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LEGISLATIVE HEARING
ON REDISTRICTING
BEFORE THE SENATE JUDICIARY COMMITTEE
SAN ANGELO, TEXAS

TAKEN 6-30-03

ANGELO REPORTING
P. O. BOX 1431
SAN ANGELO, TEXAS 76902
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ANGELO REPORTING

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4 WITNESSES

5 Mr. Russ McEwen
6 Mr. Bill Crooker
7 Mr. Wilburn Bednar
8 Mr. Robert Browne
9 Mr. Corky Blocker
10 Ms. Gloria McDonald
11 Ms. Patti Ivey
12 Mr. Martin Lee
13 Mr. Michael Hoch
14 Mr. Allen Amos
15 Mr. Mike Brown
16 Mr. Ross McSwain
17 Ms. Jeri Slone
18 Mr. Bill Tullos
19 Ms. Anita Bowen
20 Dr. Neale Pearson
21 Ms. Ivey Mossell
22 Mr. Mike McMahan
23 Mr. Jim Cummings
24 Mr. Ron Michwhka
25 Mr. Jim Ryan
Mr. Myrl Mitchell
Mr. Allan Lange
Mr. Wes Sims
Mr. Paige Eiland
Ms. Mary Hatfield
Mr. David Ryan
Mr. Steve Williams
Ms. Linda Shoemaker
Ms. Ann Ricker
Mr. Mike Canon
Mr. John Breier
Mr. David Read
Mr. David Evans
Mr. Al Celaya
Mr. James Elam
Mr. James Heflitttle
Ms. Celia Davis
Mr. Kirby Huffman
Mr. Dennis McKerley
Mr. Ken Becker
Mr. George Harrill
Mr. Zane Reese

1 Mr. Charles Powell
Mr. Clyde James
2 Ms. Karin Kuykendall
Mr. William D. Minter
3 Mr. Roger Haldemby
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A P P E A R A N C E S

CHAIRMAN OF THE COMMITTEE:

Senator Robert Duncan

MEMBERS OF THE COMMITTEE:

- Senator Chris Harris
- Senator Todd Staples
- Senator Kip Averitt
- Senator Royce West

ALSO PRESENT:

- Senator Jeff Wentworth
- Senator Craig Estes
- Senator Kyle Janek
- Ms. Tara Cowen Rejino, Committee Clerk

* * * * *

1 MAYOR LOWN: Good afternoon, everybody.
2 I would just like to take this moment to welcome
3 everybody here for the redistricting hearing, and welcome
4 eight senators we have here today: Senator Duncan,
5 Senator Averitt, Janek, Wentworth, Staples, Harris, West
6 and Estes. Thank you for coming to San Angelo and
7 leading us today.

8 Senator Duncan?

9 SENATOR DUNCAN: Thank you, Mayor Lown.

10 MAYOR LOWN: Absolutely.

11 SENATOR DUNCAN: We appreciate it very
12 much.

13 The Senate Committee on Jurisprudence will
14 come to order. The clerk will call the roll.

15 COMMITTEE CLERK: Senator Duncan?

16 SENATOR DUNCAN: Here.

17 COMMITTEE CLERK: Senator Averitt?

18 SENATOR AVERITT: Here.

19 COMMITTEE CLERK: Senator Harris?

20 SENATOR HARRIS: Here.

21 COMMITTEE CLERK: Senator Staples?

22 SENATOR STAPLES: Here.

23 COMMITTEE CLERK: Senator West?

24 SENATOR WEST: Here.

25 SENATOR DUNCAN: Foreman is present.

1 Members are welcome to San Angelo, the
2 garden spot of West Texas. I know how wet it is around
3 here, Senator Wentworth, formerly a state senator for San
4 Angelo from the southern part of Tom Green County and
5 points all around; and it's good to have you back in West
6 Texas.

7 SENATOR WENTWORTH: Glad to be here.

8 SENATOR DUNCAN: Members, I'm real proud
9 of each one of you for being here. I appreciate your
10 attendance at this important hearing.

11 There are a few things, a little
12 housekeeping, that I need to do. First of all, I have an
13 opening statement that I need to read. We have a
14 translator here for anyone who would feel more
15 comfortable or have more confidence with the use of a
16 translator, Maria Caldwell.

17 Maria, would you stand up so everyone can
18 see you.

19 If you prefer to use the services of a
20 translator or need -- feel more comfortable using a
21 translator in giving your testimony or in listening and
22 hearing the testimony, please see Ms. Caldwell. She will
23 be here throughout the entire meeting, and she will be
24 here to serve and provide you with assistance that you --
25 any assistance in translation services that you desire.

1 On behalf of the Senate Jurisprudence
2 Committee I want to thank all of you for taking the time
3 to come here today to share your views with us. Governor
4 Perry has called the Texas Legislature into special
5 session to consider congressional redistricting. This is
6 not a simple or casual task, and it is one that we know
7 people have strong feelings about. We want to hear what
8 your views on this important topic are.

9 These proceedings are being transcribed so
10 that we can make them a part of the legislative record
11 and can share them with persons who are not here today.

12 As we consider this issue, we are
13 constrained by various legal requirements that you should
14 be aware of.

15 First, any plan we adopt must comply with
16 the federal constitutional requirement of one person, one
17 vote. If the thirty-two Texas congressional districts
18 are to be equal in size they will need to have six
19 hundred and fifty-one thousand six hundred and nineteen
20 persons each. We will need to draw districts that will
21 be at or very near that size.

22 Second, the State of Texas is covered by
23 Section 5 of the Federal Voting Rights Act. As a result,
24 we are obligated to be sure that any changes we make do
25 not result in a retrogression in minority voting

1 strength. In other words, any plan drawn by the
2 legislature may not have the purpose or effect of
3 worsening the position of minority voters when compared
4 to the current plan which was drawn in 2001 by a federal
5 court.

6 Third, we need to be sure that any plan
7 the legislature adopts ensures that minority voters do
8 not have less opportunity than other members of the
9 electorate to participate in the political process and to
10 elect candidates of their choice.

11 Finally, we need to conform to the Supreme
12 Court's repeated direction over the past ten years that
13 redistricting not result in racial gerrymandering. In
14 particular, we need to be sure that race is not the
15 predominant force in the redistricting process to the
16 subordination of traditional districting principles.

17 Members and audience, that is -- These
18 are -- That is a -- kind of an outline of the legal
19 requirements that we must follow. I will tell you, and
20 you've probably read, across the state -- There are
21 hearings going on across the state. The Senate committee
22 does not have a map. Today before you you will see --
23 The only map that you will see is the current map that
24 was drawn in 2001 by a three-judge panel.

25 If you can -- David, if you can lower the

1 lights, we have that map up here on the screen. We'll
2 need to -- So you can see how it's drawn today. And if
3 you would like a closer view of the map, it's sitting
4 over here.

5 Okay, David, bring them back up.

6 So what we're doing here is we are
7 starting fresh. We want to hear from constituents. We
8 want to hear from the people in different regions of the
9 state as to their desires, concerns, wishes with regard
10 to redistricting any new lines that would be drawn and
11 the affect of any lines, for example, with the current
12 map on current representation in Congress.

13 With that, Members, I would propose that
14 if any of you have an opening statement -- We also -- I
15 would like to say that we have -- I mentioned earlier we
16 do have two members of our -- up here who are not on the
17 committee -- or actually three members are not on the
18 committee, but have shown enough interest to be here with
19 you today: Senator Janek from Houston, Senator Estes
20 from Wichita Falls and Senator Wentworth from Baird,
21 formerly, also, Tom Green County.

22 And then to my left you have Senator
23 Harris, Senator Averitt, Senator Staples, our clerk,
24 Tara -- Tara Rejino, Senator West, a good friend from
25 Dallas, member; and Mario Gallegos is also a member of

1 our committee. He had a death in the family and could
2 not be here with us today.

3 Senator Staples -- Oh, I've already
4 introduced you. Senator Lucio had a heart attack right
5 after the session. He is recovering from that nicely,
6 but could not travel to be with us today, but will be --
7 sure he will be present during some of our deliberations
8 in the Senate coming up here in the next few weeks.

9 So with that, Members, Senator Harris, do
10 you have an opening statement?

11 SENATOR HARRIS: I would like to simply
12 say that I am here to listen. I want to hear the
13 concerns of the people of West Texas, and really I'm here
14 to hear what you-all in all of the various communities
15 represented in West Texas would like to see us do
16 concerning the congressional redistricting. I stress
17 that I am here today with an open mind and that I very
18 much look forward to y'all's testimony and to you-all's
19 input into the system, because again, what you, the
20 public -- Your concerns are what should drive us as
21 members of this committee that will be actually hearing
22 this bill, deliberating the bill, and in turn sending it
23 to the Senate floor.

24 So again, I stress I am here to listen and
25 I am here to find out what the people of West Texas want

1 to hear.

2 Thank you, Mr. Chairman.

3 SENATOR DUNCAN: Senator Harris.

4 Senator West?

5 SENATOR WEST: I'm very interested in
6 listening, also. I'm very interested, also, in defining
7 what is the community of interest here in West Texas.
8 I'm interested, as you come forward to testify, if you
9 are aware of the court system here. I'm interested in
10 whether or not there is a multi-county judicial district
11 here and, if so, what counties are a part of that
12 district. Or if there are several of them, what counties
13 are what judicial districts?

14 I'm interested in determining whether or
15 not there is multi-city and/or county Chamber of Commerce
16 activities that you share. I'm interested in determining
17 whether or not there is multi-county health related
18 services that should go together to establish a
19 consortium to service a wide area that is just one
20 county.

21 I'm interested in the community college
22 system here to determine whether or not there is a
23 central focus point as it relates to a community college
24 that several counties feed into as it relates to that
25 community college, and - obviously you have Angelo State

1 here - the counties that feed into Angelo State.

2 So I guess my point is, I want to
3 determine what the community of interest is here in this
4 particular congressional district.

5 Thank you.

6 SENATOR DUNCAN: Thank you, Senator.

7 Senator Staples?

8 SENATOR STAPLES: Thank you, Chairman
9 Duncan.

10 I, first of all, want to thank you,
11 Chairman Duncan, for your leadership and that of
12 Lieutenant Governor David Dewhurst for making certain
13 that the Senate Jurisprudence Committee goes out to all
14 parts of Texas to make certain we take input on what the
15 local citizens would like to see in a congressional
16 makeup. I think that's extremely important.

17 I also want to thank the citizens here of
18 Tom Green County and surrounding counties for your
19 hospitality and for opening up to us today the campus
20 here, Angelo State. I think that sends a great message
21 about who you are and what you want to do and what your
22 vision is for Texas.

23 I represent all or part of the sixteen
24 counties in East Texas and all or part of about
25 eighty-nine school districts, and I think it is extremely

1 important that all parts of Texas have a voice in this
2 process. That's what we're here for today, is to listen
3 to you and what your priorities are as we make certain
4 that the communities of interest are maintained in this
5 process.

6 Thank you very much.

7 SENATOR DUNCAN: Thank you, Senator
8 Staples.

9 Senator Averitt?

10 SENATOR AVERITT: Mr. Chairman, I just
11 want to say thank you to the university for hosting us
12 today. It's a great place to have this forum, and I look
13 forward to hearing the folks' testimony.

14 SENATOR DUNCAN: Thank you, Senator.

15 Senator Wentworth?

16 SENATOR WENTWORTH: Thank you, Mr.
17 Chairman.

18 As you've already said, I had two-thirds
19 of Tom Green County for the better part of the last
20 decade, and I'm just here to tell you I miss you. I had
21 seventeen counties in my old district, but because we all
22 live in the most popular part of the state I had too many
23 people, so they took twelve counties away from me,
24 including Tom Green.

25 I have just got to put in a little plug

1 for Angelo State while we're here. This is a gem of a
2 university for a lot of reasons, but the Carr
3 scholarships are probably -- are at the top of the list.
4 This is a great campus, and I'm grateful to be here; and
5 I'm very interested in hearing what you have to say this
6 afternoon about these congressional districts.

7 SENATOR DUNCAN: Thank you, Senator.

8 Senator Janek?

9 SENATOR JANEK: Thank you, Mr. Chairman.

10 Folks, I'll keep it short. I'm from the
11 city, and I have very little rural areas in my senatorial
12 district. I'm here to find out the concerns of the rural
13 areas, and hopefully we can apply those in a way that
14 will meet the needs of this area when we do formulate a
15 map. So again, when you testify, if you could be
16 specific in what you would like. We know there are
17 things you don't want, and we can kind of get a picture
18 of some of those; but to the best that you can for us
19 city guys, sort of prioritize your needs, what city you'd
20 want to be paired with and those that you don't want to
21 be paired with. Those kinds of things are very important
22 for us who don't understand all the needs of rural West
23 Texas.

24 Thank you, Mr. Chairman.

25 SENATOR DUNCAN: Senator Estes?

1 SENATOR ESTES: Thank you, Chairman
2 Duncan.

3 I am pleased to be here, also. I'm not a
4 member of the committee, but I take my job as senator
5 very seriously, and I'm pretty new at this. I have just
6 been through one legislative session, and let me just say
7 that for those of you -- I kind of had the thought before
8 I got into this that, you know, what people say doesn't
9 really matter, that politicians are going to kind of go
10 do their own thing; but I will say, your testimony does
11 matter. Having gone through the legislative session --
12 You know, if we can treat each other with mutual respect
13 and -- We may disagree on certain things. What you say
14 does matter. Your input is important. This is what
15 makes America -- This is what makes Texas great, hearing
16 from the citizens. And we generally want to make a
17 responsible and informed decision, so thank you for being
18 a part of the process.

19 And my senate district is very similar up
20 in north Texas. Wichita Falls is the largest town, many
21 rural areas; and we want to make sure that we do what we
22 can to keep rural Texas strong.

23 So thanks for being here, and I'm looking
24 forward to it.

25 SENATOR DUNCAN: Thank you, Senator Estes.

1 Kind of the ground rules, Members and
2 audience: The way -- Let me first announce, we -- All of
3 the testimony that will be given today is being taken by
4 a court reporter and so it will be very necessary for
5 each of the witnesses as they approach to speak with us
6 and tell us -- you know, talk to us, that they state
7 their name and who they represent, if anyone other than
8 themselves, so that we can have a clear record on that.
9 Members, also, and our witnesses, we need to not talk at
10 the same time. We need to not talk over each other, as
11 lawyers call it. So make sure that a question has been
12 completely answered or asked before you start to answer
13 it.

14 And, Members, also try to help us with
15 that as well. We will probably -- Because we have a
16 court reporter going, I always like to be courteous of
17 the fact that they are sitting over there working while
18 we are sitting here relaxing, and we probably will take a
19 break, you know, after about an hour, hour and a half so
20 that she can have a little bit of a rest.

21 Members -- We have how many cards?

22 We have -- We only have a hundred and
23 fifty-nine cards. This is a great turnout for West
24 Texas. I'm real proud of that, and I think that's really
25 great.

1 And, Members, what we have done -- What we
2 did in Laredo and what we typically do when we have a lot
3 of cards, to make sure that everyone has an adequate
4 opportunity to testify I would entertain the motion to
5 limit testimony to five minutes. We did that in Laredo,
6 and I think that it worked out real well.

7 SENATOR STAPLES: So --

8 SENATOR DUNCAN: Okay. The motion has
9 been made by Senator Staples and seconded by Senator West
10 that we limit testimony to five minutes.

11 The clerk will call the roll.

12 COMMITTEE CLERK: Senator Duncan?

13 SENATOR DUNCAN: Aye.

14 COMMITTEE CLERK: Senator Averitt?

15 SENATOR AVERITT: Aye.

16 COMMITTEE CLERK: Senator Harris?

17 SENATOR HARRIS: Aye.

18 COMMITTEE CLERK: Senator Staples?

19 SENATOR STAPLES: Aye.

20 COMMITTEE CLERK: Senator West?

21 SENATOR WEST: Aye.

22 SENATOR DUNCAN: There being five "ayes"
23 and no "nos," the motion carries.

24 Okay. Let's go ahead and -- We have --
25 The first card we'll call is Russ McEwen, Mayor of Big

1 Spring, Texas.

2 Russ, welcome to San Angelo.

3 MR. McEWEN: Thank you.

4 Chairman, Senators, thank you so much for
5 allowing me to testify today concerning the proposed
6 redistricting plan that will be considered by the House
7 and Senate in a special session that begins today.

8 Let me state that I am against changing
9 the districts that were drawn by the court. I could tell
10 you that the maps that I have seen are bad for rural
11 Texas, and they certainly are; but having studied the
12 House redistricting maps, I've come to believe that the
13 proposed redistricting is bad for most of the state.
14 There are so many compelling reasons to leave the map
15 alone that time does not allow me to renumerate them all.

16 I would like to draw your attention to a
17 few points relevant to West Texas. We have been
18 represented very well by Districts 13, 17, 19 and 23.
19 These districts have formed the basis of a strong
20 relationship among communities. They have developed
21 associations because of common representation. The map
22 drawn by the court maintains the core this commonality.

23 We in Howard County understand that our
24 population basis caused us to be moved around in an
25 effort to balance districts in our region. We have not

1 been able to stay in our state representative district
2 for the past two changes to those districts. We have the
3 distinction of having been the easternmost, then the
4 westernmost and now the southernmost community in that
5 district.

6 In the past senatorial redistricting plan
7 we also lost our state senator. I might add that we
8 fought that redistricting plan that in essence traded
9 Gray County for Howard County. Both Senator Bivins and
10 Senator Duncan opposed that plan, but somehow that plan
11 still passed the redistricting committee. We were told
12 by statewide officials that they knew more about how we
13 should be represented than we did. I dispute that
14 assertion, but know that we must live with that decision.

15 Now we are being told that we are best
16 served by looking at the prospect of having four
17 different congressmen in the space of two years and two
18 days. I want to repeat that for you. If we are
19 redistricted out of our current congressional district,
20 we will have had four different congressmen in two years
21 and two days.

22 The reason that we are being told that
23 redistricting is so important is that our congressional
24 delegation does not represent the Republican makeup of
25 the voters in our state. I submit to you that we, as

1 Texans, vote for the person, not for the party. I also
2 submit to you that Democrats are defeating
3 Republicans in districts that are voting Republican in
4 other races. I'll cite one example of this. Congressman
5 Charles Stenholm won his last race by gathering
6 fifty-one point three percent of the vote in District 17.
7 In this same election, Republican statewide candidates
8 garnered an average of sixty-seven point two percent of
9 the vote. Lieutenant Governor Dewhurst received
10 fifty-eight point two percent of the vote in District 17
11 as the lowest vote total received by a statewide
12 Republican candidate.

13 What this tells me is that Texans are able
14 to reach beyond party lines to choose our
15 representatives. We are able to see beyond "Rs" and
16 "Ds".

17 As a lifelong Republican, I find it
18 embarrassing that our leadership is choosing to
19 gerrymander districts that are already voting Republican
20 because we cannot win a race in a district that favors
21 that victory. Additionally, I believe strongly that one
22 should give respect to those who serve long and well for
23 our state.

24 Please understand that Howard County is no
25 longer represented by Congressman Stenholm; however, the

1 plight of the 17th Congressional District is repeated
2 throughout our state. I have seen those ground swell
3 from the general electorate for changes to the
4 congressional lines.

5 The people of Texas are concerned with
6 school finance, healthcare and cutbacks in vital programs
7 caused by budget shortfalls. They hate to see partisan
8 bickering over how many Republicans or Democrats are
9 elected to Congress when the important issues facing us
10 are not being addressed.

11 It will take courage to try to stop this
12 freight train that some in the Republican party have set
13 in motion. I know that great pressure is being placed on
14 you to pass a new congressional map. Our request to you
15 is to consider the best interest of all citizens of
16 Texas, urban and rural, minority and majority, young and
17 old. Any time that we lose sight of why we are elected
18 and stop serving those we represent, it is wrong.

19 It is my hope and prayer that some within
20 the Republican party will have the strength to stand up
21 to those who would dictate changes for the sake of the
22 partisan politics. It is time for us to stop acting like
23 Republicans and Democrats and start acting like Texans.

24 I thank you very much.

25 SENATOR DUNCAN: Does anyone have a

1 question?

2 MR. McEWEN: Thank you very much.

3 SENATOR DUNCAN: Thank you, Mayor.

4 Bill Crooker, Howard County.

5 Bill?

6 MR. CROOKER: Gentlemen --

7 SENATOR DUNCAN: You need to state your

8 name for the court reporter.

9 MR. CROOKER: All right. My name is Bill
10 Crooker.

11 Gentlemen, it's a privilege to be here
12 this afternoon with the Senate Jurisprudence Committee.
13 I think we, the citizens, particularly of Howard County
14 where I'm a commissioner, are relying upon you gentlemen
15 very much.

16 Howard County has a population of about
17 thirty-two thousand six hundred and is on Interstate 20.
18 And, of course, I had to say at the Lubbock session that
19 I was not in favor of the plan that they were showing
20 there, but you-all are not showing it, thank goodness.

21 I was the first Republican elected in
22 Howard County in 1968. During those early days
23 Republican meetings could have been held in a telephone
24 booth. As you already know, times have changed and our
25 Republican party has moved into the position of

1 leadership in the State of Texas and in the nation.

2 I know the task that you face is a
3 difficult one. So many requests, a multitude of ideas
4 and untold needs and pressure; but let me try to simplify
5 this for you as it pertains to Howard County.

6 Our main concern in Howard County is to
7 have a congressman who is knowledgeable of our needs and
8 effective in taking care of them. We believe we have
9 found this person, Randy Neugebauer, our new congressman.

10 First, I believe thirty-four years as a
11 county commissioner qualifies me to speak for the people
12 of my community in matters which affect our political
13 well-being.

14 Second, a majority of people in Howard
15 County want and desire very much to remain in the 19th
16 Congressional District, as expressed by sixty-six percent
17 of those who voted in the runoff election voted for Randy
18 Neugebauer.

19 Third, agriculture, not oil and gas, is
20 our principle industry and thereby creates even more
21 closer ties to the Lubbock, Abilene areas.

22 Fourth, since we are on the edge of the
23 proposed 11th Congressional District, it would be a
24 simple matter of moving our district into District -- our
25 county into District 19.

1 Fifth, do people realize the possibility
2 that Howard County could be involved in electing its
3 fourth congressman since November 2000? And I believe
4 our mayor, Russ McEwen, elaborated on that.

5 I have three questions I would like to
6 have you ponder. One, if Tom DeLay, Rick Perry, et al,
7 are not satisfied with the outcome of the congressional
8 elections next November, do we keep on redistricting
9 until we get it right?

10 Incidentally, according to a recent article
11 in a June issue of USA Today, Texas is the first state in
12 the nation to call for redistricting the second time.

13 My second question to ponder is: If Mike
14 Conaway from Midland, who lost in the recent
15 congressional runoff election had won that race, would we
16 be here today discussing redistricting in 17th and 19th
17 congressional districts? According to the Sunday, June
18 22nd issue of the Midland Reporter Telegram, "Midland is
19 eager for redistricting to take place, because we've
20 never had our own representative and we feel it's high
21 time we did."

22 On that same Sunday, the Big Spring Herald
23 had an editorial that read, "We do not need
24 redistricting." This shows you the contrast of the two
25 communities on this issue of redistricting.

1 Third, it is my understanding that one of
2 the primary and basic factors in forming a congressional
3 district is referred to as commonality or community of
4 interest, not incumbent protection.

5 My question is: Where can this be found
6 in a district that extends from Reeves, Loving County on
7 the western edge of the new 11th Congressional District,
8 all of the way to San Antonio on the southeastern edge of
9 the district? This distance is over six hundred and
10 thirty miles.

11 We beseech you to please leave Howard
12 County in the 19th Congressional District. We are very
13 happy there. The community leaders in our county see
14 absolutely no benefit in placing us in the same district
15 as Midland and Odessa. Our commonality of interests lie
16 with Lubbock and Abilene.

17 Thank you, and I would be happy to answer
18 any questions you might have.

19 SENATOR DUNCAN: Thank you, Bill.

20 MR. CROOKER: Incidentally -- Excuse me,
21 Senator.

22 SENATOR WEST: Go ahead.

23 MR. CROOKER: I was just going to say, you
24 brought up a very good question about commonality of
25 interest and community of interest.

1 In Big Spring, Howard County, we have a
2 V.A. hospital that covers - and I'm guessing a little
3 here - seventy to eighty West Texas counties, primarily
4 to the north. We have a state hospital that covers
5 essentially the same area and number of counties. We
6 have an MHMR twenty-three county operation. Our district
7 court covers three counties: Howard, Martin and
8 Glasscock.

9 SENATOR WEST: Commissioner, in terms of
10 your district court, you said it covers three counties?

11 MR. CROOKER: Yes.

12 SENATOR WEST: Are all of those counties
13 in the same congressional district?

14 MR. CROOKER: No, sir.

15 SENATOR WEST: They are in different
16 congressional districts?

17 MR. CROOKER: Yes.

18 And I'm trying -- You've got me thinking
19 here.

20 SENATOR WEST: I'll tell you what, if you
21 don't know, don't worry about it. We can pull that from
22 our state records.

23 In terms of community college systems,
24 talk to us a little bit about community colleges and
25 college systems in this area.

1 MR. CROOKER: Yes.

2 We have a junior college that's been in
3 existence since 1945; and it is drawing students, of
4 course, primarily from the Howard County area, but also
5 from surrounding counties.

6 SENATOR WEST: What about chamber
7 activities, Chamber of Commerce activities? Is
8 there -- Howard County, other counties surrounding any
9 county -- multi-county activities that intermingle?

