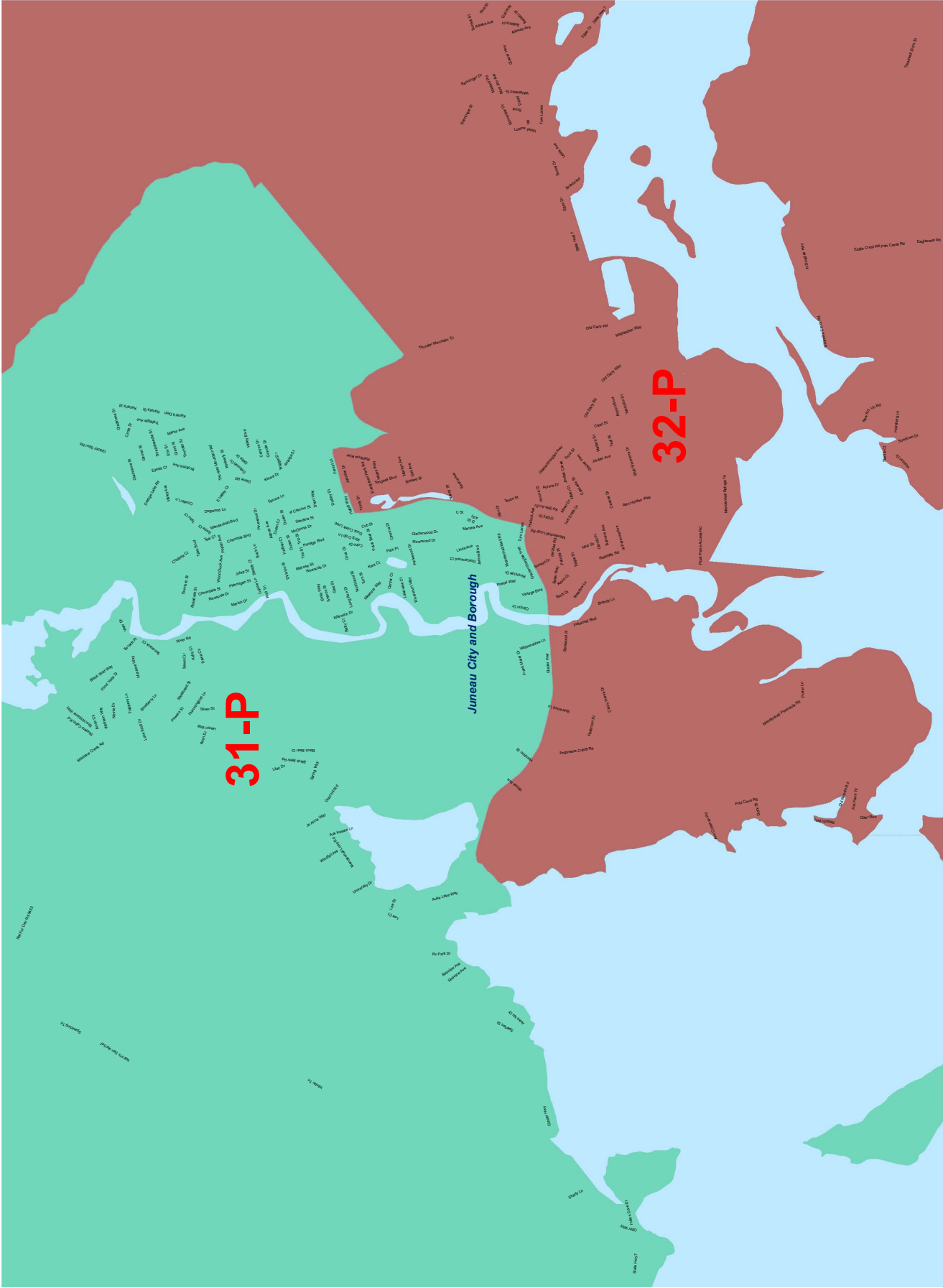


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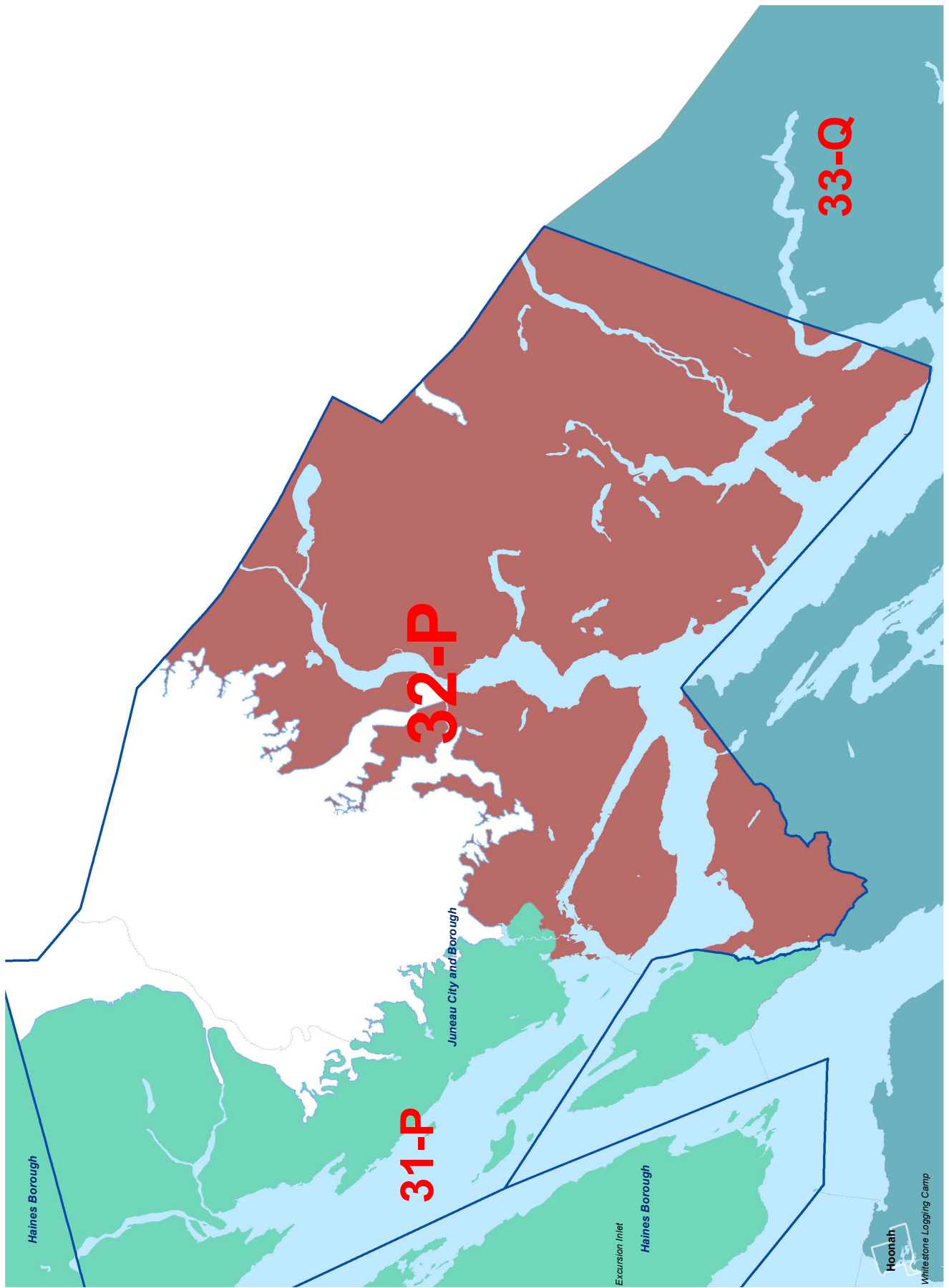
- Military
- City
- Borough
- Water Boundary



