



1 REPORTER'S RECORD (Continued)

2 VOLUME 1 OF 1

3 TEXAS STATE SENATE COMMITTEE ON JURISPRUDENCE

4 REGIONAL HEARING IN WACO, TEXAS

5 JULY 9TH AND 10TH, 2003

6  
7 BE IT REMEMBERED that on the 9th day of  
8 July, 2003, between the hours of 1:00 p.m. and  
9 11:59 p.m., and continuing on the 10th day of July,  
10 2003, between the hours 12:00 a.m. and 12:41 a.m., the  
11 above entitled cause came on for public hearing at  
12 Baylor University School of Law, 1114 S. University  
13 Parks Drive, Room 127, Waco, McLennan County, Texas,  
14 76798, before the Texas State Senate Committee on  
15 Jurisprudence, Chairman Senator Robert Duncan, Vice  
16 Chairman Senator Mario Gallegos, Jr., Senator Kip  
17 Averitt, Senator Chris Harris and Senator Royce West,  
18 and the following proceedings were had, to-wit:

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1 CHAIRMAN SENATOR DUNCAN: All right. The 01:25 PM  
2 Senate Committee on Jurisprudence will come to order.  
3 The Clerk will call the roll.

4 COMMITTEE CLERK: Senator Duncan?

5 CHAIRMAN SENATOR DUNCAN: Here. 01:25 PM

6 COMMITTEE CLERK: Senator Gallegos?

7 VICE CHAIRMAN SENATOR GALLEGOS: Here.

8 COMMITTEE CLERK: Senator Averitt?

9 SENATOR AVERITT: Here.

10 COMMITTEE CLERK: Senator Harris?

11 SENATOR HARRIS: I'm here.

12 COMMITTEE CLERK: And Senator West?

13 SENATOR WEST: Here.

14 CHAIRMAN SENATOR DUNCAN: Thank you. A  
15 quorum is present. 01:26 PM

16 OPENING STATEMENT BY CHAIRMAN SENATOR DUNCAN

17 CHAIRMAN SENATOR DUNCAN: My name is  
18 Robert Duncan. I'm the State Senator from Lubbock,  
19 Texas and I'm honored to serve as the Chairman of the  
20 Senate Jurisprudence Committee, which will be presiding 01:26 PM  
21 here in Waco today.

22 First, I would like our translator to make  
23 an announcement that she is available -- that he is  
24 available to translate for persons who might have a  
25 Spanish trans -- or might find that translation in 01:26 PM



1 Spanish or to English would be helpful. 01:26 PM

2 Would you please approach, Mr. Carroll,  
3 and explain how your -- explain how your services will  
4 work both in English and in Spanish?

5 MR. CARROLL: All right. I'm here just to 01:26 PM  
6 translate for those who do not speak English, who speak  
7 either Spanish or Castillian. If you are going to be  
8 testifying in Spanish, I would ask you to approach the  
9 microphone and speak either in phrases or in short  
10 sentences because I wouldn't want to run the risk of -- 01:26 PM  
11 if you go on for a long time, that I would forget  
12 something that you have said. And I suppose I could  
13 translate from right here also while someone is at the  
14 microphone.

15 (Whereupon, Mr. Carroll translated  
16 (above statement in Spanish.

17 CHAIRMAN SENATOR DUNCAN: Thank you very  
18 much.

19 As I stated earlier, the testimony today  
20 and all of our proceedings will be taken down by a 01:27 PM  
21 certified shorthand reporter. Debbra Wood is down here  
22 with us, and I wanted to introduce her to you.

23 On behalf of the Senate Jurisprudence  
24 Committee, I want to thank all of you for taking the  
25 time to come here today to share your views with us. 01:27 PM

1 Governor Perry has called the Texas Legislature into 01:27 PM  
2 special session to consider Congressional redistricting.  
3 This is not a simple or casual task, and it is one that  
4 we know people have strong feelings about. We want to  
5 hear what your views are on this important topic. These 01:28 PM  
6 proceedings are being transcribed so that we can make  
7 them a part of the Legislative record and can share them  
8 with persons who are not here today.

9 As we consider this issue, we are  
10 constrained by various legal requirements that you 01:28 PM  
11 should be aware of.

12 First, any plan we adopt must comply with  
13 the federal constitutional requirement of one person,  
14 one vote. If the 32 Texas Congressional Districts are  
15 to be equal in size, they will need to have 651,619 01:28 PM  
16 persons each. We will need to draw districts that will  
17 be at or very near that size.

18 Second, the State of Texas is covered by  
19 Section 5 of the Federal Voting Rights Act. As a  
20 result, we are obligated to be sure that any changes we 01:28 PM  
21 make do not result in a retrogression in minority voting  
22 strength. In other words, any plan drawn by the  
23 Legislature may not have the purpose or effect of  
24 worsening the position of minority voters when compared  
25 to the current plan, which was drawn in 2001 by a 01:29 PM

1 federal court. 01:29 PM

2 Third, we need to be sure that any plan  
3 the Legislature adopts ensures that minority voters do  
4 not have less opportunity than other members of the  
5 electorate to participate in the political process and 01:29 PM  
6 to elect candidates of their choice.

7 Finally, we need to conform to the Supreme  
8 Court's repeated direction over the past ten years that  
9 redistricting not result in racial gerrymandering. In  
10 particular, we need to be sure that race is not the 01:29 PM  
11 predominant force in the redistricting process to the  
12 subordination of traditional districting principles.

13 With that introductory statement, I would  
14 like to next open up the Floor to the Members for  
15 introductory statements. I've introduced myself to you. 01:29 PM  
16 I want to say that we're very proud to be here in this  
17 beautiful auditorium at your new law center. We know  
18 how important Baylor University is to the State of  
19 Texas, and we know how important Waco and Central Texas  
20 and McLennan County and all the areas in here serve not 01:30 PM  
21 only in our state, but in our nation. And we look  
22 forward to hearing from you today about redistricting.

23 I will say one thing, it's my  
24 understanding, and each of these Members have been with  
25 us, we've been together, so nobody has been -- on our 01:30 PM

1 Committee has been out drawing maps. We're here today 01:30 PM  
2 to hear testimony about maps. I do not have a plan and  
3 do not intend on introducing a bill. That will have to  
4 come from other Members of the Committee or of the  
5 Senate. But what you will hear us talk about is the -- 01:30 PM  
6 if you see a map from us, it's one map, it's the current  
7 existing plan. And that's what we have before us today.  
8 We do not yet have the House Bill before us, we haven't  
9 been to Austin since it's been referred. So we're in  
10 the process of taking your testimony and hearing what 01:31 PM  
11 your concerns are with regard to the current lines and  
12 any proposed changes that you may suggest or you may  
13 want to resist, we are here to hear about.

14 With that, I will go in order of  
15 seniority. We'll give Senator Averitt a little bump. 01:31 PM  
16 Since we're in Waco, why don't you go ahead and  
17 introduce us and give us some (inaudible) --

18 OPENING STATEMENT BY SENATOR AVERITT

19 SENATOR AVERITT: Thank you very much,  
20 Mr. Chairman. 01:31 PM

21 I want to welcome the Senate Jurisprudence  
22 Committee to Waco, the home of the 43rd President of the  
23 United States, and perhaps to some of equal interest,  
24 the home of Dr. Pepper. (Group Laughter). We're glad  
25 that you're here. 01:31 PM

1                   Senator Duncan, I especially appreciate   01:31 PM  
2   you and the Members of the Committee for adding this  
3   stop to your already aggressive agenda to come and hear  
4   the concerns and the interests of the folks in Central  
5   Texas because we do have unique concerns here in Central 01:32 PM  
6   Texas.

7                   I want to also especially recognize  
8   Senator Harris. Senator Harris is recognized as  
9   representing some of the neighboring counties and has an  
10   unique understanding of our unique issues that we have   01:32 PM  
11   in this area.

12                   Central Texas, and in particular, McLennan  
13   County, have some very unique issues that we need to be  
14   considering when we're drawing a Congressional map.  
15   You're going to hear a lot more testimony today about   01:32 PM  
16   why Central Texas needs Congressional representation.

17                   First of all, it is the home of the  
18   President, which has spurred a unique need for  
19   understanding of Homeland Security. We have a lot of  
20   issues when the President comes to town.                   01:32 PM

21                   Lake Waco is the major source of the  
22   drinking water for this region. 200,000 people depend  
23   on Lake Waco for drinking water, as well as our economic  
24   development and things of that nature. It's a unique  
25   problem. It's the highest profile TMDL in the country.   01:33 PM

1                   We are at the heart of the Interstate 35   01:33 PM  
2                   corridor, a highway that was built 50 years ago and is  
3                   in the midst of a major construction expansion project.

4                   We're the home of Baylor University, one  
5                   of the most prestigious and largest private universities 01:33 PM  
6                   in the country.

7                   Our area is growing quickly, yet remains  
8                   the core of rural Central Texas. We feature a diverse  
9                   economy, manufacturing, like MMRs, I3, but we're also  
10                  the home of the Brazos River Authority, the Texas Farm   01:33 PM  
11                  Bureau, the Texas Rangers.

12                  McLennan County is unique. We're a  
13                  thriving part of Texas. We have long since enjoyed  
14                  Congressional representation in Central Texas. It's  
15                  vital to our economy. It's vital to our prosperity.   01:33 PM  
16                  Because our issues are unique, we believe that Central  
17                  Texas needs and deserves Congressional representation.

18                  Members, you received a gift bag that has  
19                  been donated by the Waco Chamber of Commerce and has  
20                  things in it that represents some of the unique bits of   01:34 PM  
21                  our economy in Waco and we hope that you enjoy that.

22                  And in closing, let me say thank you  
23                  especially to all the folks who came out today to  
24                  express your concern, your interests, and your comments  
25                  in this process. It's extremely important that you're   01:34 PM

1 here. This Senate Committee is here to listen to what 01:34 PM  
2 you have to say. We're not just sitting here, we're  
3 taking notes, we're paying attention, and your comments  
4 will be integral in the process of drawing a map, if  
5 that's what's decided to do. 01:34 PM

6 And let me also please ask for mercy on  
7 this Committee. (Group laughter). This Committee is  
8 weary. They've been all over the state. They came,  
9 they agreed to add one more stop to hear your concerns.  
10 I ask you to please respect the five minute deadline. 01:35 PM  
11 It's very easy to get up here and say "I'm almost  
12 through, can I just please have a few more moments to  
13 finish my testimony," and by the time that's over,  
14 you're there for seven minutes and then the next person  
15 does it, and the next person. I'm begging you to please 01:35 PM  
16 respect the five minute deadline that the Chairman has  
17 set. It's worked very well in the other parts of the  
18 state and it will expedite this because we have several  
19 hundred people here and the problem is some people can't  
20 wait until 2:30 in the morning to testify and we want to 01:35 PM  
21 hear from everybody, so if we can keep this moving  
22 expeditiously, that's going to help y'all and us  
23 accomplish this task.

24 So thank you very much for showing up and;  
25 Mr. Chairman, thank for you coming to Waco. 01:35 PM

1                   CHAIRMAN SENATOR DUNCAN: Thank you,                   01:35 PM  
2     Senator, and thank you -- and I really appreciate it and  
3     am really happy to get your insistence on us coming here  
4     and hearing the people, and really especially in light  
5     of the last few days, I think it's very important for us 01:36 PM  
6     to be here and so I really do thank you for your  
7     advocacy on behalf of this Committee.

8                   The Chair recognizes Senator Harris.

9                   SENATOR HARRIS: Mr. Chairman, I presumed  
10    you're going to go ahead and go all the way down from     01:36 PM  
11    that side.

12                  CHAIRMAN SENATOR DUNCAN: No, I'm going  
13    with that seniority thing.

14                  SENATOR HARRIS: Yeah. Well, you can just  
15    keep rubbing it in, Mr. Chairman. (Group Laughter).     01:36 PM

16                  OPENING STATEMENT BY SENATOR HARRIS

17                  SENATOR HARRIS: McLennan County, I've  
18    always felt an identity with. My family moved here when  
19    I was three years old back -- I went through the great  
20    tornado in Waco. My dad was in law school at the time 01:36 PM  
21    later and we were -- he was over in some little old  
22    building over there on campus. Later, I went to Baylor  
23    Law School and, of course, it was in a different  
24    building and I get down here today, and all I can say is  
25    the law center down here rivals anything the Taj Mahal     01:37 PM



1 has to offer. I'm flabbergasted at how beautiful this 01:37 PM  
2 is.

3 From my standpoint growing up here, in  
4 fact, I had a farm just up the road on Bell Road  
5 (phonetic), and McLennan County has always, to me, been 01:37 PM  
6 an important area to me. And for that reason, I am very  
7 interested in hearing what you, the people of McLennan  
8 County, your views are, and in turn, for the Committee  
9 to take into consideration your statements here today.

10 I would like to -- so there's no confusion 01:37 PM  
11 over it, I would like to clarify what the Chairman said  
12 a minute ago. And that is, that the only map that has  
13 been filed in the Texas Senate is a redistricting map  
14 that is an owed uniformity to the court ordered plan.  
15 More or less, the current map that is before -- that is 01:38 PM  
16 before the Senate at this point is what we are currently  
17 operating under in the State.

18 I also think it's important to note that  
19 none of the Members of the Senate who are here have  
20 drawn any plans to my knowledge. Everyone has been very 01:38 PM  
21 careful not to make any plans because, to us, it's very  
22 important that before we start, we first make sure that  
23 we've gotten the public input where we're taking your  
24 considerations into account before we remotely start  
25 looking, like I say, at any kind of maps. 01:39 PM

1 I look forward to hearing from the people 01:39 PM  
2 of McLennan County today and the surrounding counties.  
3 And I just want to thank all of you for providing us  
4 this unique structure. But I look forward to hearing  
5 from all of you. 01:39 PM

6 CHAIRMAN SENATOR DUNCAN: Thank you,  
7 Senator Harris.

8 Senator Royce West from Dallas.

9 SENATOR WEST: Thank you very much,  
10 Chairman Duncan. 01:39 PM

11 OPENING STATEMENT BY SENATOR WEST

12 SENATOR WEST: I believe I might -- and  
13 I've told some of my friends here in Waco, I have some  
14 roots here in McLennan County myself. My grandfather,  
15 B.G. Ashford (phonetic), used to own some property here 01:39 PM  
16 last -- as I told you, a long time ago here in Waco.  
17 And needless to say, my predecessor in the State Senate,  
18 Eddie Reese Johnson (phonetic), is from Waco also. So I  
19 have a lot of good friends in Waco. I don't think there  
20 are any domino players in Waco, but that's another 01:40 PM  
21 story. (Group laughter).

22 Let's -- I want to talk to you just  
23 briefly about how we picked Waco. We have been  
24 traveling around the State of Texas seeking input from  
25 citizens throughout this State. Needless to say, the 01:40 PM

1 impetus for why we are here spending this type of money 01:40 PM  
2 is coming from Tom DeLay and, I mean, that's just pretty  
3 clear. And there's certain Congressional Districts that  
4 are being targeted, one of which is the 11th, that's  
5 occupied currently by Chet Edwards. Another one is the 01:40 PM  
6 17th, and that's Charles Stenholm.

7 We were in San Angelo sometime last week  
8 and having a hearing there. That hearing was important  
9 for the following reasons: The individuals that were  
10 present and testifying, I would say that the majority 01:41 PM  
11 were either Republican or Independent and some of which  
12 were Democrats, I think is a pretty good assessment of  
13 the individuals that were there; but a great majority of  
14 the persons that testified, probably 95% of them,  
15 indicated that they didn't vote for the party, they 01:41 PM  
16 voted for the individual, and as such, they were  
17 satisfied with the current Congressional map as related  
18 to the 17th, and they were satisfied with their current  
19 Representative, that being Charlie Stenholm.

20 Senator Duncan and I began to have 01:41 PM  
21 discussions about, you know, getting -- to make sure  
22 that we gather a good cross section of how we -- other  
23 people in the state felt, and that's when I began to  
24 mention, we ought to be looking and talking to Senator  
25 Averitt about Waco, because of Chet Edwards and because 01:42 PM

1 this is obviously a targeted area. And we want to find 01:42 PM  
2 out exactly how you felt about the issue of  
3 redistricting. Whether this is a partisan issue or  
4 whether you are a -- let me -- let me ask this.

5 Can I get a show of hands of those of you 01:42 PM  
6 who consider yourselves Independent in terms of voters,  
7 would you raise your hands?

8 AUDIENCE MEMBERS: (Complied).

9 SENATOR WEST: All right. Would you --  
10 you can put your hands down. 01:42 PM

11 AUDIENCE MEMBERS: (Complied).

12 SENATOR WEST: How many of you consider  
13 yourselves Republicans, raise your hands?

14 AUDIENCE MEMBERS: (Complied).

15 SENATOR WEST: All right. How many of you 01:42 PM  
16 consider yourself Democrats, raise your hands?

17 AUDIENCE MEMBERS: (Complied).

18 SENATOR WEST: All right. Now, we have a  
19 cross section of political parties, individuals that  
20 identify with political parties and also Independents 01:42 PM

21 here. It is very important that we know how you feel  
22 about redistricting, whether or not we continue to labor  
23 under the same map or whether or not we change the 11th  
24 Congressional District, that's the purpose of us being

25 here. 01:43 PM

1                   Now, last night in Dallas, we had probably 01:43 PM  
2 a thousand people to show up and probably about 800 to a  
3 thousand to actually register in some form or the other,  
4 and I guess about 150 of which actually testified, and a  
5 great majority of those individuals that testified was 01:43 PM  
6 against redistricting. They not only came from Dallas,  
7 they came from Fort Worth, they came from Northeast  
8 Texas, and also East Texas. So again, it's important  
9 that we know exactly how McLennan County and the  
10 surrounding counties that you represent feel about 01:43 PM  
11 redistricting.

12                   When we began to look at the options that  
13 are available, I can tell you that we've consistently  
14 told persons that have appeared before this Committee  
15 exactly how the Senate is proceeding. That is, is that 01:44 PM  
16 you're not just talking to us, but we're going to be  
17 actually listening to you, and that our deliberation in  
18 terms of whether or not we do redistricting, offer up  
19 any maps, should be based on the transcript that's  
20 developed after the hearings are concluded, and this is 01:44 PM  
21 the last hearing. Thus, once you have had your say,  
22 public testimony on soliciting testimony as relates to  
23 what we're going to do with redistricting will be closed  
24 until such time, and correct me if I'm wrong,  
25 Mr. Chairman, that maps are offered, and at that point 01:44 PM

1 in time, public testimony will be opened back up as to 01:44 PM  
2 the various maps that we consider, if we consider any  
3 maps at all. So your testimony is very, very important.

4 How long will it take to develop a map  
5 after the transcript and the records of these 01:45 PM

6 proceedings are developed? I don't know. And that's  
7 something that has not been decided. But it won't be  
8 until, and as Senator Harris just mentioned, until after  
9 we gather this input that a map from the Senate, at  
10 least from this Committee, I guess Senator Harris, and 01:45 PM

11 correct me if I'm wrong, Senator Harris, will be  
12 developed and considered by this Committee. That's how  
13 important this particular task is to us and that's how  
14 serious we take our particular charge. For those of you  
15 that believe strongly that we should redistrict or 01:45 PM

16 believe strongly that we shouldn't redistrict, we, the  
17 Senate, should not be your only point of contact by the  
18 Mayor and other elected officials, business leaders, and  
19 civic leaders, you should contact the Governor's office  
20 by e-mail, you should contact the Speaker's office, you 01:46 PM  
21 should contact the Lieutenant Governor's office to make  
22 sure that they understand exactly how you feel about  
23 this political issue.

24 Lastly, of course, it is important that  
25 this not be your last interaction with the State Senate. 01:46 PM

1 Again, as I previously stated, this is the last hearing 01:46 PM  
2 as relates to soliciting input from citizens to  
3 determine exactly what direction to go in as relates to  
4 redistricting. If there is a map that comes up,  
5 McLennan County needs to review that map and make a 01:46 PM  
6 determination as to whether or not you're satisfied with  
7 what's being done. And if it's not, then you need to be  
8 in Austin in equal force as you are here today to make  
9 sure that your voice is heard. Do not let this be your  
10 first and last or your first and last encounter with 01:46 PM  
11 this particular process. I look forward to hearing from  
12 you.

13 We stayed in Dallas until about three  
14 o'clock this morning, so if we have to stay here until  
15 about three or four o'clock this morning, we will be 01:47 PM  
16 here until the last person has had an opportunity to  
17 address this Committee and provide us the input in this  
18 process.

19 Thank you, Mr. Chairman.

20 CHAIRMAN SENATOR DUNCAN: Thank you, 01:47 PM  
21 Senator West.

22 Senator Mario Gallegos from Houston.

23 OPENING STATEMENT BY VICE CHAIRMAN SENATOR GALLEGOS

24 VICE CHAIRMAN SENATOR GALLEGOS: Thank  
25 you, Mr. Chairman. It's a pleasure to be here in Waco. 01:47 PM

1 I forgot the last time I was here. I know it was about 01:47 PM  
2 20 years ago. I know y'all had a Dairy Queen. (Group  
3 laughter). It's kind of a little bigger. And now I  
4 just want to echo what Senator Harris has said, that  
5 you've got a beautiful campus. Leticia and I went to 01:47 PM  
6 the University of Houston and this is -- this is a --  
7 you know, this is a real, real nice -- especially this  
8 law center. I think it's a little better than our law  
9 center.

10 But it is an honor and a pleasure to be 01:48 PM  
11 here. We have been all over the state. I will tell you  
12 by trade, I spent 22 years -- I'm a 22 year veteran of  
13 the Houston Fire Department, so I've been fighting fires  
14 all my life. This is just another type of fire (group  
15 laughter) that we'll be doing and fighting during this 01:48 PM  
16 process.

17 Senator West is right, we were in Dallas  
18 hearing testimony until three o'clock this morning. We  
19 had people recite poetry to us, sing to us. We had a  
20 young man sing to us with his guitar, so we don't mind 01:48 PM  
21 doing that. It might liven up the place.

22 But we're here to -- and to the State Reps  
23 that are here, Congressman Edwards -- that are here, the  
24 home State Reps. Representative Dunnam and  
25 Representative Mabry, it's a pleasure for me to be here 01:48 PM



1 and listen to what your constituents have to say. 01:49 PM

2 I would like -- I'd like to --

3 (Cell phone rang.

4 VICE CHAIRMAN SENATOR GALLEGOS: -- I

5 would like to say that for those of you who are going to 01:49 PM

6 testify, understand this is the Senate hearing, and with

7 all due respect to my -- to the House Members that are

8 here, this is not the House. And per what you've been

9 reading in the newspaper, I think most of it has been

10 from the House. So we're a different body and we're all 01:49 PM

11 eyes and ears and we're here ready to listen.

12 And -- and with that, Mr. Chairman, since

13 this is our final regional public hearing on

14 redistricting, I think now is the appropriate time to

15 ask the Committee and the Chair what the intentions for 01:49 PM

16 the work schedule of this Committee are and clarify just

17 the redistricting, and other than the meeting that we're

18 having tomorrow, do we have any other meetings set?

19 CHAIRMAN SENATOR DUNCAN: We're going to

20 work hard, Senator, and I would anticipate tomorrow the 01:50 PM

21 only planned meeting I have at this time is for tomorrow

22 and we will hear our Counsel and then if you have

23 someone you would like to propose to come in and provide

24 expert testimony, if you'll submit that to the Chair, I

25 will consider adding that to the agenda. 01:50 PM

1 VICE CHAIRMAN SENATOR GALLEGOS: And 01:50 PM

2 that's tomorrow in Austin?

3 CHAIRMAN SENATOR DUNCAN: Right.

4 VICE CHAIRMAN SENATOR GALLEGOS: Okay.

5 Mr. Chairman --

6 CHAIRMAN SENATOR DUNCAN: It won't be your

7 only opportunity for that, but if you want to take

8 advantage of that time tomorrow, I would be happy to

9 entertain it.

10 VICE CHAIRMAN SENATOR GALLEGOS: But as 01:50 PM

11 far as for regional hearings from this Committee, the

12 Senate Jurisprudence Committee is overseeing the

13 discipline of this meeting, the last regional hearing.

14 CHAIRMAN SENATOR DUNCAN: This is the last

15 regional hearing. 01:51 PM

16 VICE CHAIRMAN SENATOR GALLEGOS: And,

17 Mr. Chairman, the reason I'm asking the question is

18 because I respect the way that the -- you have conducted

19 these field hearings, and contrary to what the -- the

20 McLennan County and the surrounding areas here have read 01:51 PM

21 about in the papers, Chairman Duncan has been open in

22 the process and has allowed everybody, quote,

23 "regardless of what affiliation you are," to testify and

24 have your input heard and put on the record, and unlike

25 the House, with all due respect to my House Members that 01:51 PM

1 are here. 01:51 PM

2 And understand that I don't agree with  
3 some of the way that the House hearings were conducted.  
4 I think that the -- as you see here, we have a quorum.  
5 We have a quorum, a full quorum, unlike some of the 01:51 PM  
6 hearings in the House. And I think that's -- that's  
7 really to be commended from the Chair of this Committee,  
8 that we have a quorum to listen to you, a legal medium  
9 to listen to your input, especially the folks in  
10 McLennan County. 01:52 PM

11 And, Mr. Chairman, I think this Committee  
12 should be different from the House, and it has been. It  
13 really has. Sometimes the Chairman and I don't see  
14 eye-to-eye on issues, but that don't mean anything. At  
15 the end of the day, we shake hands and I respect him and 01:52 PM  
16 he respects me, just like some of the other Members on  
17 this Committee.

18 And in view of that, Mr. Chairman, I have  
19 gotten calls from other Members of the Senate, and since  
20 we do have a court reporter, as we've had in all the 01:52 PM  
21 hearings, I am asking the Committee to have transcribed,  
22 just like this hearing here, I want to hear from  
23 Mrs. Jennings (phonetic) out there, Mrs. Flores  
24 (phonetic) out there, but I also want my colleagues  
25 sitting beside me, Senator Whitmire, who grew up a 01:53 PM

1 short -- close from here, I want him to hear and read 01:53 PM  
2 your testimony and him allowed to read and -- your  
3 testimony here because he has a vote, just like my  
4 colleagues and the others. So what I'm asking for is at  
5 the end of these hearings tomorrow, at the end of 01:53 PM  
6 testimony tomorrow, that the court reporter...

7 Are we going to have a court reporter  
8 tomorrow?

9 CHAIRMAN SENATOR DUNCAN: You know, I  
10 hadn't thought about it since -- 01:53 PM

11 VICE CHAIRMAN SENATOR GALLEGOS: I'm not a  
12 lawyer.

13 CHAIRMAN SENATOR DUNCAN: I'll -- I'll  
14 consider it.

15 VICE CHAIRMAN SENATOR GALLEGOS: Okay. 01:53 PM  
16 But let's just say that we will have -- that it will be  
17 recorded, okay.

18 CHAIRMAN SENATOR DUNCAN: Typically when  
19 we have hearings in the Capitol, we're equipped through  
20 Senate Media to take testimony. The difference is, is 01:54 PM  
21 that with a certified court reporter, as we have today,  
22 and we -- we got Ms. Woods (sic.) especially because she  
23 can turn this around I think tomorrow as a matter of  
24 fact --

25 THE REPORTER: Friday. 01:54 PM

1                   CHAIRMAN SENATOR DUNCAN:  -- okay, and so  01:54 PM  
2     we will have -- I think we've already received some of  
3     the transcripts from some of the other hearings.  That's  
4     the reason we've done that.  Typically, we don't go to  
5     the substantial extra expense of doing that when we have  01:54 PM  
6     those services set up in the Senate Media at the  
7     Capitol.

8                   VICE CHAIRMAN SENATOR GALLEGOS:  Well, if  
9     we can have -- because chances are, this might go into  
10    the legal process into a court, if we could have a court  01:54 PM  
11    reporter tomorrow, Mr. Chairman, I'd appreciate it, but  
12    what I'm asking --

13                  CHAIRMAN SENATOR DUNCAN:  I will note your  
14    request and I'll give you the answer on that later.