10 MR. CROOKER: None to my knowledge.

11 SENATOR WEST: Thank you.

12 SENATOR DUNCAN: Okay. Members, any other
13 questions of Commissioner Crooker?

14 All right. Bill, thank you very much.

15 MR. CROOKER: I appreciate it.

16 SENATOR DUNCAN: Good to see you.

17 The chair calls Wilburn Bednar from Garden
18 City, Glasscock County.

19 Mr. Bednar, please approach, state your
20 name and who you represent.

21 SENATOR JANEK: Excuse me. Which county
22 was that?

23 SENATOR DUNCAN: Glasscock County.

24 MR. BEDNAR: Yes, sir. Garden City,
25 county seat of Glasscock County.

1 I'm Wilburn Bednar. I'm the county judge
2 for sixteen plus years there.

3 Glasscock County has the distinct honor of
4 giving President Bush the highest percentage of votes of
5 any county in the United States, and we're --

6 SENATOR DUNCAN: What was the percentage?

7 MR. BEDNAR: I'm sorry?

8 SENATOR DUNCAN: What was the percentage?

9 MR. BEDNAR: I'm sorry. I don't have that
10 figure, but I'll refer to the Dallas Morning News.

11 We have supported Governor Perry from the
12 time he ran for agriculture commissioner with over ninety
13 percent of our votes, and we also helped Representative
14 Charlie Stenholm be elected. And I say this to bring to
15 mind that individuals are more important to us than
16 partisan politics.

17 I am registered as a Republican, but we
18 are not happy about the possibility of redistricting; and
19 possibly, sitting in the judge's office, I might have
20 some confidence in the judges that set this redistricting
21 before, and the two gentlemen before me have stated
22 reasons that we agree with staying the way it is, and I
23 appreciate you honorable gentlemen coming here to San
24 Angelo to hear us.

25 I'm sure this does not apply to this

1 group, but we need more statesmen in Washington and
2 Austin and fewer politicians.

3 Thank you kindly.

4 I'll be happy to try to answer any
5 questions.

6 SENATOR DUNCAN: Members, any questions?

7 Thank you, Judge.

8 MR. BEDNAR: Thank you, Senator.

9 SENATOR DUNCAN: Appreciate it. Good to
10 see you.

11 Robert Browne, Sterling County Judge?

12 Judge Browne, would you approach and state
13 your name and who you represent.

14 MR. BROWNE: I'm Robert Browne from
15 Sterling County, Sterling County Judge; and I do
16 appreciate the senators coming to San Angelo and
17 expressing an interest in this important matter.

18 Basically I have one thing to say, and I
19 am against redistricting. I like the way it is right at
20 this time. We were represented by -- 17th District by
21 Representative Stenholm. Our county is basically
22 Republican, but Senator -- Representative Stenholm did
23 not carry Sterling County this last time; but he has been
24 adequate, in my opinion, in the way he has represented
25 and cared for Sterling County.

1 I think that's -- I would like to echo all
2 of the sentiments brought before from the Howard County
3 mayor and commissioner and Judge Bednar, and I do
4 appreciate your time and interest in coming to San
5 Angelo.

6 SENATOR DUNCAN: Thank you, Judge.

7 Any questions for Judge Browne?

8 It's good to see you. Thank you, sir.

9 The Chair calls Corky Blocker, Morton
10 (sic) County Commissioner's Court. Martin County. I
11 said Morton County.

12 Now, you are kin to Dan Blocker, aren't
13 you?

14 Y'all all know who Dan Blocker is?

15 MR. BLOCKER: We're about the same size.

16 SENATOR DUNCAN: Good to see you, Corky.

17 State your name and who you represent.

18 MR. BLOCKER: I'm Corky Blocker. I'm the
19 county judge of Martin County, and I come to speak
20 against the redistricting.

21 First, I'd like to say I run on the
22 Democratic ticket, but I vote for the man; and when I
23 vote for somebody and send them to Austin or Washington,
24 I want them to be a Texan and an American, and not a
25 Republican or a Democrat.

1 And we appreciate all your hard work up
2 there, and we would like to keep it as it is for -- As I
3 voted for you when you were in our district - for the
4 man - and I expect you to do the job. We want you to
5 represent us.

6 And Charlie Stenholm being our
7 ex-representative, we know that he is still our good
8 friend and he will do a good job for us, and we want him
9 to be protected about as much as anybody out of this
10 redistricting. For --

11 That's all I've got to say.

12 SENATOR DUNCAN: Commissioner -- Anybody
13 have questions of Commissioner Blocker?

14 Good to see you, Corky. Take care.

15 Gloria McDonald, city council of Big
16 Spring, Texas.

17 Gloria, would you approach the bench and
18 state your name. Approach the -- We're not in court.

19 And before you talk, let me remind
20 everybody as my phone is going off right now, if you
21 could do as I am and cut your phone off so that we won't
22 have anyone interrupted. I don't know if y'all have ever
23 been testifying and somebody's phone's gone off. It kind
24 of drives you crazy. And that reminded me that mine was
25 going off. So if you wouldn't mind doing that.

1 Okay. Gloria, go ahead and state your
2 name for the record.

3 MS. McDONALD: Okay. Gloria McDonald, Big
4 Spring City Council.

5 Members of the committee, ladies and
6 gentlemen, first I want to say I'm against the
7 redistricting. I've been -- I'm a retired medical
8 professional and a long time resident of Howard County,
9 Big Spring; and thank you for the attention in what I
10 have to say.

11 I want to say three things here today: I
12 want to, one, demonstrate the value of a small town's
13 contributions to Texas and the importance of being in
14 legislative areas drawn with balance. No. 2, I want to
15 describe what I believe is an error of judgment by the
16 Republican party pursuing redistricting. No. 3, I want
17 to depict where Big Spring and Howard County should or
18 should not be placed if redistricting appears.

19 No. 1, the worth of a small town -- And
20 I'm not here just to tout Big Spring and our small town;
21 but, for example, Big Spring has produced a native that
22 saved the current Social Security system as we know it
23 today, a world Olympian, a medal of honor winner, the
24 state's first youngest legislator, the world's first lady
25 bullfighter, a NASA scientist, admirals, federal judges,

1 federal agents to protect the presidents, Texas' first
2 school to accept desegregation and a military institution
3 that contributed to freedom and assisted in preventing a
4 rogue nation from being the first to split the atom and
5 direct its power and influence toward our nation.

6 Shouldn't these kind of communities that
7 produce this cornucopia of leaders and talent be worthy
8 of a meaningful redistricting philosophy? Is it just
9 metro cities alone that can produce this kind of people?

10 No. 2, Redistricting, Republican error. I
11 was born seventy years after a bitter struggle that
12 divided our nation. It influenced the era of the
13 yellow-dog Democrat. I have never worn a label of any
14 party and generally favor Republican virtues only after I
15 consider the candidate. I believe the Republican party
16 is now laying ground work for a grievous mistake and
17 annihilation of dissent. Others have or will tell you
18 that many members of Big Spring representatives that we
19 have elected have all been replaced. We would like for
20 this to stop.

21 No. 3, if redistricting happens anyway, I
22 urge you consider traditions where established historical
23 connections have existed over time. Big Spring has
24 always been identified with the north and the eastern
25 neighbors. Even the esteemed Texas magazine, Texas

1 Highways, tells the world and every traveler that Big
2 Spring and Howard County is in the panhandle plains.

3 There are many other different
4 distinctions in geographic and lifestyles that I won't
5 mention at this time. If our district, balanced as it
6 is, cannot be left in its current configuration, then I
7 urge Big Spring not be placed under the economic shadow
8 of a nearby metro area.

9 Top Republican leaders have the unique
10 historical opportunity to set a new standard and cloak
11 itself with a long-term character of unique fairness by
12 ending this bitter political party, the rancor.
13 Otherwise, it may become labeled as the "Rainbow
14 Republican," meaning any color will do as long as it's
15 Republican.

16 Yours and my president ran in the spirit
17 of conciliation.

18 Thank you very much for listening.

19 SENATOR DUNCAN: Thank you, Gloria.

20 Members, any questions of the council
21 in --

22 Thank you very much.

23 MS. McDONALD: Thank you.

24 SENATOR DUNCAN: Chair calls Thomas --

25 Oh, he doesn't. Okay. I'm sorry. He indicated he does

1 not wish to testify.

2 Let me -- He would like to register a
3 position against redistricting.

4 What you'll see -- If you haven't filled
5 out a card and you would like to testify or register a
6 position, you do need to do that. And I forgot to
7 mention that in the beginning; but they are out front
8 and, you know, we have probably about a hundred and fifty
9 cards. About a third of those, I think, had indicated a
10 desire to testify. You can, though, indicate your
11 interest in testifying, so -- or rather your position for
12 or against a redistricting plan. So what we have here is
13 your opportunity to do that. You are welcome to testify
14 if you wish. If you feel like your testimony is
15 redundant of someone else, you may just choose to do
16 this; but we want to hear what you have to say if you've
17 come here to testify.

18 The next card I have is from Harold
19 Dominguez, Councilman -- Also Assistant City Manager for
20 the City of San Angelo.

21 Mr. Dominguez does not wish to testify,
22 but would like to register a position against
23 redistricting.

24 I have a card from -- Okay.

25 Chair calls Patti Ivey, the Democratic

1 county chair for Coke County.

2 Ms. Ivey, would you approach the bench and
3 state your name and who you represent.

4 What did I say, "bench?" Yeah. I
5 practiced law for a living, and I was kind of excited
6 about getting back to that.

7 MS. IVEY: Gentlemen, I'm Patti Ivey, Coke
8 County Democratic chair.

9 I came today for all of the reasons
10 mentioned earlier, but also I'd like to salute the
11 fifty-one legislators who adjourned to Ardmore, Oklahoma.
12 That's my hometown. I take the Daily Ardmorite, and the
13 Republicans slandered them in Ardmore with letters to the
14 editor; but let me say, thank you for being with us
15 today, and I vote no, no and no.

16 SENATOR DUNCAN: All right. Any
17 questions?

18 SENATOR WEST: No. No. No.

19 SENATOR DUNCAN: Thank you, Ms. Ivey.

20 The Chair recognizes Martin Lee.

21 Mr. Lee, would you approach and state your
22 name and who you represent.

23 Mayor of Bronte, Texas.

24 SENATOR JANEK: Which county is that in,
25 Mr. Chairman?

1 SENATOR DUNCAN: Bronte, Texas is in Coke
2 County.

3 MR. LEE: Honorable senators, ladies and
4 gentlemen, I'm Martin Lee, Bronte, Coke County, Texas.

5 And I really may be belaboring a point,
6 because I think the very first speech that the mayor of
7 Big Spring, Texas told y'all exactly about how most of us
8 feel out here. That was well done.

9 SENATOR DUNCAN: Mayor McEwen has a good
10 way about putting things.

11 MR. LEE: Yes, he does.

12 And two years ago, if you'll recall, we
13 all spent time and money here doing this same thing; and
14 I don't see justification of redoing it right now,
15 either.

16 You know, we've just taken money from
17 children on an insurance program that were pretty
18 important to a lot of families. Things like that we had
19 to cut, and y'all did a good job cutting things; but we
20 don't need to spend money that's unnecessary on this type
21 thing, either, as far as I'm concerned. It's too close
22 to when we all spent time and money out of our pockets,
23 and as the Big Spring mayor -- I mean as the Big Spring
24 mayor said, you know, before we worked hard on this and
25 we were right in the middle of the ag corridor of Texas.

1 We have common interests with Abilene, San Angelo and
2 Lubbock. We were well-placed, and that was
3 well-considered before.

4 Now it appears we are putting -- being put
5 in a district, or trying to be put in a district
6 considered, that we would not have common interests with
7 possibly our legislator, senators or whatever else, and
8 we would be -- He would be splitting his interests. As
9 you know, sometime our interests in the ag corridor is
10 not the same interest as Houston, Dallas, Austin or
11 Midland-Odessa, El Paso, you know.

12 And a senator that can devote his time --
13 or a representative that can devote his time to our
14 special interests, has time to check on it; but also, if
15 you are trying to split your time between the oil
16 industry, tourism and agriculture, sometimes you've got
17 your own problems, because you've got a split district
18 with different thoughts, and you can't represent them
19 all. Y'all know that. You are there to win, so you've
20 got to please the strongest people. Somebody gets left
21 out, but if you put the districts where they need to be
22 and the counties where they need to be, the people will
23 tell their senators and representatives what they need
24 and what they want. Then he can voice his opinion as he
25 sees it, whether he wins or loses. That's the game. But

1 you've at least got a fair shot, and that's where we
2 stand right now.

3 Thank y'all.

4 SENATOR DUNCAN: Thank you, Mr. Lee.

5 Members, any questions?

6 Chair calls Michael Hoch, county
7 commissioner in Glasscock County.

8 Michael?

9 MR. HOCH: My name is Michael Hoch. I'm
10 county commissioner in Glasscock County, Garden City,
11 Texas for eighteen plus years.

12 I want to thank y'all all for coming to
13 West Texas today. I appreciate your time and interest in
14 this.

15 I am against the redistricting plan or
16 changing what we have. I feel like the courts did
17 a -- the best job they could. We have redistricting
18 every ten years, and I just don't feel that it's a good
19 time to do it again and spend the taxpayers' money again.

20 I've heard that since the state voted
21 fifty-eight percent Republican we should have fifty-eight
22 percent representation by Republicans, but I've been
23 told or read that there is five -- five congressional
24 districts currently that voted strongly Republican, but
25 they are also -- but they are voting for the man. They

1 are sending back the -- They are sending back their
2 Democrat incumbent. And if he wasn't doing a good job
3 and doing a job for those districts, I don't believe they
4 would be voting for him.

5 So, you know, to reiterate some of the
6 current -- earlier speakers, I believe that each district
7 is one man, one vote, and that they do their job for
8 each -- for their citizens in that area, and the people
9 want to forget about the "Ds" and the "Rs" and vote for
10 the man in their area.

11 I'm the only Democratic public official
12 left in Glasscock County; but I've been re-elected a few
13 times, so even my precinct votes for the man and not the
14 party.

15 Thank you very much.

16 SENATOR DUNCAN: Thank you, Mr. Hoch.

17 Any other questions?

18 Thank you very much.

19 Allen Amos?

20 MR. AMOS: I'm Allen Amos, Concho County
21 Judge.

22 Chairman Duncan, Senators and committee, I
23 thank you for allowing me to have a few minutes of your
24 valuable time. I would like to say that I feel like that
25 there is being way too much emphasis being put on

1 Republican and Democrat. I think that like some others
2 have said, that we vote for the person most of the time
3 instead of the party.

4 I have been able to go to Austin numerous
5 times. I've never testified in front of a senate
6 committee, so this is my first time today; but I have
7 seen in Austin, Texas at a House committee hearing where
8 a Republican and Democrat will stand elbow to elbow and
9 testify on behalf of committee, and I feel like that's
10 the way it should be done, whether it's in Austin or
11 Washington.

12 I'm against taking up this time and money
13 for the redistricting. I understand this is going to
14 cost us a bare minimum one point seven million to do
15 this. In the meanwhile, the other day with one stroke of
16 the pencil, animal damage control was vetoed on the bill.
17 Now, since that time there has been a lot of work to put
18 it back in. But it's almost like we don't care about
19 rural Texas anymore when you have to do that. And I
20 believe that we have scrambled around and it does appear
21 that that's going to reappear on something else; but it
22 doesn't look very good whenever you are taking all of
23 these things off and making all the cuts, you know, and
24 all of a sudden we're spending this much money on
25 redistricting.

1 I wonder if -- And my whole thing is for
2 rural Texas; and it's like we say, we tend to vote for
3 the person. I have been voting for forty years, and I
4 have yet to vote a straight ticket. You know, there is a
5 lot of times on these things that some of the people, I
6 don't know them at all -- either party, so I don't vote
7 for them; but that's just the way that I feel about it.
8 I think that, too, that I have seen some of you guys in
9 Austin where you have stood up for your constituents out
10 here and have done an excellent job, and I think that you
11 probably will, too -- this time, too.

12 The only thing that I wonder about,
13 though, is when we do get through, if you do draw a new
14 map, will it go back to the federal judges? You know,
15 that's a distinct possibility, that it could go back to
16 the federal court again. Then do we call another one?
17 Do we keep doing it?

18 I'm not too sure I can remember the last
19 time that congressional districts weren't redone in the
20 Senate and the House of Texas. It appears that they have
21 been in the courts for a number of years.

22 Also, with rural Texas representation
23 disappearing, I tend to wonder could a ranch owner from a
24 teacup community in Kimble County, Texas ever be elected
25 to Congress again? And I think most of you know who I'm

1 speaking of. His name is on the federal building here
2 and also is -- one of the lakes here is named of him,
3 but -- O. C. Fisher had some humble beginnings there, and
4 he was elected numerous times and even served on the
5 Armed Forces Committee. And I knew him when I was a
6 little kid because he had a ranch across the road from my
7 grandparents; and he was every bit as conservative as all
8 Republicans put together, I guarantee you.

9 So I'm asking you to think of this and do
10 think of rural Texas whenever you make your decisions on
11 this.

12 Thank you, Senators.

13 SENATOR DUNCAN: Thank you, Judge.

14 MR. AMOS: Any questions?

15 SENATOR DUNCAN: Thanks, Judge Amos. Good
16 to see you.

17 Judge Amos is from Paint Rock, Texas,
18 which is pretty close to here.

19 Chair has a card from Judge Mike Brown of
20 Tom Green County, who would like to register a position
21 in favor of a redistricting change or plan.

22 MR. BROWN: I don't want to testify, but I
23 would answer questions on your judicial districts.

24 SENATOR DUNCAN: Judge Brown, would you
25 approach, state your name and who you represent.

1 MR. BROWN: Judge Mike Brown. I'm the Tom
2 Green County Judge.

3 In Tom Green County we have a unique
4 situation. We have two D.A.'s. We have four judicial
5 districts. Two of those judicial districts cover
6 multiple counties. And I'm looking at the map, and
7 currently those judicial districts are all under the
8 Congressional District 17 as it is now. Four -- Tom
9 Green and four others compromise (sic) the 51st Judicial
10 District of Schleicher, Irion, Sterling and Coke; and the
11 119th is comprised of Tom Green, Runnels and Concho
12 County.

13 SENATOR WEST: Are there any other
14 multi-county activities that you know of that take place
15 between those counties?

16 MR. BROWN: I don't believe any chamber
17 activities currently or anything like that, no, sir.

18 SENATOR WEST: Is there a particular
19 college that most students in those counties attend?

20 MR. BROWN: Angelo State.

21 We do have a branch of Howard College
22 here. There is -- It's not under the taxing authority of
23 Howard County. It's, I believe, wholly subsidized by the
24 tuition fees paid by the students. So I believe that's
25 the only other community college we have.

1 Thank you.

2 SENATOR DUNCAN: Thanks, Judge.

3 Chair calls Ross McSwain. Mr. McSwain,
4 would you approach and state who you represent.

5 MR. McSWAIN: Thank you, Chairman Duncan.
6 I appreciate having the opportunity to speak to you for a
7 few minutes.

8 I am the ambassador for the AARP. I do
9 not know what the state office position is on this
10 redistricting, but I do know what the position of our
11 local chapter is. It has about a hundred and thirty
12 members, and I polled many of these people just last
13 Thursday and they are opposed to the redistricting. They
14 are opposed to the waste of money in connection with this
15 special session. They say, "Why haven't we had a special
16 session to answer some of the problems of these young
17 children, these underprivileged children?" We are having
18 a lot of problems with our older people, yet we seem to
19 want to spend some money and time dickering over whether
20 or not people are going to vote Democrat or Republican.

21 I would like to say I'm like Judge Amos.
22 I'm seventy-three years old. I have voted both
23 Republican and Democrat. In the last six elections I
24 have determined that I am an independent, and I vote in
25 the general election and I have never voted a straight

1 ticket.

2 And I asked the other night at the AARP
3 meeting -- I asked -- I said, "How many of you people in
4 this meeting have voted a split ticket?" and everybody
5 raised their hand. They vote for the people -- They vote
6 for the person in West Texas.

7 I am a retired journalist. I have spent
8 thirty years traveling western Texas, fifty-four
9 counties; and they are the most bipartisan of probably
10 anybody in this whole state. And if they find somebody
11 they like, they put them in office. If they don't like
12 them, they vote them out. And to me, that's basically
13 the way it should be. We've had wonderful representation
14 from both Democrats and Republicans.

15 I feel that this redistricting plan is an
16 insult to some very fine people that have represented
17 this area in the past. I'm speaking -- Of course, I'm
18 speaking of the Honorable Rob Junell, who is now a
19 federal judge for the Western District of Texas who was a
20 Democrat and head of the House Appropriations Committee,
21 and he did a wonderful job of representing the folks out
22 here. I didn't always agree with what Rob wanted to get
23 done; but at the same time, he laid it out on the line
24 what he was trying to do.

25 Senator Bill Sims was another. He was

1 probably more conservative than most Republicans, but he
2 stayed in as a Democrat. And I take -- I just take
3 offense that these people want to kind of insult what
4 they have done by saying, "We need some more Republican
5 folks." If we need Republican folks, let them run for
6 office and get elected.

7 I agree with the Big Spring mayor. I
8 think he probably has put it better than any one of us
9 who have testified since his appearance before this, and
10 I do appreciate your hearing me out.

11 Thank you very much.

12 SENATOR DUNCAN: Thank you, Mr. McSwain.

13 Senator Wentworth?

14 MR. McSWAIN: Yes, Senator?

15 SENATOR WENTWORTH: Ross, I would like to
16 ask you a question. I've introduced a bill several years
17 and I've reintroduced it in this special session that
18 would take redistricting out of the hands of the
19 legislature and put it in the hands of a bipartisan
20 citizens redistricting commission, and I wonder what your
21 reaction to that idea is.

22 MR. McSWAIN: I think that's a wonderful
23 idea.

24 A lot of people that I associate with that
25 I visit with feel the same way. They feel like politics

1 has really damaged this country, all of this partisan
2 bickering over things. It seems like it takes forever to
3 get anything done in the Congress. It seems like it
4 takes -- There in the legislature you meet a hundred and
5 eighty days and you go right to the last minute, when it
6 shouldn't be that way. It just shouldn't be that way.

7 Any other questions?

8 Thank you very much.

9 SENATOR DUNCAN: Thank you, Mr. McSwain.

10 Chair calls Jeri Slone.

11 Ms. Slone, would you approach and state
12 your name and who you represent.

13 MS. SLONE: I am Jeri Slone, and I am
14 representing myself.

15 I thank you for the opportunity to testify
16 before you today on this very important matter. I
17 personally witnessed the last public hearings held in May
18 on redistricting in Austin, and I was appalled by the
19 behavior of Community Chairman Representative Joe Crabb.
20 Representative Crabb made it quite clear in those
21 hearings that he did not care what any citizen of Texas
22 felt about redistricting and certainly not the hispanic
23 citizens of Texas. His comment, and I quote him, that,
24 "There are only two of us that I know of on this
25 committee that speak Spanish. The rest of us would have

1 a very difficult time if we were out in an area other
2 than Austin or other English-speaking areas to be able to
3 have committee meetings or to be able to converse with
4 people that did not speak English."

5 That comment was a slap into the face of
6 any minority in the State of Texas. So I thank you as a
7 Senate committee for having an interpreter here and
8 anywhere else in the state that it might be needed.

9 The statement made by Representative Crabb
10 will be the backbone of my testimony today. You see,
11 after eight months of control of the Texas House of
12 Representatives in the United States Congress, the
13 Republican party has let it be blatantly known they don't
14 care what anyone thinks. They now have the power and
15 they intend to utilize it to further their issues no
16 matter whom it hurts.

17 Ladies and gentlemen, the citizens of this
18 great state were hurt during the first Republican
19 controlled Texas legislative session ever and will be
20 further hurt with proposed redistricting. Governor Perry
21 has proven he is nothing but a puppet on a string for the
22 Republican party by calling a special session on
23 redistricting. He is willing to waste seven million
24 dollars on redistricting and the court battle that will
25 follow. And it will follow, if it happens. Even though

1 expert witnesses he used in the 2000 battle on
2 redistricting issues say that Tom DeLay's plan is not
3 about fairness, but is an arrogant effort to
4 disenfranchise voters and guarantee victory for
5 Republican candidates and more power for him.

6 Professor John Alford, who testified for
7 Governor Perry and former State Attorney General, John
8 Cornyn, was quoted as saying that, "The fact that
9 Republican congressional candidates have not only been
10 able to win" -- "They've only been able to win fifteen
11 congressional races is a product of the campaigns the
12 Republican candidates have run, the performance of the
13 Democratic office holders, and is not based on any
14 political unfairness of the map."

15 So since the Republican party was not able
16 to win more congressional seats, even though sixty-two
17 percent of the districts favor Republicans, they are now
18 going to redraw the lines to ensure that minorities
19 communities, which are gaining in strength, are lumped in
20 with strong GOP districts and will not be able to hurt
21 the Republican quest of power. And rest assured, this
22 whole issue is about the quest of power. The money
23 hungry, greedy and impassionate politicians and
24 corporations want more power.

25 Now, your first reaction is going to be,

1 "Once again, the Democrats are attacking the rich and the
2 corporations." Well, let me educate you about myself. I
3 am likely considered rich because I make more than a
4 hundred thousand dollars a year, and I am the president
5 and CEO of a corporation; but I will never - and I repeat
6 never - sell my soul to make myself richer and will
7 always look out for the underdog.

8 Governor Perry and the Republican members
9 of the Texas House of Representatives are willing to
10 waste seven million dollars on a special session for
11 redistricting, but are not willing to put that seven
12 million dollars into education, health care for children,
13 community care for the elderly, care for pregnant mothers
14 who have no insurance or health insurance for teachers.
15 I am greatly saddened to know that Texas politics will no
16 longer be known for its bipartisanship.