Prepared by:
Alaska Redistricting Board



Amended Proclamation House Districts



House
District
32



Legend

Military

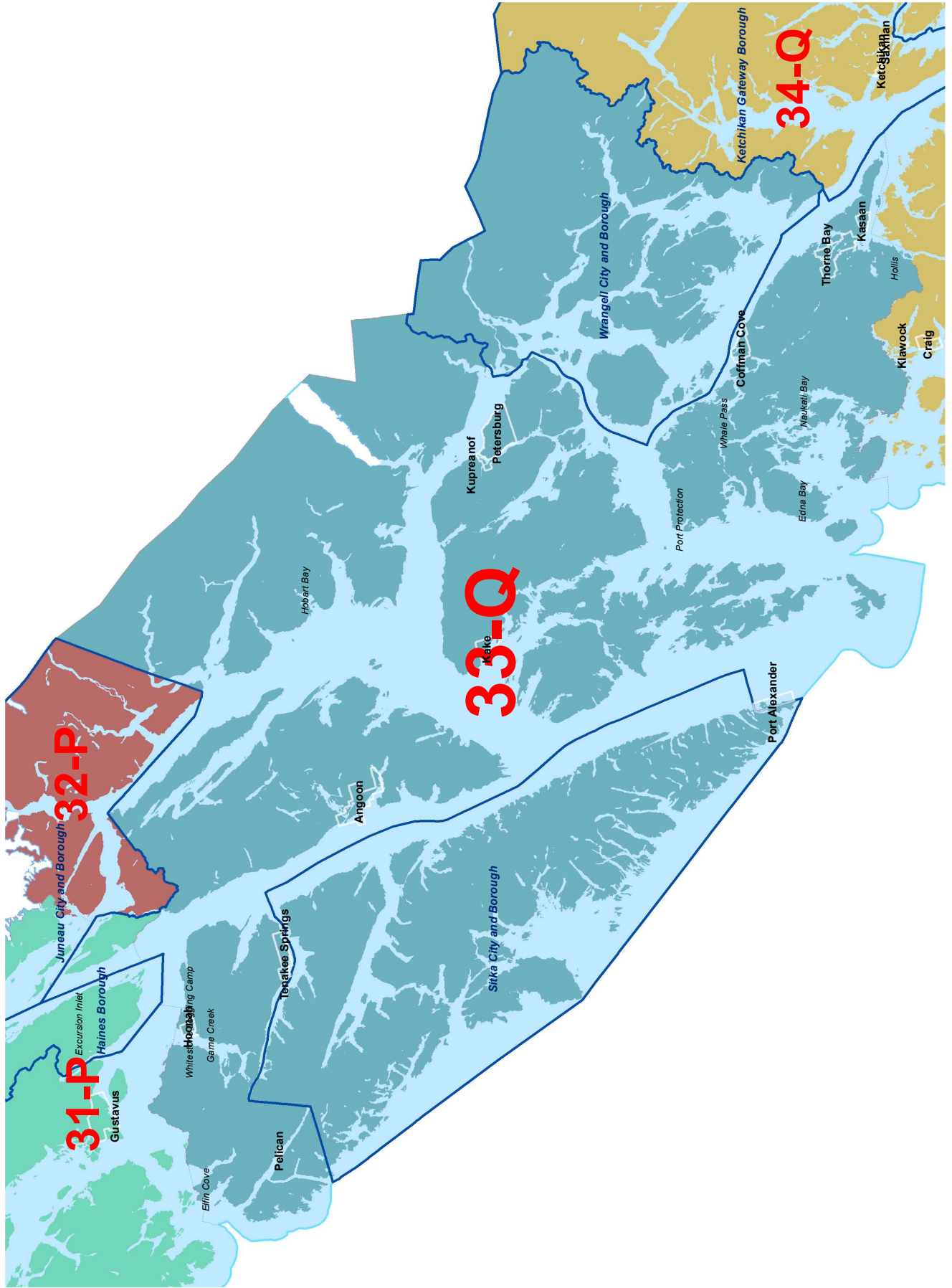
City

Borough

Water Boundary



Amended Proclamation House Districts



House
District
33

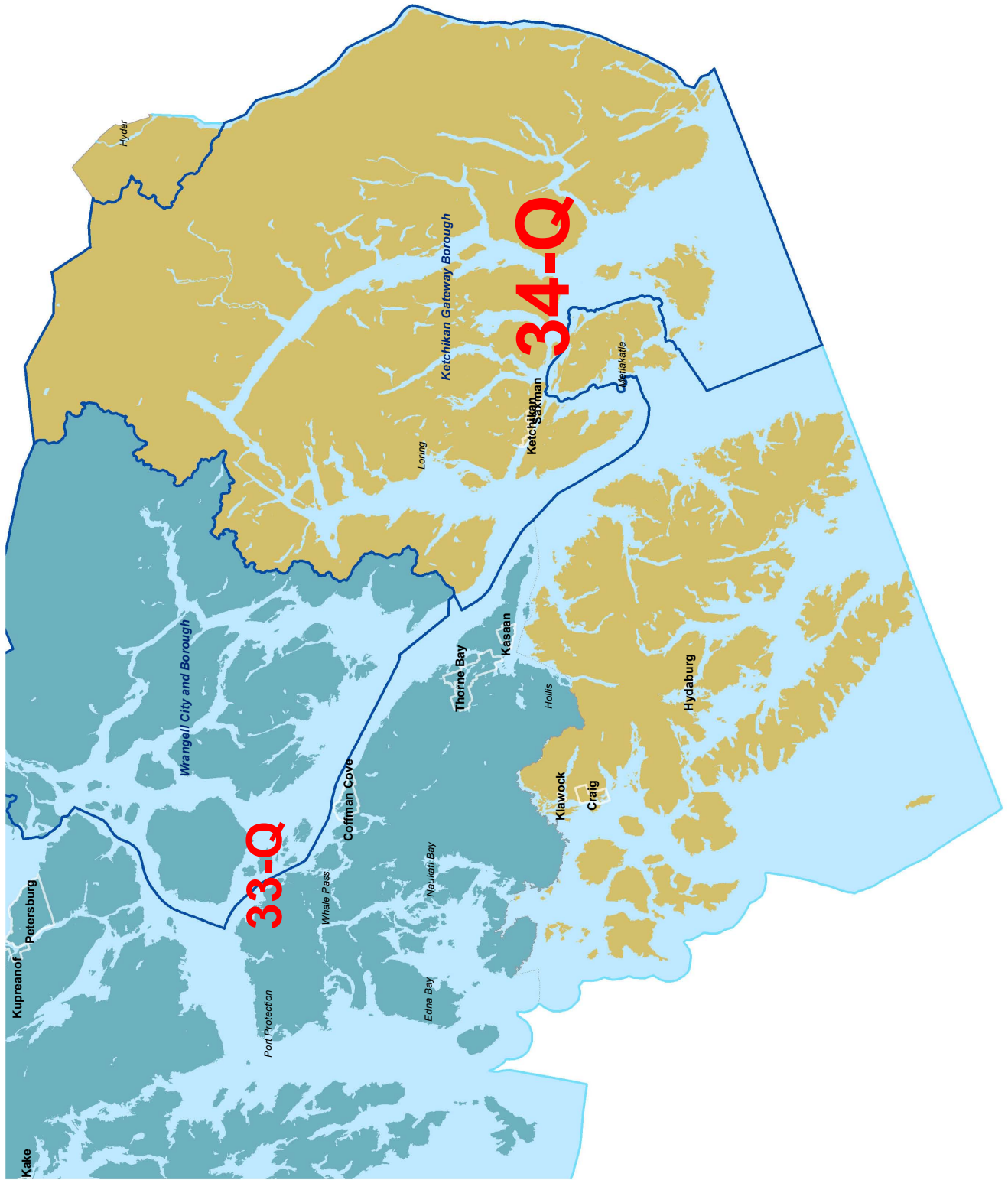


Legend

- Military
- City
- Borough
- Water Boundary



Amended Proclamation House Districts



House
District
34



- Legend
- Military
 - City
 - Borough
 - Water Boundary



Amended Proclamation District Population Analysis					
House District	Senate District	Total Population	Percent Deviation From Ideal (17,755)	Percent Alaska Native* Total Population	Percent Alaska Native* Voting Age Population
1		18,348	3.34%	6.44%	5.51%
2		18,415	3.72%	8.66%	7.17%
	A	36,763	3.53%	7.55%	6.38%
3		18,414	3.71%	8.35%	7.37%
4		18,339	3.29%	19.06%	17.00%
	B	36,753	3.50%	13.69%	12.42%
5		18,309	3.12%	13.11%	10.96%
6		16,877	-4.95%	9.81%	8.78%
	C	35,186	-0.91%	11.53%	9.94%
7		17,673	-0.46%	9.92%	8.21%
8		17,657	-0.55%	10.06%	8.51%
	D	35,330	-0.51%	9.99%	8.36%
9		17,767	0.07%	9.85%	7.93%
10		17,750	-0.03%	11.30%	9.47%
	E	35,517	0.02%	10.57%	8.70%
11		17,826	0.40%	8.54%	7.10%
12		18,079	1.82%	6.62%	5.39%
	F	35,905	1.11%	7.57%	6.25%
13		17,931	0.99%	11.96%	11.24%
14		17,806	0.29%	15.26%	12.79%
	G	35,737	0.64%	13.60%	12.05%
15		17,797	0.24%	15.83%	13.86%
16		17,925	0.96%	16.36%	14.84%
	H	35,722	0.60%	16.10%	14.35%
17		17,667	-0.50%	21.26%	19.40%
18		17,743	-0.07%	16.64%	15.45%
	I	35,410	-0.28%	18.95%	17.21%
19		17,642	-0.64%	11.99%	10.01%
20		17,755	0.00%	11.39%	9.37%
	J	35,397	-0.32%	11.69%	9.70%
21		17,702	-0.30%	9.93%	8.25%
22		17,809	0.30%	15.05%	12.91%
	K	35,511	0.00%	12.49%	10.63%
23		17,693	-0.35%	10.27%	8.83%
24		17,924	0.95%	13.43%	11.07%
	L	35,617	0.30%	11.86%	9.95%
25		17,678	-0.43%	11.94%	9.66%
26		18,072	1.79%	5.99%	5.50%
	M	35,750	0.68%	8.93%	7.59%
27		17,778	0.13%	5.21%	4.35%
28		18,181	2.40%	12.67%	11.70%
	N	35,959	1.26%	8.98%	8.13%
29		18,185	2.42%	11.41%	9.58%
30		18,230	2.68%	8.18%	7.18%
	O	36,415	2.55%	9.79%	8.34%
31		17,745	-0.06%	16.41%	13.75%
32		17,635	-0.68%	20.55%	18.23%
	P	35,380	-0.37%	18.47%	16.03%
33		17,777	0.12%	26.57%	24.00%
34		17,845	0.51%	30.46%	26.89%
	Q	35,622	0.32%	28.52%	25.43%
35		16,951	-4.53%	19.51%	17.55%
36		16,809	-5.33%	85.70%	81.13%
	R	33,760	-4.93%	52.47%	47.37%
37		17,860	0.59%	51.02%	42.97%
38		16,857	-5.06%	52.38%	45.72%
	S	34,717	-2.23%	51.68%	44.24%
39		16,827	-5.23%	70.84%	65.63%
40		16,953	-4.52%	71.15%	62.77%
	T	33,780	-4.87%	71.00%	64.17%

*Alaska Native race defined as people who identified themselves in the census as a single-race Alaska Native, or Alaska Native and White, or Alaska Native and any other race in the other multiple-race category, according to the guidelines of the U.S. Department of Justice

Description of Reconfigured Southeast House and Senate Districts Amended Proclamation Plan

[Prepared by the Alaska Redistricting Board – May 14, 2012]

House District 31 – Senate District P – Mendenhall Valley/Haines/Skagway/Glacier Bay

House District 31 includes all uplands and islands bounded by a line beginning at the northernmost point of the Municipality of Skagway, southeast to the boundary of the Haines Borough, southeast to the boundary of the City and Borough of Juneau, southeast to the eastern edge of Gilkey Glacier, south to Thiel Glacier, south along the eastern edge to Eagle Glacier, southeast to the western edge of the Juneau Icefield, east to Mendenhall Glacier, south to Mendenhall Lake, east then south to a non-visible line extending from the end of Glacier Spur Road, south to Glacier Spur Road, south to Steep Creek, southeast to the headwaters of Steep Creek, southeast along a non-visible line to Heintzleman Ridge, southwest to Jordan Creek Tributary, west to Jordan Creek, north to a non-visible line extended from the end of Forest Lane, west to Forest Lane, west to Tongass Boulevard, south to Haloff Way, west to Mendenhall Loop Road, south to Egan Drive, west to a non-visible line extending from Auke Creek just west of Fritz Cove Road, south to Auke Creek, south to the shoreline of Auke Bay, south along the shoreline to the northern entrance to Fritz Cove, south across the entrance to Fritz Cove to Spuhn Island, southwest along the shoreline of Spuhn Island to the southern entrance to Fritz Cove, south along the non-visible line to the centerline of Fritz Cove, southwest along a non-visible line across Stephens Passage to the boundary of the City and Borough of Juneau, southeast to Hawk Inlet, south along the western end of Hawk Inlet to the entrance of Chatham Strait, north along the shoreline of Chatham Strait to a non-visible line extending east from Couverden Island, west along the non-visible line to the boundary of Haines Borough, south then west to non-visible line extending north from Spasski Bay, south along the non-visible line to the shoreline of Chichagof Island, west to the entrance to Port Frederick, west across the entrance of Port Frederick to the shoreline of Chichagof Island, west to the entrance to Idaho Inlet, west across the entrance to the shoreline of Chichagof Island, west to a non-visible line extending from George Islands, southwest to the George Islands, west to a non-visible shoreline extending east from the centerline of Cross Sound, west to the centerline of Cross Sound, south to the Three mile offshore limit, northwest to the boundary of Yakutat Borough, northeast to the Canadian Border, northeast to the boundary of Haines Borough, northeast to the boundary of the Municipality of Skagway, northeast to point of beginning.

House District 32 – Senate District P – Downtown Juneau/Douglas

House District 32 includes all uplands and islands bounded by a line beginning at the southernmost point of the City and Borough of Juneau, northwest to a non-visible line extending south from the southern entrance to Fritz Cove, north to the southern entrance to Fritz Cove, northwest along a non-visible line to Spuhn Island, north along the western edge of Spuhn Island to the northern entrance to Fritz Cove, north along the non-visible line to the shoreline of Auke Bay, north to the mouth of Auke Creek, northeast to a non-visible line extending south from Glacier Highway to the west of Fritz Cove Road, north to Glacier Highway, east to Mendenhall Loop Road, north to Haloff Way, east to Tongass Boulevard, north to Forest Lane, east to the end of Forest Lane, east along a non-visible line to Jordan Creek, south to Jordan Creek Tributary, south to Heintzleman Ridge, northeast to a non-visible line extending south from the headwaters of Steep Creek, north to Steep Creek, northwest to Glacier Spur Road, north to a non-visible line extending south from Mendenhall Lake, north then west to Mendenhall Glacier, north along the western edge of the glacier to the Juneau Icefield, west along the edge of the icefield to Eagle Glacier, north along the eastern edge to Thiel Glacier, north along the eastern edge to Gilkey Glacier, northeast to the boundary of the City and Borough of Juneau, southeast then southwest to point of beginning.

House District 33 – Senate District Q – Sitka/Petersburg/Wrangell

House District 33 includes all uplands and islands bounded by a line beginning at northernmost point of the City and Borough of Wrangell, southeast to the boundary of Ketchikan Gateway Borough, southwest then southeast to a non-visible line extending east from the centerline of Kasaan Bay, west to the centerline of Kasaan Bay, west to a non-visible line extending north from the centerline of Twelvemile Arm, south to the centerline of Twelvemile Arm, south along the centerline to the mouth of Harris River, west then north to the head waters of the Harris River, north along a non-visible line to a non-visible line extending between the headwaters of McGilvery Creek and Black Bear Lake, west to Black Bear Lake, west along the northern shore to the unnamed creek, west to Black Lake, west along the northern shore to an unnamed creek, north to the shoreline of Prince of Wales Island, northwest to the entrance of Tonowek Bay, west across the entrance to Heceta Island, south then west to a centerline of Iphigenia Bay, south to a non-visible line extending west from Bocas de Finas, west to the three mile limit, north to the boundary of the City and Borough of Sitka, north along the western boundary to the three mile limit of Hoonah-Angoon Census Area, north to House District 31, east to the boundary of the City and Borough of Juneau, southeast then northeast to the Canadian Border, southeast to the point of beginning.

House District 34 – Senate District Q – Ketchikan/Metlakatla/Craig

House District 34 includes all uplands and islands bounded by a line beginning at southeastern most point of the Ketchikan Gateway Borough, west to the southern boundary of Alaska, west to the three mile limit, north to House District 33, east to the boundary of Ketchikan Gateway Borough, northwest to the Canadian Border, southeast along the border to the centerline of Portland Canal, south to the boundary of Ketchikan Gateway Borough, south to point of beginning.