15                  VICE CHAIRMAN SENATOR GALLEGOS:  What I'm  01:54 PM  
16    asking is that at the end of this Committee's business,  
17    and right now, the redistricting process is in our -- is  
18    in our lap and the eyes of Texas are really looking at  
19    McLennan County today and this Committee today, that at  
20    the end of the process of this Committee, that all  01:55 PM  
21    testimony, especially public testimony, be transcribed  
22    and our colleagues that are not here be allowed to  
23    review testimony from each and every one individual,  
24    including McLennan County and this hearing here, be  
25    given a 72 hour review -- allowed 72 hours to review  01:55 PM

1 testimony from each person that testifies here today and 01:55 PM  
2 those that have testified before the Committee in the  
3 hearings that we've had in the past. Mr. Chairman, I'd  
4 like to make that motion at the proper time, and I'm  
5 really -- since we have a quorum, I'd like to move. 01:56 PM

6 CHAIRMAN SENATOR DUNCAN: I would  
7 respectively request that you hold off and let me look  
8 at that. I hadn't heard that yet. And we can talk  
9 about it today. 72 hours is -- I don't think there's  
10 anything in the rules that requires 72 hours, and so I 01:56 PM  
11 want to look at the rules and see if that is the  
12 appropriate motion, but then if you want to take some  
13 action like that, we can certainly discuss it today if  
14 you wish, but I'd like a little time to --

15 VICE CHAIRMAN SENATOR GALLEGOS: I'm just 01:56 PM  
16 -- what I -- I just want my colleagues that are not here  
17 to be allowed that unlike the House --

18 CHAIRMAN SENATOR DUNCAN: Well, that's --  
19 I'm trying to -- I understand that --

20 VICE CHAIRMAN SENATOR GALLEGOS: I'm 01:56 PM  
21 trying to separate us from the House.

22 CHAIRMAN SENATOR DUNCAN: I'm sensitive to  
23 that and I certainly want to do whatever I can to  
24 accommodate that need, I think, within reason. I just  
25 need to make sure that we've got these available. I 01:57 PM

1 think that we actually have received some transcripts as 01:57 PM  
2 of today, so we can go ahead and allow them to start  
3 reviewing transcripts today. The problem is, is that 72  
4 hours from Friday would be -- I need to -- I'm not that  
5 quick, but that's about four days, I believe, or five 01:57 PM  
6 days from Friday, so I would think that that might be 72  
7 hours. 72 hours is --

8 AUDIENCE MEMBERS: Three days.

9 CHAIRMAN SENATOR DUNCAN: Three days,  
10 okay. I don't have my calculator with me. 01:57 PM

11 AUDIENCE MEMBERS: (Laughter).

12 CHAIRMAN SENATOR DUNCAN: (Inaudible).

13 THE REPORTER: Excuse me, I'm having  
14 trouble hearing you while they're laughing.

15 VICE CHAIRMAN SENATOR GALLEGOS: All I'm 01:57 PM  
16 asking -- all I'm asking is that the testimony that  
17 we've heard from individuals in prior meetings and plus  
18 those that we're going to hear from individuals today,  
19 and I think that the individuals that are going to  
20 testify today would like not only this Committee, but 01:58 PM  
21 other Senators, to hear what you have to say and be  
22 allowed to review the process to what they have to say  
23 about redistricting, whether they're for it, against it,  
24 or have any recommendations to that, that one of them --  
25 one of the 31 of those Senators, and I have gotten calls 01:58 PM

1 from them, wish to review the process and wish to hear 01:58 PM  
2 what you have to say, regardless of who you are,  
3 Democrat, Republican, Independent, they want to hear  
4 what you've got to say, even if it has to be in the  
5 transcript process, which is legal, I think. Like I 01:58 PM  
6 said, I'm not a lawyer, but I would -- if I was not on  
7 this Committee and this is Waco, Texas, I would want to  
8 know what the Mayor has to say about Waco and/or the  
9 other elected officials and what the citizens of  
10 McLennan County have to say individually of what you 01:58 PM  
11 have to say about this process, pro or con --

12 AUDIENCE MEMBERS: (Applauded).

13 VICE CHAIRMAN SENATOR GALLEGOS: -- if we  
14 can, Mr. Chairman, and I respect that you'd like to look  
15 at it, but I'd like to make a motion before the end of 01:59 PM  
16 the day on -- since this is the last regional meeting as  
17 far as public input tomorrow. I understand the invited  
18 testimony, plus those that we wish to invite also, but  
19 I'd like an answer on my motion before the end of the  
20 day. 01:59 PM

21 CHAIRMAN SENATOR DUNCAN: Let me see what  
22 transcripts will be in, when they will all be in, and  
23 what the rules say with regard to those time limits and  
24 we'll discuss it later in the meeting today.

25 VICE CHAIRMAN SENATOR GALLEGOS: Thank 01:59 PM





1 SENATOR HARRIS: Oh, we do? Okay. 02:00 PM

2 CHAIRMAN SENATOR DUNCAN: Let me advise  
3 you before we go any further, I think that's a  
4 reasonable option to consider. We thought about this in  
5 advance and that's why we have court reporters, and our 02:01 PM  
6 understanding with the court reporters is, is to get the  
7 transcripts out as quickly as possible so that they'll  
8 be available to all the Members. I believe that if this  
9 hearing lasts no longer than four hours, of course,  
10 we're kind of going here a long time ourselves, but -- 02:01 PM

11 AUDIENCE MEMBERS: (Applauded).

12 CHAIRMAN SENATOR DUNCAN: (Inaudible).

13 THE REPORTER: I can't hear you.

14 CHAIRMAN SENATOR DUNCAN: -- that we will  
15 have these transcripts available, the last one will be 02:01 PM  
16 coming in Friday. So, you know, what I'm trying to do  
17 is gauge your motion with regard to when we will have  
18 the last one in, and I don't -- I want to make sure that  
19 we don't unnecessarily hamstring the process. I think  
20 this is an important thing, it is an important request 02:01 PM  
21 that you've made and one that we should try to honor, I  
22 just want to see what the parameters are of that.

23 SENATOR HARRIS: Mr. Chairman,  
24 parliamentary requires --

25 CHAIRMAN SENATOR DUNCAN: Senator Harris. 02:02 PM

1                   SENATOR HARRIS:  -- or is the Committee       02:02 PM  
2    filibustering the people of McLennan County?

3                   CHAIRMAN SENATOR DUNCAN:  No.

4                   AUDIENCE MEMBERS:  (Applauded).

5                   SENATOR HARRIS:  Mr. Chairman, could I       02:02 PM  
6    suggest that the Committee take this up at the first  
7    break, the discussion of it?

8                   VICE CHAIRMAN SENATOR GALLEGOS:  Okay.

9                   AUDIENCE MEMBERS:  (Applauded).

10                  CHAIRMAN SENATOR DUNCAN:  Thank you,       02:02 PM  
11    Senator Gallegos.

12                  The Chair recognizes Senator Van de Putte  
13    from San Antonio, who is not on the Committee, but has  
14    been with us at nearly -- I guess every hearing and has  
15    provided meaningful input and has also helped us in       02:02 PM  
16    other areas of the state and I really appreciate her  
17    being here.  Senator Van de Putte.

18                  OPENING STATEMENT BY SENATOR VAN DE PUTTE

19                  SENATOR VAN DE PUTTE:  Thank you.  It is a  
20    joy to be here.  It's been about three weeks since I       02:02 PM  
21    have been on campus.  I have a high school junior who's  
22    dead set on becoming a Baylor Bear and so we went on a  
23    tour two weeks ago --

24                  AUDIENCE MEMBERS:  (Applauded).

25                  SENATOR VAN DE PUTTE:  -- and was       02:03 PM

1 delighted with the campus. Of course, we think coming 02:03 PM  
2 from San Antonio, we're your I-35 sister, a lot in  
3 common, and I have to tell you that my daughter, my  
4 family, we were delighted with the campus and the folks  
5 here. Part of it is the hospitality of Central Texas, 02:03 PM  
6 core Texan values, and I want to tell you that your  
7 Representative delegation in the Texas Legislature from  
8 either party is fierce about representing your  
9 interests. When it comes to interests of Central Texas,  
10 they can't be split, and I have to tell you that is so 02:03 PM  
11 heartwarming to see.

12 I also wanted to mention the fact that on  
13 my tour, we got a little gift and they got the kids some  
14 mouse pads because my nephew's always -- also interested  
15 in coming and joining your ROTC -- the Air Force ROTC 02:03 PM  
16 program. And they gave me a checkbook cover. (Group  
17 laughter).

18 Mr. Chairman, I -- I look forward to the  
19 good people testifying and so that we can get on to the  
20 real business, which is hearing you, let's roll. 02:04 PM

21 AUDIENCE MEMBERS: (Applauded).

22 CHAIRMAN SENATOR DUNCAN: Thank you,  
23 Senator.

24 I have further introductions in that when  
25 we -- the Committee decided that we needed outside 02:04 PM

1 counsel to advise us with regard to the complex laws 02:04 PM  
2 involving redistricting and the constitutional issues  
3 that are involved, we searched around and found two of  
4 the best lawyers, actually three of the best lawyers,  
5 two of them come from Baylor Law School. These are two 02:04 PM  
6 of the best lawyers we could find, not only in the  
7 state, but in the nation, Professor David Guinn and  
8 Professor Mike Morrison. Thank you.

9 AUDIENCE MEMBERS: (Applauded).

10 CHAIRMAN SENATOR DUNCAN: (Inaudible) also 02:04 PM  
11 Bob Heath from Austin had been employed by -- as counsel  
12 for the Committee. They will not be drawing maps. And  
13 their express instructions from the Chair is not to draw  
14 maps, but they are to advise each and every one of the  
15 Members of the Committee with regard to all legal issues 02:05 PM  
16 as well as the process. And I think you should be proud  
17 that you have such fine members of the faculty here at  
18 the Baylor Law School, and we certainly have appreciated  
19 and enjoyed the fine work that they've done for us.

20 Are we ready to begin? 02:05 PM

21 AUDIENCE MEMBER: Yes.

22 SENATOR HARRIS: The crowd hopes we are,  
23 Mr. Chairman.

24 VICE CHAIRMAN SENATOR GALLEGOS:

25 (Inaudible). 02:05 PM

1                   CHAIRMAN SENATOR DUNCAN: Senator Gallegos 02:05 PM  
2 moves that the public testimony at the Waco, McLennan  
3 County regional hearing be limited to five minutes. The  
4 clerk will call the roll.

5                   COMMITTEE CLERK: Senator Duncan?                   02:05 PM

6                   CHAIRMAN SENATOR DUNCAN: Aye.

7                   COMMITTEE CLERK: Senator Gallegos?

8                   VICE CHAIRMAN SENATOR GALLEGOS: Aye.

9                   COMMITTEE CLERK: Senator Averitt?

10                  SENATOR AVERITT: Aye.

11                  COMMITTEE CLERK: Senator Harris?

12                  SENATOR HARRIS: Aye.

13                  COMMITTEE CLERK: Senator West?

14                  SENATOR WEST: Aye.

15                  CHAIRMAN SENATOR DUNCAN: Hearing five               02:05 PM

16 ayes and no nays, the motion prevails.

17                         We'll call our first witness. The first  
18 witness will be the Honorable Jim Dunnam -- Jim Dunnam,  
19 State Representative from Waco, Texas. Jim.

20                         AUDIENCE MEMBERS: (Applauded).

21                                 PUBLIC TESTIMONY

22

23

24

25

1 REPRESENTATIVE JIM DUNNAM

2 having signed an oath card, testified as follows:

3 DIRECT TESTIMONY

4 BY REPRESENTATIVE JIM DUNNAM:

5 A Mr. Chairman, I moved to Central Texas in '57, 02:06 PM  
6 and been so since 1996. Senator Van de Putte, the most  
7 appropriate recommendation I think for Baylor at the  
8 moment is Tom DeLay says he would not send his children  
9 here, and Baylor and A&M are a little too liberal.

10 Senator Harris, I asked before we started, 02:06 PM  
11 "what should I say?" He said "be blunt," so I will.  
12 You've heard -- how many hearings have y'all had, seven,  
13 six, eight?

14 CHAIRMAN SENATOR DUNCAN: Seven.

15 A 2,000 people. It's my understanding that 92% 02:06 PM  
16 of them have said "do not take up redistricting." Now,  
17 if you were really going to hear the people --

18 AUDIENCE MEMBERS: (Applauded).

19 A -- hear the issue of the people, if you really  
20 intend to do more than the sham that the House did, then 02:06 PM  
21 when you conclude today -- and I think you'll probably  
22 hear the same from Independents and Republicans as well.  
23 You have a quorum here and we will vote to recommend to  
24 Senator -- I mean, Lieutenant Governor Dewhurst not to  
25 take up redistricting this session. If this hearing -- 02:07 PM

1 if these hearings -- and y'all have done a much better 02:07 PM  
2 job than the House, it would've been very difficult to  
3 do as bad as they did. But if these hearings, quite  
4 frankly, are any less of a sham, if the public's voice  
5 really matters, then you will vote today to send that 02:07 PM  
6 recommendation to Lieutenant Governor Dewhurst.

7 I have three children. I talk about them  
8 a lot. We learn from our children. Last night, one put  
9 the toothpaste on the toothbrush and it fell off onto  
10 the sink. She couldn't put the toothpaste back in the 02:07 PM  
11 tube to redo it.

12 One time my children bought one of these  
13 sand deals that you do colored sand and you do designs  
14 when they were younger, and the younger child emptied it  
15 out and the older child cried because it could not be 02:08 PM  
16 put back. If the Texas Senate -- if any Member of the  
17 Texas Senate votes to suspend the rules, and I can  
18 assure everyone in this room that when that vote is  
19 taken, McLennan County will be whole at that time, I can  
20 assure you, and our district will probably look much 02:08 PM  
21 better than the House, and the whole state will look  
22 much better than the House, but when the Senate votes to  
23 suspend, the sand is poured out of the glass and it will  
24 never be put back because at that point, it doesn't take  
25 11 Senators to block, it takes 16 Senators to block. 02:08 PM



1 And any Senator that votes to suspend is responsible for 02:08 PM  
2 the final map because they let the sand out of the  
3 glass. And I'm asking you, don't let the sand out of  
4 the glass.

5 Why are we here? We are here because 02:09 PM  
6 despite being spotted 30 points, 30 points, Chet  
7 Edward's district is 64% Republican and he still wins.  
8 He spots them 30 points. Charlie Stenholm's district is  
9 67% Republican, and the voters in that district vote for  
10 George Bush and Rick Perry and David Dewhurst and 02:09 PM  
11 Charlie Stenholm. And Tom DeLay doesn't like the fact  
12 that the voters are making the choice.

13 If you go to Central America, you will  
14 find where the majority, when they don't like the  
15 results of an election, they change the rules, and 02:09 PM  
16 that's what's going on right now. Two years ago, Rick  
17 Perry said a special session on redistricting would be a  
18 waste of taxpayer's money, and Susan Weddington, the  
19 Chair of the GOP, said we would be better off with the  
20 impartial Judicial panel, and the Judicial panel was 02:10 PM  
21 headed by Justice Higgenbothom, who as Professors Guinn  
22 and Morrison can tell you, if you don't know, is a  
23 Republican appointee. He Chaired the Committee from the  
24 5th Circuit and drew a map that was a good Republican  
25 map. Right now, these people should know, the map right 02:10 PM

1 now, there's 32 seats and 20 of them have an index of 02:10 PM  
2 over 58% Republican. 20 of them. Yet five of those,  
3 the Democrats still win, Max Sandlin, Charlie Stenholm,  
4 Chet Edwards, Jim Turner because the people of Texas  
5 chose them. We should respect that choice and we 02:10 PM  
6 shouldn't change the rules.

7 And I know what's fixing to happen. The  
8 Senate cannot possibly come up with as bad of a map as  
9 the House, so there will be a map come out and it's "oh,  
10 we've been fair, we've been impartial, we've listened to 02:11 PM  
11 the people, except the 92% that said don't do anything."  
12 Well, I'm telling you, vote no in this Committee and  
13 vote no to suspend, please.

14 AUDIENCE MEMBERS: (Applauded).

15 CHAIRMAN SENATOR DUNCAN: Senator Harris. 02:11 PM

16 SENATOR HARRIS: I have a comment about  
17 Representative Dunnam. Now I understand why he wins so  
18 many jury trials. Well done.

19 REPRESENTATIVE DUNNAM: You can't practice  
20 law while we're in session. 02:11 PM

21 SENATOR WEST: (Inaudible).

22 (Whereupon, Representative Dunnam  
23 (was excused.

24 CHAIRMAN SENATOR DUNCAN: The Chair  
25 recognizes Representative John Mabry. 02:11 PM

1 AUDIENCE MEMBERS: (Applauded).

2 CHAIRMAN SENATOR DUNCAN: State your name  
3 and who you represent.

4 REPRESENTATIVE JOHN MABRY

5 having signed an oath card, testified as follows:

6 DIRECT TESTIMONY

7 BY REPRESENTATIVE JOHN MABRY:

8 A Sir, my name is Representative John Mabry. I  
9 represent District 56, which comprises about 65% of  
10 McLennan County and District 56 is contained solely 02:12 PM  
11 within the boundaries of McLennan County, so most of the  
12 people that are in this room and in the adjoining room  
13 that has the video linkup are more than likely my  
14 constituents. I believe Senator Averitt is one of my  
15 constituents and I'm one of his constituents. 02:12 PM

16 Let's see, I'm taking some orders.  
17 Senator Gallegos wants a six-pack of Dr. Pepper.  
18 Senator Van de Putte already got your checkbook cover.  
19 Does anybody else need anything? (Group laughter).

20 I was elected to represent District 56 and 02:12 PM  
21 as part of that -- as part of that election, it's my  
22 duty to serve my constituents. And I took on this  
23 responsibility and I embrace it every day and I'm proud  
24 to do it. My district is -- is upwards of 60%  
25 Republican, and I ran and won as a Democrat, much to the 02:12 PM

1 chagrin, I'm sure, of a few people in this room. But I 02:13 PM  
2 ran on a platform of bipartisanship because I feel it's  
3 important on the State Representative level to represent  
4 the people who elected you, and that is very important  
5 to me and it's something that I try to do everyday this 02:13 PM  
6 last regular session.

7 I got on the bus and went to Ardmore,  
8 Oklahoma because I felt it was in the best interest of  
9 the people that I represent.

10 AUDIENCE MEMBERS: (Applauded).

11 A The map that was in place at that time that was  
12 being considered by the House was bad for McLennan  
13 County. Since then, the maps that have been produced by  
14 the House have gotten even worse. And that map over  
15 there that was passed out of the House is bad. And if a 02:13 PM  
16 bus was outside right now, I would go outside and get on  
17 that bus and I reckon just about everybody --

18 AUDIENCE MEMBERS: (Applauded).

19 A -- in this room would follow me on that bus and  
20 we would stop the redistricting process. 02:14 PM

21 Jim Dunnam said and asked you to vote no  
22 on redistricting in this Committee and vote no and vote  
23 against bringing up any plan, any redistricting plan to  
24 the House Floor, and I concur. In fact, I've written  
25 each and every one of you and asked you to do that, and 02:14 PM

1 on behalf of the people standing behind me, I'm asking 02:14 PM  
2 you to do that.

3 McLennan County has been the hub of a  
4 Congressional District for over a hundred years.  
5 McLennan County, along with Bell County and Coryell 02:14 PM  
6 County have shared a Congressman for generations. It's  
7 that coalition between those counties that have made  
8 this Central Texas region and this Central Texas  
9 Congressional District so powerful. Splitting that up,  
10 splitting those counties and splitting McLennan County 02:14 PM  
11 dilutes our ability to be heard in Washington, D.C. And  
12 that has not only political impact, but economic impact  
13 as well.

14 Redistricting for me is not about  
15 Republicans versus Democrats and it's not about Chet 02:15 PM  
16 Edwards because Chet Edwards will not be the Republican  
17 or, excuse me, will not be the Congressman from this  
18 area forever. What this is about for me is making sure  
19 that we preserve the political and economic well-being  
20 of this community. 02:15 PM

21 For folks that are out to get Chet  
22 Edwards, listen up. For Republicans that are in this  
23 room, listen up. If redistricting goes through this  
24 session, regardless in my opinion of what this panel  
25 does or what's done on the Senate Floor, if 02:15 PM

1 redistricting goes through in this special session, it 02:15 PM  
2 will be virtually impossible for McLennan County to ever  
3 elect a hometown Congressman again. If this  
4 redistricting plan goes through, there won't be a  
5 Republican from McLennan County and there won't be a 02:15 PM  
6 Democrat from McLennan County that's -- that is elected  
7 to the United States Congress. And that's just facts.

8 Now, you may be a Republican, you may be  
9 an Independent and you may be a Democrat, but even M.A.  
10 Taylor and I can agree on one thing, that redistricting 02:16 PM  
11 that splits McLennan County in half and takes Bell  
12 County and Coryell County away from that coalition that  
13 they've enjoyed with McLennan County is a bad thing for  
14 Central Texas.

15 Senators, I can't thank you enough for 02:16 PM  
16 coming to Waco, Texas, my home town, because the people  
17 of this community have been denied an opportunity to  
18 speak out against this redistricting process, which  
19 you've allowed them now the opportunity and the forum in  
20 this fine law school that unfortunately I didn't have 02:16 PM  
21 the opportunity to go to. I was in the old law school,  
22 which was more like a shoe box as opposed to this Taj  
23 Mahal as Senator Harris said.

24 Senator Duncan, I believe you said when  
25 you started off that -- that the only map that is being 02:16 PM

1 considered right now in the Senate is the current map 02:16 PM  
2 that is in place today, and that should be the only map  
3 that we have until the next census. And I would again  
4 urge you and encourage you to oppose any effort to bring  
5 any redistricting plan to the Senate Floor. Thank you. 02:17 PM

6 AUDIENCE MEMBERS: (Applauded).

7 CHAIRMAN SENATOR DUNCAN: Thank you,  
8 Representative Mabry.

9 SENATOR HARRIS: Mr. Chairman.

10 CHAIRMAN SENATOR DUNCAN: Senator Harris. 02:17 PM

11 QUESTIONS BY SENATOR HARRIS

12 SENATOR HARRIS: All right. Help me out  
13 here. Now, McLennan County, what is the population base  
14 within the county limits of McLennan County?

15 REPRESENTATIVE MABRY: Inside the county, 02:17 PM  
16 I think it's about 200,000.

17 SENATOR HARRIS: All right.

18 REPRESENTATIVE MABRY: I can add them up.  
19 I've got the figures here somewhere.

20 SENATOR HARRIS: I just need a rough right 02:17 PM  
21 now.

22 REPRESENTATIVE MABRY: About 213,000,  
23 Senator.

24 SENATOR HARRIS: All right. At the old  
25 Air Force base on the north end of town, out there now 02:17 PM

1 we have Raytheon -- 02:17 PM

2 REPRESENTATIVE MABRY: It's now called L-3  
3 Communications, but you're correct.

4 SENATOR HARRIS: Okay. The old Raytheon  
5 plant. Now, what other defense-related industries are 02:18 PM  
6 now located up there at the old air base?

7 REPRESENTATIVE MABRY: Well, that whole  
8 area has spawned a -- growth has spawned in that area.  
9 The TSTC Airport in my opinion is an untapped resource  
10 and I think it's important through Chet Edwards, who had 02:18 PM  
11 worked as ranking Member on this Committee, and I'm sure  
12 he will elaborate on those things. In fact, there was  
13 an article in the paper I should have brought, Senator,  
14 the lead story in the local section today in the paper  
15 about the growth and, in fact, L-3 Communications I 02:18 PM  
16 believe has extended or renewed a contract out there  
17 that's a 30 million dollar contract that will ensure  
18 that jobs in the McLennan County area will be maintained  
19 and continue on into the future.

20 SENATOR HARRIS: I'm trying to see if this 02:18 PM  
21 is correct, Representative Mabry. Are there any other  
22 defense-related companies located out at the old air  
23 base?

24 REPRESENTATIVE MABRY: I'm sure there are,  
25 Senator. I don't know of a list or know the names. I'm 02:19 PM



1 sure that Senator, excuse me, Congressman Edwards will 02:19 PM  
2 be able to list them all.

3 SENATOR HARRIS: Then, in turn -- and  
4 then, in turn, of course, we're adding Bell County,  
5 Coryell County, that includes the Killeen/Fort Hood -- 02:19 PM

6 REPRESENTATIVE MABRY: That's correct.

7 SENATOR HARRIS: -- of course, where our  
8 big military complex is --

9 REPRESENTATIVE MABRY: Correct.

10 SENATOR HARRIS: -- is it not? What other 02:19 PM  
11 ties are there between -- direct ties between McLennan  
12 County and the military base at Fort Hood to your  
13 knowledge, sir?

14 REPRESENTATIVE MABRY: Well, we have a --  
15 the Waco VA Regional Center also there at the old Teague 02:19 PM  
16 Regional VA Center in Temple, which services veterans in  
17 the area.

18 SENATOR HARRIS: Now, we still have the  
19 veteran -- isn't that a veteran facility out off of 35  
20 on the south end of town? 02:20 PM

21 REPRESENTATIVE MABRY: Yes, sir. Off of  
22 Highway 6.

23 SENATOR HARRIS: All right. How many beds  
24 is that?

25 REPRESENTATIVE MABRY: Several hundred, 02:20 PM

1     yes, sir. They do an inpatient and an outpatient           02:20 PM  
2     program over there. There was an article in the paper  
3     not too long ago about that facility and, in fact, that  
4     facility is facing current threats due to the funding  
5     and is in -- is in threat of losing -- losing funding       02:20 PM  
6     and, of course, that would mean loss of jobs and loss of  
7     services to the veterans in the area and they are  
8     studying that right now and I know that that's  
9     something --

10                    SENATOR HARRIS: Representative --           02:20 PM  
11                    REPRESENTATIVE MABRY: -- Congressman  
12     Edwards is involved in.

13                    SENATOR HARRIS: Representative, help me.  
14     I'm trying to find as much continuity --

15                    REPRESENTATIVE MABRY: I understand.        02:20 PM  
16     Well, certainly there's a --

17                    SENATOR HARRIS: -- between Bell County  
18     and --

19                    REPRESENTATIVE MABRY: Sure.

20                    SENATOR HARRIS: -- and McLennan County     02:20 PM  
21     and Coryell County as possible. So we have a big VA  
22     hospital.

23                    REPRESENTATIVE MABRY: Yes, sir.

24                    SENATOR HARRIS: I believe it's safe to  
25     say a couple of -- two or 300 beds, I believe it's more   02:21 PM

1 than that if I'm not mistaken. We've got a defense 02:21 PM  
2 industry that's located on the north end of town at the  
3 old air base and then, of course, we have Fort Hood down  
4 here. To your knowledge, are there any other  
5 defense-related companies located anywhere within this 02:21 PM  
6 three county region?

7 REPRESENTATIVE MABRY: There are, Senator.  
8 I'm sorry that I don't have the names of those  
9 companies. Like I said, I'm sure --

10 SENATOR HARRIS: Would you get your staff 02:21 PM  
11 to get me a copy of it --

12 REPRESENTATIVE MABRY: Sure.

13 SENATOR HARRIS: -- and fax it to my  
14 Senate office, please?

15 REPRESENTATIVE MABRY: I'll be happy to. 02:21 PM

16 SENATOR HARRIS: Thank you very much.

17 SENATOR WEST: Mr. Chairman.

18 CHAIRMAN SENATOR DUNCAN: Senator West.

19 QUESTIONS BY SENATOR WEST

20 SENATOR WEST: Representative Mabry. 02:21 PM

21 Let's talk about communities of interest because that's  
22 exactly where Senator Harris is going. The next job  
23 talking about the -- talking about obviously military  
24 bases and the aerospace industry.

25 Can you kind of talk about other 02:22 PM

1 particular activities that would indicate communities of 02:22 PM  
2 interest between the counties that you just referenced?