17 For many years politicians in Texas have
18 worked together to ensure that all of the needs of our
19 citizens were met. Texas now has Washington politics.
20 Politicians will allow the people in power to dictate
21 what they do. They will no longer vote with their heart
22 or their conscience, and this is evidenced by the recent
23 Texas Legislative session and Governor Perry's succumbing
24 to the powers that be in Washington.

25 In closing, I do not feel that

1 redistricting will benefit the people of San Angelo or
2 West Texas in any way. Our - and I stress "our" -
3 congressman, Charlie Stenholm, has done a magnificent job
4 representing our wants and our needs, whether they be
5 Republican or Democrat. He fights for farmers. He
6 fights for ranchers, mothers, fathers, children and the
7 elderly. His last re-election was a close one, and his
8 congressional seat is one of the main targets of
9 redistricting.

10 I urge each of you to vote "No" to
11 redistricting and especially thank you for the time to
12 voice my opinion today.

13 SENATOR DUNCAN: Thank you, Jeri.

14 Any questions, Members, of Ms. Slone?

15 Senator West?

16 SENATOR WEST: No question, Mr. Chairman.

17 There is no question.

18 SENATOR DUNCAN: Never mind. I'm sorry.

19 SENATOR WEST: I would just like to kind
20 of get an idea of who is for redistricting out here. Can
21 I just ask all of those persons that are against
22 redistricting to stand up?

23 Okay. You can sit down.

24 Okay. Those that are for redistricting,
25 please stand up.

1 Okay. Thanks.

2 SENATOR DUNCAN: Chair recognizes Bill
3 Tullos. Tullos?

4 MR. TULLOS: Tullos.

5 SENATOR DUNCAN: Tullos. Bill?

6 MR. TULLOS: Mr. Chairman, fellow
7 senators, I certainly appreciate your letting me speak to
8 you. I'm Bill Tullos. I live in Irion County, just --
9 The next neighboring county to the west. I'm hear today
10 representing Farm Bureau.

11 We'd like that you consider these
12 following things: The agriculture industry is more than
13 a simple sector of the Texas economy. It is a culture
14 and community into itself that is linked to rural Texas.
15 With each census the number of public officials who both
16 represent and reside in rural areas has declined. So has
17 the number of those that truly understand our industry
18 and culture. Congressional representation that
19 understand these community interests is what has made the
20 Texas Congressional delegates a model for other states,
21 and it is critical to the very survival of the
22 agricultural industry and the rural communities that rely
23 upon it.

24 We think that a continuation of this
25 interest is important regardless of the political party

1 represented. Bipartisanal consideration tend to dominate
2 the redistricting process. We respectfully request
3 serious consideration of agriculture and rural community
4 of interest.

5 The Texas Farm Bureau believes the
6 congressional districts can be drawn which are
7 politically, ethnically and culturally fair to all
8 Texans.

9 The carving of the rural areas into
10 urban-dominated districts may be most politically
11 appealing. However, it does not respect the rights of
12 rural Texans to have representation that places a
13 priority on their concerns and well-being.

14 Your considerations of these views as you
15 continue this process would certainly be appreciated. We
16 know that they are certainly -- We are well-represented
17 in all parts of this state, and we certainly appreciate
18 you gentlemen being here, and we know that you will be
19 fair to us. I urge your guidelines and your concern
20 about minority votes. We in agriculture think we are a
21 minority. Not racially, because we represent all races;
22 but we are a minority. We are a very small people that's
23 left in agriculture.

24 Thank you, sir.

25 SENATOR DUNCAN: Thank you, Bill.

1 Any question fo Mr. Tullos?

2 Thank you.

3 The chair calls Anita Bowen.

4 Ms. Bowen, please approach and state who
5 you represent.

6 MS. BOWEN: Thank you.

7 My name is Anita Bowen. I'm a resident of
8 San Angelo. I'm just representing myself. It's the
9 first time I've ever taken an active part in any
10 political thing. I've voted for years and years. I'm
11 the product of a father who was an ultra conservative
12 Republican and a mother who was a yellow-dog Democrat.
13 So I know all about political battles.

14 SENATOR WEST: How did they get together?

15 MS. BOWEN: I don't know, but they were
16 married for years and years and years, and that's the
17 only thing I ever heard them argue about, was politics.

18 I want just to take a different viewpoint
19 on this. My husband and I are retired teachers, and we
20 moved to San Angelo after we retired three years ago.
21 When we were teachers, the very first thing that we would
22 do every year on the first day of school was to post the
23 rules, tell the students what these rules are and that
24 they are to be obeyed.

25 Well, the rules of law are the same thing.

1 The law says, "Redistricting is every ten years." It
2 does not say, "Redistricting is every ten years unless
3 you don't like the results of it, and then you can do
4 it" --

5 And I think how can a teacher tell their
6 students -- teach their students to obey the law when the
7 people who make the laws -- Some of them don't want to go
8 by them. They don't want to abide by them. So I'm
9 asking you -- I don't -- You know, if you want to change
10 the districts, that's fine; but wait ten years. Wait
11 until it's time to do it.

12 These were approved districts. Last
13 session, I think, Governor Perry said he did not want to
14 call a special session; "Let the courts decide it." The
15 courts did decide it. The courts approved it. The
16 Supreme Court approved it. And I think if we want to say
17 the Supreme Court is the top law in the land, we ought to
18 abide by what they said.

19 Also, several people mentioned Mr.
20 Stenholm, and I'm a confirmed ticket splitter, too. I'll
21 vote for the person, and I've been really impressed with
22 Mr. Stenholm. Mr. DeLay said he was irrelevant. To the
23 people of San Angelo and the 17th District he is not
24 irrelevant. He knows West Texas and he has worked with
25 agriculture, with ranching, with all of these things that

1 affect us. With water control. Just last week I read
2 that he proposed an addition to the bill about the
3 drug -- prescription drug that would take care of people
4 who were in rural areas where they don't have access to
5 good medical care.

6 So I just think that we ought to wait ten
7 years, but what I would like best is the proposal Senator
8 Wentworth made. And I read about this in the paper
9 Sunday. Let's take this out of politics. I am so tired
10 of partisan politics where the main goal is to put down
11 the other person. I don't care whether you are a
12 Democrat or Republican. I wish you would get together
13 and try to do something for the people. We are really
14 tired of all of this squabbling.

15 And -- Thank you.

16 Also - one more thing - I hope -- I know
17 that in this last session I couldn't find how people
18 voted, because they don't record a lot of the votes. I
19 hope you will record your votes, and please don't mess
20 with West Texas.

21 SENATOR DUNCAN: Okay, Ms. Bowen.

22 Questions, Members?

23 Chair -- It's the intention of the Chair
24 to take a ten-minute break at this point in time to give
25 the court reporter a break and give other members a

1 chance, and those of you who need to freshen up and --
2 But before we break, please pay attention: The next --
3 There will be -- I want to give the next three witnesses
4 a heads-up because we're going to start promptly in ten
5 minutes, which would be, by my watch, 4:30.

6 And Dr. Neale -- We'll call the following
7 persons in this order: Dr. Neale Pearson, Ivey Mossell
8 and Mike McMahan.

9 The committee will stand in recess until
10 4:30.

11 (Break taken from 4:17 p.m. to 4:30 p.m.)

12 SENATOR DUNCAN: The Committee will come
13 back to order. The Members take their seats. If the
14 audience will return to their seats we will get started
15 promptly. We have a lot of ground and we want to make
16 sure that everyone has a chance or who has registered and
17 would like to be heard today has an opportunity to be
18 heard.

19 Again, I will -- For the record -- And if
20 there is anyone in the audience who would prefer to
21 testify with an interpreter, we have Ms. Caldwell
22 available to assist you. If you need interpreting
23 services for the purpose of hearing the testimony and the
24 comments by the members of the committee, that service is
25 available for you. Ms. Caldwell is over here on my

1 right, your left, over by the court reporter.

2 Again reminding you that you need to state
3 your name when you approach and who you represent, even
4 if it is yourself. You've heard a lot of testimony. I'm
5 going to ask you to try to -- We have our five-minute
6 limits. If my calculations are right we will be here
7 till 2:00 o'clock by the time we get through with
8 everybody even at five minutes. So if you -- And
9 seriously, it's been my experience in the legislative
10 process that -- Keep your comments brief and to the
11 point. If you have a statement, it might be better if
12 you -- in writing, if you can submit that and we
13 certainly will consider it; but we would like you to talk
14 to us as opposed to read to us. So feel free to talk to
15 us. If you're not comfortable doing that, then it's
16 certainly okay to read; but we like to have a dialogue.

17 With that I will go ahead and call our
18 next witness, Dr. Neale Pearson.

19 Dr. Pearson, would you please -- Professor
20 Emeritus, Texas Tech University, would you please
21 approach. State your name and who you represent.

22 DR. PEARSON: I'm Neale Pearson. I
23 represent myself. I'm a long-term political science
24 professor at Texas Tech University and taught American
25 Politics, Latin American Politics, Local Government; and

1 so I'm aware of the redistricting thicket that you
2 gentlemen are into.

3 I came from Southwestern Ohio Miami
4 University, and I did my undergraduate work at Meribou
5 College in eastern Tennessee where Sam Houston taught;
6 but he moved out of east Tennessee because they weren't
7 paying school teachers very much. So he moved here to
8 Texas. So I'm a Texan by choice and not by accident.

9 Mr. George Mahon was the member of
10 Congress from the 19th District at the time, and other
11 luminaries at the time were Omar Burleson from Anson, who
12 is now succeeded by Mr. Stenholm, Bob Price, O. C.
13 Fisher of San Angelo, Abraham Kazan of Laredo, San
14 Antonio, and George Herbert Walker Bush, who represented
15 the 7th District of Houston, as well as Midland where he
16 had been after WWII.

17 In Ohio my member of congress was Buzz
18 Wilkins, who had been head of the Young Americans for
19 Freedom, National Federation of Young Republicans; and I
20 also taught at the Piqua, Ohio branch of Miami
21 University, which was my home university. And the member
22 of Congress from Piqua, the 4th District, was the House
23 Judiciary Chairman, William McCulloch, who was the House
24 (inaudible) of the 1964 Civil Rights Legislation working
25 with the President on that. And my then wife was from

1 Bob Taft's District, the first district of eastern
2 Cincinnati.

3 So I've noted some statistics here to show
4 the great discrepancies in population of which have since
5 been rectified by a variety of federal court decisions
6 that districts ought to represent people and not corn
7 stalks or other things.

8 One of the interesting things that has
9 developed in the last several weeks, including the
10 hearings in Lubbock, and that hasn't happened today - And
11 I guess I might be bringing this to the attention of the
12 audience - is the role of the legislative redistricting
13 board. Now, that's a constitutional item that was
14 introduced by a special election in 1948 because of the
15 unwillingness or inability of the legislature at times in
16 the '30s and '40s to redistrict.

17 And so, Mr. Martin asked last week in
18 Lubbock, you know, did I think the legislature could
19 redistrict the congressional districts; and I said,
20 "Yes," I thought they could. This would be new
21 territory.

22 But the constitution had provided for the
23 legislative redistricting board made up of three members
24 of the executive branch, the speaker and the acting
25 Lieutenant Governor, to act in case the legislature

1 couldn't. That's sort of been conveniently forgotten in
2 the hullabaloo that has developed over time.

3 I won't go into what the courts said about
4 different issues other than an issue that did come up
5 already about commonalities, communities of interests.
6 And those are true, but -- And among those were
7 compactness and common interests such as agriculture, oil
8 or service industries. And, obviously, Big Spring is now
9 very much a service community with its hospitals and its
10 colleges.

11 In that 2001 hearing in Lubbock -- And I
12 cannot remember if Senator Wentworth was there or if Mr.
13 Barrientos headed the Senate delegation that Mr. Jones
14 chaired on the House side --

15 So if I've included you improperly, sir,
16 I'm mistaken.

17 But that particular committee was quite
18 clear to everybody and -- and a continuing item in the
19 testimony at that time and the testimony last week is
20 that districts should be compact. That's very difficult,
21 given some of the existing maps; and Mr. Harris has
22 proposed a new map, although the 17th District and 19th
23 District are a little bit more compact than the previous
24 19th District.

25 And as some of you know, the ones in the

1 valley are sort of like cooked spaghetti, and maybe Mr.
2 Bonilla's 23rd District is also like cooked spaghetti,
3 not dry spaghetti.

4 SENATOR DUNCAN: Professor, I'm going to
5 have to ask you to wrap it up.

6 DR. PEARSON: Yes, sir.

7 I have two points. The --

8 SENATOR DUNCAN: Make them quick. You are
9 over already.

10 DR. PEARSON: Well, I wanted you to wave
11 at me when I was, sir.

12 Okay. The idea that the Republicans won
13 fifty-nine percent and, therefore, are entitled to
14 fifty-nine percent really undercuts the idea that a
15 number of people have spoken of, the citizens having
16 representation in the Congress and that the Congress or
17 the Texas Senate acts as a counterweight to the president
18 or to the governor. When we say that the Senate or the
19 House should reflect the presidential vote, we are
20 getting very close to the unitary form of government in
21 which the reduce -- which the role of the legislature is
22 reduced. And to some degree, one might say, "If it ain't
23 broke, don't fix it."

24 SENATOR DUNCAN: Thank you, Dr. Pearson.
25 I'm going to have to ask you to wrap up. We can talk

1 later. I'm sorry. But we are on tight time -- And I
2 need to be fair to everybody.

3 Thank you.

4 As you know, we have a lot that we want to
5 hear from; and as you hear this beeper go off, the Chair
6 will try to be courteous to you, but I will remind you
7 that your time limit is approaching or your time limit is
8 up and you need to wrap up; and if you could do so, it
9 would be appreciated, I know, by members of the audience
10 who are waiting to be heard, as well as by members of the
11 committee.

12 The Chair calls Ivey Mossell, Tom Green
13 County Democratic Club.

14 Would you approach and state your name and
15 who you represent, please.

16 MS. MOSSELL: My name is Ivey Mossell. I
17 am vice-president of the Tom Green County Democratic
18 Club. I'm a retired teacher, but I hope what's most
19 important here is that I'm a citizen. I'll try not to
20 repeat some of the things that the other speakers have
21 said, but I do want to piggyback on what Professor
22 Pearson said.

23 We are supposed to redistrict in ten
24 years, not two years, so why are we here? Well, I
25 appreciate the opportunity to talk to you. Thank you,

1 Senator Duncan, for bringing the people here.

2 But, you know, what was accomplished in
3 the legislative session? And I'm afraid I have a lot of
4 "you's" here to throw out, and I'm not talking about you
5 necessarily. "You" being the legislature. I hope you
6 understand.

7 What was accomplished? Not much for real
8 people. You didn't fund health insurance. You didn't
9 adequately fund education. You messed with tort reform
10 so that when we need help from juries we probably won't
11 get it. Let me give you a couple of points that I know
12 are personal to me, because I am a retired teacher; but
13 there are a lot of us out there.

14 Our retired teachers premiums for
15 insurance are going up forty-one -- forty-six point one
16 percent.

17 SENATOR DUNCAN: I'm here to tell you
18 that -- And I'll talk to you about that later --

19 MS. MOSSELL: Okay.

20 SENATOR DUNCAN: -- Because I have met --

21 MS. MOSSELL: I hope you are going to tell
22 me I'm wrong.

23 SENATOR DUNCAN: And --

24 MS. MOSSELL: Okay.

25 SENATOR DUNCAN: That's what they were

1 going to do, but they understand that that's not what
2 they are to do this time. So I will talk to you about
3 that at another time.

4 MS. MOSSELL: Okay.

5 SENATOR DUNCAN: But if you could confine
6 your remarks to redistricting, I think that's what we are
7 concerned about.

8 MS. MOSSELL: Well, okay. My point in
9 saying this is, you know -- And now we are going to spend
10 a minimum of one point seven million dollars on this
11 special session. You know, let's get real.

12 I understand that most of the large daily
13 newspapers in the state have taken an editorial position
14 against redistricting. I would like to say that the San
15 Angelo Standard Times has been forthcoming with a
16 position against redistricting, and I'll tell you -- I
17 would like to repeat something that was printed in the
18 Standard Times yesterday, I think. "This special session
19 shouldn't have been called and lawmakers shouldn't pass a
20 redistricting bill; but if they do, they had better do it
21 right."

22 And I submit to you that "right" in this
23 case means, "Take no action at all." Let's stick with
24 the will of the people until the next census and all go
25 home and get on with life.

1 I keep reading over and over that
2 Congressman DeLay says that the representation should
3 reflect -- The voting trend should reflect -- be
4 reflected in representation. Well, maybe I'm confused.
5 Didn't the people elect those congressmen and shouldn't
6 we keep them there?

7 Thank you very much.

8 SENATOR DUNCAN: All right. Thank you,
9 Ms. Mossell.

10 Any questions of Ms. Mossell?
11 Senator Wentworth?

12 SENATOR WENTWORTH: Mr. Chairman, I don't
13 want to belabor this, but I do think enough people have
14 mentioned a couple things that I think they deserve an
15 answer.

16 One is it's constantly been mentioned that
17 it's going to cost a minimum of one point seven million
18 dollars for this special session. That's assuming that
19 it takes thirty days. It may well be that we are able to
20 finish our work, assuming the governor doesn't add any
21 more things to the call, in about half that time. We
22 may be up there and out in about fifteen days.

23 The second point that's been made on a
24 number of occasions is that we are only supposed to do
25 this every ten years. That's not really a requirement,

1 and that's also not been the practice in the past when
2 the legislature was dominated by Democrats. And I cite
3 the specific example: After the legislature redrew
4 congressional districts in 1981, in 1982 a Democrat
5 incumbent congressman was nearly defeated by a Republican
6 challenger and, as a result of that, the legislature
7 convened in 1983, in the middle of the ten years, and
8 redrew the boundary lines between Congressional Districts
9 21 and 23 to ensure the re-election of that Democrat
10 congressman.

11 So I point those things out just -- kind
12 of to keep the record straight so that we are all dealing
13 with the same facts.

14 Thank you, Mr. Chairman.

15 SENATOR DUNCAN: Chair calls Mike McMahan,
16 city of Abilene.

17 Please approach and state who you
18 represent and your name.

19 MR. McMAHAN: Yes. I'm Mike McMahan from
20 the Abilene Chamber of Commerce, and I want to thank
21 you--all for coming to West Texas; and I think that's
22 really the point that I want to make, which is, at the
23 very beginning y'all spoke of four basic principles that
24 needed to be adhered to. And it was alluded to earlier;
25 but I would like to emphasize the fifth principle, which

1 is the idea of representing the people -- all of the
2 people of Texas, and that includes the people of West
3 Texas.

4 I think that there are differences in the
5 approach and the issues that will go before the U. S.
6 Congress based on where you live in Texas. The issue of
7 water, the issue of business and economic development,
8 the issue of Department of Defense, whether it's Dyess
9 Air Force Base or Goodfellow Air Force Base or whether it
10 is the Navy contingency down in the Corpus Christi area.
11 I think those are important issues; and it's important, I
12 believe, to have the voice of the people that are
13 concerned about those issues. And so, therefore, as we
14 draw lines it will be very important to make sure that
15 all the voices can be heard in the right manner within
16 the State of Texas; and that way we will have the right
17 representation from the State of Texas, from the people
18 of Texas before the U. S. Congress, and, therefore, we
19 will be able to get the best decisions possible.

20 I would like to thank you again for your
21 time coming here, and I do not envy you in this very
22 difficult task.

23 SENATOR DUNCAN: Thank you, Mike.

24 MR. MCMAHAN: Open for questions, sir.

25 SENATOR DUNCAN: Members, any questions?

1 Senator Estes?

2 SENATOR ESTES: Are you for or against it?

3 Mr. McMAHAN: Sir, I am not going to take
4 a position. I am not here to talk for or against or
5 political party or not.

6 I'm here for the State of Texas and the
7 people of Abilene, Texas, and the businesses that I
8 represent.

9 SENATOR WEST: Mr. Chairman?

10 SENATOR DUNCAN: Senator West?

11 MR. McMAHAN: Yes, sir.

12 SENATOR WEST: In terms of businesses that
13 you represent --

14 MR. McMAHAN: Yes, sir.

15 SENATOR WEST: Let's talk about chamber
16 activities.

17 MR. McMAHAN: Yes, sir.

18 SENATOR WEST: Are there multi-city,
19 multi-county chamber activities?

20 MR. McMAHAN: There is something called
21 the Texas Midwest Network that you may or may not be
22 familiar with.

23 It is -- The offices happen to be in
24 Abilene, Texas, but they actually represent communities
25 rather than counties through the basic area of West

1 Texas. And I don't have the specifics on it. I can
2 certainly answer that question for the record or I can
3 give you the -- Nicki Harle, who is head of that
4 organization.

5 But the concept is to bring people and
6 communities and businesses of common perspective together
7 to discuss those issues, and they meet periodically.
8 And, in fact, about once every two years when y'all are
9 in session they come down in February and -- come down as
10 a block to find out about what the issues are and to
11 discuss them. And they are not political. They are
12 communities that get together with representation to try
13 and make sure that their voice is heard.

14 SENATOR WEST: Do you know whether or not
15 those communities are situated in one congressional
16 district or several congressional --

17 MR. McMAHAN: Sir, I believe they cross
18 districts, but I have not done a comparison of map to
19 map.

20 Again, I need to check that out for you.
21 I didn't come prepared to answer that question. I
22 apologize.

23 SENATOR WEST: Do you know of any other
24 multi-county activities that are engaged in by the
25 citizens of this general geographical area?

1 MR. McMAHAN: Well, we have many
2 organizations that cross -- and great relationships,
3 because we have people that sit in Abilene, Texas that
4 have farms and ranches throughout the congressional
5 districts, sir; and, also, we have businesses that are in
6 multiple locations, because we tend to try and pull
7 together.

8 We recently had an economic development
9 study that we contracted for as an area that went down to
10 Brownwood and up north of Abilene, east and west, so that
11 we could pull ourselves together, because we knew there
12 were some unique and different issues that would be
13 required for economic development for that portion of
14 West Texas.

15 SENATOR WEST: And those cities worked
16 together to address those issues?

17 MR. McMAHAN: Absolutely, sir. We sure
18 did.

19 We pooled our money together. It was a
20 single study, and I believe the solutions -- And, in
21 fact, one of the subcommittees coming out of that is to
22 bring these communities together so that we can work
23 together as a team so that we can accomplish more and be
24 able to be competitive against other areas in and outside
25 the state.

1 SENATOR WEST: Lastly --

2 MR. McMAHAN: Yes, sir.

3 SENATOR WEST: -- Is there a work force
4 board here?

5 MR. McMAHAN: Yes, sir, there is.

6 And we work --

7 SENATOR WEST: Is it a multi-county work
8 force board?

9 MR. McMAHAN: Absolutely, yes, sir.

10 It -- You may or may not be familiar, but
11 Abilene is in the corner, so we have to work multi-county
12 in order to do hardly anything, so --

13 SENATOR WEST: Do you know what counties
14 comprise that work force?

15 MR. McMAHAN: Sir, I can't answer that
16 question off the top of my head, but it's the --

17 SENATOR WEST: But it's a multi-county
18 work force?

19 MR. McMAHAN: Yes, sir, it is.

20 SENATOR WEST: Okay. Thank you.

21 MR. McMAHAN: And we reach out to a much
22 larger area, because of the catchment of the -- The work
23 force that comes into Abilene and the work force that
24 goes from Abilene to other areas both.

25 SENATOR WEST: And that's another point,

1 the catchment area --

2 MR. McMAHAN: Yes, sir.

3 SENATOR WEST: -- for that work force
4 area. And I -- I assume we should be able to get that
5 information?

6 I would like to ask Mr. Chairman's staff
7 to try to find that information.

8 MR. McMAHAN: Yes, sir.

9 And I would be more than happy to help
10 answer those questions as a community effort --

11 SENATOR WEST: Okay. Thank you.

12 MR. McMAHAN: -- if at all possible.

13 Thank you for your time, sir.

14 SENATOR DUNCAN: Mike, I had a question.

15 MR. McMAHAN: Yes, sir.

16 SENATOR DUNCAN: Does the chamber or does
17 Abilene in any other official form have a position with
18 regard to congressional redistricting and any preferences
19 with regard to --

20 MR. McMAHAN: Sir, I'm sure there are
21 people that have very strong opinions there, and I've
22 heard them; but I'm not here to represent them, and
23 really --

24 SENATOR DUNCAN: Are you telling me the
25 chamber and the city have not taken an official -- made

1 an official statement or any sort of --

2 MR. McMAHAN: Sir, we have -- To my
3 knowledge, there has not been a vote that would be a vote
4 in which someone could say, "This is the true
5 representation."

6 I would tell you it is a hot topic and one
7 that the people of Abilene care about deeply, because we
8 know that our future and the future of this part of West
9 Texas is dependent upon what will happen here.

10 SENATOR DUNCAN: Have you spoken to
11 Senator Frazer about it?

12 MR. McMAHAN: Yes, sir.

13 Many people have spoken with Senator
14 Frazer.

15 SENATOR DUNCAN: Does -- Is there anyone
16 here today that will speak -- I know we are in San
17 Angelo, but is there anyone --

18 MR. McMAHAN: There are a couple other
19 people here from Abilene, Texas, sir; and I'll let them
20 speak on their own behalf, if that's all right.

21 SENATOR DUNCAN: All right. All right.

22 Members, any other questions --

23 MR. McMAHAN: We would be more than happy
24 to have you come to Abilene, though, if you want to have
25 a hearing, sir.