**WRITTEN FINDINGS IN SUPPORT OF
ALASKA REDISTRICTING BOARD'S RECONFIGURATION
OF SOUTHEAST ALASKA ELECTION DISTRICTS**

WHEREAS, on May 10, 2012, the Alaska Supreme Court issued an order remanding the Amended Proclamation Plan to the Alaska Redistricting Board ("Board") "for reformulation of the districts in Southeast Alaska" instructing the Board to (1) focus on "compliance with the Article VI, section 6 requirements of contiguity, compactness and relative socioeconomic integration;" and (2) not alter the reformulated plan based on the federal Voting Rights Act ("VRA") because "there is no VRA justification for deviating from Alaska constitutional requirements in Southeast Alaska"; and

WHEREAS, the Board met on Monday, May 14, 2012, to consider and develop a new plan of redistricting for Southeast Alaska; and

WHEREAS, the Board considered five different reformulations (denominated Options A, B, C, D & E in the Board record) of the Southeast election districts prepared by Board staff in accordance with the Alaska Supreme Court's instructions; and

WHEREAS, after discussion and deliberation, the Board adopted Option A as its reconfigured Southeast election districts as set forth by a unanimous 5-0 vote.

NOW, THEREFORE, AS SET FORTH IN AND SUPPORTED BY THE BOARD RECORD, THE ALASKA REDISTRICTING BOARD HEREBY MAKES THE FOLLOWING WRITTEN FINDINGS IN SUPPORT OF ITS RECONFIGURATION OF THE SOUTHEAST ALASKA ELECTION DISTRICTS IN ITS AMENDED PROCLAMATION PLAN:

1. The reformulated election districts for Southeast Alaska were drawn focusing solely upon the requirements of Article VI, section 6 of the Alaska Constitution.
2. House Districts 31-34 are each contiguous, compact and relatively socioeconomically integrated and therefore meet to the fullest extent practicable the requirements of Article VI, section 6 of the Alaska Constitution.
3. Senate Districts P and Q are both composed of two contiguous House districts and therefore meet the requirements of Article VI, section 6 of the Alaska Constitution.
4. Of the five Option Plans considered by the Board for the reformulation of the Southeast districts, the plan adopted by the Board (Option A) best meets the Alaska Constitutional redistricting requirements of Article VI, section 6.

5. The reconfiguration of the Southeast Alaska Senate districts did not affect the truncation of Senate terms or assignment of Senate term lengths as previously set forth in Paragraph 44 of the Board's April 5, 20102 "Written Findings in Support of Alaska Redistricting Board's Amended Proclamation Plan." Accordingly, the Board finds that the Amended Proclamation Plan as reconfigured for Southeast requires that the term of nine sitting senators be truncated in accordance with the criteria set forth in *Egan v. Hammond*, 502 P.2d 856 (Alaska 1972).

- a. These districts under the old system of identification are Districts D, F, H, J, L, N, P, R, and S. The Amended Proclamation Plan substantially changes the Senate districts these senators currently serve. Therefore, a new election is required. The one Senate district that the Amended Proclamation Plan as reconfigured for Southeast does not substantially change, and in which the sitting senator will be mid-term at the time of the 2012 election, is district B under the old system of identification (SD-P in the Amended Proclamation Plan). The senator in that district will not be required to stand for election in 2012.
- b. The Alaska Constitution requires half the senators stand for election every two years (Art. II, sec. 3). Therefore, at the general election in 2012, nine (9) of the senators will run for two-year terms and ten (10) will run for four-year terms. The one (1) mid-term senator whose term need not be truncated will not have to run in 2012; that seat will be designated a two-year seat in the pattern of alternating two and four year seats. The designation of two-year and four-year seats is shown in the materials provided in the Board's Proclamation of Redistricting package. This designation is based on the location of Senate district P (under the new system of identification) in the pattern of alphabetically alternating seats.
- c. The data upon which this determination was made is shown in the two tables which are part of the materials provided in the Board record.

**ADOPTED BY UNANIMOUS VOTE OF THE ALASKA REDISTRICTING BOARD
THIS 14th DAY OF MAY 2012, AT ANCHORAGE, ALASKA.**



JOHN TORGERSON
CHAIR - ALASKA REDISTRICTING BOARD

029810.0101\74046

In the Matter Of:
ALASKA REDISTRICTING BOARD

BOARD MEETING

May 14, 2012

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COPY

ALASKA REDISTRICTING BOARD

BOARD MEETING

May 14, 2012

10:15 a.m.

411 West Fourth Avenue, Suite 302

Anchorage, Alaska

ALASKA REDISTRICTING BOARD
BOARD MEETING on 05/14/2012

<p>1 A-P-P-E-A-R-A-N-C-E-S Page 2</p> <p>2</p> <p>3 BOARD MEMBERS PRESENT:</p> <p>4 John Torgerson, Chairman</p> <p>5 PeggyAnn McConnochie (via speaker phone)</p> <p>6 Robert B. Brodie</p> <p>7 Marie N. Greene</p> <p>8 Jim Holm (via speaker phone)</p> <p>9</p> <p>10</p> <p>11 STAFF PRESENT:</p> <p>12 Taylor Bickford</p> <p>13 Jim Ellis</p> <p>14</p> <p>15 ALSO PRESENT:</p> <p>16 Michael D. White</p> <p>17 PATTON BOGGS, LLP</p> <p>18 601 West 5th Avenue, Suite 700</p> <p>19 Anchorage, Alaska 99501</p> <p>20</p> <p>21 Randy Ruedrich</p> <p>22 Steve Aufrecht</p> <p>23 Tom Schulz</p> <p>24 John Alcantra</p> <p>25 Leonard Lawson</p> <p>26 Kaci Schroeder</p> <p>27 John Bitney</p> <p>28 Ellen Lockyer</p> <p>29 Bill McAllister</p> <p>30</p> <p>31 Court Reporter:</p> <p>32 Sonja L. Reeves, RPR</p> <p>33 PACIFIC RIM REPORTING</p> <p>34 711 M Street, Suite 4</p> <p>35 Anchorage, Alaska 99501</p>	<p>Page 4</p> <p>1 CHAIRMAN TORGERSON: Yes.</p> <p>2 MR. BICKFORD: Marie Greene?</p> <p>3 BOARD MEMBER GREENE: Yes.</p> <p>4 MR. BICKFORD: Bob Brodie?</p> <p>5 BOARD MEMBER BRODIE: Yes.</p> <p>6 MR. BICKFORD: Jim Holm?</p> <p>7 BOARD MEMBER HOLM: Yes.</p> <p>8 MR. BICKFORD: PeggyAnn McConnochie?</p> <p>9 BOARD MEMBER MCCONNOCHIE: Yes.</p> <p>10 CHAIRMAN TORGERSON: Thank you. So by a</p> <p>11 vote of five yea to zero nay, the board has approved the</p> <p>12 agenda.</p> <p>13 Next is the litigation update. I'm sure we</p> <p>14 all know it, but let's put it on the record. Mr. White?</p> <p>15 MR. WHITE: Thank you, Mr. Chairman. As</p> <p>16 you know, we had oral argument in front of the Supreme</p> <p>17 Court last Thursday. They ruled Thursday afternoon.</p> <p>18 Their ruling -- basically, we were dealing</p> <p>19 with three different issues. We were dealing with our</p> <p>20 petition for an interim plan, the petition for review we</p> <p>21 filed regarding the trial court's order and then the</p> <p>22 Supreme Court had issued an order to show cause, wanting</p> <p>23 to know why they shouldn't use the amended Proclamation</p> <p>24 Plan as the interim plan.</p> <p>25 The Court's order only dealt with that</p>
<p>Page 3</p> <p>1 PROCEEDINGS</p> <p>2 CHAIRMAN TORGERSON: Call the meeting to</p> <p>3 order. We're on the record. Roll call members, please.</p> <p>4 MR. BICKFORD: John Torgerson?</p> <p>5 CHAIRMAN TORGERSON: Here.</p> <p>6 MR. BICKFORD: Marie Greene?</p> <p>7 BOARD MEMBER GREENE: Here.</p> <p>8 MR. BICKFORD: Bob Brodie?</p> <p>9 BOARD MEMBER BRODIE: Here.</p> <p>10 MR. BICKFORD: Jim Holm?</p> <p>11 BOARD MEMBER HOLM: Here.</p> <p>12 MR. BICKFORD: PeggyAnn McConnochie?</p> <p>13 BOARD MEMBER MCCONNOCHIE: Here.</p> <p>14 MR. BICKFORD: All board members are</p> <p>15 present.</p> <p>16 CHAIRMAN TORGERSON: So we have two on</p> <p>17 teleconference, one in Fairbanks and one in Seattle</p> <p>18 airport.</p> <p>19 The next thing on here is the approval of</p> <p>20 the agenda.</p> <p>21 BOARD MEMBER GREENE: I move to approve.</p> <p>22 BOARD MEMBER BRODIE: Second.</p> <p>23 CHAIRMAN TORGERSON: Additions or</p> <p>24 corrections to the agenda? Roll call vote.</p> <p>25 MR. BICKFORD: John Torgerson?</p>	<p>Page 5</p> <p>1 issue. It said -- if you recall, the original order</p> <p>2 said that if you don't have enough time to get done,</p> <p>3 come back to us and petition the interim plan with</p> <p>4 Fairbanks fixed.</p> <p>5 So following that order is what the Court</p> <p>6 did. The Supreme Court determined that they didn't want</p> <p>7 to do that, that they have in fact adopted our amended</p> <p>8 Proclamation Plan as an interim plan, except for</p> <p>9 Southeast, which they remanded to us to reconfigure,</p> <p>10 Southeast looking only at the Alaska Constitution.</p> <p>11 If you will recall in our briefing that we</p> <p>12 did before the board and in the last go-around when we</p> <p>13 drafted the amended Proclamation Plan, the Court had</p> <p>14 given very specific instructions on a lot of things, but</p> <p>15 neither the trial court nor the Supreme Court said, "You</p> <p>16 have to redraw Southeast."</p> <p>17 They now have said, "Okay, we are</p> <p>18 specifically telling you to reconfigure Southeast and</p> <p>19 get that back to us by tomorrow, Tuesday, at noon."</p> <p>20 So the purpose of this meeting is to --</p> <p>21 basically, the next job that we have to do is look at</p> <p>22 Southeast and determine how to reconfigure it.</p> <p>23 The Court was very specific, said, "Look</p> <p>24 only at the Alaska Constitution. Do not change anything</p> <p>25 because of the Voting Rights Act, because there are no</p>