3 REPRESENTATIVE MABRY: Certainly.  
4 Historically, McLennan, Bell, and Coryell Counties have  
5 all been rural counties and they have enjoyed -- shared 02:22 PM  
6 resources and -- by the way of agriculture and ranching,  
7 they still do. My county, obviously, Waco is a town  
8 that is made up of 114 or '15,000 people, the remainder  
9 of the county is made up of small towns like Moody and  
10 McGregor that are small mostly agricultural towns, and 02:22 PM  
11 I've got actually letters and resolutions from the  
12 surrounding communities of Waco that I will submit to  
13 the Committee later.

14 Speaking again to Senator Harris' concerns  
15 about ties. The McLennan County and Bell County, our 02:22 PM  
16 city leaders and community leaders and so forth work  
17 very closely on things like improvements to I-35, which  
18 is so important not only to our communities, but Texas  
19 as a whole being a corridor for trade, and that is  
20 something that -- that our city leaders worked very 02:23 PM  
21 closely on and having those counties together intact in  
22 whole together. Working together obviously increases  
23 the influence that they have with their Congressman and  
24 in Washington.

25 SENATOR WEST: I assume that -- I know 02:23 PM

1 that mayors from various cities will be here and they 02:23 PM  
2 probably are on the ground, so to speak, more than you  
3 are, probably the chamber persons also can give us more  
4 specificity in terms of the interworkings between those  
5 particular communities to kind of show us exactly what 02:23 PM  
6 the communities of interest are between the various  
7 communities, so I look forward to hearing that  
8 testimony.

9 REPRESENTATIVE MABRY: And I'll tell you,  
10 you know, if you drive out to Moody, Texas and you go to 02:23 PM  
11 the coffee shop and you have a cup of coffee, you're  
12 going to -- you're going to sit down at a table with  
13 folks from McLennan County and you're going to sit down  
14 at a table with folks from Bell County and Coryell  
15 County, those people. I travel to Gatesville, that's 02:23 PM  
16 only about 30 - 35 minutes away from here, and I travel  
17 there quite frequently on law business, and folks from  
18 Gatesville, you know, they come to Waco to go shopping  
19 because we have a shopping mall --

20 SENATOR WEST: But let me -- 02:24 PM

21 REPRESENTATIVE MABRY: -- so all these  
22 folks --

23 SENATOR WEST: Let me ask you a question.  
24 What are the high school football games (inaudible) --

25 AUDIENCE MEMBERS: (Laughed).



1                   QUESTIONS BY VICE CHAIRMAN GALLEGOS

2                   VICE CHAIRMAN SENATOR GALLEGOS:

3   Representative, let me ask you. This is where -- when  
4   we're talking about communities of interest, this is  
5   where the Chairman and I disagree on certain aspects,   02:25 PM  
6   especially when it comes to emergency funding now. We  
7   both sat on finance and there was an emergency  
8   appropriations on boll weevils. Now, I'm from Houston  
9   and he's from Lubbock. I have no idea -- I had no idea  
10   at that time what a boll weevil was if one ever walked   02:25 PM  
11   through this door, but -- but I did tell him "I don't  
12   have a problem giving 25 million dollars for the  
13   eradication of a boll weevil, if when he bales that  
14   cotton in Lubbock and sends it to my wharf at the Port  
15   of Houston, and what that does is draw channel rats and   02:25 PM  
16   a boll weevil and a channel rat have nothing in common,  
17   so -- and I've looked at that House map and that's  
18   basically what I see, that a boll weevil and a channel  
19   rat have nothing in common, where these districts are  
20   going everywhere. And I would not know how to eradicate   02:26 PM  
21   a boll weevil, but I do know how to get rid of a channel  
22   rat. But -- and when you're talking about Bell County  
23   and McLennan County, and by the way, I have -- my cousin  
24   is at Fort Hood, he's in charge of the 1st Cav Field  
25   Artillery Division there and he's lived there now for   02:26 PM

1 three years. He's a Republican, he voted for George 02:26 PM  
2 Bush, but he voted for Chet Edwards. And, you know,  
3 it's just -- those communities of interest, I think it's  
4 special here because that's included in the process  
5 on -- and if this goes to litigation, that's in the -- 02:26 PM  
6 and like I said, I'm not a lawyer, but I have testified  
7 before a federal panel in the Congressional District in  
8 Houston, but that communities' interest -- communities  
9 of interest are taken into consideration, plus keeping  
10 counties whole is part of the process, plus keeping 02:27 PM  
11 voting precincts whole is part of the process, and if it  
12 means violent rivalries among football, then that's part  
13 of it, too, but that's the -- very important here and I  
14 think that we need to respect that. There's no doubt in  
15 my mind if this goes to the legal process, that that's 02:27 PM  
16 going to be adhered to because it was in '91 when  
17 they -- when they challenged the 29th Congressional  
18 District and where it broke up communities of interest,  
19 voting precincts and so forth and so forth, and this is  
20 what I see that the House map did. I haven't seen it, I 02:27 PM  
21 just read it in the paper what the Austin American  
22 Statesman said and some of the other -- well, I see it  
23 now. That doesn't mean anything to me until I look down  
24 street by street.

25 But communities of interest is very 02:28 PM



1 important to me. I've been there and done that and, 02:28 PM  
2 like I said, it's the same difference between a boll  
3 weevil and a channel rat. You know, so I just wanted to  
4 point that out for the benefit of the crowd here.

5 CHAIRMAN SENATOR DUNCAN: I'm for channel 02:28 PM  
6 rat eradication.

7 AUDIENCE Members: (Laughter).

8 CHAIRMAN SENATOR DUNCAN: Thank you,  
9 Representative Mabry, I appreciate it.

10 REPRESENTATIVE MABRY: With your 02:28 PM  
11 permission, I would submit this. (Handed documents to  
12 Chairman Senator Duncan).

13 AUDIENCE MEMBERS: (Applauded).

14 (Whereupon, Representative Mabry  
15 (was excused. 02:28 PM

16 CHAIRMAN SENATOR DUNCAN: The Chair  
17 recognizes Maureen Jouett.

18 MAYOR MAUREEN J. JOUETT, KILLEEN  
19 having signed an oath card, testified as follows:

20 DIRECT TESTIMONY

21 BY MAYOR MAUREEN J. JOUETT:

22 A Hi, Honorable Chairman Duncan and Members of  
23 the Senate Redistricting Committee. As Mayor of the  
24 City of Killeen, I'm here to express my views and those  
25 of many of my citizens. I strongly implore you not to 02:28 PM

1 vote to take up redistricting in the Senate. Our 02:29 PM  
2 current districts must not be changed. We don't want  
3 any of the maps considered.

4 Killeen is a unique community. We are  
5 home of Fort Hood, the great place, and members of the 02:29 PM  
6 Army consider Fort Hood a premiere base largely due to  
7 the millions of dollar for infrastructure and  
8 improvements that our Congressman and our Senators have  
9 brought here. Loss of Congressional seniority on  
10 military appropriations will adversely affect our 02:29 PM  
11 community, not to mention that we are facing the 2005  
12 base realignment and closure. We do not want the  
13 responsibility of losing a base or even a single  
14 division at Fort Hood, and Fort Hood has two divisions  
15 right now, on this Legislative body. 02:29 PM

16 We are also home to the most homogenous  
17 community in the state. Our adverse towns represents  
18 our diverse population. Our voters have chosen the  
19 city, the state and federal representation that they  
20 want and that best serves our common interests. And I 02:29 PM  
21 brought a copy of our city's last voting statistics and  
22 I was a Mayor for Perry and I was a Mayor for Dewhurst,  
23 but I also voted for our Congressman, Chet Edwards, and  
24 it shows in our -- in our voting record that I'll give  
25 you a copy of that 61% of our community, a Republican 02:30 PM

1 community, 61% voted for Chet Edwards. 02:30 PM

2 We share communities of common interest  
3 with our neighbors in Belton, Florence, Morgans Point,  
4 Salado, and Temple, as well as those counties of  
5 Coryell, McLennan, and parts of Williamson. We've had a 02:30 PM  
6 long association with all these, except for Williamson  
7 we got in the last redistricting, and because a lot of  
8 our former citizens reside in Williamson, we know that  
9 they share our common interest as well.

10 We have on many occasions stood with our 02:30 PM  
11 fellow cities and counties through resolutions of  
12 support in issues that concern water protection, a  
13 regional state veteran cemetery, transportation, and  
14 those are just to name a few. We recently stood down in  
15 Austin together where the Cities of Temple, Killeen, 02:31 PM  
16 Belton, Waco, Lampasas, all had elected officials  
17 testifying for I-35 improvements down at TXDOT and we  
18 stood together.

19 The district engineer for the City of  
20 Killeen and for the County of Bell resides in the City 02:31 PM  
21 of Waco. We have common interests. When we went to  
22 Washington because of the Perchlorate contamination that  
23 was coming from McGregor Naval Base, a representative  
24 from Waco and myself went to Washington and pleaded for  
25 funding. We were able to get that through our 02:31 PM

1 Congressman only because he understood the needs of our 02:31 PM  
2 communities. So I ask you, I implore you not to take up  
3 redistricting at this time. It's not good for Texas,  
4 it's not good for the communities of interest in Central  
5 Texas, it certainly isn't good for Killeen and Fort 02:31 PM  
6 Hood.

7 Also included in some papers that I  
8 brought to you today is a letter, excuse me, a  
9 resolution that was passed by our city council on June  
10 24th. I also have letters from our local council LULAC, 02:32 PM  
11 our LULAC foundation council, and also the NAACP and I  
12 did include the district's 78th Legislature general  
13 election page that shows the election turnout. Thank  
14 you.

15 Finally, I want to ask you what's the 02:32 PM  
16 motive? Why now? Why not wait until after the base  
17 realignments and closure, if at the very least? But  
18 please do not redistrict our area. Thank you.

19 CHAIRMAN SENATOR DUNCAN: Thank you,  
20 Mayor.

21 AUDIENCE MEMBERS: (Applauded).

22 SENATOR WEST: We --

23 CHAIRMAN SENATOR DUNCAN: Senator West.

24 QUESTIONS BY SENATOR WEST

25 SENATOR WEST: Let me just make sure I 02:32 PM

1 understand this. You voted for Perry, Dewhurst, 02:32 PM  
2 Edwards, you're here representing the city, LULAC and  
3 the NAACP?

4 MAYOR JOUETT: Yes, sir, I have the  
5 letters here. 02:33 PM

6 AUDIENCE MEMBERS: (Applauded).

7 SENATOR WEST: I just want to --

8 MAYOR JOUETT: I'm a member of LULAC and a  
9 member of the NAACP.

10 SENATOR WEST: I just wanted to make sure 02:33 PM  
11 I understood that. I mean, that's a first right there.

12 AUDIENCE MEMBERS: (Laughter).

13 MAYOR JOUETT: I have included the copies  
14 of the letters that came from the LULACs and also the  
15 letters from the NAACP and then a copy of our ordinance, 02:33 PM  
16 our resolution for you.

17 QUESTIONS BY SENATOR HARRIS

18 SENATOR HARRIS: Madam Mayor, could I see  
19 a copy of that 78th voting record?

20 MAYOR JOUETT: (Handed document to Senator 02:33 PM  
21 Harris). (Inaudible) I just brought I think day before  
22 yesterday.

23 CHAIRMAN SENATOR DUNCAN: Any Members have  
24 any other questions? Senator Van de Putte.

25 QUESTIONS BY SENATOR VAN DE PUTTE

1                   SENATOR VAN DE PUTTE: Thank you, Madam     02:33 PM  
2     Mayor, and it's always a joy to have you before us. As  
3     a Chair of the Veteran Affairs and Military Installation  
4     Committee, you've really -- those communities have  
5     worked very hard as we prepare for that upcoming BRAC     02:34 PM  
6     round.

7                   My question to you is: How many troops do  
8     we have in the Fort Hood area?

9                   MAYOR JOUETT: Right now, we have 42,000  
10    soldiers stationed at Fort Hood, it does not count the     02:34 PM  
11    eight or so thousand of civilian employees. We have  
12    numerous Department of Defense people that are there.  
13    And I want to really point out that there are over  
14    20,000 of our soldiers right now, excuse me if I get  
15    choked up, because they're our friends, our neighbors,     02:34 PM  
16    you know, they go to church with us, they're over in  
17    harm's way and here we are trying to basically cut the  
18    legs out from under the military base at a time when we  
19    just don't need to do that.

20                  AUDIENCE MEMBERS: (Applauded).             02:34 PM

21                  SENATOR VAN DE PUTTE: My last question  
22    is: We understand that this is not just about Texas,  
23    this is about national security as Fort Hood is the  
24    largest deployment base in the world and we are very  
25    proud of the role that Fort Hood and Texans play             02:35 PM

1 globally.

2 My question to you is: What is the  
3 economic impact that we are putting at risk in your area  
4 if we decide to do redistricting?

5 MAYOR JOUETT: I'm glad you asked that. 02:35 PM

6 And, by the way, we did invite y'all to come to our  
7 community and you chose Waco, that's okay because Waco  
8 is our friend, we didn't mind driving up here. And  
9 there's lots of my city council people and our citizens  
10 here, too -- 02:35 PM

11 AUDIENCE MEMBERS: (Applauded).

12 MAYOR JOUETT: -- not just -- it's not  
13 just McLennan County that's represented here.

14 But the economic impact of Fort Hood to  
15 Texas is 3.9 billion dollars, that's a "B," billion 02:35 PM

16 dollars, and that is something that we cannot  
17 jeopardize, bad timing. I know that our Congressman  
18 every single time -- we were in Washington for eight  
19 days testifying and going around to the different

20 departments, the VA, the GSA, the FAA, you know, we're 02:35 PM

21 doing a joint use project for the military -- with the  
22 military on the airport facility. If we had to build  
23 that facility for Central Texas, it would cost 500

24 million dollars to build that. But every single one of  
25 those departments that we went to told us how lucky we 02:36 PM

1 were, how fortunate we were to be represented by a 02:36 PM  
2 strong Congressman in Washington and one that also was  
3 easy for the staff to work with. So there's some -- you  
4 know, this is like an unstated fact, but there's some  
5 political realism there that our people are able to work 02:36 PM  
6 with the people in the bureaucracies in Washington that  
7 make things available to the State of Texas.

8 The last thing I want to say, if you don't  
9 mind, is that, you know, we talk about the small money  
10 that it's costing for the hearings, 1.7 million dollars. 02:36 PM  
11 Every single one of us that are here are -- there's an  
12 opportunity cost that we are giving up because we're not  
13 being productive citizens in our own lives, we're having  
14 to spend our time here to defend our communities of  
15 interest, and that's a bigger -- much bigger expense 02:37 PM  
16 than is being recognized by the state. And I don't  
17 think it would do service for the State of Texas for  
18 y'all to consider that, and I ask that you just not even  
19 consider it. And I have the copies of the resolutions  
20 for you. 02:37 PM

21 CHAIRMAN SENATOR DUNCAN: Thank you,  
22 Mayor.

23 AUDIENCE MEMBERS: (Applauded).

24 MAYOR JOUETT: (Handed document to the  
25 Committee Clerk). 02:37 PM



1                   SENATOR HARRIS: Mayor, was this an extra 02:37 PM  
2 copy of this?

3                   MAYOR JOUETT: Yes, sir, it was. If you  
4 want to keep it, you can.

5                   (Whereupon, Mayor Jouett was excused.           02:37 PM

6                   CHAIRMAN SENATOR DUNCAN: The Chair  
7 recognizes Mayor Dennis Cogliati from Lacy-Lakeview.  
8 Let's see, is (inaudible) --

9                   MAYOR DENNIS J. COGLIATI, LACY-LAKEVIEW  
10 having signed an oath card, testified as follows:

11                                   DIRECT TESTIMONY

12 BY MAYOR DENNIS J. COGLIATI:

13           A       I was way out back.

14                   Thank you, Senators. I'm Dennis Cogliati,  
15 the Mayor of Lacy-Lakeview. We're one of the smaller 02:38 PM  
16 suburban cities on I-35 in the north part of McLennan  
17 County.

18                   The community and cities of McLennan  
19 County work together well. We meet regularly to discuss  
20 economic development opportunities, quality of life 02:38 PM  
21 issues, water and wastewater issues, and we meet greatly  
22 and we do work together well. To continue the  
23 collaboration that we have existing, we believe that we  
24 all need to be in the same Congressional District. So  
25 what I'm asking this afternoon is that you not address 02:38 PM

1 redistricting, that McLennan County stays the same in 02:38 PM  
2 common district for the cities that meet together and  
3 work together. Thank you.

4 AUDIENCE MEMBERS: (Applauded).

5 CHAIRMAN SENATOR DUNCAN: Thank you, 02:38 PM  
6 Mayor.

7 (Whereupon, Mayor Cogliati was excused.

8 CHAIRMAN SENATOR DUNCAN: We've got  
9 about -- I'm going to call three cards in a row, so that  
10 if you are in an overflow room, you can make your way to 02:39 PM  
11 the podium. The mayor or the Chair calls Donald J.  
12 Baker, Mayor of the City of Woodway. Mr. Baker, if you  
13 would approach? And behind Mr. Baker, we'll have a  
14 Mayor John Moser, Stephenville, and then we'll have also  
15 a Mayor W. Leon (sic.), City of Clifton. 02:39 PM

16 Donald Baker? I assume he's on the way.  
17 Let's go ahead and put him aside and let's call John  
18 Moser. Is Mr. Moser in the audience? Oh, thank you,  
19 Mayor.

20 MAYOR JOHN MOSER, STEPHENVILLE  
21 having signed an oath card, testified as follows:

22 DIRECT TESTIMONY

23 BY MAYOR JOHN MOSER:

24 A Yes, I'm here.

25 Mr. Chairman and Members of the Committee, 02:39 PM

1 I'm Mayor John Moser of Stephenville. Accompanying me 02:39 PM  
2 today are several members of our city council and  
3 citizens from our community. I want to take just a  
4 moment and thank you on behalf of all of our citizens  
5 for this opportunity to address you today and to provide 02:40 PM  
6 a few comments.

7                   Stephenville is a community of about  
8 15,000 in a county of about 34,000. Because of our  
9 geographic location, we are likely always to be on the  
10 periphery of someone's Congressional District. 02:40 PM  
11 Currently, we are the -- almost the eastern-most county  
12 in the 17th Congressional District. Currently, that's a  
13 seat held by Congressman Charlie Stenholm.

14                   I will hasten to say that one of the few  
15 advantages we have at city level is that we don't have 02:40 PM  
16 to make many of our constituents angry by adopting  
17 either a Republican or a Democratic party label. I am a  
18 devout full blooded practicing pedestrian.

19                   AUDIENCE MEMBERS: (Laughter).

20                   A     Last week, our city council voted unanimously 02:41 PM  
21 to adopt a resolution regarding redistricting. And a  
22 copy of that redistrict resolution will be provided to  
23 you this afternoon. It has previously been provided to  
24 other state elected officials. And I'd like to just  
25 reiterate a couple of points made in that resolution. 02:41 PM

1                   First, the City of Stephenville City                   02:41 PM  
2                   Council does not take a position either favoring or  
3                   opposing state Congressional redistricting. On that  
4                   point, we defer to the judgment of state elected  
5                   officials. However, if Congressional redistricting is                   02:41 PM  
6                   to be accomplished, we urge primary consideration of  
7                   three factors in determining district composition, and  
8                   those factors are a commonality of economic, cultural  
9                   interests, and geographic cohesiveness. Consideration  
10                  of these factors should place Stephenville and Erath                   02:42 PM  
11                  County in a district comprised of Central Texas counties  
12                  located west of the Brazos River. The 17th  
13                  Congressional District as currently drawn in which we  
14                  are now located meets these criteria. The plan passed  
15                  by the Texas House does not.   02:42 PM

16                         While we do not object in principle to a  
17                         realignment of our current district's boundaries, we do  
18                         urge that the factors outlined above be the primary  
19                         consideration to determining the composition of any  
20                         Congressional District in which we are placed. And let                   02:42 PM  
21                         me say them again: Economic, cultural and geographic  
22                         alignment of interests.

23                         We're located west of the Brazos River.  
24                         I'm pleased to say that I'm acquainted with many members  
25                         of the Waco community. The founders of Stephenville                   02:43 PM

1 came from Waco in 1854. My colleagues, Mayor Linda 02:43 PM  
2 Ethridge of Waco and I and other members who share  
3 Bosque River have worked collaboratively and effectively  
4 on many issues and continue to do so, and I'm pleased to  
5 be here today with you without having to wear an 02:43 PM  
6 asbestos suit or a bullet proof vest.

7                   Nevertheless, we are economically,  
8 geographically and culturally west of the Brazos River.  
9 At the end of the day, please ensure that we remain  
10 there. Please do not allow other factors to compromise 02:44 PM  
11 the best interest of Stephenville, Erath County and  
12 Texas. Thank you.

13                   AUDIENCE MEMBERS: (Applauded).

14                   QUESTIONS BY SENATOR DUNCAN

15                   CHAIRMAN SENATOR DUNCAN: Thank you, 02:44 PM  
16 Mayor, and let me -- I've covered up the House, I guess  
17 it was the House map. We had a map up here awhile ago.  
18 Let me -- without looking at that, let me ask you, does  
19 your county get included with the new district that  
20 connects Lubbock -- 02:44 PM

21                   MAYOR MOSER: If you -- no, sir. The  
22 current -- we would be a part of the -- redrawn as the  
23 current proposal would be, if you can imagine a bow tie,  
24 I could find other ways to describe it, but if you could  
25 visualize District 17 as a bow tie, we are of the 02:44 PM

1 northwestern most county in that district and it would 02:44 PM  
2 proceed south down to Bell County, then narrows to a  
3 smaller neck of land here in McLennan County and then  
4 broadens out into counties in East Texas stretching to  
5 within a couple of counties of the Louisiana border. 02:45 PM  
6 (Group laughter).

7 CHAIRMAN SENATOR DUNCAN: Okay. Are there  
8 any other questions for... Senator Gallegos?

9 QUESTIONS BY VICE CHAIRMAN SENATOR GALLEGOS

10 VICE CHAIRMAN SENATOR GALLEGOS: Let me 02:45 PM  
11 ask you this. Did you have any input on this map?

12 MAYOR MOSER: No, sir.

13 VICE CHAIRMAN SENATOR GALLEGOS: Okay.  
14 Thank you.

15 CHAIRMAN SENATOR DUNCAN: Members, any 02:45 PM  
16 other questions?

17 Thank you, Mayor, a good presentation. I  
18 appreciate you being here.

19 MAYOR MOSER: (Handed documents to the  
20 Committee Clerk). 02:45 PM

21 AUDIENCE MEMBERS: (Applauded).

22 (Whereupon, Mayor Moser was excused.

23 CHAIRMAN SENATOR DUNCAN: The Chair calls  
24 Fred W. Leon (sic.), a mayor from the city...

25

1                   MAYOR W. LEON SMITH, CLIFTON  
2           having signed an oath card, testified as follows:

3                   DIRECT TESTIMONY

4           BY MAYOR W. LEON SMITH:

5           A        I'm Leon Smith, the Mayor of...

6                   MAYOR SMITH:  It's the other way around.

7                   CHAIRMAN SENATOR DUNCAN:  There's a comma  
8           there, I see that.

9           A        I thank the Chairman and the Committee for  
10          letting us have this meeting.  Do you know where Bosque  02:46 PM  
11          County is?

12                   CHAIRMAN SENATOR DUNCAN:  You bet.

13          A        Okay.

14                   CHAIRMAN SENATOR DUNCAN:  I'm from Texas.

15          A        Yeah.  If you look at the map, we're split       02:46 PM  
16          right down the middle with this new plan.  And as far as  
17          I know, not a single person from Bosque County had a say  
18          as to how this was going to be drawn up and we're very  
19          upset.  You're trying to split our county in half.

20                   We are utterly against any kind of       02:46 PM  
21          redistricting plan at this time, partially because there  
22          are other issues that the Legislature needs to be  
23          addressing that are more important than redistricting.

24                   There are communities of interest that are  
25          placed within our county, we're working on projects       02:46 PM

1 together. And to split our county up, my thinking and 02:46 PM  
2 my council's thinking, would be detrimental and divisive  
3 in what we're trying to accomplish. And examples would  
4 be currently the City of Meridian and the City of  
5 Clifton are trying to put together a water pipeline 02:47 PM  
6 survey area for the future -- needs for the future.  
7 We're getting together with members of our county  
8 government in the cities to devise an emergency  
9 management system within our county, and we're working  
10 together. There's been years past when there's been 02:47 PM  
11 divisiveness among the cities and everything, but now  
12 everybody's working together and we want to keep that  
13 going. And dividing our county in half we feel is going  
14 to disrupt our degree of representation because it will  
15 be split, and that's why I'm urging this Committee to 02:47 PM  
16 not follow through with this at all.

17 We were blindsided by this House plan. We  
18 had absolutely no input to it. And we're very upset  
19 about it. And according to our State Rep, she was  
20 powerless to do anything about it, although she voted 02:48 PM  
21 for it. I don't understand that.

22 AUDIENCE MEMBERS: (Applauded).

23 A That's all I've got. If you have any  
24 questions, I'd be glad to answer them.

25 CHAIRMAN SENATOR DUNCAN: Senator 02:48 PM



1 Gallegos.

2 QUESTIONS BY VICE CHAIRMAN SENATOR GALLEGOS

3 VICE CHAIRMAN SENATOR GALLEGOS: Mayor, so  
4 you're saying that you or your city council had no input  
5 whatsoever on -- 02:48 PM

6 MAYOR SMITH: Absolutely not. None.

7 VICE CHAIRMAN SENATOR GALLEGOS: Yet your  
8 State Rep voted for it?

9 MAYOR SMITH: Yes.

10 VICE CHAIRMAN SENATOR GALLEGOS: Okay. 02:48 PM

11 Thank you.

12 CHAIRMAN SENATOR DUNCAN: Members, any  
13 other questions?

14 QUESTIONS BY CHAIRMAN SENATOR DUNCAN

15 CHAIRMAN SENATOR DUNCAN: Hico is not in 02:48 PM  
16 Bosque County, is it?

17 MAYOR SMITH: No, sir, in Erath County.

18 CHAIRMAN SENATOR DUNCAN: Erath.

19 MAYOR SMITH: Or it may be Hamilton  
20 County. I think it's Hamilton or somewhere in there,  
21 but (inaudible) was born there.

22 CHAIRMAN SENATOR DUNCAN: Mayor, thank you  
23 for being here. Thank you for your presentation today.

24 MAYOR SMITH: Thank you.

25 AUDIENCE MEMBERS: (Applauded).

1 (Whereupon, Mayor Smith was excused. 02:48 PM

2 CHAIRMAN SENATOR DUNCAN: Donald Baker.

3 MAYOR DONALD BAKER, WOODWAY

4 having signed an oath card, testified as follows:

5 DIRECT TESTIMONY

6 BY MAYOR DONALD BAKER:

7 A Mr. Chairman and Members of the Committee,  
8 thank you very much for being here in Waco and making  
9 this stop.

10 My name is Donald Baker. I am the Mayor 02:49 PM  
11 of the City of Woodway. We're a suburb of Waco. We  
12 have a -- Senator Averitt is our State Senator and we  
13 appreciate, Kip, all your efforts to represent our  
14 district and to get this here -- this Committee to meet  
15 here. 02:49 PM

16 First of all, I would say that I'm a  
17 Republican. I've been a Republican all my life. I've  
18 never voted for Chet Edwards. I do not know how he got  
19 elected, but somebody else evidently voted for him. I  
20 think, though, you do a disservice if there's 02:49 PM  
21 redistricting of District 11 because when you look at  
22 it, there's a metroplex to the north, Austin/San Antone  
23 to the south, there's Houston, of course. When you look  
24 at the center of Texas, there's McLennan County, Bell  
25 County, we have common issues. We have water issues, 02:49 PM

1 industrial dairies on both Leon and the Bosque Rivers. 02:49 PM  
2 So we work together well. I think these two -- these  
3 areas right here, District 11 as it is needs to stay put  
4 just like it is. I'm absolutely convinced that McLennan  
5 County never needs to be divided in any way, shape, form 02:50 PM  
6 or fashion. Thank you very much for coming here. We  
7 appreciate you.