1 SENATOR DUNCAN: Well, I love Abilene.
2 It's a great place.

3 MR. McMAHAN: That's easy for me to say,
4 of course.

5 SENATOR DUNCAN: Are there any other
6 questions?

7 Thanks, Mike.

8 MR. McMAHAN: Thank you, sir.

9 SENATOR DUNCAN: Chair calls Jim Cummings,
10 San Angelo, Texas.

11 Jim, state your name and who you
12 represent.

13 MR. CUMMINGS: Thank you.

14 My name is Jim Cummings, and I'm
15 representing myself, a citizen of San Angelo and Tom
16 Green County.

17 My comment will be very brief. I would
18 state that if you find redistricting necessary, that I
19 plead with you that you would keep the interest of San
20 Angelo and Tom Green County in a rural West Texas
21 district. Our needs -- Our needs and our priorities, as
22 you've heard, are certainly agriculture. They are water,
23 economic development and diversification, which brings
24 job creation to San Angelo and Tom Green County, and then
25 transportation. And these priorities are very unique to

1 rural West Texas, so I just respectfully ask that you
2 give those matters consideration should you find
3 redistricting necessary.

4 I thank you for being here today. You
5 honor San Angelo and Tom Green County with your presence,
6 and we appreciate you.

7 Senator, I'm giving you back four minutes.

8 SENATOR DUNCAN: All right. Thank you,
9 Jim. Appreciate you.

10 We have a few doctors in the audience and
11 it takes me a while to decipher the handwriting here.

12 Ron Michwhka? Close? And you can correct
13 me.

14 As I stated in Laredo the other day, I
15 don't speak very good Spanish. I do speak a little
16 English, but not very well.

17 MR. MICHWHKA: Well, first of all, I'll
18 correct you. That's not Spanish. It's Czech.

19 SENATOR DUNCAN: Okay. Well, I knew that;
20 and I don't speak any Czech, obviously.

21 MR. MICHWHKA: And guess what? I'm not a
22 doctor, either.

23 SENATOR DUNCAN: Would you state your name
24 and who you represent, please.

25 MR. MICHWHKA: I'm Ron Michwhka. I'm the

1 Tom Green County Democratic chairman. I'm also the state
2 Democratic executive committeeman for the 28th Senatorial
3 District. My senatorial district goes all of the way up
4 from Lubbock all of the way down to Tom Green County --

5 SENATOR DUNCAN: It goes up to Pampa.

6 MR. MICHWHKA: So it's a pretty long
7 district.

8 So anyhow -- But, of course, you've
9 already heard from a lot of my constituents and my
10 senatorial district how they are opposing this
11 redistricting. You also heard quite a bit in Lubbock the
12 other day.

13 Basically, I'm just going to hit a couple
14 of high points. It was -- The things, of course, that's
15 already been said is that -- One of the things that -- I
16 know you said you haven't come up with a map yet. We've
17 seen some maps and, of course, those maps are throwing us
18 into areas -- taking us out of agriculture, farming and
19 that type of environment and putting us in with oil
20 country environment, which is a different common
21 interest.

22 Point of interest, why we like to stay
23 together is that we worked real hard in establishing the
24 87 -- Highway 87 corridor, and there has been a lot of
25 work on that to improve it and get it done to where all

1 of the cities along the 87 corridor are united; and it's
2 going to improve our economy.

3 That's just an instance, but the main
4 thing is -- I really want to say is that all we ask is
5 that -- I know you haven't come up with a plan. We ask
6 that you don't confuse the voters anymore. As a matter
7 of fact, we wish you wouldn't do this at all, because I'm
8 afraid it is going to confuse the voters. The voters are
9 kind of set. They kind of had it in their mind this is
10 the way it's going to be for ten years. Let's leave it
11 alone. And I think that's the way it needs to be.

12 Of course, my own personal feeling is that
13 we have a tremendous deficit right now in the state
14 budget. It's trickled down to the county governments.
15 The counties are having to take and remove programs.
16 It's affected our schools. San Angelo is even looking at
17 closing schools in order to meet budgets. All of this is
18 affecting us, and I really don't know why we are out
19 there spending more money.

20 One of the things that nobody has really
21 brought to mind is -- And for the court reporter, I'll
22 tell you what I'm doing. I'm holding up a voter
23 registration card here. All over the State of Texas for
24 this redistricting -- All of these voter registration
25 cards are going to have to be redone. That means another

1 cost to the citizens of Texas that has not ever been
2 anticipated. I mean, yeah, this special session is
3 costing us money; but this is going to cost the State of
4 Texas beaucoups of money to reprint these cards all over
5 the whole State of Texas. So keep that in mind, also.

6 Basically, we just feel like we need to
7 leave things alone. Let's go on. Try to improve our
8 economy in the State of Texas. Quit haggling. And ten
9 years from now when we do a new census, then we can
10 revamp this thing.

11 SENATOR DUNCAN: Thank you, Ron.

12 Any questions?

13 Chair calls Jim Ryan.

14 Please approach and state your name and
15 who you represent.

16 What I'm going to do, Mr. Ryan, while
17 you're approaching, I'm going to take the next two cards
18 or -- Following Mr. Ryan will be Myrl Mitchell.

19 So if you could kind of position yourself
20 to take your position following that testimony.

21 Mr. Ryan, state your name and who you
22 represent, please. Have a seat.

23 MR. RYAN: Yes, Senator.

24 My name is Jim Ryan. I just -- For a
25 little background, I am the parliamentarian of the Tom

1 Green County Republican Party; but lest I embarrass any
2 of my compatriots, I represent no one but myself.

3 One of the items that I have read a whole
4 lot about concerning this has to do with the money that's
5 involved in this special session. Now, I'm not sure that
6 this is the wisest thing that we've ever done; but
7 nonetheless, we are talking about one point seven million
8 dollars, and this is out of a state budget of one hundred
9 and seventeen billion, with a "B". We are talking one
10 tenth of one percent. If it accomplishes anything, that
11 is, frankly, chump change.

12 Redistricting is one of the most important
13 functions of government. I am a political junkie enough
14 that I carry around a copy of the Constitution; and you
15 will notice that it is Article 1, Section 2 -- Almost the
16 very first thing in the Constitution is the matter of
17 redistricting. So obviously the founders found this to
18 be a very important function of government.

19 Also, a couple of people have noted
20 that -- By the way, we are not the only state doing this.
21 Colorado is also going through it. They just haven't
22 made quite the headlines that we have. They didn't end
23 up with an Ardmore camporee to attract the attention of
24 the press, as it were.

25 I am not certain that this is the best

1 expenditure of political capital and energy by the
2 Republican party of Texas. I know a great many die-hard
3 Republicans who love it; but quite frankly, we are
4 looking at, I believe, at least five districts where we
5 have an incumbent Democrat sitting in a Republican
6 majority seat, and I think we would do ourselves a bit of
7 a favor to concentrate on winning those winnable seats
8 rather than possibly giving ourselves a black eye by
9 going this route and calling a special session.

10 One other thing that I would like -- I do
11 understand that Governor Perry, now that the session has
12 been called, can add items to the session should he feel
13 that necessary. And one item that I would urge all of
14 you to perhaps urge him to consider - And I spoke with
15 Senator Wentworth before we came in here - There has been
16 a notion out there of setting up some sort of
17 nonpartisan, bipartisan, whatever, board to do this job
18 of redistricting. And I know the good Senator Wentworth
19 has been after this long enough ago. Had he been able to
20 accrue some backing back when there was a Democratic
21 majority down in Austin we would not be having this
22 hearing now because it would already be done in that
23 fashion.

24 Now, the devil is in the details; and I
25 know that it's going to be a very critical item as to how

1 you select who is going to do this piece of work. I
2 guess ideally what we would want would be some Ph.D. in
3 statistical analysis with Coke-bottle glasses who has
4 never voted in his life; but I think if we can work
5 towards that that we just might make this whole process
6 worthwhile if we can get over this having to wrangle for
7 two, three years at a time every time redistricting comes
8 up.

9 And I just hope that some serious
10 consideration will be given to giving that idea more than
11 a wink and a nod; and I very much support that idea,
12 Senator Wentworth.

13 And I thank you for your time.

14 SENATOR DUNCAN: Thank you, Jim.

15 Members, any questions?

16 Thanks, Mr. Ryan. Appreciate it.

17 Jeff, you got another vote.

18 Chair calls -- Well, first, the Chair has
19 a card for Hank Bourdo, who would -- does not wish to
20 testify, but would like to register a position against a
21 redistricting plan.

22 The Chair calls Myrl Mitchell.

23 Myrl, would you please approach and state
24 your name.

25 Following Mr. Mitchell we'll have Allan

1 Lange. Please be ready, Mr. Lange. On deck, Mr. Lange.

2 Myrl, state your name and who you
3 represent.

4 MR. MITCHELL: Thank you, Mr. Chairman.
5 I'm Myrl Mitchell of Martin County, Texas. It's an ag
6 county. And I want to tell you and the rest of the
7 members of this committee how much we appreciate you
8 coming here and listening to us today. I think you've
9 gotten a feeling for where we come from. I'm opposed to
10 redistricting.

11 One reason - and Senator Wentworth
12 addressed this - is the cost. Where we get our cost is
13 out of the media, one point seven. And I know you just
14 went through a strenuous session down there, but
15 education should be a very -- priority to everybody, our
16 children's education. Medicare, Medicaid for our
17 elderly. And don't take it personal. I'm an elderly,
18 but that's not who I'm referring to. But really I think
19 we've got our priorities wrong when we're spending money
20 right here and our children's education is being cut like
21 it is, and their -- And, also, the medical for our
22 children.

23 And I -- I've had a call from Senator
24 DeLay to my house -- one of his staff members; and I kind
25 of took exception to that, because, you know, he has a

1 district just like y'all have a district. And I think he
2 should be representing his district more so than he is me
3 out in West Texas. That's a personal thought of my own.

4 But again -- And Senator Wentworth, I
5 certainly -- I didn't know that you had introduced this a
6 few years ago to have a bipartisan -- I really don't know
7 how you could have a bipartisan all of the way, but I
8 think that's a wonderful idea, to have someone -- And
9 this is no reflection on you people here, but have
10 someone that doesn't have as much of an interest in
11 redistricting as some of you do.

12 And by the way, Senator Duncan, I don't
13 vote Democrat. I don't vote Republican; but I voted for
14 you when you were my representative until the
15 redistricting come along, and you've done a good job for
16 us. All of you have. I admire you for doing -- standing
17 up for what you believe; but there is something going on
18 right now that I don't approve of because I'm a taxpayer,
19 and I think my tax money is being spent frivolously
20 unnecessarily.

21 That's my personal opinion. Thank you
22 very much.

23 SENATOR DUNCAN: Thanks, Myrl.

24 MR. MITCHELL: Any questions?

25 SENATOR DUNCAN: Two votes, Jeff.

1 Jeff is going to pick up enough votes here
2 to --

3 Any questions of Mr. Mitchell?

4 Thanks, Myrl. Good to see you.

5 SENATOR WENTWORTH: Mr. Chairman, could I
6 just say a couple of quick things?

7 SENATOR DUNCAN: Yes. Quick.

8 SENATOR WENTWORTH: Let me just
9 respectfully say that for those of you that are concerned
10 about the cost -- I know some of you are not going to
11 want to hear this, but it's a fact and you need to factor
12 it into what you're saying. The only reason we are here
13 in a special session is because we couldn't get it done
14 in the regular session because the quorum was broken in
15 the House of Representatives. If the House had acted, we
16 would have had -- Congressional redistricting would have
17 been taken care of by the time we adjourned, and we
18 wouldn't have to be here. That's number one.

19 Number two, to answer the question about
20 how do you have a bipartisan citizens commission, the
21 bill that I've introduced for ten years now, starting in
22 1993 -- We cannot take partisanship out of redistricting.
23 They are one and the same; but what you do under my plan,
24 and twelve or fifteen other states have a variation of
25 this. It would allow the Republicans in the Texas Senate

1 to select two citizens; and the Democrats, Senator West
2 and his colleagues, would pick two citizens. Republicans
3 in the House would pick two and Democrats in the House
4 would pick two. So you would have a total of eight.
5 Four would be Republicans and four would be Democrats,
6 and it takes a majority vote to pass any plan. So it
7 requires folks coming to the table and compromising and
8 coming up with a fair plan.

9 This works. It worked two years ago when
10 I chaired the Senate redistricting committee. I had a
11 committee made up of four Republicans and four Democrats.
12 We sat down together and drew a plan for the Texas Senate
13 statewide that passed that committee seven to one. So it
14 does work.

15 SENATOR WEST: Mr. Chairman?

16 SENATOR DUNCAN: Senator West, briefly.

17 SENATOR WEST: I take exception to my good
18 friend, Jeff Wentworth's characterization as to why we're
19 here today. We're here because the governor called a
20 special session and put redistricting as a call. That's
21 why we're here today.

22 So I mean some would take exception with
23 what the Democrats did, and that's fine. Take exception.
24 I support the governor's right to call a special session,
25 even though I disagree with what he called -- I mean the

1 reason for calling it.

2 Let's make sure that the record is clear.
3 We're not here because the Democrats left. We're here
4 because the governor called a special session and put
5 redistricting as a special call.

6 SENATOR DUNCAN: And we're also here to
7 hear the people who came here to testify.

8 SENATOR WEST: Exactly.

9 SENATOR DUNCAN: And I appreciate -- But
10 I do appreciate your comments, and I think it's important
11 that we keep all things in perspective.

12 The Chair calls Allan Lange. On deck will
13 be Wes Sims.

14 Mr. Lange, would you approach. State your
15 name and who you represent.

16 MR. LANGE: Thank you, Mr. Chairman,
17 Members. My name is Allan Lange. I am general manager
18 of Lipan-Kickapoo Water District, but today I'm
19 representing myself.

20 I just want to go on record --

21 SENATOR WENTWORTH: His mike's not
22 working. It's not on, no, sir.

23 SENATOR DUNCAN: You might check and
24 see -- Myrl, did you cut it off?

25 MR. LANGE: Can you hear me now?

1 SENATOR WEST: Yes, sir.

2 MR. LANGE: I'll start again. My name is
3 Allan Lange. I am the general manager of Lipan-Kickapoo
4 Water Conservation District. I am here today
5 representing myself on these issues.

6 I am against redistricting, and everything
7 has pretty well been told today. I have some written
8 stuff, so I'll just give you the written stuff; but I do
9 want to just point out a couple things.

10 One of the things, I guess, that concerns
11 me most of all is, again, dealing with rural Texas. Any
12 redistricting at this time, to me, would dilute the
13 rural voice in Texas. And it appears that the way with
14 Sen -- with DeLay and all of the rest of these that we're
15 trying to get rid of Democrats no matter what the cost.
16 Understand that I am not a Democrat or a Republican.
17 I've always voted who I wanted to vote for. When I was
18 in college I thought I was a moderate; but I am very
19 muchly a rural conservative independent and, as such, I
20 don't believe that we need to be doing this at this time.

21 The other thing is the proposed
22 redistricting would put this area in with Midland and
23 Odessa - and that's been said before - rather than with
24 Abilene; and this, to me, is obviously a way to get rid
25 of Representative Charlie Stenholm, who is a Democrat.

1 And, to me, that would be a tremendous loss for rural
2 West Texas or rural Texas as a whole. And since he is
3 chairman of the Agriculture Committee, he has a lot of
4 influence over the programs that affect a lot of us, and
5 so because of that we need to keep redistricting or -- to
6 me, just kill it.

7 As far as -- My recommendations to you,
8 would be as first: Just put an end to the redistricting
9 process. My understanding of the process is that a
10 two-thirds -- It takes two-thirds of the Senate to not
11 vote on it, to kill it or whatever. Well, do those
12 things.

13 And I do have here a secondly. I looked
14 at Senator Wentworth's stuff and I said, well, you know,
15 take a look at his proposal submitted by him; and I am in
16 favor of those things. And try to fix the process rather
17 than having a constant Republican versus Democratic bash
18 at the expense of the people of Texas.

19 And, thirdly, is remember that agriculture
20 is an integral part of the economy of Texas. And even
21 though the population is diminishing in rural Texas, any
22 redistricting must protect this declining population so
23 that we all have a voice in Texas.

24 And again, I would urge you to stop this
25 redistricting process, and let's work together on things

1 that will help this great state and get us through the
2 budget shortfalls that we currently have.

3 And that's all I have. Thank you.

4 SENATOR DUNCAN: Thank you, Allan.

5 Members, any questions?

6 All right. Thank you.

7 The Chair has a card from Scott Holland,
8 who does not wish to testify, but would like to register
9 a position against redistricting.

10 Chair calls Wes Sims. On deck is Paige
11 Eiland.

12 Mr. Sims, approach and state your name and
13 who you represent.

14 MR. SIMS: My name is Wes Sims, and I
15 currently serve as the president of Texas Farmers' Union.
16 It's a family farm and ranch organization. We've been
17 around for more than a hundred years, National Farmers'
18 Union and many farmers' unions in many nations of the
19 world came after. Farmers' Union was founded in Point,
20 Texas, sixty miles east of Dallas, Texas, one hundred and
21 one years ago.

22 SENATOR WEST: His went out, also.

23 MR. SIMS: Senator, do I need to start
24 over again or something?

25 SENATOR DUNCAN: No, that's fine.

1 MR. SIMS: I live in the 17th District,
2 fifteen miles east of Sweetwater. My wife and I have
3 been married forty-eight and a half years, and we are a
4 lifetime farmer and ranching family. She and the
5 daughter-in-laws also run a couple of retail stores on
6 the courthouse square in downtown Sweetwater.

7 I would like to express my appreciation
8 to Senator Duncan and the rest of the committee on
9 redistricting for this opportunity to share some of my
10 thoughts about redistricting during this special session
11 called by Governor Perry in the coming weeks.

12 Why would Governor Perry, after stating
13 publicly several times that he would not call a
14 redistricting special session, go against his own word?
15 The governor himself forced redistricting in the courts
16 by refusing to call a special session in 2001. A federal
17 panel who took weeks of expert testimony -- They reached
18 a unanimous decision and then created the current map.
19 Most Republicans at that time praised the map, and
20 rightly so. They won. Their statewide candidates won
21 twenty of the thirty-two districts. Why would Governor
22 Perry spend two -- upwards of two million dollars and
23 probably much more of hard-working, taxpaying Texans'
24 money on this special session? Could it be to satisfy
25 the self-serving interests of one big city, Washington,

1 D.C., politician?

2 In my lifetime I truly do not remember
3 any state redistricting during the middle of the decade
4 unless it was court ordered. Any assault on the few
5 remaining rural districts is a direct attack on rural
6 representation as well as our rural communities in these
7 districts. There are no overwhelming population centers,
8 and every county in every community commands the
9 attention and respect of anyone seeking to represent
10 them.

11 The 17th District has always been a
12 basically rural, multi-county district where every
13 constituent counts. Any effort to change the 17th
14 District just to disadvantage Charlie Stenholm would be
15 doing a terrible disservice to the State of Texas. It is
16 clearly in the best interest of Texas to have a
17 conservative Democrat with over twenty years' seniority
18 in a position of strength in his party leadership.

19 Texans should keep in mind that our nation
20 is pretty evenly divided and that political gravity is
21 likely to shift frequently for the foreseeable future.
22 Charlie is in a position to help Texas. He stays in
23 Congress because he both votes and he helps his district.
24 His tenure should be decided by the voters of his
25 district, not a map drawer with the narrow self-interest

1 of one big city politician in mind.

2 In conclusion, I would like to say again
3 that I really appreciate everyone that had a part in
4 making this hearing today possible.

5 SENATOR DUNCAN: Thank you, Wes.

6 Members, any questions of Mr. Sims?

7 The chair calls Paige Eiland.

8 Members, Mr. Eiland is famous because his
9 son happens to be Craig Eiland, who you may know.

10 Mr. Eiland, state your --

11 MR. EILAND: You know him because he went
12 to Ardmore, Oklahoma.

13 But that's not the reason we are having
14 this meeting today, because if they had taken care of
15 Texas business and forgot about redistricting we wouldn't
16 have been here today.

17 But I'm here today in opposition to
18 redistricting. I think it's a waste of time and money,
19 and I don't want to see it done. I would like to see
20 y'all kill it.

21 I've got some of the things that I could
22 say that go before, but I -- I have never voted a
23 straight ticket in my life. I voted for Senator Duncan
24 when I had the opportunity. Stanton is the home of three
25 thousand friendly people and a few old soreheads, and

1 Martin County has got five thousand, so they can shift us
2 about anywhere they want to without it doing a whole lot
3 of damage anywhere, and -- But it does us damage, because
4 we used to be in -- We've got the opportunity now of --
5 not the opportunity, but the distinct probability if
6 another redistricting is done, especially the way the
7 House version shows, that we will have four
8 representatives in three years or -- Somebody said two
9 years and two days. But a very short time. We had
10 Stenholm and then we had Combest. He resigned. We got
11 Neugebauer; and now if we have another one, well, we'll
12 get another one.

13 We are in with Howard County, Martin
14 County and Dawson and those counties up to the north that
15 are more agriculture than what Midland and Odessa are;
16 and I think this redistricting is strictly to get rid of
17 Charlie Stenholm and some others. I think that's Mr.
18 DeLay's plan, and I don't think -- I think Charlie
19 Stenholm has done a good job and a very conservative
20 member of Congress; and he has been very vital to the
21 agriculture community of West Texas and all of Texas, for
22 that matter.

23 I think if -- We need Charlie Stenholm,
24 and I don't think we need redistricting of this district
25 or any district. I just don't think it needs to be done;

1 but if it's done, I think Charlie Stenholm's district
2 certainly needs to be kept like it is at the current time
3 or maybe help him out a little more and cut out some of
4 those Republican districts in his part.

5 I think it's been gerrymandered where they
6 think if they -- They didn't get him this last two years
7 with redistricting, and I think they gerrymandered it on
8 the new House map where they think they are sure of
9 getting rid of him. I just don't think that needs to be
10 done.

11 SENATOR DUNCAN: Thank you, Mr. Eiland.

12 Any questions for Mr. Eiland?

13 Good to see you.

14 The Chair calls Mary Hatfield, and on deck
15 would be David Ryan.

16 Mary, if you'll approach and state your
17 name and who you represent.

18 MS. HATFIELD: My name is Mary Hatfield.

19 I am the committeewoman for Senate District 28 for this
20 state Democratic party.

21 And I just can't help but say that I -- I,
22 too, am shocked by this special session to deal with
23 redistricting when there are kids without health
24 insurance and textbooks, and when my university, Texas
25 Tech University, is looking at a great chop in their

1 funds for excellence. And -- You know, research at a
2 university like that, it just stops it cold.

3 So this feels like a slap in the face, and
4 especially since redistricting is a done deal. The
5 procedure was followed. It went to the courts. Why do
6 we need to do that again then if all the procedures were
7 properly followed?

8 But the special session is a fact, and so
9 I -- I am glad we had this opportunity to engage in civic
10 discourse and express our concerns. And my concern is
11 about the Democratic process.

12 It concerns me that rural West Texas
13 counties will be put together with suburban counties and
14 the voices of West Texas will be marginalized when we
15 represent, as people have pointed out, a huge -- a hugely
16 important economic sector to this state.

17 So I'm asking you to please not let us
18 be -- end up as roadkill on the I-35 corridor.

19 And I would also like to say that West
20 Texans need to be represented by West Texans. But also
21 the logic of redistricting, how wise can it be? Does the
22 next legislature get to redistrict, too, and do things
23 their way? I think it reminds me of that saying, "Be
24 careful what you ask for, you may get it."

25 And if I were in charge of redistricting -

1 and if y'all want me to, I will - I would divide the
2 areas according to media markets. The FCC must go along
3 with certain population densities, also, and that could
4 be a guideline. Plus, it would reduce the amount of
5 money that is needed. As a person who raises funds as
6 hard as I can for the Democratic party, I'm aware of how
7 much it costs when you have to hit three or four media
8 markets as Senate District 28 with forty-seven counties
9 must do.

10 So I -- But I do support the redistricting
11 procedure that's supported by the League of Women Voters
12 and the common cause; and, of course, that is Senator
13 Wentworth's work, and I encourage him to continue in his
14 efforts.

15 Thank you very much.

16 SENATOR DUNCAN: Thank you, Ms. Hatfield.

17 Any questions of Ms. Hatfield?

18 Thank you.

19 The Chair calls David Ryan.

20 While Mr. Ryan is approaching I do have a
21 card from Betty Andrews of San Angelo, Texas, who does
22 not wish to testify, but would like to register a
23 position against.

24 I have a card from Sid Long of Southern
25 Rolling Plains Cotton Growers, Robert Lee, Texas, who

1 would like to -- who does not wish to testify, but would
2 like to state a position against redistricting.

3 I have a card from Nora Stinson and Leon
4 Stinson, who do not wish to testify, but would like to
5 register a position against redistricting.

6 Thank you for registering your positions.

7 Ms. Hat -- I'm sorry. David Ryan, would
8 you please state your name and who you represent.

9 Mr. Steve Williams is on deck.

10 MR. RYAN: I'm David Ryan. I was once a
11 County Commissioner here in Tom Green County. Twelve
12 years ago I retired. I've been out for twelve years, and
13 I want to tell you folks you've got something to look
14 forward to. There is life after politics. Believe me,
15 it's good.

16 I would like to take a little -- I don't
17 believe -- You said something about these folks having
18 gone up to Oklahoma and everything. If those folks
19 hadn't gone up to Oklahoma, we would have Tom DeLay's
20 redistricting and that would be a tragedy for the State
21 of Texas.

22 I won't say the obvious things, that it's
23 unfair and unnecessary, why the five Democratic
24 candidates won in Republican districts. The Democratic
25 candidates were obviously very conservative and suited

1 the feelings of their districts. If anybody -- I mean to
2 try to get somebody more conservative than Charlie
3 Stenholm you would have to vote for Atilla the Hun, for
4 crying out loud.