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<p style="text-align: right;">Page 6</p> <p>1 Voting Rights Act considerations in Southeast." 2 PeggyAnn, can you mute your phone? 3 BOARD MEMBER MCCONNOCHIE: Yes, I can. 4 Sorry about that. 5 MR. TORGERSON: That's all right. I wanted 6 to volunteer. 7 MR. WHITE: And so that's basically where we 8 are, is we have to get back to the Court tomorrow by 9 noon with a new Southeast plan, which then they provided 10 -- the Court indicated in its order that anybody who had 11 any objections, I'm assuming limited to those parties 12 that are actually part of the litigation, but it doesn't 13 really say that, they have to be filed by Friday. 14 And I suspect that the Court would rule very 15 quickly after that, knowing full well -- a good bit of 16 the oral argument was focused on timing and the need to 17 get a preclearance. 18 So once we get a Southeast plan adopted, 19 we'll file it for approval with the Supreme Court. Once 20 we get that approval, we will petition -- file our 21 preclearance submission with DOJ. 22 I would be happy to answer any questions. 23 CHAIRMAN TORGERSON: Questions of counsel? 24 BOARD MEMBER BRODIE: I have one, Mr. 25 Chairman.</p>	<p style="text-align: right;">Page 8</p> <p>1 Whether they do that or not, I can't say. 2 It's hard to predict. Remember that even if the Supreme 3 Court agrees with us on the first part of the Hickel 4 process, they could remand it back to the trial court 5 for the trial court to make determinations on the 6 objections to the amended plan. 7 So we're a little bit up in the air right 8 now. The focus really right now is on getting the 9 interim plan into place and preclearance on that, and 10 then we'll get further guidance from the Supreme Court 11 when they rule on our petition for review. 12 BOARD MEMBER MCCONNOCHIE: This is PeggyAnn. 13 If I may ask a question now, Michael. So we put 14 together a plan and somebody objects to our plan. 15 Is there the possibility that if our plan is 16 not said to meet Alaska Constitutional guidelines that 17 the entire plan that we have drawn for the State of 18 Alaska could be thrown out? 19 MR. WHITE: I didn't catch the last part, 20 PeggyAnn. You kind of broke up a little bit on me. 21 BOARD MEMBER MCCONNOCHIE: No problem. I 22 apologize. Is it that -- this is our plan and it is 23 challenged because it is said to not meet the Alaska 24 Constitution for compactness, contiguity, et cetera, et 25 cetera, could that jeopardize the entire plan for the</p>
<p style="text-align: right;">Page 7</p> <p>1 CHAIRMAN TORGERSON: Go ahead, Mr. Brodie. 2 BOARD MEMBER BRODIE: Once this interim 3 plan, assuming it gets DOJ approval, is in effect, 4 what's the next step for making it a permanent plan? 5 MR. WHITE: Well, the Supreme Court took -- 6 remember I talked about the three things that were 7 before the court. 8 The interim plan is out, because they want 9 to adopt the amended Proclamation Plan. And then they 10 took our petition for review under advisement and said 11 that they will give an order based upon that at some 12 later date. 13 So I suspect they are waiting to see -- deal 14 first with the interim plan and the Southeast issues. 15 And then we'll get an order from the Court on our 16 petition for review. So that will determine what 17 happens next. 18 So right now, we're not really sure. You 19 recall, if you read our petition, we think the trial 20 court erred, because we felt we did comply with the 21 Hickel process, and we also said, "Court, there is no 22 need to send this back to the trial court. They filed 23 -- we adopted a plan, they filed their objections and we 24 filed a response. You should just take a look at it and 25 make a ruling."</p>	<p style="text-align: right;">Page 9</p> <p>1 State of Alaska at that time? 2 MR. WHITE: If you submitted a Southeast 3 plan and the Supreme Court said it didn't comply with 4 the constitution, there is several different things that 5 could occur at that point in time. 6 They could say, "Retry it again." They 7 could say, "You have had enough chances, we're going to 8 --" because the parties, some of the parties on the 9 other side are saying appoint masters, so there is a 10 chance that it could jeopardize the plan in its entirety 11 if you don't have a plan that complied in the Southeast. 12 But it's a hard little hard to say at this 13 juncture what exactly they would do. I think the focus 14 at this point in time should be on Southeast and drawing 15 a plan that complies with the Alaska Constitution. 16 BOARD MEMBER MCCONNOCHIE: Okay. The second 17 part of my question has to do with -- if we draw a plan 18 meeting the Supreme Court's requirements and we do not 19 have a district within Southeast that has as high as 20 possible Native percentage, will they potentially throw 21 that out? 22 MR. WHITE: I think what I heard you say, 23 PeggyAnn, is if we don't create an influence district in 24 Southeast could that be a problem with DOJ. 25 DOJ, like we have always done all along, we</p>

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<p style="text-align: right;">Page 10</p> <p>1 weren't sure whether an influence district was 2 necessary. Lisa Handley said originally, "You need to 3 draw one down there." Everybody else who drew plans 4 drew one down there. 5 At this point in time, it appears as if -- 6 since that district is not an effective district, that 7 there doesn't appear to be a need for it, so there is 8 some possibility, PeggyAnn. I don't think it's a large 9 possibility, given what we know from DOJ, but it still 10 is an area, that despite what some people are saying, is 11 really not all that settled. 12 But the bottom line is we have specific 13 instructions from the Supreme Court to say, "Draw 14 Southeast without any regard to the federal Voting 15 Rights Act," which would include, not only any type of 16 influence or ability to elect district, it also includes 17 the pairing of Native incumbents, which is another 18 factor under DOJ. 19 So when drawing the plan for Southeast, 20 you're not to look at either of those two considerations 21 and focus solely on the Alaska Constitution. 22 BOARD MEMBER MCCONNOCHIE: Okay. Thank you 23 very much. 24 CHAIRMAN TORGERSON: Other questions? Item 25 five, I see no need for an executive session at this</p>	<p style="text-align: right;">Page 12</p> <p>1 those who have been born and raised here and consider 2 themselves natives. 3 But what I would like to do, if I might, 4 Mr. Chairman, is put forth a plan that Taylor and I have 5 worked on. And I believe the materials -- Taylor, is 6 that the one entitled map A? 7 CHAIRMAN TORGERSON: We have five options in 8 front of us, PeggyAnn. I know we talked about all five 9 of them over the weekend, but option A is the one that 10 we seem to be -- you seem to be gravitating toward, and 11 me, I guess. 12 BOARD MEMBER MCCONNOCHIE: I would like to 13 talk to people a little bit about this. The problem I 14 see, in my situation, I see it as a problem: The Alaska 15 Supreme Court has told us to do something which I don't 16 believe is right or reasonable, yet we are told by the 17 highest court in the state that we must, and that is 18 draw a map without consideration of Native districts, 19 without consideration of Native voting rights, without 20 consideration of Native currently standing senators or 21 representatives for Southeast Alaska. 22 And I find that abhorrent. Having said 23 that, if I am to draw based upon the Alaska Constitution 24 and look to draw the most compact district and that is 25 the formal consideration, as well as socioeconomically</p>
<p style="text-align: right;">Page 11</p> <p>1 time, so we will hold that in abeyance. We may, but I 2 don't see any reason for that. I always list them just 3 in case. 4 So the next thing, we'll go to item six, 5 which is board adoption of revised Southeast districts. 6 Over the weekend -- pardon me? 7 BOARD MEMBER MCCONNOCHIE: Well, I guess, 8 Mr. Chairman, I would like to step in if I could, 9 please. 10 CHAIRMAN TORGERSON: Step in where? 11 BOARD MEMBER MCCONNOCHIE: Well, I would 12 like to step in, Mr. Chairman, if I could and take the 13 floor. 14 CHAIRMAN TORGERSON: Oh, okay. Go ahead. 15 BOARD MEMBER MCCONNOCHIE: Thank you. I 16 would like to let everybody know that this has been a 17 very difficult weekend for myself, and I mean difficult 18 from the standpoint that we haven't liked the Court's 19 opinions thus far, and this particular Court's opinion 20 has caused me great consternation. 21 I want to thank publicly Taylor for spending 22 time with me to basically since Friday to redraw 23 Southeast. I find that it's difficult. I'm very upset. 24 I do not think that this is in any way fair to Alaskans, 25 those of us who have only been here for 30 years and</p>	<p style="text-align: right;">Page 13</p> <p>1 integrated, et cetera, et cetera, map A hits it. Do I 2 like it? Absolutely, positively not. Do I think that 3 it meets the standards we are required to accept? 4 Probably. 5 The reason I asked Michael the question is 6 I'm worried about what Department of Justice says. I'm 7 worried about what happens to our currently elected 8 Native representatives and senators. 9 I'm not happy with it, but in strictly 10 looking at a map that will pass the Alaska Supreme 11 Court, I believe map A meets those criteria, 12 Mr. Chairman. 13 And to get the conversation started so we 14 can have it on the record, I will put forth and make a 15 motion that we adopt plan A of the maps that have been 16 presented to you this morning. 17 CHAIRMAN TORGERSON: Is there a second? 18 BOARD MEMBER HOLM: I'll second that. 19 CHAIRMAN TORGERSON: That was Mr. Holm 20 seconding it. Like I stated earlier, we do have before 21 us five options, so if anybody wants to -- well, maybe 22 just for the record we should talk about those options 23 under discussion of the motion. I think it certainly 24 would be germane. 25 BOARD MEMBER MCCONNOCHIE: Thank you. In</p>

<p style="text-align: right;">Page 14</p> <p>1 putting together this map, we took and looked at every 2 single map that had been presented to us over the past 3 year. We jiggled and moved. We took all testimony 4 involved into consideration to try to put together a map 5 that met the constitutional requirements. 6 And although we can move things around, as 7 you see, the problem is is that any time we move off 8 what plan A is, we create a map that is not considered 9 compact. And that is why map A, I believe, trumps the 10 other maps in our consideration. 11 CHAIRMAN TORGERSON: Thank you. I want to 12 run through the other options just so we can get them on 13 the record, just so that folks know we worked on 14 different configurations. 15 So if it's all right with you, PeggyAnn, I 16 think you got the maps, but you probably got them on 17 your little BlackBerry. Could I just have Taylor walk 18 us through options B, C, D and E? Are you okay with 19 that? 20 BOARD MEMBER MCCONNOCHIE: No problem. 21 CHAIRMAN TORGERSON: Taylor, under 22 discussion of the main motion, we're going to discuss 23 the other options, and then we'll come back to the main 24 motion, so give us a quick rundown of option B. 25 MR. BICKFORD: Thank you, Mr. Chairman.</p>	<p style="text-align: right;">Page 16</p> <p>1 Option C is another plan that looks at 2 instead of taking north Juneau out of the Borough, 3 taking south Juneau out of the Borough. So again 31 is 4 identical to what we have seen in previous board plans. 5 District 32 is south Juneau and it runs 6 through Excursion Inlet, Gustavus and goes up to grab 7 Haines, Skagway and that area. 34 then is basically 8 Sitka, Wrangell, Petersburg. And then again Ketchikan 9 is the Borough plus Prince of Wales Island. 10 The deviations for this plan are on the next 11 sheet. The overall range for the region is 12 1.88 percent. Any questions about that option? 13 Option D, this is just another iteration of 14 a plan that takes south Juneau out of the Borough, and 15 you will see that this plan requires you to run all the 16 way from Haines down through Prince of Wales Island. 17 Again, 31 is the same as we have seen in previous plans. 18 And 32 you will see a south Juneau plus Petersburg, 19 Angoon, Kupreanof, Kake, those areas. 20 And then under this plan, Ketchikan would be 21 combined with Wrangell instead of Prince of Wales 22 Island. Deviations for that plan are just under 4 23 percent. You will see that on the next page, overall 24 range. 25 Any questions about option D?</p>
<p style="text-align: right;">Page 15</p> <p>1 Okay. Option -- 2 CHAIRMAN TORGERSON: Actually, these are out 3 of order. You should have started with D. Go ahead. 4 MR. BICKFORD: So option A, you know, you 5 will see it took north Juneau out of the Borough and 6 combined it with Haines, Skagway and then northern 7 Southeast area. So we have got a couple other options 8 here looking at trying to keep -- or trying to take 9 south Juneau out of the Borough instead. 10 Option B, you will see there is no 11 population spreadsheet for option B. We had a technical 12 problem. But there are population spreadsheets for the 13 rest of them. So option B runs from -- District 34 runs 14 from Haines through Sitka and goes and picks up 15 Petersburg. 16 District 31 is the north Juneau district. 17 It's identical to how we have drawn it originally in the 18 board's plans. District 32, because it lost Petersburg, 19 then had to go down and pick up Wrangell and part of 20 Prince of Wales Island. 21 And then the Ketchikan District is basically 22 the Ketchikan Gateway Borough and half of Prince of 23 Wales Island. The overall range for this plan -- or I 24 guess this is the one we don't have data for. So any 25 questions about option B?</p>	<p style="text-align: right;">Page 17</p> <p>1 Option E is a modified version of option D. 2 Basically we looked at it if we draw the plan this way 3 could we shorten District 34, and we could, but not by 4 much. You will see we basically just moved Hydaburg 5 over into the Ketchikan District. 6 And District 34 under this plan runs from 7 Haines to Craig, instead of Haines to Hydaburg. The 8 rest of the districts are the same as in option D. The 9 overall range for that plan is 1.44 percent. 10 And then, again, option A is looking at 11 taking north Juneau out of the Borough, which I think 12 clearly creates more compact districts. The problem 13 with trying to take south Juneau out of the Borough is, 14 what I found and I think looking at all the other plans 15 that have been submitted over the course of the process, 16 once you take south Juneau out of the Borough, you're 17 creating districts that are either not compact or it's 18 at least questionable. And there is really just no way 19 of doing that. 20 BOARD MEMBER MCCONNOCHIE: Once again, 21 Taylor, can you go over what the requirements were from 22 the Supreme Court, please? 23 MR. BICKFORD: Again, they told us not to 24 consider the Voting Rights Act at all, to only consider 25 the Alaska constitutional requirements. And what I</p>