8 CHAIRMAN SENATOR DUNCAN: Thank you.

9 AUDIENCE MEMBERS: (Applauded).

10 CHAIRMAN SENATOR DUNCAN: Members, any 02:50 PM  
11 questions?

12 (Whereupon, Mayor Baker was excused.

13 CHAIRMAN SENATOR DUNCAN: The Chair  
14 recognizes Judge Jim Lewis, County Judge from McLennan  
15 County. Judge Lewis. And after Judge Lewis, we'll have 02:50 PM  
16 Randy Riggs, City Council for Waco. And after that,  
17 we'll have Mary Gauer of Harker Heights, the Mayor of  
18 Harker Heights.

19 Go ahead, Judge.

20 JUDGE JIM LEWIS, McLENNAN COUNTY  
21 having signed an oath card, testified as follows:

22 DIRECT TESTIMONY

23 BY JUDGE JIM LEWIS:

24 A Mr. Chairman, I am Jim Lewis, County Judge of  
25 McLennan County. First, let me thank y'all for coming 02:50 PM

1 to Waco, McLennan County to hold a hearing on 02:50 PM  
2 redistricting.

3 I'd like to present a resolution that was  
4 passed to -- by the Commissioner's Court. In the  
5 interest of time, I'm not going to read it, but I 02:51 PM  
6 will -- I would like to present it to you. But in the  
7 resolution to be pointed out, McLennan County, Bell  
8 County, Coryell County have been a community of interest  
9 for more than a hundred years. As the numbers show, in  
10 the three counties that I just mentioned, there are 55 02:51 PM  
11 Republican elected local officials, and not but 36  
12 Democrat are elected out of that. Why change? Why  
13 change if the Republicans already have 55 and the  
14 Democrats only have 36?

15 You heard my good friend, Don Baker, the 02:51 PM  
16 Mayor of Woodway, which is the Republican hot bed of  
17 Central Texas, asking you not to do it. I mean,  
18 Mr. Republican is asking you not to do it.

19 AUDIENCE MEMBERS: (Applauded).

20 A We already have a Republican district here, but 02:52 PM  
21 the people are voting for the person on the ticket.  
22 That's what they're doing. Senator Kip Averitt, who out  
23 of this room of people here, there is no telling what  
24 percentage of the votes that he got. It was a huge  
25 amount. They didn't vote for him strictly because he's 02:52 PM

1 a Republican. They didn't vote against him because he 02:52 PM  
2 was a Republican. They voted for him because of who he  
3 is.

4 AUDIENCE MEMBERS: That's right.

5 A Senator Edwards, you stated that you would not 02:52 PM  
6 vote to split McLennan County and I respect that. And I  
7 respect the position that you're in in Austin, Texas.  
8 Because, as you know, I've been going down there since  
9 1972 in the interest of McLennan County. Since 1972,  
10 I've been going to Austin. But if you vote to hear the 02:53 PM  
11 House plan, that's the same thing as putting a gun to  
12 our heads --

13 AUDIENCE MEMBERS: That's right.

14 A -- and saying we won't pull the trigger, but  
15 you'll let somebody else pull the trigger if you vote to 02:53 PM  
16 hear the House plan.

17 AUDIENCE MEMBERS: (Applauded).

18 A Several of the Republican Senators have said  
19 they do not want to be controlled by the urban areas.  
20 We don't either. Whether it's Democrat, whether it's 02:53 PM  
21 Republican, Independent or what it is, we want to remain  
22 whole. Keep us whole, keep our district here, it's been  
23 here a hundred years, no one wants it changed. Thank  
24 you very much.

25 CHAIRMAN SENATOR DUNCAN: Thank you, 02:54 PM

1 Judge. 02:54 PM

2 AUDIENCE MEMBERS: (Applauded).

3 JUDGE LEWIS: (Handed documents to the  
4 Committee Clerk).

5 CHAIRMAN SENATOR DUNCAN: Senator Averitt 02:54 PM

6 has made his view clear about splitting McLennan County  
7 to the Members of the Committee and Members of the  
8 Senate.

9 JUDGE LEWIS: And he's represented us well  
10 and I feel sure he will in the future. 02:54 PM

11 CHAIRMAN SENATOR DUNCAN: Thank you.

12 JUDGE LEWIS: Thank you.

13 AUDIENCE MEMBERS: (Applauded).

14 (Whereupon, Judge Lewis was excused.

15 CHAIRMAN SENATOR DUNCAN: Randy Riggs, the 02:54 PM

16 Mayor of the City of or Councilman of the City of Waco.

17 I've just given you a promotion. I don't  
18 know if they will pay you more or not.

19 COUNCILMAN RANDY RIGGS, WACO

20 having signed an oath card, testified as follows:

21 DIRECT TESTIMONY

22 BY COUNCILMAN RANDY RIGGS:

23 A Twice a month.

24 Members of the Committee, thank y'all for

25 being here. My name is Randy Riggs. I'm a council 02:54 PM

1 member for the City of Waco, representing probably about 02:54 PM  
2 24,000 citizens. But welcome to Waco. We are just  
3 excited to be able to host you all.

4 Waco is a unique community, a great place  
5 to live, work and shop or district to do business. But 02:55 PM  
6 what makes this community special are the cities that  
7 make up this community, not only the City of Waco, but  
8 you have Robinson and Hewitt and Woodway, Lorena and  
9 Lacy-Lakeview, Bellmead, West, McGregor, Crawford and  
10 several others. We work together. We have common 02:55 PM  
11 interests.

12 I heard a question earlier about the  
13 football games. Well, let me tell you that if you  
14 travel on Highway 6 on Friday nights in football season  
15 that you will run into several cars and you'll have to 02:55 PM  
16 drive slowly to get there. But we also have common  
17 interests with cities in Bell County and also cities in  
18 Coryell and I am against redistricting. And I would  
19 appreciate y'all's support for that.

20 You know, we look at the representation 02:56 PM  
21 that we may get or we look at the representation that we  
22 got from the House redistricting Committee, we didn't  
23 get much representation. We fear that with  
24 redistricting that we may get that type of  
25 representation in Washington if we don't stay together. 02:56 PM

1 So I urge y'all to vote against redistricting. 02:56 PM

2 The 24,000 people that I represent have  
3 asked "why are we here? Why are we here? Why are we  
4 doing this now? Why didn't we do this two years ago?"

5 And I hear the reason, that it's a political reason, 02:56 PM

6 that George Bush needs more support. Well, it seems  
7 like if we go through that redistricting that it would  
8 take some of the power away from the people. The people  
9 have explained here already, and will explain more later  
10 on, that they have represented -- they have elected 02:56 PM  
11 their representation and please respect that.

12 One other issue is the cost. I'm married  
13 to a school teacher. And as you all know, public  
14 schoolteachers have unfortunately been -- had benefits  
15 cut \$500. And we wonder "where is that money going?" 02:57 PM

16 And we hate for it to be used on a process here when  
17 there are so many other areas that need to be -- that  
18 have areas that need to have attention.

19 I appreciate y'all being here. I just  
20 want y'all to answer that question, "why are we here?" 02:57 PM

21 And the answers that we've had in the past are not good  
22 enough. Please do not support redistricting. Thank  
23 you.

24 AUDIENCE MEMBERS: (Applauded).

25 CHAIRMAN SENATOR DUNCAN: Thank you. Any 02:57 PM



1 questions? 02:57 PM

2 (Whereupon, Councilman Riggs was excused.

3 CHAIRMAN SENATOR DUNCAN: The Chair  
4 recognizes Mary Gauer, Mayor of the City of Harker  
5 Heights. 02:58 PM

6 AUDIENCE MEMBERS: (Applauded).

7 MAYOR MARY GAUER, HARKER HEIGHTS  
8 having signed an oath card, testified as follows:

9 DIRECT TESTIMONY

10 BY MAYOR MARY GAUER:

11 A Thank you so much for conducting this hearing.  
12 And to those of you who have come here, thank you for  
13 all your hard work that you all have done in  
14 establishing some of our educational leagues with the  
15 Military Child Education Coalition. 02:58 PM

16 I'm a Mayor of a small city. We're about  
17 20,000 people. And by Texas standards, that's a very  
18 large small city, I understand that. It doesn't matter  
19 to us in Harker Heights where our Congressmen live.  
20 We've had a lot of emphasis today on McLennan County and 02:58 PM  
21 on Waco and Waco's ability to elect or not elect a  
22 person from their city. Obviously, my Representative  
23 currently is not from my county, nor my city. Where a  
24 person is from does matter how she or he will vote.  
25 What matters are communities, those famous communities 02:59 PM

1 of interest. 02:59 PM

2 You have expert lawyers to advise you as  
3 to whether or not you must vote to redistrict or not,  
4 that's up to you and your consciences, but if you have  
5 to vote to redistrict, and I suspect you probably will, 02:59 PM  
6 I want you all to remember that there are communities,  
7 small communities, some of whom move frequently on their  
8 own as we who are formerly or currently in the military  
9 do. We don't need more disruption. We want to be  
10 joined with other people who think and act as we do. So 02:59 PM  
11 please remember this is about small communities, small  
12 cities, as well as the larger cities in the areas which  
13 have currently spoken. Keep us together with  
14 like-minded people. Thank you.

15 AUDIENCE MEMBERS: (Applauded). 03:00 PM

16 CHAIRMAN SENATOR DUNCAN: Audience  
17 Members, we've been going an hour and a half and it will  
18 be time for our first break. Before we break, though,  
19 on -- who we'll have up and ready to go will be Jess  
20 Taylor, the Mayor of the City of Meridian, Carl Swanson, 03:00 PM  
21 The Third (phonetic), the City of Bellmead -- the Mayor  
22 of the City of Bellmead, and Cole Word, a Bosque County  
23 Judge. If you'll be ready in 15 minutes, we'll be ready  
24 to start promptly. The Committee will stand in recess  
25 until 3:15. 03:00 PM

1 (Recess.

2 CHAIRMAN SENATOR DUNCAN: Okay. Members,  
3 if we could get underway. All right. The Senate  
4 Committee on Jurisprudence will come back to order. Our  
5 first witness will be Jess Taylor, Mayor of the City of 03:23 PM  
6 Meridian. Mayor Taylor.

7 MAYOR JESS TAYLOR, MERIDIAN  
8 having signed an oath card, testified as follows:

9 DIRECT TESTIMONY

10 BY MAYOR JESS TAYLOR:

11 A My name is Jess Taylor and I am Mayor of the  
12 City of Meridian. Thank you for allowing me to speak  
13 today concerning this important and yet unnecessary  
14 issue of redistricting.

15 AUDIENCE MEMBERS: (Applauded).

16 A I am a country boy and always will be. I love  
17 our community and our small Congressional District.  
18 What voice would a small community like Meridian have in  
19 a district with Fort Worth? This plan will destroy our  
20 traditional Central Texas Congressional District. 03:24 PM

21 Our communities share a common bond formed  
22 by agriculture, water resources and a large veterans  
23 population. Our district connects Fort Hood with the VA  
24 hospitals in Temple and Waco. We oppose any and all  
25 redistricting plans that would divide our district and 03:24 PM

1 our county. 03:24 PM

2 AUDIENCE MEMBERS: (Applauded).

3 A I cannot imagine a plan that would split Bosque  
4 County and limit the voice of our citizens.

5 The City of Meridian is desperately 03:24 PM

6 seeking a water source. Congressman Chet Edwards has  
7 given us hope in the amount of two million dollars in  
8 grants for our water and we'd like --

9 AUDIENCE MEMBERS: (Applauded).

10 A This project will supply water to Meridian and 03:25 PM

11 could also supply water to our surrounding communities.  
12 Why change a good thing when it worked for Meridian and  
13 our entire 11th Congressional District? We oppose any  
14 and all redistricting plans. Thank you very much.

15 AUDIENCE MEMBERS: (Applauded). 03:25 PM

16 CHAIRMAN SENATOR DUNCAN: Thank you,  
17 Mayor. We appreciate you being here, Mayor.

18 MAYOR TAYLOR: Thank you.

19 CHAIRMAN SENATOR DUNCAN: Yes, sir.

20 (Whereupon, Mayor Taylor was excused.

21 CHAIRMAN SENATOR DUNCAN: The Chair calls  
22 Mayor Carl Swanson, The Third, City of Bellmead. Mayor  
23 Swanson. Is Mayor Swanson in the audience? Okay.

24 We'll put his card aside and if he's here, he can come  
25 in and we'll call him in a second. 03:25 PM

1                   The Chair calls Cole Wood (sic.), Bosque   03:26 PM  
2 County Judge. Judge Wood (sic.).

3                   JUDGE COLE WORD, BOSQUE COUNTY  
4 having signed an oath card, testified as follows:

5                   DIRECT TESTIMONY

6 BY JUDGE COLE WORD:

7           A     Good afternoon. My name is Cole Word, Bosque  
8 County Judge. Population 17,200 people. We're a rural  
9 community, a rural county. But first I want to thank  
10 y'all for giving us the opportunity in a forum like this 03:26 PM  
11 to come and voice our concerns and our opinions. We  
12 thank you very much --

13                   AUDIENCE MEMBERS: (Applauded).

14           A     -- for y'all allowing us to do that. We pray  
15 that you will listen to what you hear today. Our -- we 03:26 PM  
16 have 11 communities of interest in Bosque County, and if  
17 you want to know how you can tell that you live in a  
18 community of interest, I can give you an example. When  
19 you live in a community of interest, you fight on Friday  
20 nights, you dance together on Saturday nights, and you 03:27 PM  
21 worship together on Sunday.

22                   AUDIENCE MEMBERS: (Applauded).

23           A     I -- my family has been active in Texas  
24 politics at the local, county, and state level for over  
25 a hundred years. We -- our heartbeat is rural Texas and 03:27 PM

1 I can -- I can remember reading in the old days when 03:27 PM  
2 they would throw the grain up into the air to get the  
3 kernel from the shaft what would happen. And gentlemen  
4 and ladies, when you throw this redistricting issue up  
5 in the air, the shaft that comes off is the Republican 03:27 PM  
6 and Democratic rhetoric that we've been all hearing for  
7 weeks, and what falls to the ground, the kernel of grain  
8 that falls to the ground is the difference between rural  
9 Texas and urban Texas. There is a difference.

10 AUDIENCE MEMBERS: (Applauded). 03:28 PM

11 A We ask that you take that into consideration.  
12 Any plan that splits a county in half is not acceptable.  
13 We oppose the map that splits Bosque County in half.  
14 It's totally unacceptable.

15 I want to thank y'all for what you do, for 03:28 PM  
16 your time. It's very important. May God bless each and  
17 every one of you, and I hope you give this issue  
18 heartfelt and prayerful consideration. And always --  
19 also Mayor Leon Smith, our little community is working  
20 together so well, Meridian and Clifton, with the help of 03:28 PM  
21 Congressman Edwards, the two million dollar grant, we  
22 have the opportunity to have water and a future for my  
23 children in that community. We're working together so  
24 good right now, please don't do anything that would  
25 hinder that. 03:29 PM

1                   And I thank Senator Averitt and                   03:29 PM  
2                   Ms. Wohlgemuth. Rural Bosque County -- and Mr. Edwards,  
3                   Congressman Edwards. Rural Bosque County has a voice  
4                   right now. We are represented right now and we want to  
5                   keep it that way. Thank you much.                   03:29 PM

6                   AUDIENCE MEMBERS: (Applauded).

7                   CHAIRMAN SENATOR DUNCAN: I appreciate it  
8                   very much. Thank you, Judge.

9                   (Whereupon, Judge Word was excused.)

10                  CHAIRMAN SENATOR DUNCAN: The Chair               03:29 PM  
11                  recognizes Congressman Chet Edwards.

12                  AUDIENCE MEMBERS: (Standing ovation).

13                  CONGRESSMAN CHET EDWARDS

14                  having signed an oath card, testified as follows:

15                                 DIRECT TESTIMONY

16                  BY CONGRESSMAN CHET EDWARDS:

17                  A       Chairman Duncan and Members, I want to thank  
18                  you genuinely for being here and listening to these  
19                  great people of Central Texas. Until the last few  
20                  moments, I'm not sure I'd enjoyed the redistricting       03:30 PM  
21                  process, but thank you. It's very nice today.

22                                 For eight years in the Texas Senate and  
23                  for 12 years in Congress, I've worked hard to try to be  
24                  effective for our district and our state on a bipartisan  
25                  basis, and it is in that bipartisan spirit that I come       03:30 PM

1 to you today. 03:30 PM

2 The two key points that I would like to  
3 make first is: It is not legally or politically  
4 necessary to draw new Congressional Districts in Texas  
5 in 2003 or 2004. 03:30 PM

6 And second, the 11th Congressional  
7 District is a rural Central Texas district with strong  
8 historic communities of interest. It makes no sense to  
9 divide this area for partisan or for any other reasons.

10 On the first point, the U.S. Supreme Court 03:30 PM  
11 has ruled that Texas' present Congressional Districts  
12 meet all constitutional standards.

13 Further, Texas Attorney General Greg  
14 Abbott, a Republican, has advised the Legislature that  
15 redistricting is not legally necessary. 03:31 PM

16 Prior to this year, no state in the nation  
17 in the last 50 years has redistricted twice in one  
18 decade without a court mandate to do so, and there's a  
19 reason for that. As we've seen this year in Texas,  
20 redistricting is inherently a divisive difficult 03:31 PM

21 process. It doesn't just pit Democrats against  
22 Republicans, it pits Democrats against Democrats,  
23 Republicans against Republicans, it pits communities  
24 against each other, and even friends against friends.  
25 And unless seven Senators soon say no to this 03:31 PM



1 unnecessary Congressional redistricting, we could see 03:31 PM  
2 that Texas Senate, both parties -- members of both  
3 parties committed in fighting against each other in this  
4 difficult process.

5                   Wouldn't it be better for the Legislature 03:31 PM  
6 to save the seven million dollars of Texas taxpayers'  
7 money that would have to be spent on a court case  
8 defending any new map and instead focus that money on  
9 improving a school system for all the children of our  
10 great state? 03:32 PM

11                   AUDIENCE MEMBERS: (Applauded).

12           A       The State of Texas and Texas communities  
13 already paid a high enough price to carry out an  
14 unnecessary process.

15                   The Texas delegation in Washington, 03:32 PM  
16 Republicans/Democrats together, long respected and  
17 feared for once fighting fiercely for the interest of  
18 Texas is this year because of this process, not because  
19 of the Senate, but because of what has happened in the  
20 House, because of this process, we are now seeing a 03:32 PM  
21 state as divided as California has been for so many  
22 years. Wouldn't it be better if you, our great Texas  
23 Senators, could go back to school finance reform and we  
24 Members of Texas, the Congressional delegation in  
25 Washington, go back, instead of worrying about 03:33 PM

1     redistricting, focusing on protecting our 17 important     03:33 PM  
2     military installations from a base closing process that  
3     is already begun that in 2005 will close more military  
4     bases than in the history of all the previous BRAC  
5     rounds? Wouldn't it be better, Members of Congress,     03:33 PM  
6     instead of fighting over redistricting, could go back  
7     and fight to protect our VA hospitals and clinics from  
8     perhaps being put at risk by the VA CARES process, which  
9     will decide this year whether or not to close down  
10    hospitals, such as the one here in Waco that employs 800     03:33 PM  
11    good Central Texas citizens?

12                   And for those who honestly raise the  
13    question, honestly raised that question, "don't we need  
14    to do redistricting because we have 17 Democrats and 15  
15    Republicans in Congress?" That's a fair question to     03:33 PM  
16    ask, and I would answer it this way in three ways.

17                   First, in 2000, Al Gore only received 32%  
18    of the vote in my 11th Congressional District. That was  
19    before the 2001 redistricting made it even more  
20    Republican. My question to you and all Senators is     03:34 PM  
21    this: How Republican does the 11th Congressional  
22    District have to be to be fair for the Republicans?

23                   AUDIENCE MEMBERS: (Applauded).

24                   A     Second, out of 32 Congressional Districts, the  
25    statewide Republican candidates in 2002 carried 20 of     03:34 PM

1 those districts. That's nearly two-thirds of the 03:34 PM  
2 Congressional Districts. Surely, that's a fair  
3 situation for Republican candidates for Congress.

4           Congressman Charlie Stenholm and I, among  
5 others, are proud to have earned the votes of 03:34 PM  
6 Republicans and Democrats and minorities in our  
7 districts. Competitive districts such as ours, fair to  
8 both parties, should not be replaced with a political  
9 quota system that guts rural areas, undermines the  
10 influence of minorities and breaks up historic 03:35 PM  
11 communities of interest, such as Central Texas.

12           And there is another good reason, and  
13 Mr. Chairman, I'll try to wrap this up very quickly.  
14 There's another good reason for 11 Senators to stop  
15 redistricting now. In my 20 years in public office in 03:35 PM  
16 Texas, I've never seen Texas leaders point to  
17 unilaterally disarm our political power. By carrying  
18 out Mr. DeLay's wishes of defeating seven Democrats in  
19 Congress from our State, we will turn over to New York,  
20 California, Minnesota, Tennessee and Mississippi five 03:35 PM  
21 key powerful ranking positions on committees that are  
22 crucial to our Texas interests and all of our districts,  
23 rules, agriculture, science, military construction and  
24 appropriations, which I am the ranking member on. There  
25 is no reason to do that. 03:35 PM



1 Congressman, let me ask you: On seniority in Congress 03:37 PM  
2 -- and I'm trying to -- and understand, I never say  
3 never, but I probably will never go to Congress. But on  
4 seniority, you are the -- you're the senior ranking  
5 member of the subcommittee on appropriations overseeing 03:37 PM  
6 military installations, is that correct?

7 CONGRESSMAN EDWARDS: That is correct,  
8 Senator Gallegos.

9 VICE CHAIRMAN SENATOR GALLEGOS: Okay.  
10 Then what my knowledge is of the Congress, that you're 03:37 PM  
11 the ranking member, if you were to lose that position,  
12 then what -- you just told us just now the people behind  
13 you lose that voice in Congress and the next -- the  
14 person behind you, whoever that is, whether he or she is  
15 from California or New York, whatever other state, that 03:37 PM  
16 he or she gets that position and not McLennan County or  
17 Texas, is that correct?

18 CONGRESSMAN EDWARDS: Senator, that's  
19 correct. And let me say that in all due respect of  
20 myself, our Democracy worked for 200 years before I 03:38 PM  
21 became part of it, and it will continue to work. We're  
22 a great state, a great country. But seniority for Texas  
23 does make a difference for those of us, like yourselves,  
24 who care deeply and serve this state. I'm lucky that on  
25 the appropriations committee, that is one of the 03:38 PM

1 committees that has continued to work on a bipartisan 03:38 PM  
2 basis.

3                   And the two subcommittees on which I  
4 serve, I think are good for this district and good for  
5 our state. The military construction appropriations 03:38 PM  
6 subcommittee funds all of the military construction  
7 projects at every military base, including the Guard and  
8 Reserve installations in Texas. So I try to fight not  
9 just for our district, but fight for all of Texas.

10                   And in terms of our district, to some 03:38 PM  
11 people in the House, Fort Hood is just a dot on the map  
12 to be played with in a half dozen maps. They sent them  
13 down to San Antonio and up toward Fort Worth. But Fort  
14 Hood is not only the only two-division Army installation  
15 in the world, 37% of the fire power of the entire United 03:39 PM  
16 States Army is now commanded by the III Corps commander  
17 at Fort Hood. It is a vital installation in our future.

18                   And let me tell you, it's not Chet Edwards  
19 that deserves the credit for Fort Hood's success, and I  
20 appreciate what Mayor Jouett said, it's the servicemen 03:39 PM  
21 and women who serve there and fought from Fort Hood. I  
22 just try to be a good water boy adding as much money as  
23 I can for things like the largest housing improvement  
24 program in American history for military families now  
25 going on at Fort Hood. That's where that committee 03:39 PM

1 position and being co-chair of the bipartisan House Army 03:39 PM  
2 Caucus does help me fight more effectively for our  
3 district.

4                   And a final point. The other subcommittee  
5 on which I serve is one that doesn't get quite as much 03:40 PM  
6 attention. It's the energy and water appropriations  
7 subcommittee. I'm the only Texan of either party on  
8 that subcommittee. It so happens that's the committee  
9 that funds every Army Corps of Engineer water project  
10 and lake. Every time the Port of Houston or Dallas is 03:40 PM  
11 working with the Corps that comes -- San Antonio or any  
12 of the parts of our state are dealing with the Army  
13 Corps, those checks are written by our subcommittee. We  
14 are fortunate, not because of me, but we are fortunate  
15 to have three Army Corps of Engineer lakes in Bell and 03:40 PM  
16 McLennan Counties - Belton, Stillhouse Hollow and Waco.  
17 Those provide water for 400,000 citizens in our  
18 district. So being on that subcommittee, being the  
19 second ranking Democrat, the only Texan on that  
20 subcommittee is helping fight the Perchlorate problem 03:40 PM  
21 that can poison the water supply of most of the people  
22 in Bell County as well as so many people here in  
23 McLennan County.

24                   So, yes, Senator, unlike the Texas Senate,  
25 from the day you take that oath of office and you are a 03:41 PM

1 major player immediately, each one of you I know have 03:41 PM  
2 been there, that the House and the House where you're  
3 one of 435, seniority does make a difference for our  
4 districts, it does make a difference for the State of  
5 Texas. 03:41 PM

6 VICE CHAIRMAN SENATOR GALLEGOS: So  
7 economically what you're saying is that your  
8 Congressional District, including Fort Hood, where a lot  
9 of my constituents' sons and daughters are at,  
10 economically if the House plan goes through, this -- 03:41 PM  
11 your Congressional District and your constituents in  
12 your Congressional District could lose that ranking  
13 member, and in a phrase that I learned at the firehouse,  
14 it doesn't take a fourth grader with a Big Chief tablet  
15 and a Number 2 pencil to understand that if they lose 03:41 PM  
16 you, they lose their economic base and they lose a voice  
17 at the table, is that correct?

18 AUDIENCE MEMBERS: (Applauded).

19 CONGRESSMAN EDWARDS: That's correct. Let  
20 me say this. Fort Hood will not be closed in the base 03:42 PM  
21 closing process, but we have a tremendous opportunity  
22 with the movement of troops coming back from Germany and  
23 there will be a major redeployment to our Continental  
24 United States, we have a major opportunity to either  
25 plus up the number of soldiers there or plus down. And, 03:42 PM



1 by the way, since your relative is in 1st Cav Division, 03:42 PM  
2 we'll work very hard on those barracks projects that  
3 we're in the middle of.