5 So -- I mean let's look at it this way:
6 They were conservative Democrats that won, and they won
7 fairly, and now they are trying to get rid of them. The
8 opposition for these candidates was so far to the right
9 the electorate didn't feel comfortable with them, and
10 that's why they lost. The results of DeLay's
11 redistricting would be a bunch of Republican congressmen
12 representing the most radical, far right, religious
13 conservatives that even Texas wouldn't feel comfortable
14 with.

15 To say that these people would better
16 represent minorities is ridiculous. I mean how would you
17 like to think -- to have five more little Tom DeLays up
18 there in Congress representing you minorities? I'll
19 tell you, if you think that's good, it won't be.

20 Okay. The communities of interest is the
21 next thing we have to get into. We have no interest in
22 moving us to Waco and Temple and away from Abilene.
23 That's one of the maps that was put out. The other one
24 was Odessa and Midland. Now, I lived in Midland up
25 until -- Thirty-seven years ago I moved to San Angelo.

1 We have absolutely no community of interest with Midland.
2 I'll guarantee you that, and I lived there for quite a
3 while. Just know, if you are not in the oil business up
4 there they could care less about you.

5 We are ranchers and farmers and
6 businessmen, small businessmen; and that's who we want to
7 be with. Abilene, we get along with them great. We got
8 along great with Big Spring. We get along great with
9 anybody that believes like we do.

10 Now, I don't know what's going to happen
11 out of this, but that one point seven million is --
12 That's a low ball figure, and you know it, because this
13 will go on a long time, and it will go into the courts
14 after that, and it's going to cost the state a whole
15 bunch. And then it will go to the Supreme Court, and
16 it's going to cost the state a bunch after that. So this
17 is just a downpayment, one point seven.

18 Thank you, Gentlemen.

19 SENATOR DUNCAN: Thank you, Mr. Ryan.

20 Chair calls Steve Williams.

21 Mr. Williams, state your name and who you
22 represent and -- Okay. Linda Shoemaker is on deck.

23 MR. WILLIAMS: I'm Steve Williams. I live
24 west of Eldorado. I'm a farmer. I also do some
25 ranching. I represent myself, although I've served on

1 probably a dozen different boards and committees in my
2 life and probably chairman of more than half of those. I
3 think I have a good feel for the people in my area.

4 I think I would like to start out by
5 saying that I was never any more proud of our
6 country -- Some people said we would have a revolution
7 when the Supreme Court decided who would be the president
8 of the United States, and it didn't happen. It happened
9 in Texas.

10 And I think -- I am a strong independent.
11 I take serious issue with anybody that would call me a
12 Republican or Democrat. I am most happy when one house
13 of both our national and our state level is controlled
14 by -- one by Democrat and one by Republican, because I
15 think we have a balance. When we don't have a balance we
16 have issues like this come to the front, which are
17 partisan. They are poison. They keep people from
18 voting. We have severe voter apathy in this country, and
19 it's because, I think, they don't feel like it matters
20 because y'all gerrymand things into place.

21 I would like to say that, Senator Duncan,
22 I voted for you. I think -- I voted for you because I
23 think you represent -- I talked with you before the
24 election, and I think you represented my feelings.

25 When Senator Wentworth was a

1 representative in Schleicher County, even though he is a
2 big city man, I think that he made an effort to
3 understand our issues in West Texas and I applaud him for
4 that. I also applaud him for what he is trying to do to
5 alleviate this mess, because it is a mess. It's
6 divisive. Serves no useful purpose in my point of view.

7 That's basically all I have to say, and I
8 thank you very much for your time. I appreciate, Senator
9 Duncan, you having this meeting here. Thank you for your
10 time.

11 SENATOR DUNCAN: Thank you, Mr. Williams.
12 Appreciate -- Good to see you here.

13 Ms. Shoemaker, would you approach -- And
14 while you are coming forward, I have a card -- The Chair
15 has a card from Gerald Sandusky, who does not wish to
16 testify, but would like to register against redistricting
17 generally.

18 We have Karen Magers who does not wish to
19 testify, but would like -- from El Paso, Texas.

20 Mr. Sandusky is from Bronte. Ms. Magers
21 is from El Paso, Texas.

22 Would like to register a position against
23 redistricting.

24 Ms. Shoemaker, would you state your name
25 and who you represent.

1 And then on deck we will have -- I think
2 we will have Ann Ricker, if she chooses to testify. We
3 can't tell.

4 Ms. Ricker, do you wish to testify?

5 MS. RICKER: Yes.

6 SENATOR DUNCAN: You do? Well, then
7 you're on deck.

8 All right. Thank you.

9 Linda, go ahead.

10 MS. SHOEMAKER: My name is Linda
11 Shoemaker, and I'm a retired rural prosecutor living back
12 in San Angelo now. For many years I've chaired the ag
13 caucus for the Texas Democratic Party, and we've now
14 merged the ag caucus and the nonurban caucus, and I am
15 vice-president of that merged caucus. And with that
16 position I serve on the state Democratic executive
17 committee. I'm also president of the Tom Green County
18 Democratic Club; and I would have brought my yellow dog
19 in with me, but they made me leave him at the door.

20 However, I -- So I'm a very partisan
21 person. I'm going to ask some of you today to think
22 about being independent-minded voters.

23 One of the things I wanted to thank
24 Senator Duncan for -- And I do know that he, out of
25 Lubbock, has worked very hard to represent the rural

1 counties that are in his Senate district. I am also a
2 mediator now for the Texas Rural Mediation Services, and
3 we have a center that's at the South Plains Association
4 of Governments in Lubbock; and that was due to the
5 efforts of Congressman Combest, Governor Bush and, also,
6 to Senator Duncan. And we appreciate that, and we are
7 mediating USDA cases.

8 And as a rural advocate, I will tell you
9 that I like our congressional district the way it is and
10 I would like for you to just leave us alone. I ask you
11 to vote, "no."

12 Our member of Congress, as you know, is
13 the ranking Democrat on the ag committee. How long would
14 it take a novice congressman to develop the kind of
15 stature and prestige that Charlie Stenholm has obtained?
16 And I have to say that, you know, Charlie has made me so
17 mad so many times, because I'm a very partisan Democrat.
18 It's just like with Rob Junell, you know. We got mad at
19 him, too.

20 Well, one of the things that sort of
21 frustrates me about them would also be a feature that I
22 respect them for, maybe grudgingly. You know, they are
23 strong-minded individuals. Charlie Stenholm does not try
24 to talk out of both sides of his mouth. If he can't go
25 along with you on an idea that you have, you're going to

1 know immediately; and Rob Junell was the same way. And I
2 think, you know, as a Texas voter and particularly as a
3 West Texas voter, that's the kind of independence that we
4 really do appreciate.

5 Let's see. I wanted to say, too, that I'm
6 a graduate of the Texas Tech Law School, and I for
7 seventeen years was married to a farmer in Yoakum County
8 and Senator Duncan and I disagreed about the bollweevil
9 program, and both of us were working very hard for our
10 respective positions. But I still have friends in
11 Lubbock who e-mail me articles from the Lubbock Avalanche
12 Journal. I know that Senator Duncan was very angry about
13 the legislative redistricting board and what they did to
14 the rural counties of Texas.

15 And so -- I also know that Senator Duncan
16 was an aide for Senator John Montfort, and I have to say
17 that John Montfort is my most beloved Senator and he
18 always will be. I was a law clerk in his office when I
19 was a student at Texas Tech.

20 And let me ask you folks: What do you
21 think John Montfort would say to Tom DeLay today? You
22 know, I mean how dare this man try to come tell us what
23 we have to do?

24 SENATOR WEST: Are you talking about
25 today?

1 MS. SHOEMAKER: Can we say it in public?

2 And I think that -- Senator Duncan, that
3 you are the same kind of person. I know many of the rest
4 of you are.

5 Senator Harris, you -- Yes. Senator
6 Harris, you said that we were here today -- You wanted to
7 hear what our concerns were and that that's what you-all
8 should be about in the Senate.

9 And I think for Senator Wentworth to say
10 that we are here today because the Democrats went to
11 Oklahoma is presupposing that he knows exactly what the
12 Senate would have done. My understanding is
13 redistricting probably wouldn't have been successful in
14 the Senate.

15 And, you know, some guy earlier said
16 something about chump change, and you're saying it's not
17 going to be one point seven million. It's only fifty-six
18 thousand dollars a day we're spending on this special
19 session.

20 There was a story in the San Angelo
21 Standard Times this weekend about a couple who have two
22 of their own children and they wanted to adopt additional
23 children, and the state agency responsible for adoptions
24 has exhausted its budget and all adoptions in the state
25 are put on hold. Now, I think that's significant.

1 I'm also a former teacher, and I care
2 about senior citizens and the CHIPS program. And how can
3 anybody say that this special session is not costing very
4 much because it's only a small percentage of the total
5 budget? You have cut services to senior citizens. Our
6 state school here, I think, was in jeopardy.

7 You know, please be responsible people and
8 look Tom DeLay in the face and say, you know, "How many
9 times can George Bush win Texas?" "How many times can
10 the right-wing agenda pass?"

11 And I'm really surprised at Senator
12 Wentworth, who has been targeted by those people.

13 And I understand my little sound has gone
14 off, but I did bring this with me. In case you have any
15 question about my position, vote "no," "no," "no."

16 Thank you very much.

17 SENATOR DUNCAN: Thank you, Linda. Good
18 to hear from you.

19 SENATOR WENTWORTH: Mr. Chairman, if I
20 could just briefly --

21 SENATOR DUNCAN: Senator Wentworth --

22 SENATOR WENTWORTH: -- respond.

23 I graduated from Texas Tech Law School,
24 and I actually was a reporter for one of those years for
25 the Avalanche Journal, so I appreciate your continuing to

1 get copies of their stories.

2 I didn't presume that the Senate was going
3 to adopt the DeLay plan. As a matter of fact, my -- We
4 will never know, because the legislature adjourned
5 without actually acting on redistricting, but it was --
6 It's my judgment -- And there may be others on the panel
7 that would disagree with me; But it's my judgment that
8 probably the Senate would have taken the same attitude on
9 redistricting that we did on tort reform, and that was to
10 moderate what the House --

11 SENATOR HARRIS: Mr. Chairman, we are here
12 for the committee meeting of the members to listen to the
13 people of West Texas. Mr. Chairman -- And I think it's
14 time the committee was allowed to listen.

15 SENATOR WENTWORTH: Mr. Chairman, if I may
16 respectfully say, I was responding to my being personally
17 talked to in several instances by the last witness.

18 SENATOR HARRIS: Well, you brought up
19 several personal --

20 SENATOR DUNCAN: Wait. Wait. Wait.
21 We'll go ahead and move forward. We do have a lot of
22 cards.

23 And I appreciate your response, Senator
24 Wentworth. We have a number of cards.

25 I want to hear from some folks from

1 Midland. On deck we have now Ann Ricker.

2 Ms. Ricker, would you approach?

3 And on deck we have Mike Canon of Midland
4 and, following that, John Breier of Midland as well.

5 Ann, would you state your name and --

6 MS. RICKER: My name is Ann Ricker, and
7 I'll make this short and sweet.

8 When I was in college I understood that
9 the representatives of Congress were the servants of the
10 people. I would like to ask when they became the owners
11 of the people's majority opinion and that the majority
12 opinion doesn't seem to carry the weight it used to.
13 That even filters down to Washington, I believe.

14 But I would like to say I appreciate -- I
15 believe it was Senator Harris in the opening remarks
16 saying that the views here should be -- should be
17 considered, and I think your show of hands indicated
18 maybe six that were in favor of redistricting and
19 certainly the far majority is against it. And instead of
20 voters selecting representatives, it seems to be a system
21 where the representatives are selecting voters.

22 Thank you very much.

23 SENATOR DUNCAN: Thank you, Ms. Ricker.

24 The Chair calls Mike Canon. On deck would
25 be John Breier.

1 Mr. Canon, would you approach, state your
2 name and who you represent.

3 MR. CANON: Good afternoon. My name is
4 Mike Canon. I'm the mayor of Midland, and I appreciate
5 the opportunity to be here. I also appreciate the time
6 that y'all are taking out of your busy schedules.

7 Senator Duncan, I'm an attorney myself and
8 I understand what it's like to have to set aside time,
9 and I know that this puts a crimp in your schedule as it
10 does everybody else.

11 I'll try to make my comments brief. As I
12 said, I'm the mayor of Midland. We've worked hard at
13 establishing good relationships with the city of Odessa
14 and outlying communities. In that area there are roughly
15 two hundred and twenty-five thousand plus people. I
16 would like to think that I represent a good portion of
17 those people. We are here today recognizing that the
18 object in your efforts is to seek representation that
19 fairly represents and reflects Texas and the voters of
20 Texas.

21 One of the questions that was asked
22 earlier - I believe Senator West asked - was am I for or
23 am I against redistricting? Being an attorney, I'm going
24 to say my answer is that it all depends. The reason why
25 it all depends is because if what we're talking about is

1 taking us back to the 1990s when Midland was represented
2 by three congressmen, which most often seemed like we
3 were represented by no congressman at all, then I'm
4 against that.

5 We -- Those guys worked hard and they
6 tried to represent us, but we didn't know who to go to
7 and we didn't really get a lot of help during those
8 years.

9 As I said, we are a fairly large
10 metropolitan area. We do have over two hundred and
11 twenty-five thousand people in our two communities.
12 Under the court-ordered redistricting we now have one
13 congressman; and that's a whole lot better than having
14 three, because we at least know who is answerable to us.

15 But with all due respect, Senator Duncan,
16 he is from Lubbock, and although I think the world of
17 Congressman Neugebauer, I'm not sure that our interests
18 are totally consistent with those of Lubbock's; and
19 because of that, I think that Midland and Odessa, as a
20 major economic center for West Texas, needs to be looked
21 at in that context. I think that if you do look at
22 Midland-Odessa in that context that you will give us a
23 fair shot at having a representative from that area.

24 I know that ultimately what you are trying
25 to do is to select or to redistrict in a manner that

1 fairly represents all of Texas, and I am confident that
2 when you do that that you will take into consideration
3 West Texas and the interests of West Texas; and I
4 appreciate the opportunity to be here, and I'll answer
5 any questions you might have.

6 SENATOR DUNCAN: Thank you, Mike. I
7 appreciate your coming up. I know you've always
8 approached things well. I think we've had a couple
9 things together before -- at least by telephone anyway.

10 One question -- A couple of things I
11 wanted to ask you. If Lubbock is not in your community
12 of interest, what other West Texas larger community would
13 be in your community of interest?

14 MR. CANON: Well, that's a good question,
15 and I -- You know -- Well, Lubbock is a lot more
16 agricultural -- agricultural than we are. We are
17 really -- Obviously we are more oil and gas than we are
18 anything else. I would say the next thing that we are
19 is -- We are trying to move into an -- into an economy
20 that is multi-dimensional, and -- And I would say that
21 ranching is a significant interest in our area still.
22 We've got a lot of large ranching families. I think that
23 people that represent our area have to attend to the
24 interests of ranchers and, to some extent, to the
25 interests of farmers.

1 I think that we would be -- We would be
2 more than happy to have San Angelo in our district. We
3 would be happy to have Big Spring in our district; and,
4 you know, quite franklly, I think Abilene has a lot of
5 consistent interests with us, too. So, I think that --

6 SENATOR DUNCAN: Why would they be more
7 consistent than Lubbock?

8 MR. CANON: I think that -- Once again --
9 You know, I guess for one thing, I just -- I know more
10 people in Abilene. I feel -- And to be honest with you,
11 I feel more at a par with Abilene.

12 Lubbock has -- Lubbock has always been --
13 They are the big boy, and we don't have an opportunity,
14 really, to have our say-so. And I feel like there are
15 some communities in West Texas where we can -- the
16 playing field is a little bit more level. And that's
17 just being honest with you.

18 SENATOR DUNCAN: The last race came down
19 to Neugebauer versus Conaway. What was the margin?

20 MR. CANON: The margin? The margin was
21 about five hundred votes.

22 And if Big Spring had voted the other way,
23 Conaway would have won.

24 SENATOR DUNCAN: A lot of folks said the
25 road to Congress ran through Big Spring.

1 MR. CANON: Yeah, that's right.

2 I don't know. I mean, you know, I think
3 you can -- You can argue one way or the other.

4 I mean I've got kids that go to Tech right
5 now. I love Lubbock. I was born in Lubbock. I've got a
6 lot of good friends up there. I just feel like we're
7 just far enough apart that we've got -- We've got
8 different areas of interest; and, you know, maybe it's
9 because I know more people in Abilene and I know more
10 people in these other counties.

11 SENATOR DUNCAN: Thank you, Mike.

12 Any questions for Mr. Canon?

13 Senator West?

14 MR. CANON: Yes, Senator West?

15 SENATOR WEST: Just one question. Midland
16 and Odessa are in the same congressional district, or are
17 they in a different one?

18 MR. CANON: We are now.

19 SENATOR WEST: Okay. I thought I heard
20 earlier that -- Some of the persons that have testified
21 here today did not want to be in the same congressional
22 district with Midland.

23 MR. CANON: Right.

24 I think there is more than one community
25 that would not want to be in Midland's district.

1 SENATOR WEST: But what I'm hearing --

2 MR. CANON: I'm sorry about that. We are
3 really -- You know, we're really not bad people.

4 SENATOR DUNCAN: Are you going to ask for
5 a vote?

6 SENATOR WEST: I won't ask them to stand
7 up for that one.

8 So the question is: As a community of
9 interest, you're saying that there is more of a community
10 of interest between Midland -- And certain persons that
11 have testified here today like in San Angelo and other
12 portions of the current district --

13 MR. CANON: Well, I guess, you know,
14 strictly from a geographic standpoint -- Well, I didn't
15 mean -- Go ahead.

16 SENATOR WEST: No. Go ahead.

17 MR. CANON: Well, I was going to say, from
18 a geographic standpoint, we are a whole lot closer to San
19 Angelo than San Angelo is to Lubbock. Abilene,
20 probably -- Well, we are a hundred fifty miles from
21 Abilene, and Abilene is a hundred eighty miles from
22 Lubbock.

23 So -- Now, Abilene is just up and down the
24 interstate. I think that Abilene probably has a number
25 of interests that are consistent with ours.

1 You know, I -- You are going to find that
2 in every community, though, so --

3 SENATOR WEST: So your position on
4 redistricting is?

5 MR. CANON: My position is that we don't
6 like it the way it was. We're better with it the way it
7 is now; but we still would like an opportunity to, you
8 know, have our economic center recognized as a primary
9 economic center in West Texas, and right now it's not,
10 because we are coupled with Lubbock.

11 And there is a difference between --
12 between the high plains and the part of West Texas that
13 we're in, and we think that if we had our own congressman
14 we would have an opportunity to have those interests
15 represented.

16 And quite frankly, the interests down to
17 the south -- and I'm talking about -- I'm talking about
18 as you go down -- and I'm looking up at the map right
19 now. Including Tom Green County and the counties down in
20 the southern part of Texas toward the border, have
21 interests that are more consistent with ours than we do
22 with Lubbock.

23 SENATOR WEST: Thank you.

24 MR. CANON: Okay.

25 SENATOR DUNCAN: Thank you, Mike. Good to

1 see you.

2 Chair calls David (sic) Breier, and on
3 deck we'll have David Read.

4 MR. BREIER: Good afternoon. My name is
5 John Breier. I am the president of the Midland Chamber
6 of Commerce, and I appreciate the opportunity to be here
7 and appreciate the time that y'all spent. I'll be short.
8 The mayor was very succinct in what he said about our
9 desires.

10 I represent and speak for the Midland
11 Chamber. Our position is that we think -- We are glad to
12 see the legislature retake up its role as designating
13 what the district should look like in the state. We
14 think that -- and realize that there are a number of
15 different maps that are out there that are being
16 suggested. We simply believe that the economic and
17 cultural interests of our area will be best served if, in
18 fact, Midland and Odessa are kept together. That's
19 probably one of our major focuses.

20 Of course, the major focus of the Chamber
21 of Commerce is on economic development, and when we take
22 a look at those two communities that are in two separate
23 counties -- We have recently been working very, very
24 closely together, and that always wasn't the case. We
25 now understand, I believe, that economies do not

1 understand political boundaries, and we have to work
2 together as an economic center. We are starting to do
3 that, and we think that by having redistricting and
4 taking a hard look at that and -- Our desire is to be
5 together in one district. It will benefit not only our
6 area, but the whole State of Texas.

7 We also understand this is a difficult
8 project to look at. We understand that there are many
9 people that are friends that have different ideas on what
10 districts they want to be at, and those things are being
11 voiced here today and those things need to be considered.
12 I have a lot of very, very dear friends that are sitting
13 behind me from Abilene that I think the world of, and
14 their needs need to be listened to, also. So we support
15 the redistricting effort. We want to be together in one
16 congressional district, and we think it makes imminent
17 sense to do that.

18 Are there any questions?

19 SENATOR DUNCAN: Members, any questions of
20 John Breier?

21 Thank you, John. Good to see you.

22 David Read.

23 On deck will be Dr. Hassan from Winters,
24 Texas.

25 David, how are you?

1 State your name and who you represent.

2 MR. READ: My name is David Read, and I
3 represent myself. I am a local attorney here in San
4 Angelo. I farm in Dawson County.

5 You know, to me we've missed the whole
6 point. This is not about Charlie Stenholm, and it's not
7 about Tom DeLay. It's about the legislature, our
8 representative government's failure to act. Not this
9 session, last session.

10 You see, we don't have representative
11 government in this unless you act on redistricting. You
12 may come up with about what we've got, but you're
13 answerable to the people and the three-judge court isn't.
14 By abrogating their responsibilities, particularly in the
15 House two years ago, it ensured the court action that we
16 got.

17 I've faced your problems. I'm a former
18 member of the House. We had it tough, too. 57th Session
19 of the legislature we had redistricting, and we got it
20 done. We also had schools that weren't opening, and
21 after three special sessions we passed the first sales
22 tax. Did it hurt? It hurt. A lot of people got beat
23 because of it. But people stood up and did what was
24 right for this state.

25 I want representative government. I want

1 to see y'all act. Even if you don't come up with much
2 more than what we've got, then we can turn to you and we
3 can vote you out of office; but we can't do anything
4 about the three-judge court, and we shouldn't be
5 concerned with Tom DeLay's deal and the way his
6 gerrymandering would be. You men and the women of the
7 Senate and the men and women of the House, if you'll
8 take your responsibility seriously you can and you will
9 come up with something that the people will live with and
10 be proud of.

11 Thank you.

12 SENATOR DUNCAN: Thank you, David. Good
13 to see you.

14 What years -- What was your last year?
15 When did you last serve?

16 MR. READ: Sales tax beat me.

17 SENATOR DUNCAN: Is that right?

18 MR. READ: That's right.

19 SENATOR DUNCAN: You know, some things
20 never change. We are always worried about school finance
21 and redistricting, it seems like. It gets -- It's pretty
22 tough.

23 I appreciate your service and appreciate
24 your being -- It never gets out of your blood fully.
25 You've got to come up here and let us know what you

1 think, and it was very eloquently done and we appreciate
2 your comments. I think everyone took -- takes that very
3 seriously.

4 MR. READ: Thank you.

5 SENATOR DUNCAN: Members, any questions?

6 Thank you.

7 Dr. Hassan, before I call you, let me read
8 a few cards here and kind of give the members a break if
9 they need to go to the restroom.

10 How is our court reporter doing? Are you
11 doing okay?

12 Okay. Great.

13 I'm going to read a few cards of folks who
14 can -- who do not wish to testify, but want to register a
15 position against or on or for our redistricting plan.
16 I'm going to go through these fairly quickly to get them
17 in the record.

18 Jim Jones registers a position against.
19 Harold Hoelscher represents a position against. Rodney
20 Gully represents a position -- or registers a position
21 against. Sybil Hornbuckle registers a position for.
22 Janna Joyce Simms registers a position against and
23 provides written testimony.

24 And, Members, it's here and we'll have
25 that for you to review.

1 Joanna -- I think it's H-A-F-E-R or
2 Haker. Maybe it's H-A-K-E-R.

3 Are you in the audience so I can get that
4 correct? We have your card.

5 Right over here? Did I pronounce that
6 correctly?

7 MS. HAFER: Joanna Hafer.

8 SENATOR DUNCAN: Haker? Hafer.
9 H-A-F-E-R. Thank you.

10 Ms. Hafer represents -- registers a
11 position for.

12 Annette Hopkins registers a position for.
13 Mozelle Vandever rep -- registers a position against.
14 Peggy Tharp registers a position against. Dennis Fox
15 represents a position against. John Bowen represents --
16 registers a position against. Chandra Eggemeyer
17 registers a position against. Amber Warren registers a
18 position against. Clarence Kellermeier registers a
19 position against. Margie Kellermeier registers a
20 position against. Patti Tharp registers a position
21 against. Richard Burnett -- Richard J. Burnett registers
22 as a resource witness.

23 Members, any questions of Mr. Burnett as a
24 resource witness?

25 All right. Thank you, Mr. Burnett.

1 Appreciate your participation and willingness to offer
2 help.

3 Dorothy Thiele -- or Thiele registers a
4 position against. Elmer S-P-O-O, Spoo, registers a
5 position against. Harold W. and Doris E. Dickerson
6 registers a position against. Debbye Valverde registers
7 a position against. Leon Standard registers a position
8 for redistricting. Judy Little registers a position
9 against. Dick Funk, former mayor of the city of San
10 Angelo, registers a position against. Justin Louder, I
11 think -- Yes. Justin Louder of San Angelo registers a
12 position against.

13 Okay. Thank you for your participation
14 and your -- for your making your positions known.

15 We will next move to Dr. Hassan, who is
16 the city manager for the city of Winters.

17 Doctor, are you available? Are you still
18 here?

19 Okay. Dr. Hassan has left. Sorry he
20 left. He is a very interesting person and doing a good
21 job in Winters, by the way.