<p style="text-align: right;">Page 18</p> <p>1 found, again, reviewing all the plans, running through 2 them with PeggyAnn this weekend was that there is no way 3 to draw a comfortably compact plan in Southeast, unless 4 you take north Juneau out of the Borough north. 5 No other party came up with anything that we 6 have seen that was able to do that and none of our 7 drawings were able to do that. Each of the plans had 8 districts that were either long, or like in option C, 9 you know, you have to basically run a corridor through 10 Excursion Inlet to get up to Haines, and I would assume 11 that would create some compactness issues as well. 12 CHAIRMAN TORGERSON: So overall what we 13 ended up with was a long corridor without tying Haines 14 and Skagway into some Juneau seat, which we proved by 15 our own drawings that was not necessary as far as 16 compactness. We can draw something a lot more compact. 17 Option C, which the Juneau one still has a 18 small corridor, but it's still not as compact as option 19 A. 20 Any questions on the five options before us? 21 BOARD MEMBER HOLM: Another issue -- this is 22 Jim. Another issue would be socioeconomic 23 consideration. 24 Is that -- do we have to worry about that in 25 option A, do you think, Taylor?</p>	<p style="text-align: right;">Page 20</p> <p>1 as the hub for those two areas. The Juneau, while it's 2 the northern part of Juneau, I know we got some comments 3 from somebody down there saying, "Well, the port isn't 4 there," but the Supreme Court has made clear that when 5 you're looking at socioeconomic integration, you look at 6 the entire area, not just the specific area in the plan. 7 It's the fact that it's the Juneau Borough. 8 I don't think there is any issues here at 9 all with socioeconomic integration. 10 CHAIRMAN TORGERSON: You got to mute your 11 phone again, Peggy. 12 BOARD MEMBER MCCONNOCHIE: You might also 13 talk about the fact that because Southeast Alaska is 14 served by the Alaska ferry system, all the communities 15 in some way are socioeconomically integrated. 16 MR. WHITE: Yeah, I think that that is in 17 fact the case. I think if you looked at -- Taylor 18 talked about option C. Would option C meet the 19 socioeconomic integration requirements? I think that it 20 would. 21 The only issue there is, for those of you 22 who listened to oral argument, the Supreme Court and I 23 had a discussion about what the constitution actually 24 requires, is it the most compact. Our argument always 25 of course is that compactness is an up or down</p>
<p style="text-align: right;">Page 19</p> <p>1 MR. BICKFORD: Jim, I think I would probably 2 defer that to Mike. 3 BOARD MEMBER HOLM: What other issues, 4 constitutional issues do we need to discuss with regards 5 to option A? 6 MR. WHITE: Good morning, Jim. First of 7 all -- 8 CHAIRMAN TORGERSON: Mr. White. 9 MR. WHITE: Sorry, Mr. Chairman. There are 10 three constitutional requirements under Article 6, 11 Section 6. Contiguity: The districts in option A are 12 all contiguous. Obviously, since there are islands, we 13 have all dealt with that issue before. 14 And, of course, you're going to have to go 15 across water when you have an island district, an 16 archipelago like you have here. 17 The second is compactness. Option A would 18 both visually, and I think if you looked at the 19 mathematical test, would be the most compact plan. 20 And then the last requirement is to be 21 relatively socioeconomically integrated. And I am 22 pretty comfortable that this plan, option A is all 23 socioeconomically integrated. 24 I mean, I think socioeconomic integration in 25 Southeast, these plans, Skagway, Haines, Juneau serves</p>	<p style="text-align: right;">Page 21</p> <p>1 dichotomy. I'm not sure that Justice Fabe agreed with 2 that, but it's clear that option A is the most compact. 3 There are no issues with contiguity. And I don't see 4 any issues with socioeconomic integration. 5 I went back and looked at all of the cases 6 this weekend dealing with Southeast, and while there has 7 always been a long district in Southeast, kind of what I 8 think has been referred to as a corridor district, in 9 the past there has always been a Native district in 10 Southeast as well. 11 And that was the justification for, if not 12 implicitly, at least implicitly of creating these long 13 districts. Since that requirement or consideration has 14 been removed, I just don't think there is any 15 justification for districts that look like option D, 16 although it's a nice-looking map and you could probably 17 argue that it's socioeconomically integrated and maybe 18 even a little -- those towns are all on the outside or 19 have the same kind of involvement economic and 20 otherwise. 21 But from a compactness standpoint, 22 obviously, option A is better than option D and option 23 E. I don't see -- option A, I don't see any 24 constitutional issues with it at all. I think it meets 25 all the requirements and maximizes them all to the best</p>

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<p style="text-align: right;">Page 22</p> <p>1 ability that the board can do.</p> <p>2 BOARD MEMBER HOLM: Thank you.</p> <p>3 BOARD MEMBER MCCONNOCHIE: That's why that's</p> <p>4 the plan that I propose, folks. As I said, I'm not</p> <p>5 happy with it at all. I am as mad as one can be against</p> <p>6 the Supreme Court and the Fairbanks court for not</p> <p>7 understanding how important it is to have Native</p> <p>8 districts down there no matter if it was as large as</p> <p>9 they need to be. I just think that this is the plan</p> <p>10 that needs to get through the Alaska Supreme Court. I</p> <p>11 think this is the only one that will do it.</p> <p>12 CHAIRMAN TORGERSON: PeggyAnn, you need to</p> <p>13 wait until the background noise is -- we only got about</p> <p>14 every other word.</p> <p>15 BOARD MEMBER MCCONNOCHIE: Okay. Bottom</p> <p>16 line, this is the only map that meets the Alaska</p> <p>17 Constitution. Everything else is we're going to have it</p> <p>18 back in our laps again.</p> <p>19 That's not what I want. I'm not happy at</p> <p>20 all with what this does to Southeast Alaska. I have</p> <p>21 lived here. I work here. Many of these people who are</p> <p>22 there are my friends, and this is going to cause</p> <p>23 incredible problems, but the last thing I want to do is</p> <p>24 have this thrown out and then land back in our laps</p> <p>25 again, or under worse circumstances, end up with a</p>	<p style="text-align: right;">Page 24</p> <p>1 now.</p> <p>2 Any more discussion on adoption of option A?</p> <p>3 Roll call vote.</p> <p>4 MR. BICKFORD: John Torgerson?</p> <p>5 CHAIRMAN TORGERSON: Yes.</p> <p>6 MR. BICKFORD: Marie Greene?</p> <p>7 BOARD MEMBER GREENE: Yes.</p> <p>8 MR. BICKFORD: Bob Brodie?</p> <p>9 BOARD MEMBER BRODIE: Yes.</p> <p>10 MR. BICKFORD: Jim Holm?</p> <p>11 BOARD MEMBER HOLM: Yes.</p> <p>12 MR. BICKFORD: PeggyAnn McConnochie?</p> <p>13 BOARD MEMBER MCCONNOCHIE: Yes.</p> <p>14 CHAIRMAN TORGERSON: So by a vote of five</p> <p>15 yeah to zero nay, the board has adopted option A as the</p> <p>16 option for Southeast.</p> <p>17 Now, I would like a motion to adopt option A</p> <p>18 into the amended Proclamation Plan, and that will</p> <p>19 finalize the plan.</p> <p>20 BOARD MEMBER MCCONNOCHIE: I move that we</p> <p>21 adopt option A into the final Proclamation Plan.</p> <p>22 BOARD MEMBER GREENE: I'll second the</p> <p>23 motion.</p> <p>24 CHAIRMAN TORGERSON: Moved and seconded. Is</p> <p>25 there discussion on the motion? Roll call, please.</p>
<p style="text-align: right;">Page 23</p> <p>1 quote, unquote master going to come in here and not have</p> <p>2 the same considerations for the rest of the state that</p> <p>3 we have.</p> <p>4 I feel caught between a rock and a hard</p> <p>5 place. I don't agree that this is a map that serves</p> <p>6 Southeast well, but this is the map I believe will get</p> <p>7 past the constitutional requirements that we're being</p> <p>8 forced to work under.</p> <p>9 CHAIRMAN TORGERSON: Okay. Any more</p> <p>10 discussion on the motion? Once again, the motion is to</p> <p>11 adopt option A.</p> <p>12 MR. WHITE: Just one clarification.</p> <p>13 CHAIRMAN TORGERSON: Mr. White.</p> <p>14 MR. WHITE: Assuming then that we're</p> <p>15 following the same numbering system, so 31 and 32 would</p> <p>16 be Senate District P, and 33 and 34 would be Senate</p> <p>17 District Q?</p> <p>18 MR. BICKFORD: Yes.</p> <p>19 MR. WHITE: As I understand it, you're</p> <p>20 having the truncation issue looked at because of the</p> <p>21 reconfiguration? We already know that Q has already</p> <p>22 been truncated, but it may be that given the change to</p> <p>23 P, it may need to be truncated.</p> <p>24 CHAIRMAN TORGERSON: We'll get into that,</p> <p>25 but let's control the motion that's on the floor right</p>	<p style="text-align: right;">Page 25</p> <p>1 MR. BICKFORD: John Torgerson?</p> <p>2 CHAIRMAN TORGERSON: Yes.</p> <p>3 MR. BICKFORD: Marie Greene?</p> <p>4 BOARD MEMBER GREENE: Yes.</p> <p>5 MR. BICKFORD: Bob Brodie?</p> <p>6 BOARD MEMBER BRODIE: Yes.</p> <p>7 MR. BICKFORD: Jim Holm?</p> <p>8 BOARD MEMBER HOLM: Yes.</p> <p>9 MR. BICKFORD: PeggyAnn McConnochie?</p> <p>10 BOARD MEMBER MCCONNOCHIE: Yes.</p> <p>11 CHAIRMAN TORGERSON: By five yea to zero</p> <p>12 nay, the board has adopted the Southeast plan into the</p> <p>13 amended Proclamation Plan.</p> <p>14 Now, the issue of truncation, you heard</p> <p>15 Mr. White start to explain that. We have Eric starting</p> <p>16 to work on it. We weren't sure exactly what plan we</p> <p>17 might adopt, so we will have him take that issue up and,</p> <p>18 hopefully, we'll be able to move on that.</p> <p>19 PeggyAnn, when is your plane? How long do</p> <p>20 we have you for?</p> <p>21 BOARD MEMBER MCCONNOCHIE: I get on the</p> <p>22 plane here in about an hour.</p> <p>23 CHAIRMAN TORGERSON: Hopefully, we'll be</p> <p>24 done, because Eric started working on these. Is that</p> <p>25 fair?</p>