4 VICE CHAIRMAN SENATOR GALLEGOS: But what  
5 I'm saying -- 03:42 PM

6 CONGRESSMAN EDWARDS: And it does --

7 VICE CHAIRMAN SENATOR GALLEGOS: -- what  
8 I'm saying, Congressman, let me give you the scenario.

9 CONGRESSMAN EDWARDS: Okay.

10 VICE CHAIRMAN SENATOR GALLEGOS: You've 03:42 PM  
11 got somebody -- let's say a Congressperson from  
12 California and a -- and then you from Texas, and let's  
13 say y'all have the same voice or you're ahead of him or  
14 her, then your voice -- you're at the table, you have  
15 the vote and your voice is going to be heard. Now, if 03:42 PM  
16 he is -- he or she is ahead of you --

17 CONGRESSMAN EDWARDS: Right.

18 VICE CHAIRMAN SENATOR GALLEGOS: -- and  
19 I've got a vote sitting before me, it's the Hood or --  
20 or one of their bases, it's probably going to be that 03:43 PM  
21 base that they represent. I mean, like I said, it  
22 doesn't take a -- it doesn't take a fourth grader with a  
23 Big Chief tablet and a Number 2 pencil to understand  
24 that. And I'm going to go with who brought me and  
25 that's my constituents. 03:43 PM

1                    CONGRESSMAN EDWARDS:  Senator, thank you    03:43 PM  
2                    and your family for serving our country.  That -- that  
3                    does make a difference that the big four -- that's the  
4                    title used for four people who are in that final  
5                    conference committee to write the final bill on military  03:43 PM  
6                    construction.  And I'm proud of the fact that even  
7                    though military construction runs overall, it comes down  
8                    by it looks like a billion and a half dollars this year,  
9                    which I'm not very happy about, I'm at least proud that  
10                   many of our Texas installations are being funded well.    03:43 PM  
11                   That is partially the result of my being the ranking  
12                   Democrat on that subcommittee in the House, and then I  
13                   give great credit to Senator Kay Bailey Hutchison, with  
14                   whom I've worked closely with, who was the ranking  
15                   member, now the chairman of that committee in the            03:43 PM  
16                   Senate.  I don't -- I don't think it would be good for  
17                   Texas to turn my position voluntarily over to Sam Farr,  
18                   who's a good guy, but he's from the San Francisco area  
19                   of California and he'll fight to get that extra money in  
20                   California, whereas I can fight to see that Texas gets    03:44 PM  
21                   more than its fair share of military funds.  Most  
22                   importantly, frankly, to support the quality of life for  
23                   our servicemen and women who have made incredible  
24                   sacrifices, as you all know, for our country.  
25                   VICE CHAIRMAN SENATOR GALLEGOS:  Thank            03:44 PM

1 you, Congressman. 03:44 PM

2 CONGRESSMAN EDWARDS: Thank you.

3 AUDIENCE MEMBERS: (Applauded).

4 CHAIRMAN SENATOR DUNCAN: I do want to  
5 follow up a bit. 03:44 PM

6 QUESTIONS BY CHAIRMAN SENATOR DUNCAN

7 CHAIRMAN SENATOR DUNCAN: Is there a list  
8 or could you prepare or get your staff to prepare for us  
9 a list that would show the -- each member of Congress  
10 from the Texas delegation, their seniority and their 03:44 PM  
11 ranking with regard to their committees and  
12 subcommittees? I want it for each, all 32.

13 CONGRESSMAN EDWARDS: Absolutely. We will  
14 do that, because I don't want to suggest just the  
15 ranking members are the key players in Congress, but the 03:45 PM  
16 five I mentioned, I can do this in 30 seconds or less,  
17 the Charlie Stenholm. If he's defeated because of  
18 redistricting, Texas only has one new voice, a brand new  
19 freshman from out in your part of the state,  
20 Mr. Chairman. And Charlie's the ranking member. That 03:45 PM  
21 ranking position goes to Minnesota.

22 Ralph Hall's ranking on science. It's  
23 very important to NASA, a huge industry for our state,  
24 supporting our country. NASA has a Baylor project right  
25 here at L-3, our largest employer. You'll hear from 03:45 PM

1 their executive in a minute. We lose that position to a 03:45 PM  
2 member from Tennessee.

3 Homeland Security ranking member is Jim  
4 Turner from East Texas. We lose -- we give that  
5 position over to Mississippi. And that's a committee 03:45 PM  
6 that oversees what used to be 22 different federal  
7 agencies. MilCon we've already discussed.

8 Rules committee, through which every  
9 amendment must come, House of Representatives, is Martin  
10 Frost. That would go to the State of New York. 03:45 PM

11 That's what I would object to in this  
12 process more than any impact on my future career from  
13 redistricting.

14 CHAIRMAN SENATOR DUNCAN: If you could get  
15 us a good list. 03:46 PM

16 CONGRESSMAN EDWARDS: I will absolutely.  
17 In fact, if I could also give to you partially in  
18 response to some of the questions. Dr. Ray Perryman, I  
19 think many of you or all of you know him, very  
20 nationally respected comments, has put together some 03:46 PM  
21 numbers, and if you take the total economic impact of  
22 Fort Hood, it is actually 6.6 billion dollars a year on  
23 the Texas economy. For the sake of our economy, and  
24 most importantly, for the sake of our Army and our  
25 nation's defense, we need to keep Fort Hood strong. And 03:46 PM

1 I would like to leave this, Mr. Chairman, with you if 03:46 PM  
2 that is okay.

3 SENATOR WEST: Mr. Chairman.

4 CHAIRMAN SENATOR DUNCAN: Senator West.

5 QUESTIONS BY SENATOR WEST

6 SENATOR WEST: Congressman Edwards, in  
7 terms of communities of interest, could you -- how many  
8 counties do you have currently in your --

9 CONGRESSMAN EDWARDS: Ten.

10 SENATOR WEST: Ten. And can you be 03:46 PM  
11 specific? We've heard about the military installations  
12 and we've heard the aerospace industry and also about  
13 the agriculture. Are there other communities of  
14 interest that you can provide examples of that currently  
15 exist within your Congressional District? 03:47 PM

16 CONGRESSMAN EDWARDS: Senator West, yes,  
17 because we are a historic community of interest. Number  
18 1, we have one of the largest veterans populations in  
19 America. Probably one of the top ten population numbers  
20 in our state. So when I work with you -- and I applaud 03:47 PM  
21 you for setting up the State Veterans Cemetery Program.  
22 When I wrote the law to turn over 274 acres in South  
23 Fort Hood to the State of Texas to create a state  
24 veterans' cemetery for all those veterans, that wasn't  
25 just the veterans of Bell County or Coryell County or 03:47 PM

1 McLennan County, that was veterans for all of Central 03:47 PM  
2 Texas so they could be buried in an internal field of  
3 honor close to their families and loved ones, which  
4 means an awful lot to these families. Veterans are a  
5 community of interest. 03:47 PM

6 We not only have the largest Army  
7 installation in America, the fourth largest VA  
8 healthcare system in America is headquartered in Temple.  
9 You peel off Bell County from McLennan County and you  
10 start to sever the ties in that system and our ability 03:48 PM  
11 to help coordinate that, and we've done a lot of work on  
12 the appropriations committee for that.

13 We have, as I mentioned, three Army Corps  
14 of Engineer lakes and you know better than I do that  
15 water is going to be the oil for Texas in the 21st 03:48 PM  
16 century, and being on that subcommittee that funds those  
17 lakes I think is -- helps tie together communities of  
18 interest.

19 And, Senator West, as someone mentioned  
20 the Perchlorate problem in McGregor and McLennan County 03:48 PM  
21 where they built rocket motors throughout the cold war,  
22 it was that Perchlorate contamination seeping into the  
23 ground that put at risk both Lake Belton as well as Lake  
24 Waco, so I added six million dollars in Army Corps  
25 studies to better figure out how to protect our cities 03:48 PM

1 from that. Can you imagine the economic impact on our 03:48 PM  
2 communities if you shut off the water supply with four  
3 parts per billion of Perchlorate, the intake valve to  
4 those cities. And by the way, what would be the impact  
5 on Fort Hood's future if you had a Perchlorated intake 03:49 PM  
6 valve for Lake Belton to Fort Hood? That would be  
7 devastating. So those are the kind of communities of  
8 interest.

9 And one thing, we have 200,000 Hispanics  
10 and African Americans here. And as someone who was 03:49 PM  
11 motivated through the civil rights to lead the people of  
12 good faith to make this a better country for all of our  
13 citizens, I consider it a deep privilege to be a voice  
14 for those minorities as well as all the people of our  
15 district. 03:49 PM

16 I would also say this. That -- finally to  
17 wrap it all up. We are -- 90% of our district is served  
18 by one TV media market. When the people in Waco tonight  
19 watch television and there's been a wreck or somebody's  
20 been killed or there's been good news down in Bell 03:49 PM  
21 County or Coryell County or Mills County or Bosque  
22 County, all of our families share that news, and when  
23 you've had that shared media market over a period of  
24 four or five or six or seven decades, you build a  
25 community of interest. 03:50 PM

1                   Many defense employers here in McLennan     03:50 PM  
2     County work directly with Fort Hood.  And, Senator  
3     Harris, there are a number of corporations down in Fort  
4     Hood as well as L-3 and Act One and others here in Waco,  
5     but major corporations like Lockheed, Dynacorp that have     03:50 PM  
6     literally tens of thousands of employees down there, and  
7     all of those I think create one of the most solid  
8     communities of interest perhaps of any Congressional  
9     District in this State.

10                   SENATOR WEST:  Lastly, I notice that you     03:50 PM  
11     have a combined minority population in your district of  
12     about -- you have a total population of 32%, a voting  
13     population of 20.7%.  And you alluded to moments ago  
14     that you have attempted to be a voice or you have been a  
15     voice for minority communities of your district, is that     03:51 PM  
16     correct?

17                   CONGRESSMAN EDWARDS:  Senator, you could  
18     look at the voting precincts and in the predominantly  
19     African American precincts, I receive normally well over  
20     90% of the vote.  And in the predominantly Hispanic     03:51 PM  
21     precincts, I receive 70 to 90%-plus of votes in those  
22     precincts and I consider that a vote --

23                   AUDIENCE MEMBERS:  (Aplauded).

24                   CONGRESSMAN EDWARDS:  And if you look at  
25     what the House did, in the last four maps where they     03:51 PM



1 split McLennan County, frankly, and I don't impugn the 03:51 PM  
2 motives of anyone who drew the map because I don't know  
3 who drew that map, I'm not sure it was the people  
4 sitting on that House Committee. If you had tried to be  
5 more divisive racially in Central Texas, you could not 03:51 PM  
6 have been more effective than what they did. Initially,  
7 they just carved out East Waco, predominantly African  
8 American. So when they heard some heat about that,  
9 including my testimony in Austin, what they did is they  
10 just lumped in the predominantly Hispanic precincts in 03:52 PM  
11 Waco and McLennan County with the African American  
12 precincts and then put those in a district that will be  
13 dominated by the suburbs of Austin in a very Republican  
14 leaning district. And I think that's not wrong for me,  
15 that's wrong for the 200,000 minorities that make a 03:52 PM  
16 significant difference in the election of their  
17 Congressman and continue to have a voice in election  
18 years --

19 SENATOR WEST: Let me ask you this  
20 question. You articulated moments ago that you 03:52 PM  
21 historically have received the support of the minority  
22 community, is that correct?

23 CONGRESSMAN EDWARDS: Yes, sir.

24 SENATOR WEST: Now, this is a  
25 hypothetical. Based on the support that you've received 03:52 PM

1 from Democrats and Republicans and Independents, have 03:52 PM  
2 the minority vote, Hispanic and African American, made a  
3 difference in your race against any other opponent?

4 CONGRESSMAN EDWARDS: Absolutely. I think  
5 one could argue in the -- not argue, one could prove 03:53 PM  
6 conclusively in the last election, which I won by 6,000  
7 votes, that had it not been for the overwhelming vote of  
8 minorities in my district, not just in McLennan County,  
9 but throughout the district, I would not be standing  
10 here today. And I'm proud of the fact that I have 03:53 PM  
11 earned their vote while reaching out to Independents --

12 SENATOR WEST: Well, I understand. But in  
13 terms of previous --

14 CONGRESSMAN EDWARDS: Right.

15 SENATOR WEST: -- elections, has that also 03:53 PM  
16 been -- historically, has that --

17 CONGRESSMAN EDWARDS: Absolutely. I  
18 don't -- I think the record would show clearly I would  
19 not have been elected in my first election to the  
20 Congress in 1990 had it not been for the vote of 03:53 PM  
21 minorities. Then we went through some elections without  
22 a serious opponent. In '96, a key race, minorities  
23 played an absolutely vital role in my election there.  
24 And then in 2000 and 2002, it played a -- the vote of  
25 minorities was a determining factor. 03:54 PM

1 SENATOR WEST: Thank you very much. 03:54 PM

2 CHAIRMAN SENATOR DUNCAN: Thank you,  
3 Congressman.

4 AUDIENCE MEMBERS: (Applauded).

5 CHAIRMAN SENATOR DUNCAN: (Inaudible).

6 THE REPORTER: (Gestured).

7 CONGRESSMAN EDWARDS: Gentlemen, thank  
8 you. And my final note to Senator Averitt, thank you

9 for asking this Committee to come to Central Texas to

10 let these folks' voices be heard. Thank you, 03:54 PM

11 Mr. Chairman and Members, not just for being here, but  
12 for listening. Thank you.

13 CHAIRMAN SENATOR DUNCAN: Good seeing you.

14 AUDIENCE MEMBERS: (Applauded).

15 (Whereupon, Congressman Edwards

16 (was excused.

17 CHAIRMAN SENATOR DUNCAN: We call Mayor  
18 Paul Swanson, The Third, Mayor of the City of Bellmead.

19 Mayor, state your name. You need to fill  
20 out a card. 03:54 PM

21 DEPUTY MAYOR DEVORSKY: I already have.

22 CHAIRMAN SENATOR DUNCAN: Okay. Great.

23 We'll pull it later.

24

25

1                   DEPUTY MAYOR RUSSELL DEVORSKY, BELLMEAD  
2   having signed an oath card, testified as follows:

3                                   DIRECT TESTIMONY  
4   BY DEPUTY MAYOR RUSSELL DEVORSKY:

5           A     Honorable Gentlemen, Members of the Senate. My 03:54 PM  
6   name is Russell Devorsky, I am Deputy Mayor of the City  
7   of Bellmead. Mayor Swanson had to leave, so I'm here on  
8   his behalf.

9                                   First, I'd like to present to the esteemed  
10   Committee a resolution from the City of Bellmead that     03:55 PM  
11   raises its objection to any redistricting plan that  
12   would divide McLennan County into one or more  
13   Congressional Districts which passed approval last  
14   night. One of the things I'd like to point out: Of the  
15   members of our city council, we are a very diverse         03:55 PM  
16   group. There are two black gentlemen in the group,  
17   there's a lady who is Native American, there's an  
18   Hispanic, and I'm the lone white male on the council.  
19   We've got a couple of Republicans, a couple of  
20   Independents, a couple of Democrats, but we've all come     03:55 PM  
21   together to be agreed that we believe that we need to  
22   keep McLennan County whole and that we object to any  
23   Congressional redistricting.

24                                   One of the things that I'd like to mention  
25   and I'll apologize for speaking fast, but I've only got     03:55 PM

1 five minutes, we talk about community of interest. I've 03:55 PM  
2 served on the city council for 10 terms. I'm in my 20th  
3 year on the city council. I've been president of the  
4 regent TML, which encompasses 14 counties, 121 member  
5 cities. I'm currently on the Heart of Texas Council of 03:56 PM  
6 the Governor's Executive Committee, which covers about  
7 eight counties that also services this area. There's a  
8 lot of communities of interest that's in play here.

9 A lot of the cities that you've heard  
10 testify this morning, Mr. Cogliati from -- the Mayor of 03:56 PM  
11 Lacy-Lakeview actually went to La Vega High School,  
12 which is in the City of Bellmead. We've got individuals  
13 from the City of West that have many family correlations  
14 from Bellmead down the I-35 corridor. We maintain that  
15 it is absolutely essential to maintain the integrity of 03:56 PM  
16 the current district.

17 One of the things that I'd like to do is  
18 just read a few quotes that have been spoken by some --  
19 which I consider to be hypocritical about this issue.  
20 "Almost two years ago," and this is out of the Fort 03:56 PM  
21 Worth Star Telegram, "Governor Perry said it would be a  
22 waste of taxpayer's money to call a special session on  
23 redistricting. Two years later, he's actually flipped."  
24 He also said in AP 6-29-01, "it needs to go to a court  
25 and let the courts work on this issue." Susan 03:56 PM

1 Weddington, head of the Texas Republican Party, said "in 03:56 PM  
2 the end, Texans will be better served by impartial  
3 judges than highly partisan Democratic Legislators  
4 trying to attempt to maintain political power." That  
5 was in the Dallas Morning News a little over two years 03:57 PM  
6 ago, July the 8th of '01. I simply maintain this: That  
7 appointed judges -- appointed federal judges are good  
8 enough to select a President of the United States,  
9 appointed federal judges --

10 AUDIENCE MEMBERS: (Applauded).

11 A -- (inaudible). Two years later, 2003, this  
12 year, February 24th, "Governor Rick Perry has said he  
13 will not call a special session to deal with this  
14 Congressional issue of redistricting." You know, that's  
15 a few months ago. Before the session, Perry told the 03:57 PM  
16 state editorial writer, "his reluctance to what  
17 apparently he now contemplates." Nobody wants to see  
18 redistricting coming up. It's like if you want to go  
19 out and run your wind sprints again. This was from the  
20 great Waco Tribune Herald June 9th of '03. 03:57 PM

21 We've also heard that this is a process  
22 driven by Mr. DeLay, and this is an individual -- you  
23 know, while Baylor may be a lot of things, you know, he  
24 said that "Baylor's too liberal to send our kids to to  
25 get an education." Now, anybody that thinks Texas A&M 03:58 PM

1 and Baylor is too liberal, it scares me to think how far 03:58 PM  
2 to the right that this man would go.

3 AUDIENCE MEMBERS: (Applauded).

4 A I'd like to applaud the Senate for coming here  
5 today and having the integrity that the House apparently 03:58 PM  
6 did not have in their Congressional hearings. I have a  
7 picture here, and this is not a mock up picture, and  
8 I'll present this to the gentlemen. On the weekend  
9 before the 4th of July holidays, Mr. King said "this is  
10 the map that we're going to present to the Committee 03:58 PM  
11 next week and there's no secret maps." The Legislature  
12 left. And if the audience wants to see it, it's a  
13 picture of a door papered up that says "do not enter,  
14 meeting in progress." This is the actual room where  
15 they were drawing the maps. That map -- that secret map 03:58 PM  
16 that's up on the wall is the one that was presented to  
17 the Floor the next week.

18 You know, this is a process and I commend  
19 the Senate for being open to this process. House  
20 redistricting is always a critical issue. One of the 03:59 PM  
21 things that I want to point out on this map, the City of  
22 Bellmead, of which I represent, we now stretch in a  
23 State House district that goes to Madisonville. In this  
24 district, if we simply cross the highway, Lacy-Lakeview  
25 is our neighbor to the north and we're separated. I 03:59 PM

1 mean, when you've got cities that are next door to each 03:59 PM  
2 other, that you cannot define that as a community of  
3 interest, I don't know what can.

4 We want to keep the Texas Congressional  
5 seniority. I know that Mr. Edwards spoke about that on 03:59 PM  
6 a second ago, but I think what's very important about  
7 that is to realize that if you're a true Texan and you  
8 really care about Texas, by adopting this current plan,  
9 we would lose Charlie Stenholm on the agriculture  
10 committee and that seat would go to Minnesota. I don't 03:59 PM  
11 think that's good for Texas. Texas House -- the House  
12 committee on appropriations headed by Mr. Edwards would  
13 go to California.

14 In conclusion, I think as honorable  
15 Texans, we need to maintain the current district we have 03:59 PM  
16 that's already been approved by the courts. We'll save  
17 millions of dollars in legal fees to protect --  
18 defending it. And with that, I thank you for your time.

19 CHAIRMAN SENATOR DUNCAN: Thank you.

20 AUDIENCE MEMBERS: (Applauded). 04:00 PM

21 DEPUTY MAYOR DEVORSKY: (Handed document  
22 to Chairman Senator Duncan).

23 CHAIRMAN SENATOR DUNCAN: The resolutions  
24 from the city and -- the County and City of Bellmead is  
25 in the record. 04:00 PM



1 (Whereupon, Deputy Mayor Devorsky  
2 (was excused.

3 CHAIRMAN SENATOR DUNCAN: The Chair calls  
4 Rollin Khoury, former State Representative. And as the  
5 Honorable Mr. Khoury approaches, in the wings we'll have 04:00 PM  
6 a Jerome -- Jeremy or Jerome Owens, County Judge, Tyler  
7 County. And Robert Lindsey, The Third, County Judge for  
8 Mills County and those folks will be on deck.

9 ROLLIN KHOURY, FORMER STATE REPRESENTATIVE  
10 having signed an oath card, testified as follows:

11 DIRECT TESTIMONY

12 BY ROLLIN KHOURY:

13 A Thank you, Mr. Chairman, Members. I am  
14 absolutely astonished at all of the rhetoric I've heard  
15 today about the harm coming from redistricting when I've 04:00 PM  
16 never in my 68 years heard a word from anybody about the  
17 harms of redistricting until suddenly the Republicans  
18 are before you with the majority and they say "let's  
19 change this thing so our ox is not bored, but rather  
20 somebody else's ox is not -- is bored. 04:01 PM

21 CHAIRMAN SENATOR DUNCAN: Rollin, could  
22 you just for the record state your name, so we --

23 MR. KHOURY: Oh, I'm sorry.

24 A Rollin Khoury. K-H-O-U-R-Y. That's 100%  
25 Lebanese and I was the only minority in the House when I 04:01 PM

1 was there. And I went in in 1981 in redistricting and 04:01 PM  
2 if you think they didn't stretch this little Arab boy  
3 every way he could be stretched, you're wrong. And the  
4 people in McLennan County never said a word about the  
5 fact they lost a State Representative to Falls County 04:01 PM  
6 and now Limestone County and somewhere else because we  
7 had to protect our Democrats, didn't we, and that's what  
8 we need.

9 Now, let me -- let me say to the crowd  
10 what I said to the Senator awhile ago and what my 04:02 PM  
11 friend, Mr. Edwards, Congressman Edwards has reaffirmed  
12 for me. We have 800-plus employees, good, hard,  
13 efficient United States government employees at the VA  
14 hospital, and you know how many patients they're caring  
15 for? About 220. Now, they spent about 50 million 04:02 PM  
16 dollars out there building new buildings and remodeling  
17 old buildings, and folks, I'm not talking about from not  
18 knowing what I'm saying, I'm going to be in Building 7  
19 at the VA Hospital tomorrow morning at 7:00 a.m.  
20 representing a mental patient in a commitment hearing. 04:02 PM  
21 I know of what I speak. The money to do all of this  
22 stuff didn't come from the Bush administration. Now  
23 we're about to lose our VA Hospital.

24 Now, I want to tell all of you a little  
25 bit about how to see your Congressman without going to 04:02 PM

1 Washington, D.C. or going to his office. Go to Austin 04:03 PM  
2 when there's redistricting going on. Did anybody say a  
3 word about Martin Frost calling all the punches in 1991?  
4 Did anyone say anything about whoever was calling them  
5 in 1981 when they cut my neck? No. You didn't say 04:03 PM  
6 anything about Eddie Bernice Johnson when she was down  
7 there a few years ago telling everybody what to do  
8 either. So let's just think in terms of what this whole  
9 thing is, folks, and it is a political process, pure and  
10 simple. 04:03 PM

11 Did any of you by chance read Mr. William  
12 Raspberry, a black -- an African American editorial  
13 writer just yesterday? "Redistricting is not for the  
14 faint of heart. It is a political process where winner  
15 takes all." And if you believe for another New York 04:03 PM  
16 minute that Congressman Edwards and all of his friends  
17 who are Democrats wouldn't do the same thing if they got  
18 the majority back in the next House and Senate, I've got  
19 some marshland in Florida I want to sell you.

20 I am astonished that any of you might 04:04 PM  
21 believe, Senator, that we are putting anything at risk  
22 if we redistrict because Congressman Edwards is the  
23 ranking member of any committee or any subcommittee or  
24 the chairman of a committee. It still takes a majority  
25 of the votes in the House and the Senate to pass a bill. 04:04 PM



1 AUDIENCE MEMBERS: (Applauded). 04:05 PM

2 A -- fight Senate. Who got the votes out and who  
3 didn't? I told this man right here in November when he  
4 had a news conference in the Commissioner's courtroom in  
5 McLennan County, the last thing I want to see is 04:06 PM  
6 Washington in Austin. I don't want to see Washington in  
7 Austin now. I do not want McLennan County cut up. But  
8 y'all redistrict everything else you want, just leave us  
9 alone.

10 AUDIENCE MEMBERS: (Applauded). 04:06 PM

11 (Whereupon, Mr. Khoury was excused.)

12 CHAIRMAN SENATOR DUNCAN: The Chair  
13 recognizes Judge Jerome Owens out of Tyler County.

14 JUDGE OWENS: Can I use any of his time he  
15 didn't use? 04:06 PM

16 CHAIRMAN SENATOR DUNCAN: Well, you might  
17 be out of time.

18 JUDGE JEROME OWENS, TYLER COUNTY  
19 having signed an oath card, testified as follows:

20 DIRECT TESTIMONY

21 BY JUDGE JEROME OWENS:

22 A Mr. Chairman, Members of the Committee, it's a  
23 real privilege to be here. I am the County Judge of  
24 Tyler County and the past president of the Deep East  
25 Texas Council of Government, which serves 12 counties. 04:07 PM

1 I speak to you today on behalf of 13 county judges, 36 04:07 PM  
2 county commissioners, 12 mayors, 11 city council members  
3 and other elected officials.

4 It took a lot of courage for me to come  
5 here today because I've had this reoccurring dream that 04:07 PM  
6 Baylor Law School was going to make me redo my senior  
7 year.

8 AUDIENCE MEMBERS: (Laughter).

9 A And I'm hopeful that Professor Guinn will not  
10 make that a reality. 04:07 PM

11 I've lived in Harris County, I've lived in  
12 Montgomery County, and then I moved to the woods of East  
13 Texas. At the time, I thought a port-a-potty was an  
14 avocation district. But I've learned a little bit more  
15 about them in East Texas since then. And I'm going to 04:08 PM  
16 mention just some of the differences between urban and  
17 rural, some of the basic differences.

18 An urban area is interested in a waterbed,  
19 over in rural Texas we're interested in water rights.  
20 In urban areas, they're interested in a toll road. In 04:08 PM  
21 our area, we're interested in a farm-to-market road or  
22 how many potholes are in our dirt road. In the city,  
23 they want to know the value of a shade tree. In our  
24 area, we want to know the price per ton of a pine tree.  
25 In the city, they like their pets. Where I live, we 04:08 PM

1 have horses and cows and agriculture. In the cities, 04:08 PM  
2 they have their spacious shopping malls. We get all of  
3 our vital communications at Wal-Mart. That's just some  
4 of the differences that you'll notice between living in  
5 the city and living out in the country. And we have a 04:09 PM  
6 lot of country over where I live.

7 We fought to protect our water rights and  
8 now we've come to you to urge you to protect our rural  
9 voice in governmental affairs. Our communities of  
10 influence, our communities of interest that you have 04:09 PM  
11 heard other people say and, of course, not last and not  
12 the least is the vote and voice of our minority  
13 community. What I say today is of little importance,  
14 but how you protect rural Texas in the next few years  
15 will be recorded and remembered by history. 04:09 PM

16 Our current Congressional Districts comply  
17 with all voting rights requirements and are serving us  
18 well. The only motivation for change is partisan gain.  
19 It is clear from the various maps produced by the Texas  
20 House Redistricting Committee that to achieve the goals 04:10 PM  
21 of the advocates of redistricting, rural East Texas  
22 communities are inevitably broken apart and combined  
23 with urban and suburban population centers that have  
24 little in common with rural communities.

25 There is no public mandate for such a 04:10 PM

1 move. To the contrary, the hearings in East Texas and 04:10 PM  
2 across the State and I would say even at our hearing  
3 here today, the outcry from ordinary citizens as well as  
4 elected public officials has been overwhelmingly against  
5 making those drastic changes in our representation. 04:10 PM

6 As you know, Congressman Turner represents  
7 the rural area of which I now serve, and these changes  
8 that are proposed would drastically change his ability  
9 to lead rural East Texas.

10 I see that I have one minute. On behalf 04:11 PM  
11 of the residents of East Texas, we urge you to say no to  
12 redistricting or as that great philosopher said, "don't  
13 mess with Texas."

14 AUDIENCE MEMBERS: (Applauded).

15 CHAIRMAN SENATOR DUNCAN: I've -- I've 04:11 PM  
16 noticed -- Judge Owens, would you state your name for  
17 the record so the court reporter will have it?

18 JUDGE OWENS: Yes. My name is Jerome  
19 Preston Owens.

20 CHAIRMAN SENATOR DUNCAN: Thank you. 04:11 PM  
21 Senator West.

22 QUESTIONS BY SENATOR WEST

23 SENATOR WEST: I have a question on this  
24 issue of rural/urban. Judge, the issue of  
25 rural/urban/suburban has come up around the state. I'm 04:11 PM



1 not going to ask you your party affiliation, but -- 04:11 PM

2 JUDGE OWENS: It's all right. I'll be  
3 proud to tell you.

4 SENATOR WEST: What is your party?

5 JUDGE OWENS: I'm a Democrat. 04:11 PM

6 SENATOR WEST: Okay.

7 AUDIENCE MEMBERS: (Applauded).

8 SENATOR WEST: Is there a community of  
9 interest between rural Texas and suburban Texas?

10 JUDGE OWENS: The only common thread that 04:12 PM

11 I have seen, not to be coy, is -- I mean, there are  
12 two -- there are two things that I've found that  
13 everybody agrees on no matter where they live, and that  
14 is, we ought to have no taxes and greater services.