22 Dorothy Patterson, would you approach?
23 Tara has a card for Dorothy Patterson. Would you
24 approach, state your name and who you represent.

25 SENATOR WENTWORTH: I think Dorothy has

1 left as well.

2 SENATOR DUNCAN: And on deck we'll have
3 Paul Triplett.

4 SENATOR WENTWORTH: Mr. Chairman, I think
5 Dorothy has left, too.

6 SENATOR DUNCAN: Okay. Ms. Patterson?
7 Okay. Dorothy Patterson registers a position against.

8 And I'm sorry if we've missed people.
9 It's just -- We're trying to move as fast as we can.

10 We have on deck Paul Triplett.

11 Mr. Triplett, are you here in the
12 audience?

13 Mr. Triplett registers a position against.

14 David Evans. Mr. Evans, are you here in
15 the audience?

16 Mr. Evans, thank you. Approach and state
17 your name and who you represent.

18 On deck we will have Al Celaya. Mr.
19 Celaya are you here?

20 Okay. Great. You are on deck.

21 Thanks, David. You have some written
22 testimony? If you'll hand that -- And let me hand it out
23 to the Members.

24 MR. EVANS: Mr. Chairman, members of the
25 Texas Senate Committee on Jurisprudence, my name is David

1 Evans. I organize for the Progressive Populus Caucus of
2 the Texas Democratic Party. I don't formally represent
3 them today.

4 I would like to point out the map which
5 passed the House Redistricting Committee during the
6 regular session splits Webb County, home of the
7 Democratic challenger in 2002, who in his first
8 congressional race came within a few thousand votes of
9 defeating a five-term incumbent. There appears to be a
10 pattern in the national Republican strategy to not only
11 redraw lines without sufficient justification, but also
12 to do so in a way as to change the electoral base in
13 close races by excluding a strong challenger.

14 I would ask that a copy of the Denver Post
15 article dated May 11th, 2003 be included in the record.
16 "A candidate in a new district evenly divided by a major
17 party affiliation came within a hundred and twenty-one
18 votes of winning the 7th congressional district in
19 Colorado in November 2002. In the first week of May
20 2003, the Colorado legislature redrew the lines in such a
21 way as to exclude the challenger and his nearby
22 supporters and campaign volunteers."

23 The article goes on to note the change
24 took effect immediately leaving many Colorado voters
25 potentially represented by a candidate they never had a

1 chance to vote for.

2 I hope that these hearings are for the
3 purpose of discussing whether to change the 2002
4 congressional districts for the 2004 elections. If
5 anyone in the Texas Legislature believes that passing a
6 redistricting bill into law would immediately change
7 congressional representation, I would encourage them to
8 publically affirm such an interpretation as soon as
9 possible so that it may be fully and fairly debated.

10 I would also note the numbering scheme on
11 the map which passed the House Redistricting Committee
12 could be interpreted in such a way as to indicate someone
13 believes that moving a congressional representative by
14 moving a number on a map is a possible outcome, rather
15 than allowing representatives and old candidates to
16 choose the district in which they seek election and serve
17 that district.

18 While West Texans want Representatives
19 Edwards and Hinojosa in the U.S. House, they also want
20 Charlie Stenholm and Henry Cuellar representing the 17th
21 and 23rd Districts as they currently exist. Splitting
22 Travis County into four parts appears to be retributive,
23 and it's certainly unconscionable to all outside the
24 influence of the extreme majoritarian impulse.

25 One of the philosophers of the

1 enlightenment noted that a decision that needed to be
2 taken quickly could be done with a bare numerical
3 majority. Other decisions, particularly those of great
4 and longlasting effect, seem to require something more
5 than a temporary alliance of affirmative voters. They
6 require vision, experience, thorough debate among
7 statesmen guided by their conscience and their
8 constituents.

9 In weighing the attempt to establish a
10 modern precedent, that redistricting can be done
11 capriciously by a newly acquired partisan majority. I
12 believe fair-minded representatives will choose not to
13 establish that precedent.

14 I believe that in the absence of a
15 specific court order, congressional lines should stand
16 until after the next census, especially after an election
17 has already been held with such lines. Patriotic
18 platitudes to the contrary notwithstanding, both
19 conscience and constituents would describe the duty of
20 the committees in both houses to vote "No change" to
21 current congressional boundaries.

22 Thank you, Mr. Chairman.

23 SENATOR DUNCAN: Thank you, Mr. Evans.

24 Are there any questions for Mr. Evans?

25 Senator Estes?

1 SENATOR ESTES: I've got a question.

2 I was a little confused about the
3 reference to Denver. I mean I would assume -- and maybe
4 some of the other Senators can enlighten me here, that if
5 any lines were changed, they will become in effect after
6 the next congressional election. Is that not correct?

7 SENATOR DUNCAN: I think that they
8 traditionally would come into effect before the next
9 congressional election, unless the courts hold them up.

10 SENATOR ESTES: So you would have to have
11 special elections?

12 SENATOR DUNCAN: No. No.

13 You know, there is certain time limits
14 that apply, but you wouldn't have to have a special
15 election if you approved the districts this special
16 session and they achieved the approval from the courts in
17 time for the next election cycle which would begin next
18 spring, then you could have --

19 SENATOR ESTES: Okay. I thought that's
20 what I said, but --

21 Okay. Thank you.

22 SENATOR DUNCAN: All right. Any other
23 questions?

24 Thank you. Could we have Mr. Al Celaya.

25 And on deck will be James Elam.

1 MR. CELAYA: Thank you. Good afternoon.
2 My name is Al Celaya. I am a native-born Texan. I'm
3 representing myself.

4 I was born in El Paso, joined the military
5 in 1954. I served until 1975, and I'm a Vietnam veteran.
6 I came to San Angelo in 1973, and I have lived here since
7 then except when I temporarily lived in Abilene, in
8 Austin; and in Lubbock when I worked for the State of
9 Texas.

10 I'm here to state my opposition to
11 Congressman DeLay's plan to redistrict Texas for the sole
12 purpose of gaining more Republican seats. My advice to
13 Mr. DeLay is that the U.S. Congress should focus more on
14 benefits for veterans, concurrent receipt of military
15 retired pay and VA compensation, continuation of
16 Medicare, helping the elderly, young babies and the poor.

17 The State of Texas should focus more on
18 pay raises for state employees, benefits for retired
19 state employees, childrens' health care, care for
20 mentally handicapped and help for other poor people,
21 instead of spending over a million dollars for this
22 special session called by Governor Perry, which I say is
23 nothing more than a power grab by the elite to build a
24 dictatorship where more and more citizens are losing
25 more and more individual rights.

1 I believe that the Republicans are trying
2 to buy the Hispanic vote by saying that Hispanics will
3 gain more seats. Yes, Hispanics will gain more seats -
4 but it will take time - when we Hispanics grow more
5 sophisticated in the election process and not by promises
6 made by Congressman DeLay.

7 I ask that the Texas State Legislature
8 ignore DeLay's intrusion into state rights and not to
9 redistrict Texas at this time. I am perfectly happy with
10 Charlie Stenholm as my congressman in Washington.

11 Thank you.

12 SENATOR DUNCAN: Thank you, Mr. Celaya.

13 Any questions of Mr. Celaya?

14 All right. Thank you for appearing here
15 today. We have your statement. We will file it with the
16 record.

17 The Chair calls James Elam.

18 On deck will be -- Let me ask. Virginia
19 Beleur, you don't -- You don't indicate a desire to
20 testify. Do you have a desire to testify, Ms. Virginia
21 Beleur?

22 Okay. Show us -- Show that Ms. Beleur
23 registers a position against.

24 On deck we'll have James E. Little.

25 Mr. Little, are you in the audience?

1 Okay. You are on deck, Mr. Little.

2 Go ahead, Mr. Elam.

3 MR. ELAM: Senator Duncan, I'm James Elam.
4 I work for the Development Corporation in Haskell.

5 SENATOR DUNCAN: Welcome to San Angelo.

6 MR. ELAM: Thank you.

7 SENATOR DUNCAN: Good to see you.

8 MR. ELAM: I live in Abilene, so I have
9 the distinct pleasure of having two senators that I work
10 with personally, you and Senator Frazer; and I have
11 expressed my personal opinion about this issue to Senator
12 Frazer, also.

13 SENATOR DUNCAN: Let me just interrupt you
14 quickly. I think Senator Frazer would have liked to have
15 been here today. I know he does have an illness in the
16 family that he is tending to, and that's why he's not
17 here; but I do know that he has an interest in this. I
18 wanted to relay that.

19 MR. ELAM: Thank you.

20 The city of Haskell mayor, Ken Lane;
21 County Judge, David Davis and the president of the
22 Development Corporation of Haskell signed a joint letter
23 and we faxed it to you expressing their opinion against
24 changing the districts in Texas, particularly if it's
25 simply to change the makeup of the Congressional

1 delegation.

2 The redistricting is a part of our
3 political process, and it must be done; and I know you
4 gentlemen will do a thoughtful -- go through a thoughtful
5 process to get it done correctly.

6 So to say I'm against redistricting is
7 incorrect. I'm for redistricting, however, I am for
8 keeping the districts in a -- in a common interest.
9 Abilene and San Angelo are the population centers in
10 District 17, and they have common interests. They have
11 Dyess Air Force Base and Goodfellow. The rural counties
12 that make up the 17th District are also good communities
13 of interest. They have basically ranching and
14 agricultural and some small oil and gas.

15 Senator West asked the question about
16 communities of interest and the Chambers of Commerce and
17 areas that are working together. The Texas Midwest
18 Community Network was mentioned. It's an area that
19 encompasses about twenty counties, maybe a few more, and
20 they are primarily in the 17th District. So that is an
21 example of people in the 17th District working together.

22 The Texas Workforce Commission
23 headquartered in Abilene covers nineteen counties, all in
24 the Congressional District 17. The recent study that was
25 mentioned that was conducted on behalf of the city of

1 Brownwood Development Corporation, the city of Abilene
2 Development Corporation, the Work Force Commission in
3 Abilene -- that's headquartered in Abilene representing
4 nineteen counties is an effort to get the groups in the
5 cities in that area, development corporations to
6 collaborate in their efforts of economic development for
7 the entire region.

8 I happen to serve on the inaugural group
9 of development -- economic development executives to work
10 toward a plan to use this study and get the entire area
11 working together in economic development efforts. All of
12 this is in the 17th District.

13 I'm also a part of the Rolling Plains
14 Industrial Corporation. It is a group of four counties,
15 the cities in those four counties. It was put together a
16 number of years ago - and these are all in the 17th
17 District - to work together to provide expertise in
18 economic development.

19 Cisco Junior College is located in Cisco;
20 however, they are building a major campus in Abilene.
21 They represent and serve students in a large area around
22 Abilene, Cisco, Eastland County, which is also in the
23 17th District.

24 So my recommendation is that we keep the
25 rural districts as rural as we possibly can and keep the

1 communities of interest as close as we possibly can. I
2 know that there are parts of the 17th District that may
3 not feel like they have a community of interest for the
4 rest of the District; however, it's as close as you can
5 get. I know there are other districts in the state that
6 have similar interests and they ought to be -- They ought
7 to remain the same.

8 So I'm for redistricting, but I'm for
9 doing it right.

10 SENATOR DUNCAN: Thank you, James.

11 Members, any questions for Mr. Elam?

12 Appreciate your being here today. Drive
13 carefully.

14 Chair calls James Little.

15 On deck will be Celia Davis.

16 James, state your name and who you
17 represent.

18 MR. HEFLITTLE: My name is James
19 Hefliddle. My handwriting wasn't good on that card, I
20 guess.

21 SENATOR DUNCAN: Well, it's good. I'm just
22 blind. I didn't have my glasses. I'm sorry.

23 MR. HEFLITTLE: I'm from Big Spring,
24 Texas, and I am against redistricting.

25 Senator Duncan, distinguished members of

1 the Senate Subcommittee on Jurisprudence, I appreciate
2 the opportunity to speak before you, and I really
3 appreciate your being here today.

4 I represent myself. I am a retired Air
5 Force colonel. After retirement I worked with business
6 and industry for several years and then returned to Big
7 Spring. Big Spring was my wife's original home, and
8 we've since that time been very much involved in the
9 activities of Big Spring.

10 The town has a lot to offer. It is a
11 small town, but it does have like a small oil refinery
12 there, the VA Hospital, a variety of other institutions,
13 industry, as well as a great airport. And they have also
14 got, as was mentioned earlier, a college. And something
15 that wasn't mentioned, Howard College does have branches
16 in San Angelo as well as Lamesa.

17 When I arrived in Big Spring we had great
18 representation, and since that time we have seen that
19 representation both come and go, as Mayor McEwen so
20 eloquently stated. If Big Spring and Howard County is a
21 training ground for politicians, I think we've done a
22 super job in terms of the products that we have generated
23 that have come out of there and the job that they are
24 doing today. We are proud of them, and I think we are
25 getting good support for them, even though they are not

1 the representatives of the Howard County and Big Spring
2 District at this point.

3 I'm normally a Republican in my voting;
4 but like many of the others that have spoken today, I
5 guess I'm independent at heart as well, because I do vote
6 for the individual. If he is doing the job that we
7 elected him to do and representing us well, then I will
8 certainly vote for him.

9 Big Spring is pretty much the same way;
10 and although it's a small town, like was indicated
11 earlier, in the last major election that we had back
12 there, we were the swing vote. Each one of those votes
13 does count. We voted and we voted the candidates of our
14 choice; but it seems that the attitude towards the town
15 of Big Spring, like a lot of the other smaller towns, is
16 an attitude of indifference.

17 The district has been changing. You
18 hardly know who you are with and whether they represent
19 you or understand what your interests and problems are.
20 And their alignment with towns that do not have common
21 interests with us, again, we're not too excited about
22 that at all.

23 Change strictly for the sake of politics,
24 in my opinion, is wrong. We vote for the person, the
25 individual, and would like to see that continue to

1 happen. If a party campaign is good and the platform is
2 good and progress is being made, the votes will come.
3 Gerrymandering does not have to be accomplished in order
4 to get the votes. If a platform is not good or progress
5 is not being made, then the votes will not come. And I'm
6 afraid this redistricting effort is the first major step
7 in a negative direction for the Republican party in
8 Texas. The party, in my opinion, like the
9 representative, should earn the votes and should not
10 depend on redistricting to gain the votes.

11 Again, I sincerely appreciate your coming
12 to San Angelo for this very important hearing.

13 Thank you very much.

14 SENATOR DUNCAN: Thank you, James.

15 Members, any questions?

16 Chair calls Celia Davis.

17 On deck we'll have Kirby Huffman.

18 Mr. Huffman, are you in the office -- or
19 in the audience?

20 Mr. -- Okay. Thank you. If you'll
21 approach and be ready.

22 Go ahead, Ms. Davis.

23 Thank you.

24 MS. DAVIS: Thank you, Mr. Chair. I
25 appreciate you -- I'm glad, too, you're all here.

1 SENATOR DUNCAN: Mayor -- You're the
2 mayor, city council and Chamber of Commerce?

3 MS. DAVIS: I am.

4 I'm here today on behalf of the mayor for
5 the city of Abilene. I -- He asked me to call and come
6 and represent he and the council here today.

7 I will tell you that I talked to Senator
8 Frazer this morning on the phone. One of his staff
9 members said, "How did you get his cell phone?"

10 I said, "The mayor gave it to me." So
11 that's how I got that.

12 I have served on the Chamber of Commerce
13 Executive Committee for more than ten years and am a
14 former chair of the Abilene Board of Chamber of Commerce.
15 I welcome you here. This is my third redistricting
16 hearing to testify at. That's a bad -- end with a
17 preposition, but it is.

18 In fact, I am a Republican; and I flew on
19 a plane chartered by Republicans from Abilene to testify
20 on May 5th in Austin. I will tell you that when I
21 testify I will not mention a man -- I live in the 17th
22 District, which is a sprawling district. We are proud to
23 be the home of the Governor of the State of Texas, a
24 Republican; the newest railroad commissioner -- And if
25 you don't know Victor Carrillo yet, you are in for a

1 wonderful treat. I've been on many trips with him to
2 Washington, D.C. The most qualified railroad
3 commissioner that we will probably ever have in the State
4 of Texas, and I will work hard for his re-election.

5 However, Abilene, the citizens of Abilene,
6 Republicans and Democrats, like our district the way it
7 is. We like the community of interest. And if you will
8 indulge me, I think I have some things to add that have
9 not been said here today.

10 I -- Senator West and Senator Janek, I
11 welcome you. You say you are city boys. Well, let me
12 just verify -- If you will take out a map of the State of
13 Texas I will tell you that I am a country girl. I was
14 born in Tom Green County, which is San Angelo. I
15 graduated from Sterling City High School with seven
16 other people and -- a long time ago. I pay taxes
17 currently --

18 SENATOR WEST: It couldn't have been that
19 long ago.

20 MS. DAVIS: It was.

21 I'll tell y'all this, it was a -- In fact,
22 somebody here told me we used to date in high school, and
23 I don't even remember it. So that's how long ago it's
24 been, but --

25 SENATOR WEST: Well, I don't know whether

1 that's saying that. He didn't make a hell of an
2 impression upon you.

3 MS. DAVIS: Well, I don't know. I may
4 have impressed -- No. He's a great guy.

5 But anyway, I pay taxes in Glasscock
6 County, which is Garden City; Howard County, which is Big
7 Spring; Sterling County, which is Sterling City, on ranch
8 land still owned by my family for more than one hundred
9 years.

10 I'm a graduate of Texas Tech University.
11 Taught for one year in Lubbock, taught for two years in
12 Brownfield, which is Terry County. I spent one really
13 long year in Briscoe, Silverton, Texas; and then I lived
14 for ten years in Crockett County in Ozona. On the way to
15 move to San Angelo seventeen years ago I stopped to spend
16 the night in Abilene, and I have been in Abilene ever
17 since and it is my hometown.

18 I think we have much in common with San
19 Angelo. I love San Angelo. I pray for rain and the red
20 rooster on the front of the San Angelo Star Telegram
21 (sic). I pray for rain all over the 17th District.

22 People here have talked about the things
23 they know more about probably than I, and that's
24 agricultural, oil and gas, water -- And did I say I pray
25 for rain all over West Texas? Because we do have water

1 issues. I hope you flew on a private plane, because if
2 you did not you would have had to come into an airport --
3 There is no way to get here from Austin, trust me. I
4 drive. I put ten thousand miles on my car this spring
5 going back and forth to Austin, so I know there is no way
6 to fly from San Angelo or Abilene directly to Austin. We
7 share a lot of the same air transportation issues.

8 But what I really want to talk to you
9 about are two subjects that I really -- Well, first let
10 me tell you about our educational -- higher educational
11 systems. As you know, Abilene is home to three private
12 universities, and San Angelo State, of course, is here,
13 Angelo State in San Angelo -- Share many things. In
14 fact, my employer has been a contributor to the physical
15 therapy program at Angelo State University. We work very
16 closely with them in the nursing program. We do many
17 things together, have many communities of interest.

18 Abilene, Taylor County, has one hundred
19 and twenty thousand people. Tom Green County has a
20 hundred and two thousand people. Very close in
21 population. In fact, two out of the last three
22 elections, within a few points we could have had a
23 congressman from San Angelo. And let me tell you, we
24 would have been happy to work with him in Abilene because
25 he would have represented a community and understood

1 Abilene.

2 My real job at which I work sixty hours a
3 week is -- And you will appreciate this, Dr. Janek. I am
4 a vice-president of the largest medical center between
5 Fort Worth and Lubbock, Hendrick Medical Center; and I
6 work very closely and know very much about the health
7 care delivery system in San Angelo.

8 Abilene and San Angelo are two of the
9 largest cities in the State of Texas that do not have
10 hospital districts. In fact -- I use gestures, and you
11 can appreciate this. Consider this my hospital. Three
12 fingers, seventy-five percent are Medicare-Medicaid, for
13 which we get fifty cents on the dollar. One finger is
14 commercial, for which I get sixty cents on the dollar.
15 You see this big, fat thumb? That's uncompensated care
16 for which we get nothing. Last year my health care
17 system did more than thirty-three million dollars in
18 uncompensated care, and I know that Shannon in San Angelo
19 operates much the same way. We have no hospital
20 district. We have no taxing entity. These private, not
21 for profit hospitals are picking up the majority of this
22 care.

23 SENATOR DUNCAN: Celia, you're going to
24 have to wrap up.

25 MS. DAVIS: Hurry up? Okay. I'm not to

1 my main part.

2 I am also Chairman of the Military Affairs
3 Committee in Abilene, Texas; and I will tell you that
4 Abilene was the first city in Texas to -- I'm sorry, but
5 these are issues no one has discussed, and this is
6 vitally important. To pass an economic half-cent sales
7 development tax, we spent a quarter of a million dollars
8 a year on consultants in D. C.

9 Dyess Air Force Base, Goodfellow Air Force
10 Base, vitally important to -- Fifteen billion dollar
11 asset. Three hundred million dollar payroll in Abilene,
12 Texas; and I'm the fourth chair in fifty years of that
13 committee. It is a lifetime commitment.

14 SENATOR DUNCAN: Let me see if I can help.

15 MS. DAVIS: Okay.

16 SENATOR DUNCAN: We do have time limits,
17 and we have a lot more cards.

18 MS. DAVIS: Right. I understand that.

19 SENATOR DUNCAN: So let me see if I can
20 help you.

21 MS. DAVIS: I've been chomping at the
22 bits.

23 SENATOR DUNCAN: Well, I know; and you're
24 doing a great job, too. I think everybody would agree.

25 I just want to make sure we get the essence of your

1 testimony.

2 MS. DAVIS: Okay.

3 SENATOR DUNCAN: Abilene and San Angelo
4 are currently in the same congressional district?

5 MS. DAVIS: We certainly are.

6 SENATOR DUNCAN: Is it your testimony that
7 there is a community of interest?

8 MS. DAVIS: Terribly.

9 SENATOR DUNCAN: Okay. Is your
10 position -- Are you speaking on behalf of the city or do
11 you have authority to speak on behalf of the city?

12 MS. DAVIS: I have authority to speak on
13 behalf of the mayor, city council and the Chamber of
14 Commerce Board.

15 May I tell you --

16 SENATOR DUNCAN: And have they taken an
17 official position?

18 MS. DAVIS: They have not taken it yet,
19 because of the timing of what happened.

20 SENATOR DUNCAN: Okay.

21 MS. DAVIS: May I tell you that General
22 McMahan, who spoke here before from Abilene, was sort of
23 noncommittal. He is a retired - And not even as a year
24 yet - major general, who cannot, because of his
25 restrictions, publically take a position, a political

1 position, yet. I am here speaking on their behalf.

2 SENATOR DUNCAN: Okay.

3 Members, any questions?

4 Senator Harris?

5 SENATOR HARRIS: Yes, Mr. Chairman.

6 Excuse me.

7 Do we still have the high school rodeo
8 finals?

9 MS. DAVIS: Yes, sir, we do. We are proud
10 to have that, too.

11 But I want to make military and health
12 care, because those have not been mentioned - and I'm
13 telling you - significant issues.

14 SENATOR DUNCAN: Senator Estes?

15 SENATOR ESTES: And so you are for or
16 against this redistricting process?

17 MS. DAVIS: Senator Estes, the answer is I
18 am so terribly against it you wouldn't believe it. It's
19 not about a man. It's what's best for the 17th District
20 of West Texas.

21 SENATOR DUNCAN: All right. Thank you.

22 MS. DAVIS: I have to enter into record
23 the editorial, Sunday's editorial from the Abilene
24 Reporter --

25 SENATOR DUNCAN: All right. And I'm sorry

1 to cut you off; but to be fair to everybody else, I think
2 we need to be consistent.

3 MS. DAVIS: Okay. Could you tell I was
4 impassionate?

5 SENATOR DUNCAN: Well, I thought you had
6 plenty of passion, and Abilene was well-represented by
7 your testimony.

8 MS. DAVIS: Thank you.

9 SENATOR DUNCAN: We appreciate you being
10 here today. I will give -- tell Senator Frazer how well
11 you did as well.

12 The Chair calls Kirby Huffman, and on deck
13 we will have William J. Moyer.

14 Mr. Moyer, are you in the audience?
15 William J. Moyer?

16 Okay. Mr. Moyer registers a position for
17 redistricting, but is not here. If he returns we'll call
18 him back up.

19 On deck would be Deanna Mayfield.

20 Ms. Mayfield, are you in the audience?

21 Okay. We'll wait and see if she comes.

22 Go ahead, Mr. Huffman. I hate to
23 interrupt you.

24 MR. HUFFMAN: I'm Kirby Huffman. I'm from
25 Lubbock, Texas. I'm opposed to this redistricting.

1 I was born and raised about seventy-five
2 miles east of San Angelo. I now live up in Lubbock. I
3 have been there for twenty-three years. I lived in rural
4 Texas all my life. I'm a Vietnam veteran. I was an
5 infantry officer over there and I was an adviser to a
6 Vietnamese infantry unit, and I saw things over there
7 that I hope I never see again. I saw the way people were
8 treated over there in a dictatorial and tyrannical manner
9 by the Viet Cong and North Vietnamese and the things they
10 did to them.

11 I consider myself a conservative, fairly
12 compassionate, an ardent Texan and an ardent American.
13 Republicans probably count my vote as part of their
14 fifty-eight percent. I remember back in the 1960s when I
15 started voting for some Republicans and my granddad told
16 me I better watch them because they were the party of big
17 business. I laughed at him. And we come to 2003.

18 I've also supported a lot of Democrats.
19 In 1976 I supported Phil Gramm when he ran against Lloyd
20 Bentsen for the Senate. Phil Gramm's campaign manager
21 was John Sharp. A lot of people have forgotten that.