<p style="text-align: right;">Page 26</p> <p>1 MR. BICKFORD: It could be done now.</p> <p>2 CHAIRMAN TORGERSON: We'll take a little</p> <p>3 break. The Senate pairing is -- we haven't -- we need</p> <p>4 to -- basically, we're intending 31 and 32 to be Senate</p> <p>5 P. And 33/34 would be Senate Q. Right?</p> <p>6 MR. BICKFORD: Uh-huh.</p> <p>7 CHAIRMAN TORGERSON: And then we have --</p> <p>8 we'll make copies for a written findings for the board,</p> <p>9 and we'll -- again, we made up some that, again, not</p> <p>10 sure what option we would adopt, that adopts truncation</p> <p>11 and -- or adopts truncation, but adopts the Senate</p> <p>12 terms.</p> <p>13 I'm just reading my notes here to make sure.</p> <p>14 I think that's it. So we'll take -- let's try a</p> <p>15 15-minute break, recess. That will give Taylor time to</p> <p>16 get ahold of Eric to see where he is at.</p> <p>17 Eric will have to do the metes and bounds</p> <p>18 also. You need that for your filing tomorrow?</p> <p>19 MR. WHITE: I don't believe so. It would be</p> <p>20 nice if we had it. If we don't, it's obviously not</p> <p>21 going to delay us.</p> <p>22 CHAIRMAN TORGERSON: We'll get him started</p> <p>23 on it, and, hopefully, he is not working on some state</p> <p>24 project or something and he has some time to put</p> <p>25 together on that.</p>	<p style="text-align: right;">Page 28</p> <p>1 amended Proclamation Plan, combined them with these two</p> <p>2 new Senate districts for Southeast and came up with what</p> <p>3 we have seen before, which is a Senate term spreadsheet.</p> <p>4 And what this shows, really the only</p> <p>5 districts we're worried about are Districts P and Q.</p> <p>6 Districts A through O and R through T have already been</p> <p>7 adopted and the truncation has already been adopted for</p> <p>8 them, but Districts P and Q have changed.</p> <p>9 So District P would be District 31 and 32 in</p> <p>10 Southeast, which is primarily the Juneau Senate</p> <p>11 district.</p> <p>12 CHAIRMAN TORGERSON: North Juneau.</p> <p>13 MR. BICKFORD: Well --</p> <p>14 CHAIRMAN TORGERSON: No, it would south</p> <p>15 Juneau.</p> <p>16 MR. BICKFORD: The north Juneau House</p> <p>17 district combines with the south Juneau House district.</p> <p>18 Senator Egan, of course, is in this district. We</p> <p>19 thought that maybe this would require that his district</p> <p>20 be truncated, given the changes, but it looks like</p> <p>21 that's not the case. You will see that it's still</p> <p>22 88.4 percent the same.</p> <p>23 Now, the interesting issue here is Senate</p> <p>24 District Q, which is district, House District 33 and 34</p> <p>25 combined. Under the previous plan, this district was</p>
<p style="text-align: right;">Page 27</p> <p>1 So I believe that's all we need -- anything</p> <p>2 that --</p> <p>3 BOARD MEMBER HOLM: Come back at 11:00?</p> <p>4 CHAIRMAN TORGERSON: We'll come back at</p> <p>5 let's say five after, Mr. Holm. PeggyAnn, five after.</p> <p>6 BOARD MEMBER MCCONNOCHIE: Sounds good to</p> <p>7 me. I will talk to you then.</p> <p>8 CHAIRMAN TORGERSON: The board is in recess</p> <p>9 until 11:05 a.m.</p> <p>10 (There was a break.)</p> <p>11 CHAIRMAN TORGERSON: We got everybody on.</p> <p>12 We'll redo a roll call. What we'll do is -- waiting for</p> <p>13 -- we'll have to read this. We have some findings that</p> <p>14 we'll read so everybody will understand what we're</p> <p>15 doing.</p> <p>16 Let's call the meeting back to order. All</p> <p>17 board members are present, either in person or in</p> <p>18 teleconference. And staff is here and we're represented</p> <p>19 by counsel.</p> <p>20 So let's have Taylor just walk us through</p> <p>21 the findings of our GIS expert on boundary populations.</p> <p>22 MR. BICKFORD: Okay. So Eric took a look</p> <p>23 at -- because what we have basically done here is</p> <p>24 created two new Senate districts in Southeast.</p> <p>25 So he took the Senate districts from the</p>	<p style="text-align: right;">Page 29</p> <p>1 about 73 percent the same as in the benchmark and the</p> <p>2 board decided not to truncate it. Under this plan, it's</p> <p>3 81.2 percent the same for Senator Stedman, but of course</p> <p>4 Senator Kookesh is also in the district, and for him the</p> <p>5 district is substantially different. It's under</p> <p>6 25 percent the same.</p> <p>7 Because you remember his old Senate district</p> <p>8 ran up and connected with District 5 -- or sorry,</p> <p>9 District 6 in the Interior.</p> <p>10 So we talked with Mike about this a little</p> <p>11 bit. The presumption is that you would still need to</p> <p>12 truncate this, because you have got -- you have two</p> <p>13 sitting senators in the district, one of which the</p> <p>14 district is substantially the same for and the other</p> <p>15 which is not.</p> <p>16 So with the spreadsheet we put together</p> <p>17 here, there would still be an election in 2012 for this</p> <p>18 district. Do you have any comments, Mike?</p> <p>19 MR. WHITE: There is no guidance in any of</p> <p>20 the previous opinions on this, but I think that while</p> <p>21 comparison here shouldn't be just with Stedman's</p> <p>22 district, but it should be with both Stedman and Senator</p> <p>23 Kookesh's district.</p> <p>24 If you look at that, then you have a</p> <p>25 substantial change in population between the two</p>

<p style="text-align: right;">Page 30</p> <p>1 different districts. Therefore, under the 2 circumstances, I think that the purpose of truncation is 3 that people of the district, if it's substantially 4 different, should have a chance to elect their candidate 5 of choice.</p> <p>6 And under this circumstance, when you have 7 two incumbents within the same district, I think you 8 have to compare both of their districts and see if there 9 is substantial change. In doing that, I think there is. 10 Under those circumstances, you would have truncation. 11 Otherwise, there would be no election in that district.</p> <p>12 CHAIRMAN TORGERSON: What was our percent of 13 cutoff on truncation? I know that's arbitrary, but did 14 we adopt one?</p> <p>15 MR. WHITE: We did not adopt a specific one. 16 We looked at what they did last time. Any time there 17 was over 20 or 25 percent change in the population, that 18 was considered substantial.</p> <p>19 The board looked at the same thing. 20 Remember truncation only applies to 10 out of the 20 21 seats, because it only applies to those senators who 22 would be sitting for midterm -- or would not be required 23 to sit for an election in 2012, they would be at 24 midterm, and, therefore, there is a difference between 25 truncation and the assignment of Senate seats.</p>	<p style="text-align: right;">Page 32</p> <p>1 apples to apples, which is both Senate districts, there 2 would be a substantial change, and substantial change 3 justifies truncation.</p> <p>4 CHAIRMAN TORGERSON: I don't follow. What's 5 the substantial change?</p> <p>6 MR. WHITE: Well, you got to remember -- 7 CHAIRMAN TORGERSON: Because you cut 8 Kookesh, the --</p> <p>9 MR. WHITE: You have to look at what his 10 former district looked like. And we know that the new 11 district that he is in is 80 percent different than his 12 old district.</p> <p>13 Then you have Stedman who is 80 percent the 14 same, but you have both of them in the same district. I 15 think you have to look at comparison of the two 16 different districts, not just Senator Stedman's 17 district, in determining whether or not truncation 18 should take place.</p> <p>19 CHAIRMAN TORGERSON: Is there a motion to 20 adopt -- I guess -- let's see. Do I need a motion? I 21 guess we need to just say that the truncation would 22 remain the same as in the amended Proclamation Plan.</p> <p>23 MR. WHITE: It's my understanding, yes, 24 Mr. Chairman. Taylor, please correct me if I'm wrong, 25 that changes we made to Southeast did not affect the</p>
<p style="text-align: right;">Page 31</p> <p>1 So if you looked at Senate Q when you 2 compared it both with former Senate District C, I 3 believe it was, which was Senator Kookesh's district, 4 you would have an 80 percent difference or so in the 5 population in that district.</p> <p>6 And while Senator Kookesh's is about 7 80 percent the same, under the circumstances, I believe 8 that the most appropriate thing to do is to truncate the 9 term of Senator Stedman and let the people choose who 10 they care to in the 2012 election.</p> <p>11 MR. BICKFORD: So if the board -- I mean -- 12 CHAIRMAN TORGERSON: Mr. Taylor?</p> <p>13 MR. BICKFORD: Thank you. If the board were 14 not to do that then it's not really clear what would 15 happen. If you're saying no election is going to take 16 place, then you would have two incumbents senators and 17 who becomes the representative?</p> <p>18 MR. WHITE: I don't know. I don't think the 19 board has -- there is just no legal guidance from any of 20 the Alaska Supreme Court opinions. I just learned of 21 this issue this morning.</p> <p>22 I haven't had a chance to go out and 23 research the country for it, but I would think that 24 under the circumstances it just seems that the most 25 appropriate thing to do is given, if you had to compare</p>	<p style="text-align: right;">Page 33</p> <p>1 amended Proclamation's plan's truncation or assignment 2 of Senate terms.</p> <p>3 MR. BICKFORD: That's right. Yes.</p> <p>4 MR. WHITE: After consideration of the 5 Senator Kookesh/Senator Stedman issue.</p> <p>6 CHAIRMAN TORGERSON: Let's just have a 7 motion to adopt the truncations for P and Q. So P would 8 not be truncated, and that person that's in the Senate 9 District P would not be required to seek election and 10 would be running on a two-year seat.</p> <p>11 And the person in Senate Q would be required 12 to run again for election.</p> <p>13 MR. WHITE: Taylor, you confirmed that 14 Senator Stedman is midterm?</p> <p>15 MR. BICKFORD: Yes.</p> <p>16 BOARD MEMBER BRODIE: Mr. Chairman, I would 17 move that we adopt the Senate, truncation Senate 18 District P not to be truncated and Senate District Q 19 would be.</p> <p>20 CHAIRMAN TORGERSON: Okay.</p> <p>21 BOARD MEMBER GREENE: I'll second the 22 motion.</p> <p>23 CHAIRMAN TORGERSON: Moved and seconded. Is 24 there discussion on the motion? Roll call, please.</p> <p>25 MR. BICKFORD: John Torgerson?</p>

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<p style="text-align: right;">Page 34</p> <p>1 CHAIRMAN TORGERSON: Yes.</p> <p>2 MR. BICKFORD: Marie Greene?</p> <p>3 BOARD MEMBER GREENE: Yes.</p> <p>4 MR. BICKFORD: Bob Brodie?</p> <p>5 BOARD MEMBER BRODIE: Yes.</p> <p>6 MR. BICKFORD: Jim Holm?</p> <p>7 BOARD MEMBER HOLM: Yes.</p> <p>8 MR. BICKFORD: PeggyAnn McConnochie?</p> <p>9 BOARD MEMBER MCCONNOCHIE: Yes.</p> <p>10 CHAIRMAN TORGERSON: By a vote of five yea</p> <p>11 to zero nay, the board has adopted the truncation terms</p> <p>12 for Senate District P and Q.</p> <p>13 I might have got a little bit ahead of</p> <p>14 ourselves. I guess we got it on the record that 31 and</p> <p>15 32 would be the pairing for the Senate P, and 33 and 34</p> <p>16 -- you think we need a motion?</p> <p>17 MR. WHITE: I think we have done that in the</p> <p>18 motion adopting the plan.</p> <p>19 CHAIRMAN TORGERSON: So then the next thing</p> <p>20 that we would need to consider, and probably our last</p> <p>21 thing for today, would be written findings in support of</p> <p>22 the Alaska Redistricting Board reconfiguration of</p> <p>23 Southeast Alaska election districts.</p> <p>24 Mr. White had prepared this, but at the time</p> <p>25 of preparation, we thought that Senate District P would</p>	<p style="text-align: right;">Page 36</p> <p>1 necessary, so that is being redrafted. And section five</p> <p>2 also talks about truncation, and it's probably okay the</p> <p>3 way it's written. It's about a page and a half</p> <p>4 document, so there isn't a lost findings there.</p> <p>5 MR. WHITE: The only changes would be to</p> <p>6 four and five, and the language -- I'll just go back in</p> <p>7 and put the language from our findings from the amended</p> <p>8 Proclamation Plan and plug it in here and get it to you.</p> <p>9 It should take me 20 minutes.</p> <p>10 CHAIRMAN TORGERSON: So there has been a</p> <p>11 motion and a second that allows the chair the authority</p> <p>12 to sign the findings once they are completed by legal.</p> <p>13 Any more discussion on the motion? Hearing</p> <p>14 none, we'll have a roll call vote, please.</p> <p>15 MR. BICKFORD: John Torgerson?</p> <p>16 CHAIRMAN TORGERSON: Yes.</p> <p>17 MR. BICKFORD: Marie Greene?</p> <p>18 BOARD MEMBER GREENE: Yes.</p> <p>19 MR. BICKFORD: Bob Brodie?</p> <p>20 BOARD MEMBER BRODIE? Yes.</p> <p>21 MR. BICKFORD: Jim Holm?</p> <p>22 BOARD MEMBER HOLM: Yes.</p> <p>23 MR. BICKFORD: PeggyAnn McConnochie?</p> <p>24 BOARD MEMBER MCCONNOCHIE: Yes.</p> <p>25 CHAIRMAN TORGERSON: Thank you. So by a</p>
<p style="text-align: right;">Page 35</p> <p>1 be required to run and would be truncated, but as the</p> <p>2 analysis showed, that is not the case. So basically,</p> <p>3 the findings -- the document would not be ready to adopt</p> <p>4 until -- in its final format until later today.</p> <p>5 So the choices to the board: We can adopt</p> <p>6 this and give me the authority to sign it once that</p> <p>7 change has been made that reflects that Senate P would</p> <p>8 not be truncated, or we can reconvene this afternoon</p> <p>9 after we get it and have a chance to read it and adopt</p> <p>10 it. It's up to the board.</p> <p>11 BOARD MEMBER MCCONNOCHIE: Mr. Chair,</p> <p>12 because I will not be able to be on the call, I would</p> <p>13 move that we give you the authority to adopt the</p> <p>14 findings on our behalf.</p> <p>15 BOARD MEMBER GREENE: I'll second the</p> <p>16 motion.</p> <p>17 CHAIRMAN TORGERSON: It's been moved and</p> <p>18 seconded. Basically, just so you know, the findings</p> <p>19 just talk about that we're required by the Supreme Court</p> <p>20 to draw -- districts using only the Alaska Constitution,</p> <p>21 and then a couple whereas talking about the work that</p> <p>22 was done over the weekend, that it was adopted by a 5-0</p> <p>23 vote.</p> <p>24 The part we have issue with is section four,</p> <p>25 which talks about truncation, but we know that isn't</p>	<p style="text-align: right;">Page 37</p> <p>1 vote of five yea to zero nay, the board has adopted and</p> <p>2 given the chair authority to sign the finding once</p> <p>3 completed by legal.</p> <p>4 Now, I think that's all. We have taken care</p> <p>5 of Senate pairings, truncation. Metes and bounds, we</p> <p>6 don't need that for --</p> <p>7 MR. WHITE: To submit we don't. If we get</p> <p>8 it afterward, we can always -- if Eric gets it done</p> <p>9 after 12 noon tomorrow, we'll just submit it to the</p> <p>10 Court once we get them.</p> <p>11 CHAIRMAN TORGERSON: It isn't something the</p> <p>12 board needs to adopt? Did we adopt it last time?</p> <p>13 MR. WHITE: I think we adopted the whole</p> <p>14 package.</p> <p>15 CHAIRMAN TORGERSON: I think what we did is</p> <p>16 we gave the GIS expert the authority to make small</p> <p>17 deviations as it might have a contour issue with</p> <p>18 geographic or some areas. And then we adopted it after</p> <p>19 he finished doing that.</p> <p>20 Where is he at on metes and bounds part?</p> <p>21 MR. BICKFORD: He hasn't started it. I told</p> <p>22 him to wait until after we had adopted something. So he</p> <p>23 can start on it this afternoon. I would suggest that at</p> <p>24 the earliest we'll get it tomorrow morning.</p> <p>25 MR. WHITE: There is a meeting noticed for</p>