15 AUDIENCE MEMBERS: (Laughter).

16 JUDGE OWENS: But if you get a way -- if  
17 you've got a way -- if there is a clear line of  
18 demarcation between the interests of rural Texas and the  
19 interests of suburban or the cities, it's impossible for  
20 one voice to cover those divergent needs and interests. 04:12 PM

21 SENATOR WEST: And you indicated that you  
22 represented numerous other county judges, is that  
23 correct?

24 JUDGE OWENS: That is correct. As past  
25 president of -- of course, of the Deep East Texas 04:12 PM

1 Council of Government, and I have brought for the 04:13 PM  
2 Committee a letter signed by those officials, which I  
3 would be pleased to leave with you, showing their  
4 support and their agreement in what I have said.

5 SENATOR WEST: And so they're unanimous 04:13 PM  
6 behind you in terms of making sure that the districts  
7 that we currently have stay intact?

8 JUDGE OWENS: That is correct, Senator.

9 SENATOR WEST: Okay. Now, are all of the  
10 judges that you represent -- are all of the judges that 04:13 PM  
11 you represent Democrats or is it a combination of  
12 Democrats and Republicans?

13 JUDGE OWENS: I haven't gone through and  
14 asked them all of their -- you know, I don't know what  
15 they say when they put their pillow on their head at 04:13 PM  
16 night and speak to their wife, I don't know whether they  
17 say "thank God, I'm a Democrat" or "I'm a Republican."

18 SENATOR WEST: I'm sure glad you don't  
19 know that.

20 AUDIENCE MEMBERS: (Laughter).

21 JUDGE OWENS: I would imagine most --  
22 well, for the purposes of what I've got to come here  
23 today, most of these I would say are Democrats that are  
24 all as far as the judges are concerned. Although there  
25 is one -- I'm trying to go from memory. There is one 04:14 PM

1 Republican county judge that has filed his support. 04:14 PM  
2 This was done in just about 48 hours or less and so we  
3 didn't have an opportunity to really go out and canvass  
4 the area as much as we would have liked.

5 SENATOR WEST: Okay. Thank you very much. 04:14 PM

6 CHAIRMAN SENATOR DUNCAN: Thank you,  
7 Judge. Any other questions? Appreciate it very much.  
8 Would you present that for the record?

9 JUDGE OWENS: (Handed document to Senator  
10 Chairman Duncan). 04:14 PM

11 (Whereupon, Judge Owens was excused.

12 CHAIRMAN SENATOR DUNCAN: The Chair calls  
13 Robert Lindsey, The Third, the Judge of Wells County --  
14 County Judge. County Judge Lindsey. And would you  
15 approach, state your name and who you represent? Is 04:14 PM  
16 Judge Lindsey still in the audience? We'll hold his  
17 card back. Let the record reflect that he has  
18 registered an opposition to redistricting. Hold his  
19 card back in case he's over there.

20 The Chair recognizes Joe Mashek, who is 04:15 PM  
21 County Commissioner from McLennan County. Commissioner  
22 Mashek.

23 While he's approaching, I will have -- on  
24 deck will be Commissioner Lester Gibson and Councilman  
25 Maurice Labens of the City of Waco. 04:15 PM

1 COMMISSIONER JOE MASHEK, McLENNAN COUNTY  
2 having signed an oath card, testified as follows:

3 DIRECT TESTIMONY  
4 BY COMMISSIONER JOE MASHEK:

5 A Good afternoon. Thank you for letting me 04:15 PM  
6 speak. First of all, I'd like to thank you --

7 CHAIRMAN SENATOR DUNCAN: State your name,  
8 if you would?

9 A My name is Joe Mashek, McLennan County  
10 Commissioner. 04:15 PM

11 I'd like to thank my friend, Kip Averitt,  
12 for spearheading this move to bring the Senate Committee  
13 here to Waco. I appreciate that very much. Senator  
14 Averitt is very well respected within here in McLennan  
15 County and serves us well. I understand and I know that 04:15 PM  
16 he wants to help his party affiliation, but I also feel  
17 that deep in his heart he does not want to do that at  
18 the expense of McLennan County.

19 Again, my name is Joe Mashek and I'm hear  
20 to voice my concerns as an individual taxpayer and 04:16 PM  
21 public official. I was born and raised right here in  
22 McLennan County and have lived here most of my life.  
23 I've always been proud to be a resident of this great  
24 county. Our history dwells on the Brazos River, Baylor  
25 University, McLennan Community College, Texas State 04:16 PM

1 Technical College and home of the original Texas 04:16 PM  
2 Rangers. We're in the hub of I-35. I am proud to be  
3 associated with our nickname, The Heart of Texas.

4 McLennan County has excelled in growth and  
5 business opportunity over the last 50 years. The 04:16 PM  
6 McLennan County Economic Development Corporation has  
7 worked diligent in securing new business development to  
8 our county, while protecting our existing businesses.  
9 We achieve this through the cooperation of the county,  
10 the City of Waco, the Greater Waco Chamber of Commerce, 04:17 PM  
11 and most important, a strong voice in Congress.

12 Many of our businesses, cities,  
13 communities and schools have received millions of  
14 dollars in federal funding. Our largest employer, L-3  
15 Communications, has received nearly one billion dollars 04:17 PM  
16 in federal funding over the past eight years, securing  
17 jobs for the hard working citizens of our county. I  
18 feel that most of this was accomplished for one reason -  
19 our Congressman lives in McLennan County and works hard  
20 to see that McLennan and surrounding counties that he 04:17 PM  
21 represents get as much federal funding as possible.

22 McLennan County would play second fiddle  
23 to any Congressman out of the DFW or the Austin area.  
24 Residents of McLennan County work together, we support  
25 one another and strive to make our county the best it 04:18 PM

1 can be as a whole. We want to be represented as a whole 04:18 PM  
2 and not divided.

3 On a personal note, I find it very ironic  
4 that just last week most of McLennan County was  
5 celebrating its historic 4th of July holiday, 04:18 PM  
6 celebrating the freedom we have in this great nation,  
7 but on the other hand, we have partisan politicians who  
8 don't live here trying to remove our freedom of having a  
9 strong Congressional voice for our county as a whole.  
10 Is that fair representation for the taxpayers? Where do 04:19 PM  
11 you draw the line? Is political party domination more  
12 important than our own voice in Congress? If you feel  
13 that it is, then I guess you win. But unfortunately, we  
14 lose. I implore you, vote no to redistricting. Thank  
15 you very much. 04:19 PM

16 CHAIRMAN SENATOR DUNCAN: Thank you,  
17 Commissioner Mashek.

18 (Whereupon, Commissioner Mashek  
19 (was excused.

20 AUDIENCE MEMBERS: (Applauded). 04:19 PM

21 CHAIRMAN SENATOR DUNCAN: Any questions?

22 The Chair calls Commissioner Lester  
23 Gibson. Commissioner, if you could please state your  
24 name and who you represent?

25

1 COMMISSIONER LESTER GIBSON, McLENNAN COUNTY

2 having signed an oath card, testified as follows:

3 DIRECT TESTIMONY

4 BY COMMISSIONER LESTER GIBSON:

5 A My name is Lester Gibson. I am McLennan County 04:19 PM  
6 Commissioner, elected to Precinct 2. I'm also speaking  
7 on behalf of the Texas Organization of Black County  
8 Commissioners that's (inaudible). I want to thank you,  
9 Chairman Duncan, and Members of the Senate Jurisprudence  
10 Committee as well as my Senator, Senator Kip Averitt, 04:20 PM  
11 for announcing this public hearing today on  
12 Congressional redistricting.

13 First and foremost, I oppose any  
14 Congressional redistricting plan other than the existing  
15 court-ordered Congressional District plan, normally 04:20 PM  
16 known as Number 1151C for the State of Texas. According  
17 to the Texas Attorney General, the current plan, which  
18 is Plan 1151C, complies with all provisions of the  
19 constitution and can stand for the remainder of the  
20 decade. 04:20 PM

21 I reside and vote in the 11th  
22 Congressional District. This Congressional District has  
23 been intact for more than 100 years. It is the home of  
24 former Congressman Bob Poage, former Congressman Marvin  
25 Leath, and current incumbent Congressman Chet Edwards. 04:21 PM

1                   The 11th Congressional District                   04:21 PM  
2    experienced a new shape subsequent to a United States  
3    court adoption of Congressional Districts for the 2002  
4    elections. The district lost Falls and Hill Counties  
5    and other -- two other districts. The district picked    04:21 PM  
6    up Williamson County to the southwest of Bell County.  
7    Most of Congressman Edwards' supporters believe that  
8    district changes were an effort to unseat Congressman  
9    Edwards; however, Congressman Edwards was the victor in  
10   what we call a close race. The African American and    04:21 PM  
11   Hispanic voters of the 11th Congressional District  
12   perhaps made a difference in this race. The actual  
13   makeup within the district has a definite impact and  
14   influence in the political process of the 11th  
15   Congressional District. It is my opinion that any new    04:22 PM  
16   redistricting changes will dilute and retrogress the  
17   African American and Hispanic electorate residing within  
18   the 11th Congressional District. We will not have the  
19   ability to elect and influence a candidate of our choice  
20   as a minority group if we tamper with the existing 11th   04:22 PM  
21   Congressional District.

22                   Recently, the House committee on  
23   redistricting held 16 public hearings in Austin and a  
24   few places in other areas in the state. According to  
25   the records of the hearing, five Senators spoke on the    04:22 PM



1 record. They were neither for or against the maps that 04:22 PM  
2 was presented. 14% were in favor of a new redistricting  
3 plan, and 84% of the citizens of the State of Texas  
4 testified and shared my view against any redistricting  
5 at this time. We favored the existing Congressional 04:23 PM  
6 plan that was court ordered on November the 14th, 2001  
7 by the United States federal court. Evidently, the  
8 public testimony was not a factor in influencing the  
9 House Chamber due to their vote on Plan 1268C.  
10 Reportedly, Plan 1268C, the plan drawn by Congressman 04:23 PM  
11 Tom DeLay, in a pointed effort to increase the  
12 Republican Congressional delegation to Washington from  
13 the State of Texas. The process and the plan were  
14 contrived in an unnatural and unfair way to give a  
15 political party an advantage over his opponents at the 04:23 PM  
16 expense of minority and rural Texas.

17 Here in McLennan County, I want to make  
18 one thing clear if I can. McLennan County is not a  
19 Democratic or a Republican controlled party. I mean,  
20 they do not control the political winners when it comes 04:24 PM  
21 to a general election. People who did not vote in  
22 Republican or Democratic parties in the primaries are  
23 the ones who determines who will win in the general  
24 election. Those people have power, Moderates or  
25 Independents. By 25,000 in both parties of the 04:24 PM

1 Democratic and Republican Party primary try to vote, but 04:24 PM  
2 you can expect that 40,000 people who did not vote in  
3 the Democratic or Republican Party will show up and  
4 determine the elections in McLennan County. It's not a  
5 factor in the general election, there are more straight 04:24 PM  
6 Democratic tickets than there are Republicans tickets,  
7 so we have a county that is not based upon a partisan  
8 type party, it's based upon those people who are  
9 Independents, and I call them Moderates, they've got  
10 their stuff together in McLennan County. 04:25 PM

11 Some of them raise that little anger about  
12 partisan politics in McLennan County. First and  
13 foremost, this is not a partisan issue. We are talking  
14 about keeping intact the 11th Congressional District  
15 because all maps that I saw that came out of the House 04:25 PM  
16 and Chamber were maps that diluted the African American  
17 and Hispanic vote either way you go. If you took  
18 McLennan County whole, took it up to a Tyler County,  
19 somewhere in West Texas, it will dilute the minority  
20 vote. If you split Bell County and McLennan County, let 04:25 PM  
21 me tell you the importance about Bell and McLennan  
22 Counties. There are 52,000 African Americans in Bell  
23 County. There are 32,000 African Americans in McLennan  
24 County. We do talk. I mean, Bell and McLennan County  
25 African Americans, we talk. We socialize together, we 04:26 PM

1 get on the phone, we talk, we meet with them. You know, 04:26 PM  
2 we know their NAACP official, Merrill Cap (phonetic),  
3 one of the greatest NAACP alive (inaudible). So once  
4 you split those two areas, and I'm talking about  
5 Hispanic, African American in Bell County and McLennan 04:26 PM  
6 County, you're going to dilute or retrogress the  
7 minority community in this particular area. And as a  
8 result, we will not have the impact that we have had in  
9 the future. So it's not -- we want to keep the  
10 district. Leave it alone is what we are asking. 04:26 PM

11 AUDIENCE MEMBERS: (Applauded).

12 CHAIRMAN SENATOR DUNCAN: Your time has  
13 passed, so if you could kind of start wrapping up.

14 COMMISSIONER GIBSON: I'll stop right now.  
15 Chairman Duncan, I appeal to this honorable council to 04:27 PM  
16 do the right thing in regards to redistricting. The  
17 right thing in my opinion is to forgot any redistricting  
18 efforts until the federal mandate reinforces its right  
19 in 2010. You're to go forward at this point and  
20 represent the best efforts for all people in this great 04:27 PM  
21 State of Texas. I thank you for your time.

22 CHAIRMAN SENATOR DUNCAN: Thank you.  
23 Senator West.

24 QUESTIONS BY SENATOR WEST

25 SENATOR WEST: Commissioner. 04:27 PM

1 COMMISSIONER GIBSON: Yes, sir. 04:27 PM

2 SENATOR WEST: There is a coalition that  
3 supported Chet Edwards for Congress. And that coalition  
4 that I'm hearing you talk about in your speech,  
5 Republican, Independent, Democrat and -- 04:27 PM

6 COMMISSIONER GIBSON: And some  
7 Republicans.

8 SENATOR WEST: I said Republicans.

9 COMMISSIONER GIBSON: Okay.

10 SENATOR WEST: So that is a coalition that 04:28 PM  
11 has worked together to elect Congressman Edwards in his  
12 district.

13 COMMISSIONER GIBSON: In my opinion, from  
14 all voter analysis.

15 SENATOR WEST: The same scenario, 04:28 PM  
16 Mr. Chairman and Members, the same thing that we're  
17 hearing here is what we heard out in Charlie Stenholm's  
18 district also in terms of a coalition that worked  
19 together in order to elect Charlie Stenholm. So there's  
20 some commonality between that and the -- the 11th and 04:28 PM  
21 the 17th. I just thought I would make that part of the  
22 record.

23 COMMISSIONER GIBSON: Yes, sir.

24 SENATOR WEST: Thank you very much.

25 CHAIRMAN SENATOR DUNCAN: Thank you, 04:28 PM

1 Commissioner. 04:28 PM

2 (Whereupon, Commissioner Gibson

3 (was excused.

4 AUDIENCE MEMBERS: (Applauded).

5 CHAIRMAN SENATOR DUNCAN: I'll try once 04:28 PM

6 again. Is Judge Robert Lindsey in the audience? Let

7 the record reflect that Mr. Lindsey is not present. He

8 is the County Judge of Mills County and has registered a

9 position in opposition to redistricting.

10 And the Chair calls Maurice Labens, a city 04:29 PM

11 official, Council Member for the City of Waco.

12 And, Mr. Labens, before you say your name,

13 let me say who's on deck here. We've got Councilman

14 Fred Latham and then we have a Fernando Villarreal who

15 is a Justice of the Peace in McLennan County. 04:29 PM

16 Councilman, state your name and who you

17 represent.

18 COUNCILMAN MAURICE LABENS, WACO

19 having signed an oath card, testified as follows:

20 DIRECT TESTIMONY

21 BY COUNCILMAN MAURICE LABENS:

22 A Thank you, sir. I'm Maurice Labens, I'm the

23 Representative to the Waco City Council for District 5.

24 If Commissioner Gibson overspent his time, I'll try to

25 give some up at the end of mine. 04:29 PM

1 Chairman Duncan and Honorable Senators, 04:29 PM  
2 welcome to wonderful Waco. We're glad to have you here.  
3 Thank you for being here, but I don't know how many  
4 different ways a person or a group of people such as  
5 this can get up and say "please do not redistrict" and 04:30 PM  
6 it's been said a bunch of times, I'm going to try to say  
7 it again hopefully a little bit different.

8 The people who framed the Texas  
9 constitution were smart people. They knew what they  
10 were doing. They knew that the demographics of 04:30 PM  
11 population in any area might change over a period of  
12 time. Therefore, they provided for redistricting so  
13 that voting districts could be changed to better serve  
14 the population. They wanted to make the demographics of  
15 these areas more homogenous. Demographics do not change 04:30 PM  
16 much in two years, so they chose to allow redistricting  
17 every ten years. I have seen the demographics of Bell,  
18 Coryell and McLennan Counties. I can tell you that you  
19 will not find a district in Texas consisting of three  
20 counties that is more homogenous than Bell, Coryell and 04:31 PM  
21 McLennan County.

22 I have never seen a more onerous political  
23 attempt than this redistricting map to separate McLennan  
24 County from Bell and Coryell Counties and separate East  
25 Waco from West Waco. I implore you if you wish to serve 04:31 PM

1 the best interests of the people in this district, put 04:31 PM  
2 Bell County, Coryell County and McLennan County together  
3 where they belong and don't divide Waco or any other  
4 cities in this district.

5 In closing, I thank you again for being 04:31 PM  
6 here. This is Democracy in action, vox popula, the  
7 voice of the people. You've heard that voice,  
8 Gentlemen, we know you -- we will know by your vote just  
9 how much our voice means. Thank you very much. I  
10 appreciate it. 04:31 PM

11 CHAIRMAN SENATOR DUNCAN: Thank you,  
12 Councilman.

13 AUDIENCE MEMBERS: (Applauded).

14 COUNCILMAN LABENS: Thank you.

15 (Whereupon, Councilman Labens was excused. 04:32 PM

16 CHAIRMAN SENATOR DUNCAN: The Chair calls  
17 Councilman Fred Latham, City Council for the City of  
18 Killeen. Councilman Latham, please state your name and  
19 who you represent.

20 COUNCILMAN FRED LATHAM, KILLEEN  
21 having signed an oath card, testified as follows:

22 DIRECT TESTIMONY

23 BY COUNCILMAN FRED LATHAM:

24 A My name is Fred Latham and I'm here as a City  
25 Councilman representing the City of Killeen, and thank 04:32 PM

1 you for the opportunity to do so. 04:32 PM

2                   Senator Gallegos, when he first started  
3 talking about getting entertained in other cities by  
4 music, and I'm not a musician, but the thought came  
5 across my mind this afternoon was that "stars at night 04:32 PM  
6 shine big and bright deep in the heart of Texas." I  
7 have --

8                   AUDIENCE MEMBERS: (Applauded).

9           A       This is my fourth hearing to go to and the  
10 first experience I had was in Austin. We were there 04:32 PM  
11 four and a half hours and never got to speak. The map  
12 changed four times while we were there.

13                   I would ask that you -- I thank you first  
14 for listening today simply and I also ask you to share  
15 the testimony that you heard today with my fellow 04:32 PM  
16 citizens in District 11 as to how they feel and what  
17 they want. They have by practice for six terms chosen  
18 Congressman Chet Edwards to be their Representative.  
19 And when I went in the voting booth, I also voted for  
20 President Bush and Governor Perry, but I also voted for 04:33 PM  
21 Chet Edwards, and that's my right as a citizen when I  
22 get in that box and pull that lever as is the right of  
23 the majority of the people in this district.

24                   Our Mayor has shared with you the common  
25 interests that we have throughout the district in 04:33 PM



1 economy, in water rights and transportation, veterans' 04:33 PM  
2 issues, health issues. We continue to fight and it  
3 makes a big difference who your Congressman is.

4 We in Killeen are embarking upon a great  
5 project which is the biggest project to come along since 04:33 PM  
6 Fort Hood itself and that's the joint use of Gray Army  
7 Airfield. We've had a champion to help us, and it makes  
8 a difference if you've got a Congressman who will return  
9 your phone calls, who will listen to you, who will go  
10 with you, and for over 12 years I have experienced that 04:33 PM  
11 personally as a Councilman, as a Mayor, as a citizen,  
12 and I think that's important.

13 Today, as we are resting in this wonderful  
14 facility, 20,000 of our friends and neighbors are in  
15 harm's way in Iraq. We pledged to them when they left 04:34 PM  
16 that we would take care of their families and we're  
17 doing the best we can, and I want to thank the people of  
18 Central Texas, Waco in particular, who have stood behind  
19 these soldiers in our campaign to help the family  
20 members that are here. There was a campaign that the 04:34 PM  
21 AUSA distributed called "stand behind and thank them  
22 now," and they have done that.

23 If -- I am opposed to the map that's  
24 presented and I'm for not changing things, I would like  
25 for our district to be kept in place. The map that is 04:34 PM

1 proposed takes our Congressman out of our district. It 04:34 PM  
2 takes Fort Hood out of his district. Fort Hood is the  
3 only two-division U.S. Army installation in the free  
4 world and it has, like our Mayor said, 42,500 soldiers  
5 stationed there. Congressman Edwards has done this very 04:34 PM  
6 effectively and he is the senior Democrat and is key in  
7 the House Military Installation Appropriations  
8 Committee.

9 I was asked, and I'm not going to  
10 (inaudible) or anything else, but I was asked to read a 04:35 PM  
11 letter sent to you today by a former commander at Fort  
12 Hood whose name is Tom Schwartz, and I'll just read  
13 parts of it so you'll get it in the record.

14 General Schwartz says, "it is my  
15 understanding that a plan is being considered to move 04:35 PM  
16 Fort Hood into a different Congressional District than  
17 the one that Representative Chet Edwards presently  
18 resides in. I believe that moving Fort Hood in any  
19 redistricting plan must only be made with the best  
20 interest of Fort Hood, our soldiers and their families 04:35 PM  
21 and the citizens of Texas. Moving Fort Hood in this  
22 plan does not meet this test. As a past commander  
23 general -- Commanding General III Corps at Fort Hood, I  
24 can tell you that the installation has benefited  
25 tremendously from Congressman Edwards' representation. 04:35 PM

1 Congressman Edwards is the senior member of the House 04:35 PM  
2 appropriations committee and the ranking Democratic  
3 member on the House appropriations committee military  
4 construction committees. Representative Edwards is  
5 responsible for close to a quarter of a billion," that's 04:36 PM  
6 with a "B," "billion dollars in military construction  
7 funding for Fort Hood. This year alone, he was able to  
8 arrange almost 60 million for military construction in  
9 his subcommittee's mark of the FY for Military  
10 Construction Defense Appropriation Act. 04:36 PM

11 Politics aside, without Representative  
12 Edwards' representation of Fort Hood, the installation  
13 could be deprived of its benefits of being represented  
14 by a senior member of a Congressional defense committee,  
15 in addition to the current plan of (inaudible) Fort Hood 04:36 PM  
16 being included in an open seat guaranteeing that a  
17 freshman member of Congress would represent Fort Hood in  
18 the next session of Congress. Considering the upcoming  
19 2005 base closure realignment commission as well as  
20 challenges they will face Fort Hood as its forces are 04:36 PM  
21 deployed around the world, this move would make little  
22 sense and risk the efforts to increase the readiness as  
23 well as modernize the facilities and the installation.

24 Please consider these factors as you make  
25 this decision on this matter. I urge you to support 04:37 PM

1 keeping Fort Hood in Congressman Chet Edwards' 04:37 PM  
2 Congressional District. As a Texan myself, I know that  
3 this is best for Texas. And it is imperative that both  
4 Democrats and Republicans do what is right for our great  
5 state. Sincerely, General Thomas A. Schwartz, 5th Army, 04:37 PM  
6 retired."

7 CHAIRMAN SENATOR DUNCAN: Thank you,  
8 council member.

9 AUDIENCE MEMBERS: (Applauded).

10 CHAIRMAN SENATOR DUNCAN: Any questions? 04:37 PM  
11 Senator Gallegos has a question.

12 COUNCILMAN LATHAM: (Handed document to  
13 the Committee Clerk).

14 CHAIRMAN SENATOR DUNCAN: The Councilman  
15 is submitting a letter for the record. 04:37 PM

16 QUESTIONS BY VICE CHAIRMAN SENATOR GALLEGOS

17 VICE CHAIRMAN SENATOR GALLEGOS:  
18 Councilman, you said you were at how many of the  
19 hearings on the House side?

20 COUNCILMAN LATHAM: Four. 04:37 PM

21 VICE CHAIRMAN SENATOR GALLEGOS: Were any  
22 of the -- did you go to San Angelo?

23 COUNCILMAN LATHAM: I did not. This is  
24 the first Senate hearing I've been to, and I'll have to  
25 tell you that the decorum here has been much more 04:37 PM

1 positive, you've been very user friendly, that has not 04:37 PM  
2 been the case that I have experienced the other way.

3 VICE CHAIRMAN SENATOR GALLEGOS: And you  
4 said while you were at -- during those hearings that you  
5 went to four hearings, House hearings, and over that 04:37 PM  
6 period of time, the map had changed four times.

7 COUNCILMAN LATHAM: It changed four times,  
8 Senator, in one night.

9 VICE CHAIRMAN SENATOR GALLEGOS: In one  
10 night. Okay. I'm sorry. 04:38 PM

11 COUNCILMAN LATHAM: In one night.

12 VICE CHAIRMAN SENATOR GALLEGOS: Let me  
13 ask you this. On this latest map that has come out and,  
14 once again, I want to stress there's no map in the  
15 Senate other than the one that we're under, did you have 04:38 PM  
16 any input on the latest map that was drawn?

17 COUNCILMAN LATHAM: No, sir. I read in  
18 the paper like most of the people in the room probably  
19 did that that map would not change and then it changed  
20 the next day, so -- but we did not have any input. I 04:38 PM  
21 did call my local State Representative and State Senator  
22 and asked them as a citizen of their district, I would  
23 appreciate it if they would not change the district in  
24 any way.

25 VICE CHAIRMAN SENATOR GALLEGOS: After the 04:38 PM

1 map was already voted on? 04:38 PM

2 COUNCILMAN LATHAM: I have done so, yes,  
3 sir, and sent letters.

4 VICE CHAIRMAN SENATOR GALLEGOS: And  
5 understand, I've been to Killeen and I've been to Fort 04:38 PM

6 Hood, I got lost. You can get lost on Fort Hood. And I  
7 was a key note speaker at the last, I think, it's  
8 Citizenship Day or Citizens Day, but you can get lost --  
9 you can get lost out there and really it's about -- I  
10 represent some small cities, but it's about three of my 04:39 PM

11 small cities all in one. And it's just huge, for the  
12 Members of the Committee, if you haven't been out there,  
13 I urge you to go out there and visit not only Killeen,  
14 but Fort Hood. It's an unbelievable experience. And my  
15 cousin has been there, they're changing -- I like to go 04:39 PM  
16 to the change of commands out there and they're changing  
17 next week. He goes -- he won't be a resident of Fort  
18 Hood any more, but he goes to Tampa, but I'll probably  
19 be there next week depending upon what happens here.

20 But -- but you did not have any input in 04:39 PM  
21 the map that you passed?

22 COUNCILMAN LATHAM: No, sir.

23 VICE CHAIRMAN SENATOR GALLEGOS: Okay.

24 Thank you.

25 CHAIRMAN SENATOR DUNCAN: Thank you, 04:40 PM

1 Senator Gallegos. Sometime you'll have to tell me how 04:40 PM  
2 you got lost.

3 VICE CHAIRMAN SENATOR GALLEGOS: You'll  
4 know.

5 (Whereupon, Councilman Latham was excused. 04:40 PM

6 CHAIRMAN SENATOR DUNCAN: The Chair  
7 recognizes Fernando Villarreal, Justice of the Peace,  
8 Precinct 8, McLennan County. Would you state your name,  
9 please?