22 A little bit later, Phil Gramm ran for the
23 House of Representatives and won as a Democrat. A little
24 bit later he decided he wanted to leave the Democratic
25 party and he resigned, changed to the Republican party

1 and went back and won that seat and ended up being our
2 Senator. A Democrat.

3 Listening today, some of you men sitting
4 right here aren't far from Democratic roots. Some of
5 your old granddaddys and grandmamas may have been
6 yellow-dog Democrats just like my old grandad was.

7 I find it hard to believe that Charles
8 Stenholm, Pete Laney and John Sharp are bleeding-heart
9 liberals as they were accused of being in this last
10 election; and, yet, here we're wanting to run these
11 people out of office. We are wanting to get them out of
12 the way because they don't fit Tom DeLay's pattern and
13 what he wants.

14 The way the Republican party was able to
15 grow was because back in the 1960s and '70s people in
16 Washington didn't treat the American people like people
17 thought they ought to be. Today we have leaders in
18 Austin and Washington that are not acting as leaders --
19 or elected officials in Washington and Austin that are
20 not acting as leaders, but are acting as -- in a greedy,
21 dictatorial and tyrannical manner. That's the way I see
22 our government.

23 Senator Duncan, you and I -- I talked to
24 your young lady that answers your phone for you just the
25 other day. She does an outstanding job for you.

1 SENATOR DUNCAN: That must be Lucy.

2 MR. HUFFMAN: It may be.

3 And I told her how I felt, pretty much
4 what I'm telling you right now. She said, "What about
5 Senator Duncan?"

6 And I said, "I like what Senator Duncan is
7 doing, except for one thing." I said, "He wants to
8 appoint judges, and I'd just as soon we keep electing
9 them."

10 I said, "And I probably would agree with
11 him except for one thing. We are looking at Tom Craddick
12 and Rick Perry as the people who are going to appoint
13 them, and I have a problem with the way those men are
14 acting."

15 How many people like me are going to go to
16 work voting for Democrats and supporting Democrats?
17 Because I don't -- I want to vote for the man. We've
18 heard many people tell you today they vote for the
19 person, and that's who we're going to vote for. It's
20 more important to be a Texan and an American than it is
21 to be a Republican or Democrat. Maybe we need a
22 conservative party, because Tom DeLay sure likes his pork
23 barrel. I think he's got him an airport down there at
24 Sugarland built with our taxpayer money from out here in
25 West Texas and all over the nation.

1 We're going to be changing some votes.
2 Our ammunition is our vote. That's our bullet. I used
3 bullets in Vietnam. I've got a vote now. That's what
4 we're going to use. We're going to use our vote to
5 change things.

6 The last time the Republicans ruled Texas
7 was back in the 1860s and 1870s during reconstruction. I
8 had a lot of kinfolks in Texas back then, and apparently
9 they didn't like them then. If they keep acting this
10 way, what's going to happen?

11 Folks, we've got some good Republicans in
12 here. We've got some good Republicans in office, but
13 what are we going to do? Are we going to vote you out
14 and try to get somebody that will stand up to Tom DeLay?

15 Folks, please leave these districts alone.
16 Live with it. 2011 change them ever how you want to, but
17 leave them like they are. Worry about the things that
18 people need: Education, our prison systems, the poor
19 people that need help with medical care. Guys, let's
20 worry about things that are serious. And if you want a
21 good Republican in, then get you one of them and we'll
22 vote for him; but if you don't have him, then that person
23 running against him is going to win, because that's who
24 Texans are going to vote for.

25 Thank you for your time.

1 SENATOR DUNCAN: Thank you, Kirby.

2 Any questions of Mr. Huffman?

3 Okay. Members, we need to take about a
4 five-minute break, if we could. The committee will
5 reconvene at 6:45; and on deck we'll have, so that you'll
6 know, Dennis McKerley, H. R. Wardlaw and Ken Becker.

7 The Committee will stand in recess until
8 6:45.

9 (Break taken from 6:37 p.m. to 6:50 p.m.)

10 SENATOR DUNCAN: We will call Dennis
11 McKerley, and on deck will be Mr. H. R. Wardlaw.

12 Mr. McKerley, would you approach, state
13 your name and who you represent.

14 Oh, okay.

15 Dennis, how are you doing?

16 MR. MCKERLEY: Just fine. How are you,
17 sir?

18 SENATOR DUNCAN: Very good. Good to see
19 you.

20 MS. MCKERLEY: My name is Dennis McKerley.
21 I'm Tom Green County Republican Chairman.

22 I would like to thank all of you for
23 coming to San Angelo for these hearings. I had to go up
24 and down the highway quite a bit for the last hearings
25 and spend more hours there than I really wished. I wish

1 y'all would have done this for HB-1606, so we could have
2 said something about the ethics bill.

3 I can tell you now, I got real frustrated
4 at the last hearings because of all of the time that I
5 spent there personally. I got a lot of what I wanted,
6 and I'm going to ask the same thing of you again; but I
7 was frustrated that it didn't get taken care of in the
8 legislature. It did go to the court.

9 There was one thing that I would like to
10 bring up that I haven't heard brought up today. The
11 court, in its decision, did say that they thought that
12 the Texas Legislature should take care of this issue.
13 That was in their decision when they handed it down.

14 The two issues that I begged of you last
15 time, and I'm going to beg of you again -- and that's
16 common interest. You've heard that all day long. But
17 the other one issue that I want to plead with you, when I
18 was there last time I saw maps pop up -- about every
19 hour, I think, is when they were popping up. And in all
20 of them there was all kinds of cuts made here and there.
21 Please do not cut Tom Green County up again. Leave us as
22 one total -- in one district. Right now I don't really
23 care which district it is. Keep us in one district. We
24 are not big enough to be split up. We have common
25 interests with some of the communities around us. You've

1 heard that today. But do keep us in one district.

2 I appreciate your time here today, and I
3 hope you'll consider these things and I hope you can get
4 something done this time and that we don't have to depend
5 on the courts any more.

6 SENATOR DUNCAN: Dennis, do you have -- As
7 far as the communities that you have a common interest
8 in, that would be the larger metropolitan areas with
9 large population centers, Abilene, Midland-Odessa. Where
10 do you -- Where does San Angelo most closely fall or
11 align, or are you prepared to give --

12 MR. MCKERLEY: I'm not an attorney; but,
13 you know, I try to help it fall --

14 SENATOR DUNCAN: Well, it's not a legal
15 position. I'm just trying to --

16 MR. MCKERLEY: I help politicians get
17 elected, so I learned a little bit from them, I think.

18 It's hard for me to take a stand on it
19 right now, because our county is divided quite heavily
20 toward Midland-Odessa and toward Abilene as far as
21 interests are concerned.

22 As far as the party's concerned, the
23 Republican party is making fantastic strides here.
24 Fourteen years ago there was only one Republican holding
25 office and now there is only three Democrats. The

1 representative out of Abilene right now, I feel like we
2 can take him next time. We almost did this time. We
3 scared him, I know that. So I'm not that worried about
4 redistricting helping us get rid of Charlie Stenholm. So
5 if it comes, it comes. If it doesn't, it doesn't.

6 But I can't say that we're totally one way
7 or the other right now. It is divided.

8 SENATOR DUNCAN: All right. Thank you.

9 Members, any questions of Mr. McKerley?

10 Thank you, Dennis.

11 MR. MCKERLEY: Thank you.

12 SENATOR DUNCAN: Mr. Wardlaw, are you
13 here?

14 Mr. Wardlaw has registered a position in
15 favor of redistricting.

16 Mr. Wardlaw?

17 All right. Please note his position.

18 Mr. Ken Becker?

19 Mr. Becker, would you approach?

20 Is George Harrill in the audience?

21 Mr. Harrill, you will be on deck.

22 Thank you, Mr. Becker. State your name
23 and who you represent.

24 MR. BECKER: Ken Becker. I'm the manager
25 of the Sweetwater Chamber of Commerce in Nolan County.

1 I'm here today to address a few of Senator
2 West's comments about the commonality. Sweetwater is in
3 between Nolan County -- in between Abilene and San Angelo
4 on the kind of northwest side. We have Texas State
5 Technical College--West Texas with campuses in Sweetwater,
6 Abilene, Breckenridge and Brownwood, all in the 17th
7 District. We are part of the Texas Midwest Community
8 Network, twenty-three counties, forty-one cities, which
9 is a regional economic development and tourism, District
10 17. We are part of the Texas Forts Trail, which Abilene
11 and San Angelo are all a part of, District 17. We are a
12 part of twelve-county Big Country RC&D region, all in
13 District 17. West Central Texas Council of Governments,
14 nineteen counties, District 17. West Central Texas
15 Workforce Development Board, nineteen counties, District
16 17. We also have the commonality of two Air Force bases,
17 Goodfellow and Dyess.

18 We hope that you leave redistricting
19 alone. Not only in our part of the world, but the whole
20 State of Texas.

21 SENATOR DUNCAN: Thank you, Ken.

22 Members, any questions of Mr. Becker?

23 All right. Thank you, Ken.

24 Chair calls George Harrill, and on deck
25 will be Zane Reese.

1 Zane, are you -- Okay. Great. You'll be
2 on deck.

3 Go ahead, George.

4 MR. HARRILL: Senator, Members of the
5 Committee, my name is --

6 SENATOR DUNCAN: Hold on. Hold on a
7 second, George.

8 Mr. Harrill.

9 I'm sorry. Mr. Becker?

10 MR. BECKER: Our county judge had to
11 leave, and this was his statement also purported by the
12 county of Nolan.

13 SENATOR DUNCAN: Okay. Is that an
14 official position of the -- by resolution?

15 MR. BECKER: It's not by resolution.

16 SENATOR DUNCAN: All right. Thank you.

17 Thank you, Mr. Harrill.

18 MR. HARRILL: Senator Duncan, members of
19 the Committee, my name is George Harrill. I live in
20 Sweetwater, and I am representing myself.

21 I want to be on record as opposed to this
22 redistricting primarily because I feel like the 17th
23 District is as it should be. The district makeup at the
24 present time affords a voice for rural West Texas through
25 Congressman Charlie Stenholm. I am a very staunch

1 reporter (sic) of Congressman Stenholm and would very
2 much like to see his district stay intact as it is now.
3 I feel like that this redistricting plan is not of the
4 people of Texas. It's not for the people of Texas and
5 it's -- I just feel like that it's -- It's bad when
6 somebody from Washington starts calling the shots for the
7 State of Texas. I resent that, and I don't like Tom
8 DeLay telling us what to do down in Texas.

9 And I don't know what the price of the
10 special session is going to be, but my suggestion would
11 be to mail the bill to Tom DeLay in care of the National
12 Republican Party.

13 Thank you.

14 SENATOR DUNCAN: Thank you, Mr. Harrill.

15 Any questions of Mr. Harrill?

16 All right. Mr. Harrill, thank you.

17 Zane Reese, please approach, state your
18 name and who you represent.

19 Mr. Charles Powell will be on deck.

20 Mr. Powell, are you in the audience?

21 Thank you. You'll be on deck.

22 Mr. Reese, go ahead.

23 MR. REESE: I'm Zane Reese. I'm a family
24 farmer in Crosby County, and I speak for myself and my
25 family.

1 I'm speaking against redistricting. West
2 Texas usually loses anytime anything happens in Congress.
3 I know in redistricting West Texas will lose. I figure
4 West Texas will lose one, maybe two congressmen if we
5 redistrict. Rural Texas as a whole will lose three,
6 maybe four congressmen.

7 Next to commonality and community
8 interest, all of the wealth in West Texas comes from the
9 soil. Cotton, oil and gas, cattle, peanuts, sheep and
10 goats, grains and vegetables drive our economy; and all
11 of the products have been negatively affected by what
12 happens in Congress.

13 By removing one or two congressmen our
14 influence is further diminished. Redistricting will
15 diminish our odds of ever having a West Texan on the
16 U.S. House Ways and Means Committee and the Financial
17 Services Committee.

18 One other thought, we have far more
19 organizations that span all of West Texas because of
20 commonality. I ask my state Senator in the Texas Senate
21 to implement a little pest control and stop redistricting
22 until the next census.

23 Thank you.

24 SENATOR DUNCAN: Thank you, Zane.

25 Any questions of Mr. Reese?

1 Charles Powell?

2 And Stanley Mayfield will be on deck.

3 Stan, are you in the audience?

4 Okay. Register Mr. Mayfield's position in
5 favor of redistricting. Mr. Mayfield is not here.

6 All right. Steve Esquivel will be on
7 deck.

8 Mr. Esquivel, are you here?

9 Steve Esquivel.

10 All right. Register Mr. Esquivel's
11 position against redistricting. From Winters, Texas.

12 Jean McClellan of San Angelo, are you
13 here? Ms. McClellan?

14 Okay. Register Ms. McClellan against
15 redistricting.

16 If you'll be patient with me we'll get an
17 on-deck circle here.

18 Cynthia Lackey? Ms. Lackey?

19 Okay. Ms. Lackey is probably here, so
20 we'll go ahead and she'll be on deck.

21 Go ahead, Mr. Powell. Sorry to keep you
22 on hold there.

23 MR. POWELL: You didn't. I admire the
24 patience.

25 Mr. Chairman, members of the committee,

1 let me also add my welcome to the Concho Valley. My name
2 is Charles E. Powell. I'm retired Air Force. I spent
3 thirty-four years in uniform. The last four I spent at
4 Goodfellow.

5 I am adamantly in favor of redistricting.
6 Let me get to the bottom line first. And I want to give
7 you -- The rationale -- I just want to talk about one
8 issue, one slice of criteria that hasn't been opened yet.
9 As I listened to the testimony today, as I expected, the
10 term, "National defense" was uttered one time from this
11 chair, and that was from one of my fellow retirees from
12 Abilene.

13 Some of my Abilene representatives gave us
14 the -- I think they gave a pitch for Dyess, and then --
15 The backdrop on which I would like to make my comments is
16 very simple. We know - and you better than I - about
17 BRAC 0-5, and I compliment you on your fine work that you
18 did on -- I believe they call it the State Defense
19 Prep -- Military Preparedness Bill, which was House Bill
20 1521, which you passed this last session. And I know you
21 have to be getting tired after that five months of
22 grueling budget work and now coming to the redistricting.

23 So very quickly and very briefly, I am in
24 favor of redistricting simply to keep Goodfellow Air
25 Force Base and Dyess Air Force Base out of the same

1 Congressional district. Texas is a rich state in the
2 terms of military presence: Installations, personnel
3 and, probably more importantly in today's economy,
4 contract dollars. This state is admired by the other
5 forty-nine on the defense stance and presence that we
6 have.

7 There are hundreds, literally hundreds, of
8 U.S. state reps out there that have no defense
9 installation in their districts. So that makes having
10 two Air Force bases, in my judgment, in the 17th
11 Congressional District -- That makes one of those bases
12 very vulnerable.

13 If my friends from Abilene or the
14 congressman from Abilene were here, or if they were put
15 on -- The answer to the question is to keep both. If you
16 can't keep both, then my fear is that Goodfellow would be
17 relocated.

18 Let me conclude by saying I base this
19 on -- I was at Goodfellow '80 to '84. I retired here.
20 So -- Goodfellow was on a Department of Defense candidate
21 for closure list in 1978 when I came. We had the
22 redistricting that Senator Wentworth talked about in the
23 early '80s and again in the '90s. So I've been through
24 the redistricting, and I have fought the BRACs, and we
25 are prepared -- And there were several people in this

1 room earlier that are working with us to prepare for
2 BRAC-05.

3 And I'm telling you, Gentlemen, I am
4 fearful for Texas in that more so than I was the '91 or
5 the one before.

6 So in the interest of national defense and
7 the parochial interest of personal -- and parochial
8 interest of keeping Goodfellow Air Force Base, I suggest
9 that redistricting should put Goodfellow Air Force Base
10 and Dyess Air Force Base in separate districts.

11 This construct that I've heard today by
12 many voices on using redistricting to get rid of Charlie
13 Stenholm -- as they say in my native Arkansas, that dog
14 just won't hunt. You know, there is a place -- There is
15 a method in America and there is a place if you want to
16 get rid of a politician, and it's known as election day
17 and it's known as the voting polls. So I don't buy that
18 logic that I heard today.

19 I will dance off the stage with one final
20 remark. The Ardmore caper, the U. S. military, the
21 services, have a term for that, a very simple term, and
22 the term is A-W-O-L.

23 Thank you very much.

24 SENATOR DUNCAN: Thank you, Mr. Powell.

25 Members, any questions of Charles Powell?

1 SENATOR WENTWORTH: Thank you, Charlie.

2 SENATOR DUNCAN: Okay. Cynthia Lackey?

3 Let the record reflect that Ms. Lackey has
4 registered a position against redistricting.

5 Nelan Bahlman? Nelan Bahlman?

6 Let the record reflect that Nelan Bahlman
7 of Winters - Apparently the Winters' people had to go
8 home - has registered a position against.

9 Clyde James, Jr.?

10 Mr. James, would you approach?

11 On deck will be Tim Farmbrough.

12 Mr. Farmbrough, are you in the audience?

13 Tim Farmbrough.

14 Okay. Mr. Farmbrough left. He has
15 registered a position against redistricting.

16 Zorita Flippin? Ms. Flippin, are you in
17 the audience?

18 Let the record reflect that Ms. Flippin
19 has registered a position against redistricting.

20 Karin Kuykendall? Ms. Kuykendall, Rolling
21 Plains Cotton Growers.

22 Ms. Kuykendall? Okay. You'll be on deck.

23 Go ahead, Mr. James. Thank you for your
24 patience.

25 MR. JAMES: Thank you.

1 My name is Clyde James, and I'm
2 representing myself, although I'm a member of the
3 Democratic executive committee in Lubbock County.

4 My -- The point of departure would be the
5 notion that people in both parties have mentioned today,
6 and that's community of interest. I want to just
7 demonstrate to you or to give an illustration of how
8 community of interest comes into effect.

9 Former Congressman Combest was a neighbor
10 of mine. We worked together on a neighborhood
11 association board and we were not very popular in
12 Lubbock, working on what we were working on. And then he
13 was elected to the Congress. The city of Lubbock and
14 counties around Lubbock, and most of the counties that we
15 have had in our district over the years, have a community
16 of interest. We have the same ethnic makeup, much of the
17 same religious background, the voting history, the same
18 economic interest, with a few exceptions here and there
19 and so forth.

20 And the upshot was that I worked hard for
21 Don Richards against Larry Combest for Congress; but when
22 Larry Combest was elected to Congress, there was not a
23 single person that I know who was a Democrat that would
24 say, "He is not a legitimate congressman from Lubbock."
25 and, "He's not my congressman."

1 He was my Congressman. He has done things
2 for me, and I feel like he represented Lubbock in a good
3 way because Lubbock is a Republican city. The area has a
4 congruency.

5 The same thing goes for Senator Duncan.
6 I've been on the losing side of races that Senator Duncan
7 has been involved in, but there is no way I could ever
8 say Senator Duncan is not my senator or legitimate as a
9 representative of Lubbock, because he represents what
10 Lubbock really is.

11 So the issue is legitimacy.
12 Gerrymandering comes and goes, and gerrymandering is hard
13 to get rid of; and we've had it from the Democratic side
14 and the Republican side. But in this era of super
15 computers, when they could analyze one cubic centimeter
16 of the interior of the planet of Mars, the super
17 computers we have available to us now can draw a district
18 map which destroys community of interest, and which takes
19 the legitimacy away from the system.

20 If you look at the House districts that
21 were passed you have north Austin in the same district as
22 the south valley. You have -- Where is the community of
23 interest there? How can the losing side think, "This is
24 really legitimately my congressman?"

25 You have that one District No. 2 in the

1 old map in East Texas. It was just destroyed. It looks
2 like a picture on a right to life committee advertisement
3 or something after they got through with it. Those
4 people no longer have their community of interest. They
5 have been stuck in the districts here, there and
6 elsewhere with suburban areas. The only community of
7 interest that is reflected in this map that is proposed
8 by the House -- And I know you-all didn't accept it.
9 Senator Wentworth, who is no longer present, has been --
10 has been pretty good in the past about being nonpartisan;
11 but this map that has been put together reduces -- takes
12 away legitimacy from the congress delegation.

13 The people who are on the losing side,
14 like me in Lubbock, and other people -- Republicans in
15 Austin, can think now today, "Well, we lost
16 legitimately." This map puts a situation together where
17 we feel as though the system was designed to
18 disenfranchise us and people like us, and there is no
19 community of interest in these districts, other than the
20 political affiliation that somebody has put together.

21 So my appeal to you-all -- I'm not
22 appealing for you to draw a map that's going to help
23 Democrats or Republicans. Republicans are the majority
24 right now in Texas. They probably would benefit from
25 some kind of redistricting. My thing is you need to

1 retain the legitimacy of the system. That's the
2 stability of our country, is the losing side always
3 believes the country has done the right thing. We played
4 by the rules, and we didn't win this game. We can win
5 the next one, but you don't change the rules in the
6 middle of the game.

7 Senator -- Representative Isaac said again
8 and again that the legislature needs to do the
9 redistricting. Why don't you guys just go down there,
10 change a county here and there; but basically leave the
11 same to say, "This is our" -- "our map."

12 What you need to do is to go down there
13 and adopt a map similar to the one we've got now to put
14 the imprimatur of the legislature on it and do it without
15 delay.

16 SENATOR DUNCAN: We will have to think
17 about that a minute, but --

18 Any questions?

19 Ms. Kuykendall, would you approach and
20 state your name -- Well, first of all, let me get your
21 on-deck.

22 Stephen Salmon? Stephen Salmon?

23 Let the record reflect that Mr. Salmon has
24 registered a position against from San Angelo. Mr.
25 Stephen Salmon.

1 Okay. Bill Minter? William D. Minter of
2 Abilene?

3 Thank you, Mr. Minter. If you'll move up
4 into the on-deck position.

5 Karin, would you go ahead and state your
6 name and who you represent.

7 MS. KUYKENDALL: My name is Karin
8 Kuykendall. I'm with Rolling Plains Cotton Growers.

9 Rolling Plains Cotton Growers is a
10 producer organization that represents cotton and cotton
11 production to promote cotton and marketing for the
12 producers of the northern and single Rolling Plains of
13 Texas.

14 First, I would like to thank you for this
15 time that you're taking out of your busy schedules to
16 come and to be with us about redistricting.

17 The members of Rolling Plains Cotton
18 Growers feel district lines should stay just as they were
19 decided upon two years ago. The changes could diminish
20 rural representation in Congress and divide districts
21 that have the same interests.

22 As you know, rural Texas is an important
23 contributor to the economy of Texas through agriculture
24 production and other industries, but the needs and
25 interests of Texas -- of rural Texas are different than

1 those of urban areas of Texas. The economic impact of
2 rural areas is too important to just set aside. The
3 combining urban areas with these rural areas that make up
4 so much a part of our economy will take the focus off the
5 rural concerns. It is important to continue to have
6 representatives that can focus and understand the needs
7 of the rural areas of Texas such as the Rolling Plains.

8 Your leadership is needed to ensure that
9 all of Texas continues to have a voice in Congress.

10 Again, thank you for your time and
11 consideration.

12 SENATOR DUNCAN: Thank you, Karin.

13 Members, any questions of Ms. Kuykendall?
14 Senator West?

15 SENATOR WEST: Did you say you were for or
16 against?

17 MS. KUYKENDALL: Against redistricting.
18 Thank you.

19 SENATOR DUNCAN: Chair calls Bill Minter,
20 William D. Minter.

21 Aubrey Edwards will be on deck.

22 Mr. Edwards, are you in the audience?
23 Aubrey Edwards?

24 Okay. Note Mr. Edwards has registered a
25 position against redistricting.

1 Roger Haldemby? I saw Roger earlier.

2 Roger, you're on deck.

3 Bill Minter, go ahead.

4 MR. MINTER: Thank you.

5 Thank you all for listening to us this
6 afternoon.

7 SENATOR DUNCAN: You need to state your
8 name and who you represent.

9 MR. MINTER: Okay. My name is Bill
10 Minter. I'm from Abilene, and I've been in the
11 advertising and marketing business for about twenty-five
12 years; and kind of coming from the advertising
13 nomenclature, we use something of an area of dominant
14 influence. Looking at TV markets, Abilene and San Angelo
15 have always had shared television stations from the
16 beginning when there was one, and I think now there is
17 three TV station call letters that broadcast to both
18 towns. That's just an example.

19 At one point we had a symphony orchestra
20 that was a shared symphony orchestra. So in the sense of
21 community of interest, I feel that the -- that there is
22 very strong community of interest between Abilene and San
23 Angelo and there always has been.

24 We're sitting here in this nice building,
25 the Houston-Harte Special Events Center, and, of course,

1 he was the publisher of the Standard Times here. And he
2 called his friend one day, Bernard Hanks, in Abilene, who
3 was the publisher of the Reporter News, and said, "Why
4 don't we start buying newspapers together?" I don't know
5 who called whom, but it became Harte-Hanks
6 Communications, one of the most successful media
7 companies ever. And that's an example of some business
8 interests that are overlapping.

9 I was former chairman of the Big Country
10 Library System Advisory Board, which included Brownwood
11 and San Angelo. Those originally were drawn -- Those
12 districts were drawn for the most efficient delivery of
13 library services.

14 Recently, the Boy Scouts Councils in
15 Abilene and Brownwood decided to merge, and -- After
16 looking at a number of other options, Abilene and
17 Brownwood decided to get together.

18 So I think there is a lot of examples of
19 great cooperation between Abilene and San Angelo and,
20 that's what I support.

21 Really, I checked on the paper "against
22 redistricting," redrawing right now; but if the train has
23 left the station, being pragmatic I would like to suggest
24 that we keep Abilene and San Angelo together.