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BOARD MEETING on 05/14/2012

<p style="text-align: right;">Page 38</p> <p>1 tomorrow morning, right?</p> <p>2 CHAIRMAN TORGERSON: I had Taylor notice</p> <p>3 today, tomorrow and Wednesday, not that I didn't have</p> <p>4 faith in us getting our work done.</p> <p>5 MR. WHITE: We can have a quick call-in</p> <p>6 tomorrow and approve the metes and bounds.</p> <p>7 CHAIRMAN TORGERSON: I was thinking if we</p> <p>8 could just approve it, as long as he doesn't make any</p> <p>9 major -- any major changes. We won't have PeggyAnn</p> <p>10 tomorrow.</p> <p>11 BOARD MEMBER MCCONNOCHIE: John, you can</p> <p>12 have me tomorrow for a while. My problem will come at</p> <p>13 -- my problem will come tomorrow, about 1:00 I'll have</p> <p>14 problems, but up to then, I can get out of whatever</p> <p>15 meeting to be able to deal with it.</p> <p>16 CHAIRMAN TORGERSON: What's on your mind,</p> <p>17 Taylor?</p> <p>18 MR. BICKFORD: Eric should be able to do the</p> <p>19 metes and bounds without changing any population. I</p> <p>20 don't know if that affects the decision at all, but he</p> <p>21 -- he'll just be going in and describing it. I don't</p> <p>22 see him needing to move any boundaries.</p> <p>23 CHAIRMAN TORGERSON: Well, he didn't last</p> <p>24 time either.</p> <p>25 CHAIRMAN TORGERSON: We could, but I think</p>	<p style="text-align: right;">Page 40</p> <p>1 CHAIRMAN TORGERSON: The motion would be we</p> <p>2 approve metes and bounds as long as there is no changes</p> <p>3 to the maps that are presented.</p> <p>4 BOARD MEMBER MCCONNOCHIE: Then I'll go</p> <p>5 ahead. I'm going to make a motion that we approve the</p> <p>6 metes and bounds description right now subject to there</p> <p>7 not being any changes in population that there needs to</p> <p>8 be redrawn.</p> <p>9 CHAIRMAN TORGERSON: Thank you.</p> <p>10 BOARD MEMBER GREENE: I'll second.</p> <p>11 CHAIRMAN TORGERSON: Moved and seconded that</p> <p>12 we accept the metes and bounds, probably be done later</p> <p>13 today, that as long as it doesn't change any of the</p> <p>14 boundaries that are outlined on option A.</p> <p>15 Is there discussion on the motion?</p> <p>16 MR. BICKFORD: Mr. Chairman, I just have a</p> <p>17 question to clarify. Is it no changes in population or</p> <p>18 no boundary changes?</p> <p>19 CHAIRMAN TORGERSON: No boundary changes.</p> <p>20 If there is boundary changes, it will come back before</p> <p>21 us tomorrow. We'll just have to run everybody down and</p> <p>22 do a quick teleconference. Roll call.</p> <p>23 MR. BICKFORD: John Torgerson?</p> <p>24 CHAIRMAN TORGERSON: Yes.</p> <p>25 MR. BICKFORD: Marie Greene?</p>
<p style="text-align: right;">Page 39</p> <p>1 we can approve it with that caveat, that no population</p> <p>2 be shifted, but if he has to make some sort of a change</p> <p>3 in an unpopulated area to make it something -- I mean it</p> <p>4 looks good to me, but we haven't zeroed in on it.</p> <p>5 Then we wouldn't have to come back in</p> <p>6 tomorrow. If you wanted to do that, I think the motion</p> <p>7 would be that the board accept the metes and bounds, as</p> <p>8 long as there is no population shifts between the four</p> <p>9 districts.</p> <p>10 MR. WHITE: I don't see that there is any</p> <p>11 real issue with that. We're literally just talking</p> <p>12 about a physical description of what the board has</p> <p>13 already adopted.</p> <p>14 And if there is no changes to that, the</p> <p>15 board approves the metes and bounds as described by DOL.</p> <p>16 CHAIRMAN TORGERSON: But he has found little</p> <p>17 anomalies, wrong side of the river, that kind of thing,</p> <p>18 with no population in it. If he -- or we could hold him</p> <p>19 hard and fast to what's drawn too. We could do either</p> <p>20 way.</p> <p>21 MR. WHITE: I would suggest that if he makes</p> <p>22 any changes, that would change the map and then we</p> <p>23 probably should approve that. If he makes no changes,</p> <p>24 it's kind of like instructing me to do findings after</p> <p>25 you found it.</p>	<p style="text-align: right;">Page 41</p> <p>1 BOARD MEMBER GREENE: Yes.</p> <p>2 MR. BICKFORD: Mike White? I'm sorry. Bob</p> <p>3 Brodie. Just going down the line.</p> <p>4 BOARD MEMBER BRODIE: Yes.</p> <p>5 MR. BICKFORD: PeggyAnn McConnochie?</p> <p>6 BOARD MEMBER MCCONNOCHIE: Yes.</p> <p>7 MR. BICKFORD: Jim Holm?</p> <p>8 BOARD MEMBER HOLM: Yes.</p> <p>9 CHAIRMAN TORGERSON: So by a vote of five</p> <p>10 yea to zero nay, the board has adopted and given</p> <p>11 instructions that we will adopt the truncation issue</p> <p>12 tomorrow if no boundaries are changed.</p> <p>13 What else? Anything else you need for your</p> <p>14 filings, Mr. White?</p> <p>15 MR. WHITE: Nothing that I need to discuss</p> <p>16 with the board. I'll talk with Taylor when we're done.</p> <p>17 BOARD MEMBER BRODIE: Could you go over what</p> <p>18 you see as the course of events for the next couple of</p> <p>19 days?</p> <p>20 MR. WHITE: Sure. We will put together --</p> <p>21 I'll get the new maps drawn up, a new statewide map with</p> <p>22 Southeast plugged in, a regional map, do individual maps</p> <p>23 for 31 to 34.</p> <p>24 We'll take that along with our finding, and</p> <p>25 the transcript, which I am told will be done today. We</p>

<p style="text-align: right;">Page 42</p> <p>1 will file that tomorrow with the Supreme Court before 2 noon. 3 I assume it will take something along the 4 lines of the, you know, notice of compliance with 5 Supreme Court order. It should be fairly short and 6 simple and to the point. 7 We will file that tomorrow. And then the 8 Supreme Court has given parties until Friday to object, 9 and then we'll take it from there. I would suspect the 10 Court will move quickly. 11 I suspect that that by Monday they should 12 have approved it. I don't know -- if nobody has any 13 objections -- they still have until Friday. I will see 14 maybe if we can move that along. If people don't have 15 objections, it would seem to me -- the Court has to wait 16 because they didn't limit who could file. 17 CHAIRMAN TORGERSON: What time Friday? 18 MR. WHITE: Close of business. They didn't 19 set it, I believe. 20 CHAIRMAN TORGERSON: So they won't take it 21 up. They will give them until 4:30 p.m. Friday, close 22 of business, so we won't hear anything until Monday. 23 BOARD MEMBER BRODIE: So is objections on 24 the Southeast changes? 25 MR. WHITE: Only on the Southeast changes,</p>	<p style="text-align: right;">Page 44</p> <p>1 people that will be objecting to DOJ. 2 BOARD MEMBER BRODIE: Thank you. 3 CHAIRMAN TORGERSON: They might take a 4 period of time before they file, Calista Corp. They 5 will give them a period of time to file. 6 MR. WHITE: They have 60 days to file 7 objections. 8 CHAIRMAN TORGERSON: Whatever their issues 9 are with blowing the plan up, if they want to wait for 10 the 60 days, I guess they could wait. Some things we 11 don't control. 12 Any other questions, comments? 13 BOARD MEMBER BRODIE: Just a comment. It's 14 nice to get this far and get this close. I appreciate 15 the Supreme Court's quick ruling on the rest of the 16 state, but I think they are a bit short-sided in their 17 evaluation of Southeast, based solely on the colors and 18 shapes on the map, and that in retrospect, when you look 19 at the communities that are involved down there and 20 their historical support of the Proclamation Plan, I 21 think the Court didn't do them any favors. 22 Now they are all going to be scrambling 23 around to make an opinion by Friday, so we do what we 24 have to do, but I think the court was a little 25 short-sided in that decision.</p>
<p style="text-align: right;">Page 43</p> <p>1 yes. "Any objections to the new districts shall be made 2 directly to this Court no later than May 18, 2012." 3 They can file it until 4:30 on Friday. 4 In the interim, we will be moving forward 5 with our preclearance submission, and our goal would be 6 to be filed as soon as possible after we get approval 7 from the Supreme Court that that's the interim plan 8 that's going to be in place. 9 I would suspect we should be able to file as 10 soon as we get approval from the Alaska Supreme Court. 11 BOARD MEMBER BRODIE: You suspect that DOJ 12 is going to take the 60 days? 13 MR. WHITE: Given their historical 14 timelines, they will -- I think that they will take most 15 of that time, yes. 16 I would suspect, Mr. Chairman, as you have 17 kind of previewed before, that the board should consider 18 going back to talk with DOJ again to explain what has 19 happened. But I would suspect that it will take them -- 20 we'll move for expedited consideration of course, but 21 last time the board did that when there were little or 22 only minor changes to the Native districts, they still 23 took 46 days. 24 As you know, if you have read the briefing 25 in this case, we would suspect that there will be some</p>	<p style="text-align: right;">Page 45</p> <p>1 BOARD MEMBER MCCONNOCHIE: Amen. 2 CHAIRMAN TORGERSON: All right. No more 3 comments. The board will stand adjourned. The time is 4 11:32 a.m., and, no offense, but I hope I don't see you 5 guys again. 6 (Off record.) 7 -o0o- 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>

CERTIFICATE

I, SONJA L. REEVES, Registered Professional Reporter
and Notary Public in and for the State of Alaska, do
hereby certify that the proceedings were taken before me
at the time and place herein set forth; that the
proceedings were reported stenographically by me and
later transcribed by computer transcription; that the
foregoing is a true record of the proceedings taken at
that time; and that I am not a party to nor have I any
interest in the outcome of the action herein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my seal this 14th day of May 2012.