10 JUSTICE OF THE PEACE FERNANDO VILLARREAL  
11 having signed an oath card, testified as follows:

12 DIRECT TESTIMONY

13 BY JUSTICE OF THE PEACE FERNANDO VILLARREAL:

14 A Sure. My name is Fernando Villarreal, I'm a  
15 Justice of the Peace for Precinct 8 in McLennan County, 04:40 PM  
16 Texas. And the precinct that I was elected from has a  
17 population of about 24,000 people and is predominantly  
18 Hispanic, 55 to 60% Hispanic. I want to thank Senator  
19 Edwards and I want to thank the Committee for coming to  
20 Waco. 04:40 PM

21 I did have an opportunity to go and  
22 testify. I was notified at the last meeting that I had  
23 an opportunity to testify at one of the hearings down in  
24 Austin during the regular session. And I was a little  
25 bit concerned because it seemed as though the Committee 04:40 PM

1 was sitting there, that there was not really -- the 04:41 PM  
2 Committee was really not listening to what we were  
3 saying in expressing our concerns, and I thank you  
4 because it seems that you folks have gone through a  
5 process where you will listen to us, the citizens of 04:41 PM  
6 Central Texas, and allow us to have input in the  
7 decisions that you will make.

8 I came to Waco in 1973 and have lived in  
9 Waco in McLennan County since that time and have been  
10 involved in the political process. And I am extremely 04:41 PM  
11 happy to be a part of this community because I have seen  
12 Waco and McLennan County really grow in breaking through  
13 race relationships where we in this community have come  
14 together, Hispanics, African Americans and the Anglo  
15 community, worked together for the benefit of this area 04:41 PM  
16 of Waco, McLennan County and Central Texas, and that's  
17 the kind of community that you're seeing here and that's  
18 why we're very concerned when we started seeing maps,  
19 and I know that you folks have not considered this  
20 map -- considered maps that would split this community. 04:41 PM  
21 It would set this community back. We have worked  
22 together. We have Hispanic elected officials, we have  
23 African American elected officials, and we feel that we  
24 have an influence in every election as a community.

25 As I said, I came to Waco back in 1973. I 04:42 PM



1 was here when Congressman Poage was in office. Then I 04:42 PM  
2 was here when Congressman Leath served in office and, of  
3 course, the election of Congressman Edwards, and I have  
4 seen the tremendous growth in the minority, especially  
5 in the Hispanic community, influencing those elections. 04:42 PM  
6 And that's another thing that I think it's real  
7 important that you keep in mind. I seriously believe  
8 that if you were to redistrict this area the way it  
9 stands right now, the 11th Congressional District,  
10 because basically the 11th Congressional District is 04:42 PM  
11 what we've had now for several years and there were some  
12 minor changes done as a result of the last redistricting  
13 process, but what we have now has allowed us, the  
14 Hispanic community and the African community, to work to  
15 the point where we could influence -- greatly influence 04:43 PM  
16 the elections and the outcomes, whether it be Democrat  
17 or Republican. I have several friends, Hispanic  
18 friends, that are Republicans and they have voted for  
19 Congressman Edwards in election after election and they  
20 have voted for him because he has been the type of 04:43 PM  
21 person from the time when he served in the Senate until  
22 the time that he has served in the 11th Congressional  
23 District, he has been a person that has gone out to the  
24 community. Every time he comes back to the Waco area,  
25 to the Central Texas area, he goes out and he makes 04:43 PM

1 sure -- he calls us all a community, just like he calls 04:43 PM  
2 every part of the community in his Congressional  
3 District, whether it be a military interest, hospital  
4 interest, business interest, minorities, what have you,  
5 he makes sure that he has input from our communities. 04:43 PM  
6 If we're not there, he calls us. "Come, there's going  
7 to be a meeting, I want you to come, I want you here for  
8 it." He let's us know what's going on in Washington.  
9 He wants to know what we're thinking about what's going  
10 on in Washington. This is the type of person so he has 04:44 PM  
11 had support, strong support, from every sector of the  
12 community, from people from both parties, and we are  
13 greatly opposed to any redistricting. We feel that our  
14 vote and our influence in the ability to affect those  
15 elections would be greatly diluted and it would be a 04:44 PM  
16 violation of the Voting Rights Act. There's no need to  
17 redistrict. As I mentioned when I testified the last  
18 time in Austin, this is like playing a ballgame. You're  
19 in the second inning of the ballgame and the rules are  
20 being changed. 04:44 PM

21 We all know how the redistricting process  
22 works. We go through the census, we do the  
23 redistricting, the redistricting was done. Some folks  
24 didn't like the outcome of the elections, said they  
25 wanted to change the rules in the mid election. There 04:44 PM

1 is no need for it. Whenever you want to change the 04:44 PM  
2 outcome of elections, you do it by voting, not by  
3 changing the lines and not by changing the rules in the  
4 middle --

5 AUDIENCE MEMBERS: (Applauded).

6 A Again, I urge you to vote not to consider  
7 redistricting and to keep our lines the way they are,  
8 the Congressional lines the way they are. Thank you.

9 CHAIRMAN SENATOR DUNCAN: Thank you.

10 AUDIENCE MEMBERS: (Applauded).

11 CHAIRMAN SENATOR DUNCAN: I appreciate  
12 your testimony.

13 Are there any questions?

14 All right. Members and audience, it's  
15 been -- first of all, one of the good things about 04:45 PM  
16 making the tour for redistricting was we learned a lot  
17 about a lot of different cities and we have been given a  
18 lot of the new products, not all of them new products, I  
19 understand.

20 SENATOR AVERITT: Mr. Chairman, in latent 04:45 PM  
21 attempts to influence and coerce the Committee into  
22 seeing things my way, we have made arrangements for the  
23 Committee Members and staff to enjoy Dr. Pepper floats  
24 at this break.

25 AUDIENCE MEMBERS: (Applauded). 04:45 PM

1                   CHAIRMAN SENATOR DUNCAN: I would suggest 04:45 PM  
2     it's time for a break, but the -- we have been going an  
3     hour and a half, and it is time for -- we give our court  
4     reporter a break as well as you a break and we will  
5     convene. 04:46 PM

6                   Before we do that, though, our next  
7     witness will be City Councilman Scott Cooper, and  
8     following that, we'll have City Councilman Ernest  
9     Wilkerson. And following that, we'll have City  
10    Councilman Bill Mahon. 04:46 PM

11                   The Committee will stand in recess until  
12    6:00 or rather 5:00 p.m.

13                   (Recess.

14                   CHAIRMAN SENATOR DUNCAN: If you could  
15    start moving to your seats right now. We'll be getting 05:05 PM  
16    going right away. We're all energized with our -- not  
17    Coke floats -- with our Dr. Pepper floats. They were  
18    outstanding.

19                   Members, if you could take your seats,  
20    we'll get underway. Let's go ahead and start. 05:05 PM

21                   AUDIENCE MEMBER: Starting without a  
22    quorum being present?

23                   CHAIRMAN SENATOR DUNCAN: Technically --

24                   AUDIENCE MEMBER: We've seen that before.

25                   CHAIRMAN SENATOR DUNCAN: -- we have not 05:06 PM

1 done that, we've tried to maintain a quorum. 05:06 PM

2 AUDIENCE MEMBER: (Inaudible).

3 CHAIRMAN SENATOR DUNCAN: I want to  
4 compliment the audience on sticking with your time  
5 limits. You've been very courteous -- very courteous to 05:06 PM  
6 us and we appreciate that, and courteous to your fellow  
7 citizens.

8 SENATOR VAN DE PUTTE: Mr. Chairman, if  
9 you would allow me, since we're not technically back in  
10 from a recess, but I'd like to welcome, and I guess 05:07 PM  
11 we're here at -- on his turf, but a good friend of at  
12 least the Veterans' Affairs Military Installation  
13 Committee who helped us tremendously on legislation that  
14 will help the education of military children. General  
15 Taylor, is he still in here? There you are. Thank you 05:07 PM  
16 so much.

17 AUDIENCE MEMBERS: (Applauded).

18 SENATOR VAN DE PUTTE: I want to recognize  
19 his efforts. So many citizens have been helped out,  
20 particularly the Texas Senate and our Committee with 05:07 PM  
21 some great legislation, and I understand you're going to  
22 go loosen and twist a little arms in Washington, D.C.  
23 for the benefit of all of our kids whose parents are  
24 serving in the military. Thank you very much, General  
25 Taylor, thank you. 05:08 PM

1                   CHAIRMAN SENATOR DUNCAN: I do know that 05:08 PM  
2 me being from Lubbock, Texas in the early '90s, we went  
3 through BRAC and didn't make it out. And I think we had  
4 clean fields is what they called all them in Lubbock,  
5 Texas. So I know again how tough the BRAC round is. I 05:08 PM  
6 think in my district I have an outstanding Air Force  
7 base that we have concerns about in BRAC. I appreciate  
8 all the hard work y'all have done in regards to base  
9 closures and we're going to be ahead of it this time.  
10 We weren't ahead of it back in the '90s, we'll be ahead 05:08 PM  
11 of it this time.

12                   SENATOR VAN DE PUTTE: No, sir,  
13 Mr. Chairman, and I can tell you -- I know why this  
14 community is so passionate. Being a Representative from  
15 San Antonio and we lost our Congressman very tragically. 05:09 PM  
16 He passed away before that on that BRAC issue and we  
17 never thought that we would lose Kelly Air Force Base  
18 and that was 23,000 jobs. I can tell you what that does  
19 to a community. I can understand why Central Texas is  
20 very, very concerned, and we hope to be ahead of the 05:09 PM  
21 curve this time and do some proactive things to help all  
22 of our bases.

23                   CHAIRMAN SENATOR DUNCAN: I'm going to go  
24 ahead and start the testimony. I know, I'm going to go  
25 ahead and get going here. We'll call Scott -- since 05:09 PM

1 we've started, everybody will come in, I'm sure. The 05:09 PM  
2 Chair calls Scott Cospers, a Councilman for the City of  
3 Killeen. Scott, would you state your name, please, and  
4 who you represent?

5 COUNCILMAN SCOTT COSPER, KILLEEN  
6 having signed an oath card, testified as follows:

7 DIRECT TESTIMONY  
8 BY COUNCILMAN SCOTT COSPER:

9 A Thank you, Mr. Chairman. My name is Scott  
10 Cospers. I'm a Council Member with the City of Killeen. 05:10 PM  
11 Of course, we're in District 11. We're the second  
12 largest city in District 11 and we're here to support  
13 basically Fort Hood, our community. I'm sensitive --  
14 I'm sure you're very sleepy and we appreciate you being  
15 here. 05:10 PM

16 CHAIRMAN SENATOR DUNCAN: I hope we don't  
17 look sleepy.

18 A We're very thankful that you were gracious  
19 enough to come here and let us have an opportunity to  
20 testify. I can sympathize with your tiredness because I 05:10 PM  
21 spent two nights waiting until 1:00 a.m. to get to  
22 testify before the House Redistricting Committee and  
23 here we are again, and hopefully, that's a message at  
24 how important this is to us as elected officials that we  
25 are able to have our voice heard and express our 05:10 PM

1 concerns backing our constituents. 05:10 PM

2 I'd just like to start off by saying many  
3 of the things you've already heard. The current map  
4 that we have, it meets the Voting Rights Acts  
5 requirements. The judge panel that drew that map 05:10 PM  
6 said -- did not suggest or compel us that we should  
7 revisit this. And Republican AG Abbott even said in his  
8 comments that we're not mandated or compelled to revisit  
9 this. And so in that, I'd just like to point out that  
10 although the Legislature does have the authority and the 05:11 PM  
11 capability to revisit this, it does not mean that it's  
12 right to revisit this.

13 It is a very painful process for everyone  
14 and every ten years is recent -- is often as enough as  
15 far as I'm concerned. To start revisiting this mid 05:11 PM  
16 decade is setting the precedence that we certainly as  
17 local people do not want to have to participate in.

18 As you are already know, District 11 is a  
19 historic district. We've been together for over a  
20 hundred years. Coryell County, Bell and McLennan have 05:11 PM  
21 all been tied together. We are communities of interest.  
22 We're common in size, we're common in our needs. I care  
23 about Mayor Ethridge's water contaminant concerns as  
24 well as I-35, just as she cares about our Fort Hood, and  
25 if we were to dilute that Representative and separate 05:12 PM



1 Bell and McLennan County, that would just dilute our 05:12 PM  
2 representation and we're not for that.

3 As you had heard earlier, I believe that  
4 John Dunnam made the comment that District 11 is already  
5 a heavily Republican district. I heard I think 50 - 05:12 PM  
6 60%, somewhere thereabout, plus or minus, is what we  
7 voted for the president, the governor and the lieutenant  
8 governor, but then the District 11 chose to again send  
9 Chet Edwards back to Congress. I don't think that the  
10 House's argument that we need to revisit this because it 05:12 PM  
11 doesn't represent our Republican voters is a fair  
12 observation of that because all of our voters do not  
13 necessarily vote a straight ticket, many of them vote  
14 for the person, and especially in our community, vote  
15 for the individual and for the job they're doing for our 05:13 PM  
16 community, and I just ask that you do not allow them to  
17 take that away from us.

18 You know, you've received numerous  
19 resolutions, and not just at this hearing today, but all  
20 over the state, and the House did as well, resolutions 05:13 PM  
21 from government entities that are the elected officials  
22 that are close to the people that are the people's ear,  
23 in my opinion, and I think that that should be an  
24 overwhelming message that this is not what the people of  
25 Texas want to do, that we would like to not bring this 05:13 PM

1 up, and speaking on behalf of the City of Killeen, I 05:13 PM  
2 would like to say that the City of Killeen strongly  
3 opposes bringing redistricting back up, and I would ask  
4 that the Senate Committee as well as the Senate reject  
5 allowing the -- this issue to be brought forward. We 05:14 PM  
6 would ask that you honor and abide by the current map  
7 that we're going by now with no changes. And if you do  
8 not do that, we ask that District 11 be left intact as  
9 it is.

10 And furthermore, if this is brought up and 05:14 PM  
11 this issue is carried forward in the House, there was --  
12 as I mentioned, we had testified at 1:00 a.m. in the  
13 morning and many of those transcripts and those that  
14 were expressed in public hearings were not even brought  
15 before the House in order for them to review that and 05:14 PM  
16 know what the public testimony consisted of before the  
17 issue was brought to them to vote on that. I would  
18 plead with you to not allow that to happen in the Senate  
19 if it is brought up and that these transcripts be made  
20 available to the other Senators and give them at least 05:14 PM  
21 some time to review those so that they know what the  
22 citizens and the local elected officials had to say and  
23 how we feel about this.

24 I would entertain any questions that you  
25 may have. 05:15 PM

1 VICE CHAIRMAN SENATOR GALLEGOS: 05:15 PM

2 Mr. Chairman.

3 A I appreciate you being here.

4 CHAIRMAN SENATOR DUNCAN: Senator

5 Gallegos. 05:15 PM

6 QUESTIONS BY VICE CHAIRMAN SENATOR GALLEGOS

7 VICE CHAIRMAN SENATOR GALLEGOS:

8 Councilman, as you said, you stayed up until one o'clock

9 on one of the hearings.

10 COUNCILMAN COSPER: Yes, sir, we were 05:15 PM

11 burning the midnight oil in the Capitol.

12 VICE CHAIRMAN SENATOR GALLEGOS: Let me

13 ask you this: Was the map in question that they voted

14 on, did you have -- and I don't know who your State Rep

15 is. Who is your State Representative? 05:15 PM

16 COUNCILMAN COSPER: Our is Suzanna Hupp.

17 VICE CHAIRMAN SENATOR GALLEGOS: Did you

18 have any input on the map before the map was voted?

19 COUNCILMAN COSPER: No, we did not.

20 VICE CHAIRMAN SENATOR GALLEGOS: You did 05:15 PM

21 not have any input? And like I asked the other city

22 council member --

23 COUNCILMAN COSPER: I'm sorry, yes, we did

24 testify before the public hearing. Our input -- our

25 input was not considered. Our concerns were not 05:15 PM

1 addressed. They were totally ignored. I'm sorry, we 05:15 PM  
2 did testify --

3 VICE CHAIRMAN SENATOR GALLEGOS: But not  
4 on the map in question. Did you know that that map was  
5 going to be voted on? 05:15 PM

6 COUNCILMAN COSPER: The one in question,  
7 absolutely not.

8 VICE CHAIRMAN SENATOR GALLEGOS: Okay.  
9 That's what I -- I'm just referring to the map that was  
10 voted on. 05:16 PM

11 COUNCILMAN COSPER: And it's changed hands  
12 so many times, it's hard to even keep up with what map  
13 we're talking about now because they're passed on -- one  
14 was tried to pass on Mother's Day, now we've got a 4th  
15 of July map. And so it's hard for us to keep up with 05:16 PM  
16 what we're actually looking at at this time. And in  
17 addition to that, after all of the -- our Mayor, the  
18 Mayor of Harker Heights, Copperas Cove, every -- all the  
19 communities in our area, we've been to Austin, we've  
20 been everywhere, San Antonio, Lubbock, all over the 05:16 PM  
21 state trying to make sure that every Committee knows our  
22 concerns. There has not been a map presented to date  
23 that benefits Central Texas in any way. Every map that  
24 has been presented to date in effect dilutes our  
25 representation and injures our -- our District 11. 05:16 PM

1                   VICE CHAIRMAN SENATOR GALLEGOS:  So           05:16 PM  
2    basically your testimony as one of your City Council  
3    Member and one of the Mayor, on any map, you would want  
4    us to know and our colleagues to know before anything is  
5    voted on?   05:17 PM

6                   COUNCILMAN COSPER:  Absolutely, yes, sir.

7                   VICE CHAIRMAN SENATOR GALLEGOS:  Okay.  
8    Thank you.

9                   CHAIRMAN SENATOR DUNCAN:  Thank you,  
10   Councilman.   05:17 PM

11                   Members, any other questions of Councilman  
12   Cosper?

13                   Thank you.  I appreciate your presence.  
14                   (Whereupon, Councilman Cosper was excused.)

15                   CHAIRMAN SENATOR DUNCAN:  I would call       05:17 PM  
16   (inaudible) --

17                   AUDIENCE MEMBERS:  (Aplauded).

18                   CHAIRMAN SENATOR DUNCAN:  -- Councilman  
19   for the City of Lacy-Lakeview.  Come on up.  Would you  
20   state your name?   05:17 PM

21                   COUNCILMAN WILLIAM MAHON, LACY-LAKEVIEW  
22   having signed an oath card, testified as follows:

23                   DIRECT TESTIMONY

24   BY COUNCILMAN WILLIAM MAHON:

25       A    My proper name is William Mahon.  I like to be   05:17 PM

1 called Bill because I'm a people person. You know, 05:17 PM  
2 being a people person, I care about my community,  
3 whether I know the person next door or not. We're a  
4 small community, 7,000 people. We're on the edge of the  
5 TSTC campus where the L-3 business is located. 05:17 PM

6 Earlier one of you asked were there any  
7 other subcontractors or military contracts out there.  
8 L-3 subcontracts, a lot of them are private stuff, but  
9 the work is done in their facility. So even though they  
10 have the major contract, they keep other folks in 05:18 PM  
11 business as well.

12 Another major entity in the McLennan  
13 County area, you asked about other defense-related  
14 companies. We have the AP --

15 SENATOR HARRIS: Really, what I was asking 05:18 PM  
16 you about was not just defense, was anything else  
17 related having to do with the military complex at Fort  
18 Hood.

19 COUNCILMAN MAHON: Yes, sir.

20 A The AP's complex is a big distribution center 05:18 PM  
21 to five states, it goes from New Mexico, Arizona, Texas,  
22 Louisiana and Oklahoma for those items that service  
23 Members purchase through the base exchange or through  
24 their commissaries, okay. I don't know what to tell you  
25 each base is, but it's probably several hundred thousand 05:18 PM

1 that they are serving right here from Waco. 05:19 PM

2 In addition to other military base  
3 support, we have communities, trucking companies,  
4 warehousing companies that serve as a holding place for  
5 those soldiers overseas that have no place for their 05:19 PM  
6 personal belongings. Their equipment, their personal  
7 belongings are picked up and kept in a storage at  
8 Department of Defense expense while they are overseas,  
9 whether they're in a war zone or overseas in Europe on a  
10 single person's tour. 05:19 PM

11 The restaurants that serves 42,000  
12 veterans in the Killeen area, Copperas Cove area, all  
13 these cottage-type industries are all defense-related.

14 The -- here in Waco, we have the federal  
15 courthouse. If there's any action above -- if there's 05:19 PM  
16 any court trial on Fort Hood, they are brought here to  
17 Waco to be tried. So we're directly tied, indirectly or  
18 directly, in a hundred different ways without the words  
19 "United States Army" put directly on it, but by contract  
20 or by business. 05:20 PM

21 Let me -- I'm representing the City of  
22 Lacy-Lakeview as a Councilman, but I'm also representing  
23 the McLennan County Veterans Association, who consists  
24 of 56 veteran organizations, including the VFW, American  
25 Legion, Purple Heart Association, Sons of the 05:20 PM

1 Confederacy, Pearl Harbor Survivors, ex-POWs, Daughters 05:20 PM  
2 of the American Revolution, Veterans of the Vietnam War,  
3 Incorporated, Women's Veterans Group, Gold Star Mothers,  
4 Disabled Veterans, the Marine Corps. League, and finally  
5 Texas' own 143rd Infantry Division, which has their home 05:20 PM  
6 here in Waco. So as I speak, I'm the Chairman of the  
7 association, and as I speak, I have been given  
8 permission Tuesday night to speak and represent all of  
9 these organizations which we are modestly estimating our  
10 membership at a little over 5,000. 05:21 PM

11 We're in need of -- I'm going to have to  
12 read this because it's just thoughts thrown together.  
13 My own, but they're thoughts thrown together from input  
14 that I received from the Veterans Association Tuesday  
15 night. 05:21 PM

16 We are neither Democrat nor Republican  
17 Party related at all. We believe that it is the  
18 individual's right to vote, and we're given that right  
19 as an American citizen at birth. We believe we earned  
20 the right. We currently have direct support from our 05:21 PM  
21 political leadership who care for our community  
22 interests directly. They are our neighbors, not an  
23 entity from a hundred miles away. You see and feel the  
24 political support we have today on a frequent basis. We  
25 feel the situation will change drastically if this 05:22 PM



1 redistricting is allowed. Our country or our 05:22 PM  
2 community's strongest political party can change at any  
3 time in any district at the poles. That's the way the  
4 nation is governed as a whole. If you don't like who's  
5 in office, the people change it, not the party. 05:22 PM

6 If either party loses in an election, then  
7 it's up to them to win that community's favor at the  
8 next election. We want to know that our opposition is  
9 based on the welfare of our community as a whole and not  
10 as veterans. 05:22 PM

11 I feel I made our opposition clear, even  
12 though I thought I didn't take long. I will just add  
13 that we as an association will not approach for  
14 assistance or questions, we are here because this is  
15 what we genuinely believe is in the best interest of our 05:22 PM  
16 community.

17 My last request is for Kip Averitt  
18 directly. We ask you specifically not to suspend any  
19 rules, not to motion to redistrict, and not present any  
20 map at any time. 05:23 PM

21 CHAIRMAN SENATOR DUNCAN: Thank you,  
22 Councilman --

23 AUDIENCE MEMBERS: (Applauded).

24 CHAIRMAN SENATOR DUNCAN: Are there any  
25 questions? 05:23 PM

1 AUDIENCE MEMBERS: (Applauded). 05:23 PM

2 CHAIRMAN SENATOR DUNCAN: Thank you,  
3 Councilman.

4 (Whereupon, Councilman Mahon was excused.

5 CHAIRMAN SENATOR DUNCAN: The Chair 05:23 PM

6 recognizes Karen Wood. Is Miss Wood in the audience?

7 She's coming?

8 KAREN WOOD

9 having signed an oath card, testified as follows:

10 DIRECT TESTIMONY

11 BY KAREN WOOD:

12 A Thank you. My name is Karen Wood. I represent  
13 myself only. I live at 2315 Callcord (phonetic) here in  
14 Waco and I appreciate the time to speak to you. I just  
15 have three quick points and then a request. 05:23 PM

16 My first point, I am a ticket splitter.

17 I'm probably going to get a lot of hisses and boos from

18 the people behind me, but the truth is that I've split

19 my ticket all the way from president down to county

20 constable. The party purists in both the Republican 05:24 PM

21 Party and the Democrat Party don't want to claim me.

22 The truth is that I voted for Senator David Sibley when

23 he was a State Senator. I voted for then Representative

24 Kip Averitt when he was State Representative. I have

25 voted for now current Senator Kip Averitt who I regret 05:24 PM

1 is not here to hear this because I have never publicly 05:24 PM  
2 stated this before.

3 CHAIRMAN SENATOR DUNCAN: We'll make sure  
4 that we highlight that in the record.

5 MS. KAREN WOOD: Thank you very much. 05:24 PM

6 A And I also have voted for U.S. Representative  
7 Chet Edwards. I therefore represent a class of voters  
8 not just in Chet Edwards' district, but also in Charlie  
9 Stenholm's, Max Sandlin's, Ralph Hall's, et cetera, who  
10 are feeling disenfranchised by this entire redistricting 05:25 PM  
11 process.

12 Point Number 2. A couple of days ago the  
13 political scientist part of me in my background - thank  
14 you Baylor University for my two degrees in political  
15 science - made me want to go back to the Texas 05:25 PM  
16 Constitution and actually read what it says about  
17 redistricting. I know I'm going to be embarrassed,  
18 especially since Mike Morrison is sitting over there, a  
19 redistricting expert, but nonetheless, I'm going to tell  
20 you what I found, and this is my only little peon 05:25 PM  
21 observance of what I found in the Texas Constitution.

22 I found that the Texas Constitution makes  
23 no provision for Congressional redistricting. It gives  
24 no instruction to the Texas Legislature to do  
25 Congressional redistricting. It is absolutely silent on 05:26 PM

1 the matter of apportioning Congressional House District 05:26 PM  
2 lines. It does, however, clearly lay out instructions  
3 and provisions for handling the apportionment of State  
4 House and State Senate districts, but it goes no further  
5 to include the Congressional and federal apportionment. 05:26 PM  
6 Therefore, I went to the U.S. Constitution next. The  
7 only thing I could find there was an Article 1, Section  
8 4. And it was a little phrase called "the times, places  
9 and manner of holding elections for State Senators and  
10 Representatives," and it says that it "shall be 05:27 PM  
11 prescribed in each State by the Legislature thereof."  
12 It never has been done in the Texas Constitution.

13 I will admit that I did not take the time  
14 to look at case law, and I'm sure that case law speaks  
15 to this somehow, but I don't know what that says and I'm 05:27 PM  
16 sure that our constitutional law experts can tell us  
17 that.

18 Then I'm aware of the Texas Attorney  
19 General's opinion and everybody knows what that has  
20 said, but obviously we are not -- "the Texas Legislature 05:27 PM  
21 is not mandated nor compelled to revisit this map -- the  
22 current map which has been found to be in full  
23 compliance with all applicable laws and which has  
24 withstood all court challenges."

25 So given this scenario, I would simply ask 05:27 PM

1 that the Senate Jurisdiction (sic.) Committee consider 05:27 PM  
2 suspending the current redistricting effort and instead  
3 consider offering a constitutional amendment legislation  
4 to the Texas Constitution to be filed at the next  
5 regular session that would specifically prescribe a 05:28 PM  
6 Congressional redistricting process, so there is clarity  
7 on how to proceed prior to the next apportionment --  
8 time for apportionment.

9 I'll skip Point Number 3 because I'm  
10 almost out of time and go straight to my question and 05:28 PM  
11 request, and that is: Regardless of whether or not you  
12 are a Republican or a Democrat on this Committee, I  
13 request that you please vote against bringing up any  
14 redistricting bill during this special session for the  
15 following reasons: The Congressional -- excuse me, the 05:28 PM  
16 constitutional concerns outlined above, the  
17 constituents' concerns particularly those  
18 disenfranchised split-ticket voters, the cost concerns,  
19 and all of the other reasons that have been outlined  
20 today, and I thank you for your time. 05:29 PM

21 CHAIRMAN SENATOR DUNCAN: Thank you.

22 AUDIENCE MEMBERS: (Applauded).

23 CHAIRMAN SENATOR DUNCAN: Members, any  
24 questions?

25 QUESTIONS BY VICE CHAIRMAN SENATOR GALLEGOS

1 VICE CHAIRMAN SENATOR GALLEGOS: Ms. Wood, 05:29 PM  
2 in light of your research, would you consider taking a  
3 job with this Committee? (Group laughter).