25 SENATOR DUNCAN: Members, any questions of

1 Mr. Minter?

2 MR. MINTER: And I would like to just
3 mention the military. Probably Abilene's number one
4 economic development concern is retaining Dyess, and at
5 the same time -- Mr. Powell's presentation was very nice,
6 but I don't see the logic that having two military
7 installations in one district would work against
8 retention of both.

9 Thank you.

10 SENATOR DUNCAN: Thank you, Mr. Minter.
11 Members, any questions?

12 Thank you.

13 Chair calls Roger Haldemby.

14 On deck will be Tommy Owens.

15 Mr. Owens, are you in the audience?

16 Thank you. If you'll move up and be
17 ready.

18 Mr. Haldemby, state your name and who you
19 represent.

20 MR. HALDEMBY: Senator Duncan and Members
21 of the committee, thank you. I'm testifying on behalf of
22 myself. Of course, I am also testifying as part of the
23 Lubbock Chamber of Commerce and Plains Cotton Growers, so
24 could I take fifteen minutes?

25 SENATOR DUNCAN: Where did you grow up?

1 Did you grow up in Muleshoe with that accent, or --

2 MR. HALDEMBY: I grew up in that
3 neighborhood.

4 SENATOR DUNCAN: I think five minutes is
5 all you get; but I know you, that you are very efficient.

6 MR. HALDEMBY: The board of directors of
7 the Lubbock Chamber of Commerce met last Thursday
8 morning, June 26th, and they have authorized me to
9 testify on their behalf. The board, which is about
10 thirty-five to forty members, were present on Thursday
11 morning. They voted against redistricting; but being
12 realists, realizing that redistricting plans may be put
13 in place, they want to make these three points:

14 They want to make sure that representation
15 of rural Texas is preserved in Congress in any
16 redistricting plan, although they are against
17 redistricting. And they do not want any redistricting
18 plan to cause West Texas to lose a representative in
19 Congress, and they also want to make sure that there is
20 no erosion of influence of members who represent the
21 interests of agriculture, petroleum, ranching and energy
22 across the area.

23 That's my testimony on behalf of the
24 Lubbock Chamber of Commerce.

25 My name is Roger Haldemby, and I'm

1 vice-president of operations for Plains Cotton Growers.
2 Plains Cotton Growers is the certified producer
3 representative organization for cotton growers in
4 twenty-five counties of West Texas spreading from Deaf
5 Smith County in the north and Midland County, from the
6 New Mexico line across the edge of the caprock and off
7 into Motley and Dickens Counties. There is about three
8 point six million acres of cotton planted in that area
9 every year, but it seems like we don't always take three
10 point six million acres to harvest.

11 But the executive committee of Plains
12 Cotton Growers, sixteen men, met on Wednesday of last
13 week, and they specifically passed a resolution that
14 Plains Cotton Growers Executive Committee is firmly
15 against redistricting at this time.

16 I wasn't born in Texas, but I got here as
17 fast as I could. I'm British by birth, I'm American by
18 choice; and I'm darn proud of both. I became an American
19 citizen -- Well, I came to the United States in 1980, and
20 I was thirty-two years old and I had already learned to
21 talk then and I haven't been able to shake the accent
22 off. So I apologize for that; but I don't apologize for
23 becoming an American citizen in 1989, and I'm proud to
24 vote every opportunity I get. And since I became a
25 citizen in 1989 there has been two restrictings, and

1 that's only fourteen years ago.

2 And I know Senator Wentworth gave an
3 explanation as to why things should be done a little
4 differently; but I understand that redistricting has to
5 be done after each census and redistricting was done
6 after the last census, and I personally believe that we
7 should be waiting until the next census until we do
8 redistricting again. And so be it -- If the state
9 representatives and the state senate can't come to an
10 agreement and federal judges have to make that
11 determination, so be it; but I firmly believe that every
12 ten years is when it should be done.

13 I would like to close by saying that I did
14 testify in the Harris Redistricting Committee hearing on
15 Thursday of last week, and I'm very impressed by this
16 afternoon. Each one of you has been attentive. You have
17 been hearing. You have been listening. Your
18 counterparts in the House, I'm sorry to say, gave the
19 impression that their minds were made up before they
20 arrived. I certainly hope -- And I can see that that's
21 not the case with you, and I appreciate the opportunity
22 to say firmly I am against redistricting at that time --
23 this time.

24 Thank you, Gentlemen.

25 SENATOR DUNCAN: Thank you, Roger.

1 Any questions of Mr. Haldemby?

2 Mr. Owens, would you approach?

3 And hang on a minute here and let's get
4 our own-deck person.

5 Sally Ayana?

6 Sally, if you could move up and be ready,
7 you'll be next. You're on deck.

8 Mr. Owens, would you state your name and
9 who you represent.

10 MR. OWENS: Thank you, Senator Duncan.

11 I want to thank you, gentlemen, for giving
12 your time today that we may come and talk to you; and
13 hopefully we will say something today that will be of
14 benefit and something that you will figure out that
15 redistricting we are not for in our country. And where I
16 live -- I live about a hundred miles straight west of
17 here, a little town of Rankin, Texas. There is three
18 towns in that county: Rankin, Texas; McCamey and
19 Midkiff.

20 We are primarily an agriculture, oil and
21 gas, and we've gotten in the windpower business real
22 well. We have eight hundred and fifty mills in our
23 county right now, and -- We also are ranching and
24 farming, and since the wool incentive has been taken from
25 us, our sheep industry has fallen tremendously.

1 The oil industry is a little better, but
2 when Halliburton and Western left our town we were about
3 thirty-five hundred people. Today we are about eighteen
4 hundred to two thousand.

5 The thing that I have to say to you today,
6 that I feel like that Senator Duncan has been a
7 tremendous help to us. And the thing I say today I think
8 are the major bearings for our county. The first thing
9 is keep rural Texas rural. Rural needs to stay rural and
10 city needs to stay city. People get confused over this.
11 United areas, smaller interests, agriculture and
12 transportation and water is something that's very vital.

13 I remember in 1977 there was a fellow
14 named John Cox from Midland, Texas, a large oil man. He
15 told me that day -- as I was a commissioner. He said,
16 "Tommy, you are going to remember" -- "You are going to
17 remember one thing. Some day you are going to see that
18 water is more valuable than oil." And how true it is
19 today. All areas should be treated fairly and consider
20 the people first.

21 I'm here today to ask you to reconsider
22 this and leave it like it is. We are proud to have what
23 we have. Senator Duncan, thank you.

24 SENATOR DUNCAN: Thank you, Mr. Owens.
25 Appreciate it.

1 Are there any questions of Tommy Owens?

2 Thank you, Mr. Owens.

3 Ms. Ayana, would you please approach.

4 And on deck we'll have Genaro Soto.

5 Mr. Soto? Genaro G. Soto, are you in the
6 audience?

7 Okay. Let the record reflect that Genaro
8 G. Soto registers a position against redistricting, and
9 Mr. Soto is from San Angelo.

10 Renea Hicks? Renea, would you approach?
11 You'll be on deck.

12 Ms. Ayana, would you please state your
13 name and who you represent.

14 MS. AYANA: First of all, may the words of
15 my mouth be acceptable, oh Lord, in thy sight.

16 My name is Sally Ayana. I'm a native of
17 San Angelo; and I came to speak because I heard from
18 Linda Shoemaker that y'all would be here, and thank
19 you-all for this opportunity.

20 I have lived here a long time, all my
21 life, and I thought it very important that I try to make
22 this opportunity to speak, because I'm a mother. I have
23 parents that are elderly, and the Medicare and Medicaid
24 affect them. There are children all over that insurance
25 affects.

1 Now, I know we are here for redistricting,
2 and I'm against it, because I'm also a part of some
3 organizations that the voting affect, and by seeing
4 that -- I'm a former precinct chair, and I see all of the
5 time during that time of being a precinct chair that many
6 people are just out of it when it comes time to vote.
7 And I know that this redistricting will cause them to
8 even go back home even more than they are.

9 I'm constantly like a grass-roots
10 Democratic person who goes out and tries to get the vote
11 out, and the people are just -- At this time they are
12 just very upset and they don't think that they will be
13 represented, and I think representation is very
14 important.

15 And of the other organizations that I
16 belong to -- And the reason I'm naming them is because I
17 want you to see how determined I am that our -- our say
18 is represented here today. I'm a member of the
19 Communication Workers of America, the Democratic Club
20 here in San Angelo, the Concho Valley Democratic Club,
21 the NAACP and the Coalition of Black Democrats. And it's
22 a wide range of organizations to let you know that I
23 really am concerned about the citizens, and I have no
24 other little -- big name or anything; but I'm letting you
25 know from my heart that redistricting is not going to

1 help us that much. We need to see if y'all would rethink
2 it and not even do it at all, at least at this time. And
3 if you have to, you know, it should be at the time that
4 it should be, like a ten-year limit like it was
5 originally stated.

6 And I also am going to say that I'm for
7 education. I also was a past PTA president and -- Just
8 to let you know from my heart -- very much from my heart,
9 that redistricting should not be considered at this time.

10 Thank you for your time.

11 SENATOR DUNCAN: Thank you, Ms. Ayana.

12 Does anyone have any questions for Ms.

13 Ayana?

14 All right. Thank you for your testimony.

15 The chair calls Renea Hicks.

16 Mr. Hicks, state your name and who you
17 represent.

18 MR. HICKS: I'm Renea Hicks. I'm an
19 attorney in Austin, Texas; and I'm here on behalf of the
20 Texas Congressional Democratic Delegation.

21 I was an attorney for the state and the
22 redistricting realms it seemed like forever, but it was
23 '90 through '95. I was an attorney for Howard County in
24 the House and Senate Redistricting litigation this last
25 time, 2001, and I was an attorney for some Democrats in

1 the congressional litigation that led to the current map
2 that's in effect.

3 Something has come up today that I hadn't
4 thought of before, and I want to call it to y'all's'
5 attention. I heard some discussion of it.

6 If you think about redistricting right now
7 when you don't have to, like you do after a census --
8 Redistricting right now when you don't have to means in
9 effect, that there are -- The effect of it is that huge
10 chunks of Texas are going to be unrepresented in Congress
11 until January 1, 2005 when the next group is sworn in, if
12 you think about it. If you do substantial rejittering of
13 the districts, the kind that was done -- proposed in the
14 House, that wipes things out for a year and a half of
15 real representation for huge chunks of Texas. That's a
16 lot of -- And that's a very good reason not to do it. I
17 think that's the genius of the system, to set it up to do
18 it -- where it's done every ten years. Either you do it
19 or the courts do it.

20 I hadn't thought of that until -- Because
21 in the interim, you have the congressman elected from
22 those districts that are in effect now, knowing those
23 districts aren't going to be anywhere like that come
24 2000 -- When they take office in 2005. So they are going
25 to be paying attention to -- Who knows what they are

1 going to be paying attention to? Some of them won't run
2 again. But the people that are elected don't even get
3 into office until the election -- I mean don't get
4 elected until Decem -- November of 2004, get sworn in --
5 I can't remember if it's January 1st or January 20th,
6 sometime around there, 2005. You've got a year and a
7 half where you've completely screwed up Texas
8 representation in Congress, chunks of it. Chunks of it,
9 if you do substantial redistricting like we are talking
10 about.

11 I have several points I want to make. I'm
12 going to try to rush through it.

13 First, redistricting in this situation is
14 unprecedented, contrary to what Senator Wentworth said
15 when I first walked in.

16 And I apologize for my dress, by the way.
17 I was doing a water test for a rural Texas area. Didn't
18 think I was going to get done in time. Finished at 1:00
19 o'clock, drove out here.

20 Anyway, it's unprecedented. It's never
21 happened before. In fifty years of the modern era of
22 redistricting there has never been a congressional
23 redistricting statewide in the middle of the decade
24 without a court order requiring it or a court order
25 having to validate a district. You have something my

1 wife prayed for in 2000 -- in 1991, and was mad at me
2 about for the whole decade after that on Senate
3 redistricting. You have a voting rights approved -- One
4 person, one vote approved, partisan gerrymandering
5 approved, nonracial gerrymandering approved, plan in
6 place. It is ironclad proven, and you don't have to
7 spend money on Professor Morrison and the various others
8 that you are paying money for that don't get counted into
9 the one point seven million that's being discussed. You
10 have something in place Texas, I always thought, would
11 pray for; and there is a suggestion here that you undo it
12 and I don't think you should.

13 Attorney General Abbott's opinion --
14 Attorney General Abbott's opinion didn't tell you you are
15 supposed to redistrict. Attorney General Abbott's
16 opinion said, "You are not" -- The only question he asked
17 is, "Are we mandated to do it?" The answer was, "You
18 aren't mandated to do it." He threw in a lot of filler
19 material to give cover for trying to do the redistricting
20 now. I used to write attorney general opinions. I know
21 how it's done. There is absolutely no analysis. It's
22 just rhetoric. There is no analysis of the basis for
23 y'all redistricting at this stage. None. You don't have
24 to read it. It's just quotes or opinions that have
25 nothing to do with this issue.

1 Another problem here is Senator Went --
2 Senator Wentworth has long proposed for the last ten
3 years this nonpartisan or bipartisan commission being
4 established. There is a complete inconsistency between
5 that position and the position of trying to redistrict
6 right now when you don't have to. Complete -- Because
7 you have the closest thing Texas has ever had -- You have
8 a presidentially-appointed, senatorially-approved
9 not -- apolitical set of three federal judges. One of
10 them was appointed by a Republican president, two by
11 Democratic judges. A set of judges that unanimously
12 approved this plan. That's the closest Senator Wentworth
13 has ever seen to what he is proposing happen if y'all
14 change the constitution. And there is a complete
15 inconsistency between saying, "We need to redistrict now
16 as a legislature," when I believe that we should have
17 apolitical or nonpartisan redistricting. Complete
18 emphasis.

19 Senator Wentworth testified --

20 SENATOR DUNCAN: Let me -- Your time is
21 about up.

22 MR. HICKS: Okay. Let me just say Senator
23 Wentworth testified that there should be nineteen
24 Republican congressmen. There are twenty congressional
25 districts right now. Twenty congressional districts that

1 are Republican. They just happened to not be electing
2 the Republicans, but they are twenty.

3 The biggest victim in a redistricting is
4 not Democrats. It is rural Texas, because it's combining
5 rural Texas with suburbanites, and on water it is
6 achieving -- I'm representing a rural water -- rural
7 water district right now. There is complete
8 inconsistency between water interests in the rural area
9 and suburban interests in water. Not one is right and
10 one is wrong, but there is complete inconsistency there.
11 There will be a way to deal with each other, and rural
12 Texas will lose on that.

13 May I just have two quick minutes?

14 SENATOR DUNCAN: If you can wrap up.

15 MR. HICKS: I'll try to wrap up as quickly
16 as I can. I apologize.

17 SENATOR DUNCAN: I understand, and I'm
18 sure --

19 MR. HICKS: And I know other people do,
20 too.

21 SENATOR DUNCAN: Well, I think we are
22 about at the end; but I've been very consistent with the
23 time limit, and I think I need to be fair to them. I
24 need --

25 MR. HICKS: All right. There is some

1 important things that y'all need to realize from the
2 federal court decision that was issued on November 14th,
3 2001 that had the map come out.

4 First, the court said it had accomplished
5 a rough proportionality of districts as between Democrats
6 and Republicans. It's already said it's done that. It's
7 said that the worst gerrymandering that had been done in
8 '91 had been eliminated by its map. This map originated
9 with Attorney General John Cornyn. It didn't originate
10 with the Democrats. The map came from Attorney General
11 John Cornyn and was modified.

12 Georgia vs. Ashcroft, Supreme Court -- I'm
13 switching again. Georgia vs. Ashcroft, Supreme Court
14 decision last Thursday substantially, I think, heightens
15 the difficulty y'all are going to have if you try to
16 redistrict and get away with the kind of thing that was
17 proposed in the House because of retrogression issues.
18 It changed the rules and pointed real politics into
19 voting rights analysis in a way that I think will make it
20 very difficult to justify undoing some of the Democratic
21 districts Tom DeLay has asked y'all to undo.

22 I have much more, but I really appreciate
23 you giving me the extra time.

24 SENATOR DUNCAN: Thank you, Renea.

25 Any questions of Mr. --

1 All right.

2 SENATOR HARRIS: I would ask that he be
3 allowed, Mr. Chairman, to submit them to the committee
4 personally at a later time and we can make them part of
5 the record.

6 SENATOR DUNCAN: All right. Without
7 objection?

8 SENATOR WEST: Are you going to leave or
9 are you going to be around for a while?

10 MR. HICKS: I wanted to leave; but since
11 you've said that, I'll stick around.

12 SENATOR DUNCAN: Okay. Members, is there
13 anyone else in the audience who would like to testify
14 for, against or on the redistricting proposal or a
15 redistricting proposal, the map or whatever?

16 We don't have any more? Okay.

17 What I'm going to do right now is I've got
18 some housekeeping business with cards, and then we're
19 going to have to read some cards into the record on
20 positions.

21 The following cards do not have
22 signatures, so we will enter them under a separate
23 category; but they need to be signed. If your name is
24 called out, would you please come forward and sign your
25 card.

1 Connie -- I think it's Hatchins. It could
2 be Hutchins. Barbara Hall, San Angelo; Allen Richey,
3 Bronte; Emma S. Brown of Christoval; C. Cahill of San
4 Angelo; Alvin Michalewicz from San Angelo; John Jasper
5 from San Angelo; Russell DeVore from San Angelo and Nita
6 Archer of San Angelo.

7 If any of you are here present, would you
8 come sign your card.

9 Okay. Members, I have the following cards
10 who -- who do not wish to testify, but would like to
11 register a position. I'll read their name, where they
12 are from and their position.

13 Carolin Runge from Menard is against. Tom
14 Canfield from San Angelo is against and has written
15 testimony on the back of his card which will be submitted
16 for the record.

17 Shelby Gillespie registers from Norman,
18 Oklahoma. Okay. She is thirteen -- Now listen, Members.
19 This is impressive. She is thirteen years old and she
20 wants to register a position, so I think we should
21 register her position. That's pretty impressive that
22 someone thirteen years old has an interest in politics.

23 So, Ms. Gillespie, your position will be
24 heard and it will be registered with the Committee.

25 Deanna Mayfield of San Angelo registers a

1 position in favor of redistricting. Raford Hargrove of
2 Rotan, Texas, registers a position against redistricting.
3 Debbie Louder of San Angelo registers a position against
4 redistricting. Kathleen Holcomb of San Angelo is
5 against. James Self of Wingate, against. Marilyn Egan
6 of Ballinger, against. Freddie Grohman of Winters,
7 Texas, against. Stella Estrada of San Angelo, against.
8 Bernice Sheffield of San Angelo, against. Ernest Fleming
9 from Christoval, for redistricting. Barbara Thompson of
10 San Angelo does not register a position. Richard --
11 Richey Oliver of San Angelo, Texas, registers a position
12 in favor of redistricting. Joyce Crooker of Big Spring,
13 Texas, registers a position against redistricting. Laura
14 McEwen, Big Spring, Texas, Howard County, registers a
15 position against redistricting. Fred Contreras of San
16 Angelo, Texas, registers a position for. J. M.
17 McLaughlin does not register a position.

18 Mr. McLaughlin, if you're in the audience,
19 please register your position.

20 Maryalyce Ryan, San Angelo, against.
21 Billy J. Hall of Winters, against. Steven Schooler of
22 San Angelo, against. Winton Millliff of Robert Lee,
23 against. Mary Ayana of San Angelo, against. Cherilyn
24 Rees of San Angelo, against. Frank L. Hoelscher of
25 Concho Valley Electric Co-op, Tom Green County Farm

1 Bureau, against. Also, he is of San Angelo, Texas.

2 Joanne Powell, San Angelo, for
3 redistricting. Leanorah Hendry of San Angelo is a
4 resource witness.

5 Members, any questions of Leanorah Hendry?

6 The Chairman hears none.

7 Thank you, Ms. Hendry.

8 Randall Conner of Winters, Texas, against.

9 Terry Smith of San Angelo, Texas, for redistricting.

10 Jasper McClellan of San Angelo. Here is a resource.

11 Any questions of Mr. McClellan?

12 Chair hears none.

13 Thank you, Mr. McClellan.

14 Joe B. Hall -- or J. B. Hall of San
15 Angelo, against. Terry Maxwell of San Angelo, against.

16 Lloyd Hendry of San Angelo, against. Shirley Hall of
17 Winters, Texas, does not register a position.

18 Ms. Hall, if you're in the audience, would
19 you please come register your position.

20 Ricman S. Fly of San Angelo, Texas,
21 registers a position in favor of redistricting. Ryan
22 Haverlah of San Angelo is a resource member.

23 Is there any question of Ryan Haverlah?

24 Chair hears none.

25 Thank you, Mr. Haverlah.

1 Denise Barbour registers a position
2 against. She is from San Angelo. John Barbour of San
3 Angelo, against. Mary L. Cervantez of San Angelo,
4 against. Mary Kay Bailey of Water Valley, against, and
5 written testimony on the back of her card.

6 Roy Blair of Robert Lee, against. Carol
7 Diminnie of San Angelo, against. John -- J. M. Iazgo,
8 against, from San Angelo. Edward Olson of San Angelo,
9 against. Terry Bader of San Angelo, against. Stephen H.
10 Smith of San Angelo is a resource member.

11 Is there any question of Mr. Smith?

12 He is representing the 119th District
13 Attorney, I guess.

14 Any questions?

15 The Chair hears none.

16 Thank you, Mr. Smith.

17 Cheryl deCordova of San Angelo, for
18 redistricting. Weldon Gray of San Angelo, against. Ann
19 Fuller of San Angelo, against. Martha Sleutel of San
20 Angelo, against. Cindy Pond of San Angelo, for
21 redistricting. Kent Sharp, Big Spring, Texas, against
22 redistricting. Gloria Robertson of San Angelo, for
23 redistricting. T. McMurtrey of San Angelo, for
24 redistricting. Milton D. Averit, San Angelo, against
25 redistricting. Janetta Paschal of San Angelo, against

1 redistricting. Mitchell Krasney of San Angelo, against.
2 Margaret Ballard of San Angelo, against. Carolyn Minton
3 of San Angelo, against. James Valles, Jr., of San
4 Angelo, against. Cindy Cawley of Eldorado, against.
5 Paula Sweeten of San Angelo, against, and has written
6 testimony submitted with her card.

7 Mildred Hohmann, San Angelo, against.
8 Representing the Democratic Party. LeAnne Byrd
9 representing Howard College does not register a position.

10 Ms. Byrd, if you're in the audience, would
11 you please come and reflect your position.

12 Robert Benton of San Angelo registers a
13 position against.

14 And we have a card -- Sheila Garcia has
15 not registered whether she wishes to testify or not.

16 Ms. Garcia, are you in the audience?

17 Okay. Let the record reflect Ms. Garcia
18 has registered a position against.

19 Are there any other cards?

20 Okay. Is there anyone in the audience who
21 would wish to testify for, against or on redistricting?

22 All right. The Chair hears none. The
23 public testimony is closed.

24 Members, I'm proud to be a member of the
25 Texas Senate. I'm proud of the way that you sat here and

1 you have attentively monitored this hearing and you've
2 heard the people of this region of the state, and I
3 appreciate you listening.

4 I'm very proud to be a State Senator
5 representing this region of the state, especially with
6 the demeanor and the quality of the testimony that we
7 heard today.

8 I want to say thank you to Angelo State
9 University, to the city of San Angelo and to the people
10 of this area for hosting this committee.

11 I want to say thank you to our court
12 reporter who patiently stood by and deciphered our
13 questions, and I want to say thank you to our interpreter
14 who stood by for us; and thank you to the staff for
15 putting together an excellent meeting.

16 Be careful. Our next meeting will be
17 tomorrow in McAllen -- at 3:00 p.m. in McAllen. We look
18 forward to seeing you there.

19 Are there any questions or any statements,
20 Members?

21 Senator Staples?

22 SENATOR STAPLES: I would be remiss if I
23 didn't inform the Chair that my mother's birth place was
24 Big Spring. I don't want to be in trouble with her for
25 not making that statement as a matter of this court.

1 SENATOR DUNCAN: We'll note that
2 personally.

3 Senator Estes?

4 SENATOR ESTES: Senator, I want to thank
5 you for your wonderful ability to chair this meeting and
6 do a great job.

7 And I want to thank every person that
8 testified. I know some of these meetings, as they said,
9 have become raucous and disruptive; and everybody for or
10 against or just neutral on this subject handled
11 themselves with the utmost decorum and respect for other
12 people's opinion. It makes me proud, not only to be a
13 Texas Senator, but to be a Texan; and I think we have
14 seen our system at its best today.

15 SENATOR WEST: What do you mean by that?

16 SENATOR ESTES: Okay. We can have a
17 yelling match now.

18 But thank you, Chairman, for your
19 leadership and thank you for inviting non members of the
20 Committee. It's been a very good experience.

21 SENATOR DUNCAN: Thank you, Senator Estes.
22 I appreciate your input, and I'm going to appreciate your
23 help as we go through this process.

24 Members, without any other thing coming
25 before the Committee, the Senate Committee on

1 Jurisprudence will stand in recess until 3:00 p.m. or
2 until further call of the Chair.

3 (Meeting adjourned at 7:46 p.m.)

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1 STATE OF TEXAS)

2 COUNTY OF TOM GREEN)

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4 I, Leslye P. Curnutt, Certified Shorthand Reporter
5 in and for the State of Texas, do hereby certify that the
6 above and foregoing contains a true and correct
7 transcript of all the proceedings in the above-styled
8 cause.

9 Given under my hand and seal of office on this the
10 8th day of July, 2003.

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