SONJA L. REEVES, RPR
My Commission Expires 8/7/15

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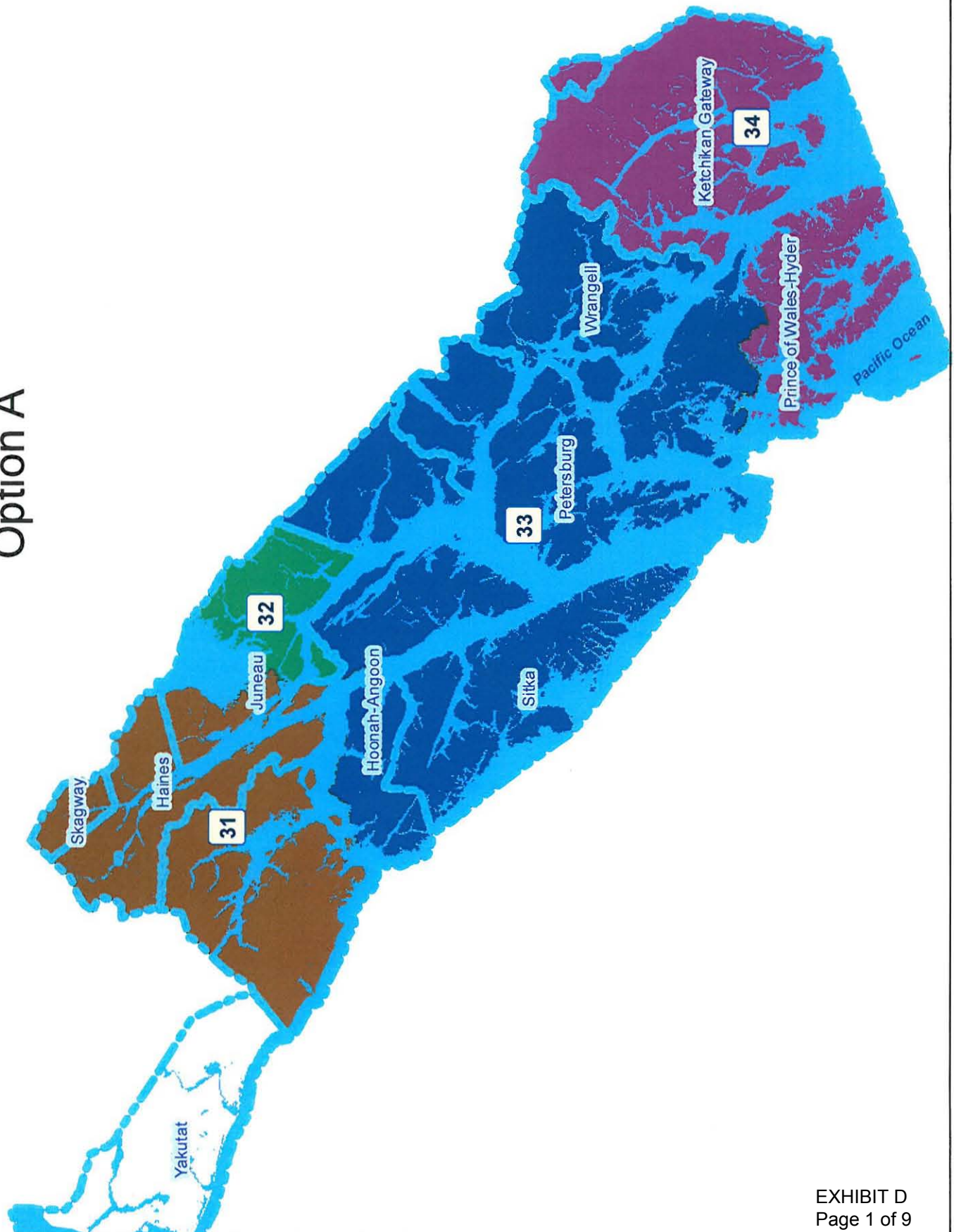
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Option A



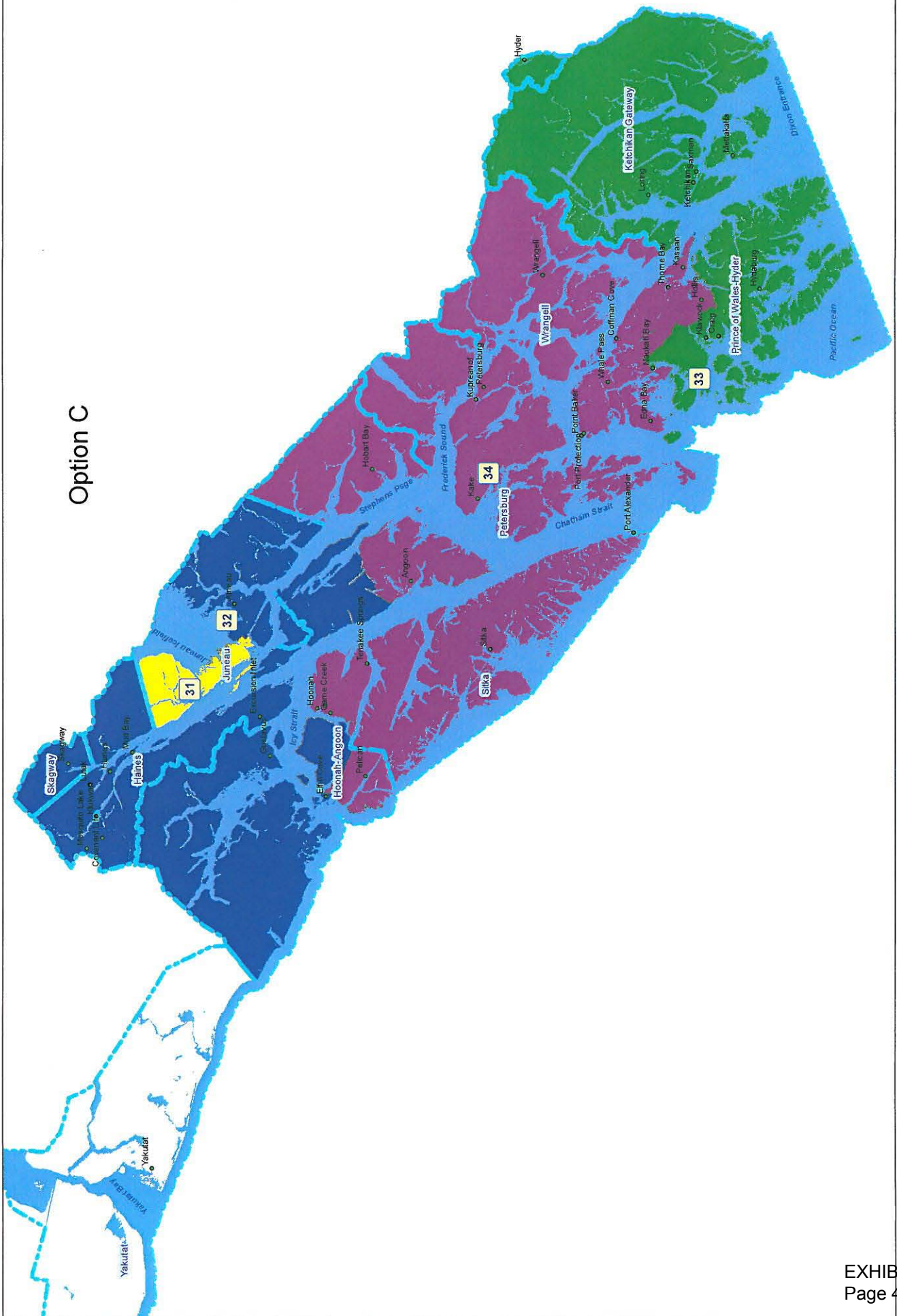
OPTION A

District	Pop	Ideal	Deviation	Difference
31	17,732	17,755	-0.13%	-23
32	17,635	17,755	-0.68%	-120
33	17,790	17,755	0.20%	35
34	17,845	17,755	0.51%	90

Option B

Map of Alaska showing the Dalton Highway route (Option B) highlighted in yellow. The route starts near Seward and Fairbanks, passing through the Yukon-Charley Rivers National Preserve. Key locations marked include Seward, Fairbanks, and various towns in the interior. The map also shows the Arctic Circle and the border with Canada.

Option C



OPTION C

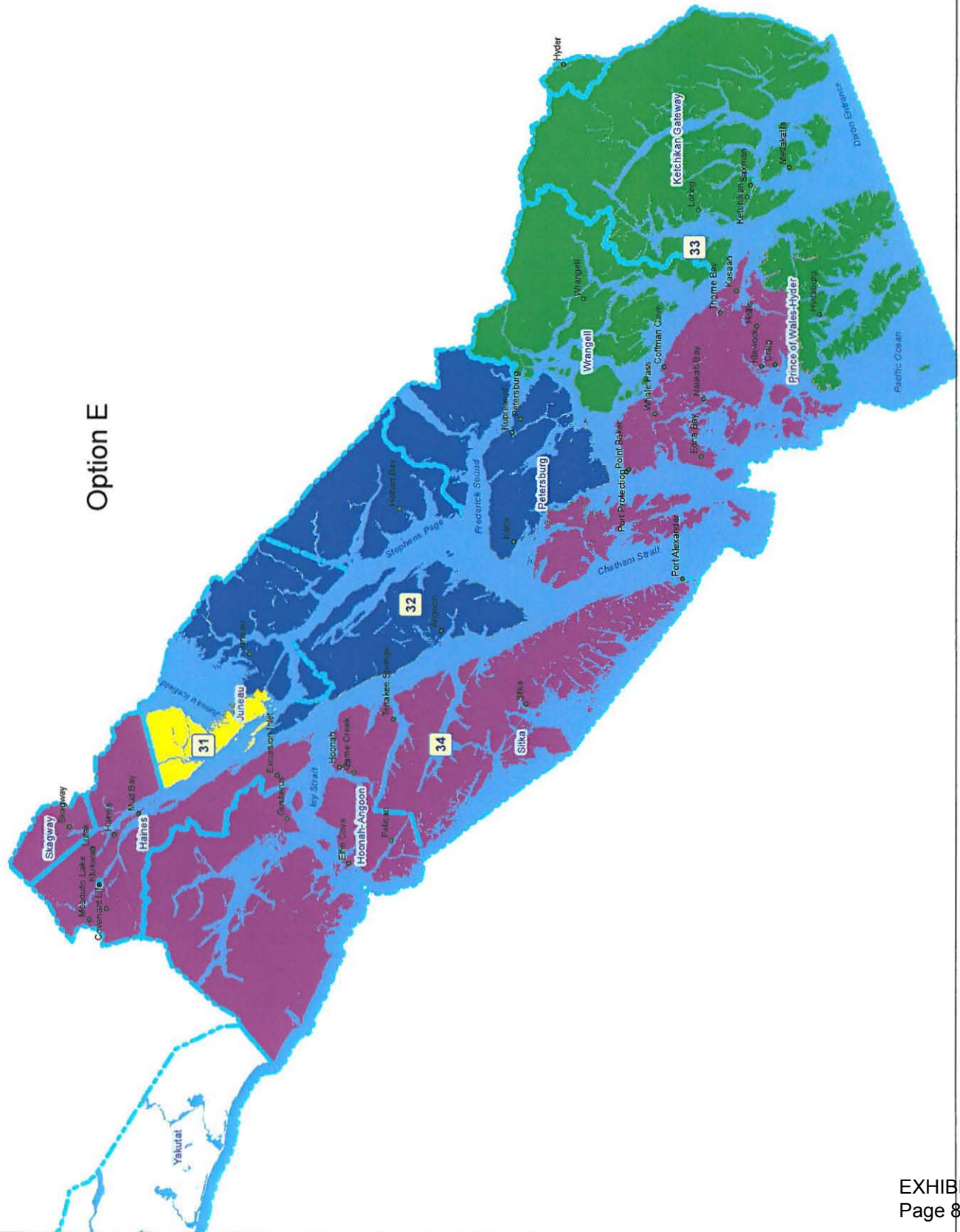
District	Pop	Ideal	Deviation	Difference
31	17,668	17,755	-0.49%	-87
32	17,738	17,755	-0.10%	-17
33	17,965	17,755	1.18%	210
34	17,631	17,755	-0.70%	-124

The map displays the state of Alaska with the Dalton Highway route highlighted in yellow. The route starts in the northwest near Seward and Fairbanks, then extends south through the Yukon-Charley Rivers National Preserve and the Kuskokwim National Monument. Key locations marked include Seward, Fairbanks, and various smaller communities and towns. The map also shows the Arctic Circle and the Bering Sea.

OPTION D

District	Pop	Ideal	Deviation	Difference
31	17,668	17,755	-0.49%	-87
32	17,845	17,755	0.51%	90
33	17,393	17,755	-2.04%	-362
34	18,096	17,755	1.92%	341

Option E



OPTION E

District	Pop	Ideal	Deviation	Difference
31	17,668	17,755	-0.49%	-87
32	17,845	17,755	0.51%	90
33	17,873	17,755	0.66%	118
34	17,616	17,755	-0.78%	-139