4 AUDIENCE MEMBERS: (Applauded).

5 MS. KAREN WOOD: I really feel -- explore 05:29 PM  
6 what I said with the experts and you will find that I  
7 will have reason to be embarrassed. I do have copies of  
8 the Texas -- the pertinent sections of the Texas  
9 Constitution taken from the Texas Legislature Online  
10 showing it's the most current sections, most amended 05:29 PM  
11 sections.

12 VICE CHAIRMAN SENATOR GALLEGOS: Are you a  
13 lawyer?

14 MS. KAREN WOOD: No, sir, I'm not. I  
15 should have stated that upfront and, God forbid, I'm in 05:29 PM  
16 the Baylor Law School.

17 AUDIENCE MEMBERS: (Laughter).

18 MS. KAREN WOOD: I am not an attorney. My  
19 terminal degree is a master's degree in political  
20 science where I studied under the renowned Dr. Michael 05:29 PM  
21 (inaudible) W. Mansfield here at Baylor University.

22 VICE CHAIRMAN SENATOR GALLEGOS: Thank  
23 you.

24 CHAIRMAN SENATOR DUNCAN: Thank you.

25 MS. KAREN WOOD: (Handed document to the 05:30 PM

1 Committee Clerk). 05:30 PM

2 AUDIENCE MEMBERS: (Applauded).

3 (Whereupon, Ms. Karen Wood was excused.

4 CHAIRMAN SENATOR DUNCAN: The Chair

5 recognizes Robin McDurham, City Council Member from the 05:30 PM

6 City of Waco. Councilwoman.

7 COUNCILWOMAN ROBIN McDURHAM, WACO

8 having signed an oath card, testified as follows:

9 DIRECT TESTIMONY

10 BY COUNCILWOMAN ROBIN McDURHAM:

11 A Well, I'm Councilwoman Robin McDurham,

12 representing City Council District 4 in Waco.

13 MAYOR ETHRIDGE: (Handed document to the

14 Senate Members).

15 A The Mayor has given you these blue packets and 05:30 PM

16 in the blue packets you will find the resolution that

17 our city council has prepared for you on this matter.

18 Before we get to the matter, I would like

19 to take this moment for a personal input. First, I'd

20 like to thank you for hearing us and coming to Waco. We 05:31 PM

21 were worried that Waco wouldn't have a voice in these

22 hearings and we appreciate you coming.

23 In the beginning, Chairman Duncan, you had

24 mentioned that there are lots of strong feelings in this

25 room and I am a public schoolteacher here in Waco and I 05:31 PM

1 have some very strong feelings. I have strong feelings 05:31 PM  
2 about returning to school in August without some of my  
3 colleagues who will not be returning because of budget  
4 cuts.

5 AUDIENCE MEMBERS: (Applauded). 05:31 PM

6 A And I have strong feelings about the \$500 that  
7 has been taken away from teacher's insurance and I have  
8 very, very strong feelings about the 1.7 million to a  
9 projected seven million dollars that are being spent on  
10 this effort -- 05:31 PM

11 AUDIENCE MEMBERS: (Applauded).

12 A -- when education (inaudible). I'm not here as  
13 a teacher, I'm here as a city council member, so I would  
14 like to read Resolution Number 20030385 that's in your  
15 packets, if you'd like to read along with me. 05:32 PM

16 "Whereas, Bell, Coryell and McLennan  
17 Counties have been aligned in the same U.S.  
18 Congressional District for over a hundred years.  
19 Whereas, the major cities in these counties, Temple,  
20 Killeen, Gatesville and Waco, who are inextricably 05:32 PM  
21 connected both economically and culturally. And  
22 whereas, Bell, Coryell and McLennan Counties are  
23 contiguous. Whereas, Bell, Coryell and McLennan  
24 Counties share common television and radio media  
25 sources, mix of urban and rural lifestyles, common 05:32 PM



1 language use patterns, and family size. And whereas, 05:32 PM  
2 Bell, Coryell and McLennan Counties are linked by major  
3 transportation arteries, such as I-35, US 84 and US 190,  
4 and as stated earlier, have been aligned for over a  
5 hundred years. And whereas, any Congressional 05:33 PM  
6 redistricting plan that does not recognize the singular  
7 uniqueness of Bell, Coryell and McLennan Counties is  
8 fundamentally flawed. Now therefore, be it resolved  
9 that the City Council of the City of Waco, Texas, that  
10 all of these recitals and preambles herein above stated 05:33 PM  
11 in this resolution are hereby incorporated herein and  
12 made a part of this resolution. That the City of Waco  
13 opposes any Congressional redistricting plan that does  
14 not recognize the communities of interest in Bell,  
15 Coryell and McLennan Counties, and does not place Bell, 05:33 PM  
16 Coryell and McLennan Counties in the same Congressional  
17 District. That the City of Waco opposes any  
18 Congressional redistricting plan that divides McLennan  
19 County. That the City of Waco opposes any Congressional  
20 redistricting plan that divides Bell County. That the 05:33 PM  
21 City of Waco opposes any conditional Congressional  
22 redistricting plan that divides Coryell County. And  
23 that the City of Waco opposes any Congressional  
24 redistricting plan that divides any city in McLennan,  
25 Bell or Coryell Counties." 05:34 PM

1                   Earlier, you had asked questions about the 05:34 PM  
2                   community of interest and how we were aligned. In your  
3                   packets on the third page, there is a census comparison  
4                   and there are many commonalities between the three  
5                   counties and the communities of interest represented in 05:34 PM  
6                   District 11, many of them are stated, from family size,  
7                   income, occupations and industry, and I believe if you  
8                   look them over, you will see that we have a really  
9                   strong desire to stay connected. We've been connected  
10                  for a hundred years and we would like to continue.           05:34 PM  
11                  Thank you.

12                   CHAIRMAN SENATOR DUNCAN: Thank you.

13                   AUDIENCE MEMBERS: (Applauded).

14                   CHAIRMAN SENATOR DUNCAN: Members, any  
15                  questions?   05:34 PM

16                   (Whereupon, Councilwoman McDurham  
17                   (was excused).

18                   CHAIRMAN SENATOR DUNCAN: The Chair calls  
19                  Linda Ethridge, the Mayor of the City of Waco.

20                   AUDIENCE MEMBERS: (Applauded).

21                   MAYOR LINDA ETHRIDIGE, WACO  
22                  having signed an oath card, testified as follows:

23                   DIRECT TESTIMONY

24                  BY MAYOR LINDA ETHRIDIGE:

25                  A       Chairman Duncan, Members of the Committee, it's 05:35 PM

1 my pleasure today to welcome you to Waco, even though I 05:35 PM  
2 was a little envious when y'all had those Dr. Pepper  
3 floats and we didn't have one. But we are pleased that  
4 you are here and we really do appreciate that you came  
5 here to hear the Central Texas voices, and I 05:35 PM  
6 particularly want to commend Kip Averitt for his  
7 leadership in encouraging you to be here.

8 My colleague, Robin McDurham, has just  
9 read a resolution to you that was unanimously passed by  
10 the Waco City Council at a special session of the Waco 05:35 PM  
11 City Council on July the 4th and we wanted to convey  
12 that to you. And I want to talk to you a little bit  
13 about what we mean when we discuss communities of  
14 interest and why they are so very critical to us.

15 If you live in a large city like Dallas or 05:36 PM  
16 San Antonio or Fort Worth or Houston, it is likely that  
17 your city's needs are going to be addressed because you  
18 have that density and you have that power of the  
19 population mass, but when you are a midsize city, like  
20 Waco, Texas, which is 113,000 people and you are a small 05:36 PM  
21 city, like the ones we have mentioned in our resolution,  
22 it is absolutely critical how you are aligned in a  
23 Congressional District for your voice to be heard. We  
24 do not want to be in a district where those sharper  
25 urban somewhat more powerful voices drown out the voices 05:36 PM

1 of Central Texas. 05:37 PM

2 We have a great deal in common with our  
3 neighbors and we work together on issues and we know,  
4 because we are small, midsize and rural communities that  
5 we have to do that in order to address the issues that 05:37 PM  
6 matter to our citizens. And one of the things that I  
7 have learned as Mayor, and as many mayors and city  
8 council people that you've heard from today, we  
9 understand how critical it is to work with our officials  
10 at both the state and the federal level. And because we 05:37 PM  
11 have so much in common, we are able to do that  
12 effectively, and it matters enormously to us that we can  
13 do that. And it goes beyond the pure partisan aspects  
14 of the matter, because whether we have a Congressperson  
15 who is a Democrat or whether we have a Congressperson 05:38 PM  
16 who is a Republican and wherever they live in the  
17 district that we're configured with, if we don't have  
18 that focus on issues and that commonality on issues, we  
19 are -- our political influence is severely diminished.

20 We have a lot of appreciation and we value 05:38 PM  
21 the Texans who live in more urban communities, and we  
22 don't have anything against people who live in suburban  
23 communities, but their issues that they need  
24 Congressional support for are not our issues. And  
25 you've heard many of those issues mentioned today. 05:38 PM



1 (Gestured). 05:40 PM

2 CHAIRMAN SENATOR DUNCAN: Senator  
3 Gallegos.

4 QUESTIONS BY VICE CHAIRMAN SENATOR GALLEGOS

5 VICE CHAIRMAN SENATOR GALLEGOS: Mayor, 05:40 PM

6 let me ask you. We went to Laredo and the mayor there,  
7 who is Mayor Flores, testified that she did not want to  
8 see her city or her county split. We went to McAllen,  
9 we heard the same thing there on the city and county.

10 We went to Fort Worth and heard the same thing there, 05:40 PM

11 except they wanted a little piece of -- a little area  
12 just north of Corpus and another county, which that can  
13 be done by a friendly amendment. But basically what  
14 we're hearing from those mayors that testified and now  
15 that we're hearing from you, so what you're telling us 05:41 PM

16 is that you don't want to see the City of Waco or the  
17 County of McLennan, like those mayors testified before  
18 this Committee that they don't want to see their cities  
19 split up or their county split up. Is that what you're  
20 testifying to? 05:41 PM

21 MAYOR ETHRIDGE: Yes, I am testifying to  
22 that point, and beyond that point. We not only do not  
23 want our city or our county split, we do not want to  
24 lose our pairing with Bell and Coryell Counties, and we  
25 really feel like that's critical in having a strong 05:41 PM

1 responsive government at the Congressional level. 05:41 PM

2 I wanted to mention one other thing about  
3 not splitting the city. And it's hard to talk about a  
4 particular map because for awhile it was sort of a map  
5 de jour and it was hard to keep track of it. But we 05:42 PM  
6 really do not want to lose the minority precincts from  
7 our community. We are working very hard as a city to  
8 erase the racial divisions that have historically  
9 divided us. We haven't been wholly successful with  
10 that, but we are trying very hard, and I think it's very 05:42 PM  
11 cynical to carve that group of people out of our city  
12 into some new configuration of a Congressional District  
13 and I urge you not to do that. I know that has been  
14 defended sometimes because they say "well, there's this  
15 percentage here and only this percentage there," but 05:42 PM  
16 it's not just percentages that matter, it is how they  
17 have learned to develop coalitions with like-minded  
18 people of all races in the community to have an impact.  
19 And if they are moved, even if the numbers are similar  
20 or stay the same, it may take decades for them to regain 05:43 PM  
21 that political influence that they presently have, and  
22 it's just a bad message and I hope very much you won't  
23 do that.

24 VICE CHAIRMAN SENATOR GALLEGOS: Let me --  
25 let me just say that we heard from the Commissioner of 05:43 PM

1 the African American Coalition and the Hispanic 05:43 PM  
2 constable, I believe.

3 MAYOR ETHRIDGE: Justice of the Peace.

4 VICE CHAIRMAN SENATOR GALLEGOS: Justice  
5 of the Peace, excuse me, JP. And I just -- and they're 05:43 PM  
6 just as important as anybody else, especially the JP. I  
7 think that in my race, there's never been a Hispanic  
8 from Harris County to sit in the Texas Senate, but a  
9 Justice of the Peace, we just heard testimony that they  
10 helped get Congressman Edwards, an Anglo Democrat, 05:43 PM  
11 elected. Those Anglo JPs in my district got a Hispanic  
12 Senator elected, so it works -- it works in Houston  
13 also, the big City of Houston, as it does here in  
14 McLennan County in Waco.

15 MAYOR ETHRIDGE: I wanted to, if you'll 05:44 PM  
16 give me an opportunity --

17 VICE CHAIRMAN SENATOR GALLEGOS: Sure.

18 MAYOR ETHRIDGE: -- to follow up on  
19 something that was asked earlier about the defense ties  
20 between Fort Hood and Bell County and McLennan County. 05:44 PM  
21 You're going to hear later today from two CEOs, Jerry  
22 Iverson with L-3, and I believe that Harrell Gray  
23 (phonetic), if he's still here, who is with Act One and  
24 they're very involved in defense industries. We also  
25 have Marathon Power and Macdowel Research (phonetic), 05:44 PM



1 and we have a very large veteran population as people 05:44 PM  
2 who pass through Fort Hood, they want to come back to  
3 Texas and they settle here, and so they are very  
4 important to us.

5 The other thing I want to tell you is that 05:45 PM  
6 I don't know that you can call it an industry, but  
7 sometimes it feels like one. The City of Waco has a  
8 very important defense task that you may not have  
9 considered. Whenever the Commander in Chief comes home  
10 to the region, we help protect him, along with all of 05:45 PM  
11 the law enforcement entities in our area and it's just  
12 another thing that links us.

13 And I will tell you as a conservative  
14 voter, who like the speaker two speakers back, doesn't  
15 vote straight tickets and that's just the way that is. 05:45 PM

16 But one of the things that I greatly  
17 admired about George Bush when he was Governor of Texas  
18 is that in his partnership with Bob Bullock, they built  
19 a bipartisan spirit that was wonderful in Texas and  
20 helped us get a lot of good things done in Texas, and I 05:46 PM  
21 think that spirit of bipartisanship is what helped  
22 catapult Governor Bush to now being President Bush, and  
23 I really hate to see us lose that in this partisan  
24 battle on redistricting. And again, I urge you not to  
25 go there. 05:46 PM

1                   When my kids were small and we would take 05:46 PM  
2                   them out into the rural community of interests that's  
3                   our neighbor and I would warn my kids, I said "don't  
4                   mess with the skunks if you see them because the stink  
5                   lingers forever," and I beg you that this redistricting 05:46 PM  
6                   thing is a skunk of an issue, and if you don't walk away  
7                   from it, the stink is going to linger over Texas  
8                   politics longer than I care to predict. Please. Thank  
9                   you.

10                   AUDIENCE MEMBERS: (Applauded).

11                   CHAIRMAN SENATOR DUNCAN: Thank you.

12                   (Whereupon, Mayor Ethridge was excused.

13                   CHAIRMAN SENATOR DUNCAN: The Chair  
14                   recognizes Bob McClinton, Mayor of the City of Lometa.

15                   MAYOR BOB McCLINTON, LOMETA  
16                   having signed an oath card, testified as follows:

17                   DIRECT TESTIMONY

18                   BY MAYOR BOB McCLINTON:

19                   A     My name is Bob McClinton and I'm the Mayor of  
20                   the City of Lometa, and I am rural Texas. I heard           05:47 PM  
21                   someone refer to the Dairy Queen, we don't have one. We  
22                   only have two streets that's got curbs and gutters. I'm  
23                   also the municipal judge and I also pastor the Family of  
24                   Faith Church. So we're Mayberry, RFD, except that we  
25                   don't have a jail and we don't have Andy, but we've got 05:47 PM

1 Chet. 05:48 PM

2 And I stand before you today, I don't  
3 stand as a Republican or a Democrat or an Independent, I  
4 stand before you as a Texan, and I think that's the  
5 issue that we need to take up in regards to 05:48 PM

6 redistricting. It has nothing to do with politics, it  
7 has to do with power. And if we're going to put power  
8 in the hands of anyone, let's put it back in the hands  
9 of the citizens of the State of Texas.

10 AUDIENCE MEMBERS: (Applauded). 05:48 PM

11 A Chet, if you decide to change parties, I'll  
12 still vote for you. I worked for him and with him on  
13 his first campaign when I was the Chief of Police in  
14 Bell County. And during my 25 years of law enforcement,  
15 we try to teach our children to say no to drugs. And by 05:48 PM  
16 God's grace, you folks will have learned to say no to  
17 redistricting.

18 AUDIENCE MEMBERS: (Applauded).

19 A It's real plain and simple from where I stand  
20 and I'll finish. I won't... 05:49 PM

21 You won't have to hand me a card, Darlin'.

22 AUDIENCE MEMBERS: (Laughter).

23 A I've lived all of my life under a particular  
24 value, and that is to do the right thing. And most of  
25 the time, I have found as an elected official, if I do 05:49 PM

1 the right thing, it's not necessarily the popular thing. 05:49 PM  
+!Z05:49 PM

2 But I can assure you this much, and you need to go back  
3 and tell the rest of the Senate this: If you cut our  
4 throats, we, the citizens of the State of Texas, will  
5 remember you next election. 05:49 PM

6 AUDIENCE MEMBERS: (Applauded).  
7 (Whereupon, Mayor McClinton was excused.

8 CHAIRMAN SENATOR DUNCAN: (Inaudible).  
9 (Conferred with Vice Chairman Senator Gallegos). I go  
10 through Lometa many times on my way back home. What 05:50 PM  
11 county is Lometa in, Lampasas? I thought it was in  
12 Lampasas. It's right after Lampasas.

13 The Chair recognizes Johnny Mankin.  
14 Johnny Mankin?

15 AUDIENCE MEMBER: He's not here. 05:50 PM

16 CHAIRMAN SENATOR DUNCAN: I think he had  
17 to leave, but he registered a position in opposition to  
18 redistricting.

19 The Chair recognizes Rick Wilborn, the  
20 City of Waco. Mr. Wilborn. After Mr. Wilborn, we'll 05:51 PM  
21 have Tom Ray.

22

23

24

25

1 RICK WILBORN, GREATER WACO CHAMBER OF COMMERCE  
2 having signed an oath card, testified as follows:

3 DIRECT TESTIMONY

4 BY RICK WILBORN:

5 A Good afternoon or maybe it's good evening, 05:51 PM  
6 but --

7 CHAIRMAN SENATOR DUNCAN: You need to  
8 state your name.

9 A Actually, you did call Johnny Mankin and he  
10 gave me his -- 05:51 PM

11 SENATOR HARRIS: Would you state your  
12 name?

13 A Oh, I'm sorry. Rick Wilborn, Greater Waco  
14 Chamber of Commerce.

15 SENATOR HARRIS: Thank you. 05:51 PM

16 A Johnny Mankin did hand me a resolution that was  
17 passed by the Greater Waco Chamber. Johnny is Chairman  
18 of the Greater Waco Chamber of Commerce and I'm the past  
19 Chairman.

20 The Greater Waco Chamber of Commerce 05:51 PM  
21 Legislative Committee passed the following statement  
22 expressing our views on Congressional redistricting.  
23 "The Greater Waco Chamber of Commerce Legislative  
24 Committee questions the need for redistricting as it  
25 would affect our community. Should redistricting occur, 05:52 PM

1 our district should include the entire counties of 05:52 PM  
2 McLennan, Bell and Coryell because of the historic  
3 common communities of interest.

4 In addition, I've been asked to speak on  
5 behalf of Mr. Kent Cahey (phonetic), who had to leave 05:52 PM  
6 due to an emergency. And Kent is President of the Waco  
7 Business League representing hundreds of businesses  
8 throughout the community and I just -- he just asked me  
9 to point out to you that the Business League, which I  
10 think you all have received, also passed a resolution 05:52 PM  
11 similar to that that was just stated.

12 I would also like to take a moment just to  
13 talk on a few issues regarding transportation, and state  
14 that splitting the metropolitan area into two districts  
15 dilutes the Waco area's influence on legislation 05:53 PM  
16 favorable to our area as you've heard from so many  
17 people today.

18 The Waco, Killeen and Temple areas have  
19 similar concerns regarding highway congestion, transit  
20 operations and the overall mobility of our citizens. 05:53 PM  
21 Reauthorization of TEA 21, the Transportation Equity Act  
22 for the 21st Century, will occur over the next 12 to 18  
23 months. The Waco, Killeen and Temple areas have similar  
24 interests in what the next surface transportation bill  
25 will contain and the funding levels for federal highway 05:53 PM

1 and transit programs as dictated by this bill. 05:53 PM

2 Also as stated by numerous parties today,  
3 the I-35 corridor is critical to Waco, Temple and  
4 Killeen for business and military mobility. The section  
5 of I-35 through Bell and McLennan Counties have unique 05:54 PM  
6 improvements compared to the rest of the state and  
7 should remain together to successfully obtain federal  
8 funding.

9 In closing, if it is truly your interest  
10 to do what is best for the state, I maintain that what 05:54 PM  
11 is best for the state is what is best for the community  
12 within the state. What is best for this community is to  
13 not split up McLennan County, and what is best for this  
14 community is to maintain the unified interests in  
15 McLennan, Bell and Coryell Counties by leaving us 05:54 PM  
16 intact. Thank you.

17 CHAIRMAN SENATOR DUNCAN: Senator  
18 Gallegos, you have a question?

19 Mr. Wilborn, we have a question, please.

20 QUESTIONS BY VICE CHAIRMAN SENATOR GALLEGOS

21 VICE CHAIRMAN SENATOR GALLEGOS:

22 Mr. Wilborn, you're representing the Chamber of Commerce  
23 here in Waco?

24 MR. WILBORN: Yes, and we also have the  
25 Chairman that's here. 05:55 PM

1 VICE CHAIRMAN SENATOR GALLEGOS: Okay. 05:55 PM

2 And then so it -- I want to make it straight because the  
3 Chamber of Commerce in Houston didn't get involved in  
4 these issues, usually the big city chambers don't get  
5 involved. I just want the record to make sure that what 05:55 PM  
6 I'm hearing is right that you are testifying for the  
7 Chamber of Commerce against -- against redistricting.

8 MR. WILBORN: I am testifying for the  
9 Executive Committee of the Chamber.

10 VICE CHAIRMAN SENATOR GALLEGOS: The  
11 executive Committee.

12 MR. WILBORN: We have -- due to the timing  
13 of the mapping and so forth, we have not had a board  
14 meeting that represents the entire chamber, but the  
15 executive Committee -- I am representing the executive 05:55 PM  
16 Committee.

17 VICE CHAIRMAN SENATOR GALLEGOS: But the  
18 executive Committee usually --

19 MR. WILBORN: Yes.

20 VICE CHAIRMAN SENATOR GALLEGOS: -- 05:55 PM  
21 rules --

22 MR. WILBORN: Correct.

23 VICE CHAIRMAN SENATOR GALLEGOS: -- the  
24 way I see it.

25 MR. WILBORN: And we do -- 05:55 PM





1 MR. WILBORN: Thank you. 05:56 PM

2 (Whereupon, Mr. Wilborn was excused.

3 CHAIRMAN SENATOR DUNCAN: The Chair calls  
4 Tom Ray.

5 TOM RAY,

6 WACO CHAMBER OF COMMERCE WATER RESOURCES COMMITTEE

7 having signed an oath card, testified as follows:

8 DIRECT TESTIMONY

9 BY TOM RAY:

10 A Thank you, Mr. Chairman, Members of the 05:57 PM

11 Committee. My name is Tom Ray. I am a water resources

12 engineer, a long time resident of Waco, I'm also a

13 Member of the Waco Chamber of Commerce, Senator, and I'm

14 here on behalf of the Water Resources Committee of that

15 Chamber. 05:57 PM

16 I will make my remarks brief due to the

17 hour and due to the fact that many other speakers have

18 touched on the subject that I'm about to provide more

19 detail on, but I think it is important and I know the

20 Chairman is very interested in water quality and water 05:57 PM

21 supply issues. Those are very important to Central

22 Texas and it's critically important I think that this

23 Committee recognize that McLennan, Bell and Coryell

24 County, in fact, the area of Central Texas within the

25 11th Congressional District, have worked very hard over 05:57 PM

1 a number of years to protect the vital resources -- 05:57 PM  
2 water resources that we have in this area.

3 The Congressman mentioned earlier, there  
4 are three Corps of Engineer -- major Corps of Engineer  
5 reservoirs in this area. Lake Waco and Lake Belton 05:58 PM  
6 serve as sole source water supplies for over 400,000  
7 people -- residents here in this area, in the Central  
8 Texas area, that includes Fort Hood, a very important  
9 point to make.

10 The watersheds of these reservoirs are 05:58 PM  
11 also in common with Bell, Coryell and McLennan County.  
12 It's in those watersheds that we pick up pollutants that  
13 are a concern that we need to deal with. The rivers,  
14 the Leon River which feeds into Lake Belton, and the  
15 Bosque River and its tributaries that feed into Lake 05:58 PM  
16 Waco, and I have a map to leave with you to kind of show  
17 better what I'm talking about here. These two originate  
18 within this district and they move the -- move through  
19 the district and pick up as they are moving through the  
20 district. 05:58 PM

21 As a result of the need to protect these  
22 sole source water supplies is a need to protect the  
23 water quality and water supply into the future. Cities  
24 and county leaders, various water districts, water  
25 supply corporations have been working together with 05:59 PM

1 Congressman Edwards with their one Congressman to 05:59 PM  
2 address these concerns.

3 I want to illustrate two of the more  
4 recent concerns that have been dealt with successfully  
5 in connection with the Congressional District that we've 05:59 PM  
6 been dealing with. The first of this is the non-point  
7 source pollution, which emanates in the upper watersheds  
8 of both Lake Waco and Lake Bosque that comes primarily  
9 from large agricultural operations. Our local leaders  
10 have been meeting together and working together and have 05:59 PM  
11 shared common concerns on how to deal with this problem,  
12 how to protect the water quality and also to protect the  
13 vital interests associated with the dairy industry  
14 itself, the economic advantages to our area from the  
15 dairy industry. It's been a tremendous problem, but it 05:59 PM  
16 has been enhanced by being able to work with one  
17 Congressional Member and to be very effective in looking  
18 at federal legislation, particularly the farm bill, to  
19 deal with those issues.

20 The other illustration which was again 06:00 PM  
21 mentioned by the Congressman, and that being Perchlorate  
22 rocket fuel emanates from the site near McLennan or,  
23 excuse me, near McGregor, Texas. The formal Naval  
24 weapons site -- reserve site. That 9,000-plus acre site  
25 actually straddles the watershed between Lake Waco and 06:00 PM

1 Lake Belton. If -- it is the source of potentially 06:00 PM  
2 devastating amounts of Perchlorate. If that exceeds  
3 over four parts per billion in either of these lakes, it  
4 could have catastrophic impacts on the economy of this  
5 area. 06:00 PM

6 Recognizing that, many of the elected  
7 officials that you've heard from today worked together  
8 and went to Washington and have worked with their  
9 Congressman to do a number of things. First, to get the  
10 Navy, which holds -- holds that site, to listen to the 06:01 PM  
11 concerns, the water quality and water utility concerns  
12 associated with Perchlorate, and then to move ahead with  
13 funding a very important study that was done or actually  
14 an investigation of how Perchlorate rocket fuel moved  
15 through this watershed, and now we know a lot more about 06:01 PM  
16 Perchlorate than we ever did before.

17 In summary, let me just say that water  
18 supply and water resources challenges are one of the  
19 issues the Committee should keep in mind. They have  
20 been something that Bell, McLennan and Coryell County 06:01 PM  
21 have worked together on. And there will be -- continue  
22 to be those challenges, we'll continue to have  
23 pollutants and other concerns for those water resources,  
24 and we believe that the best solution is to be able to  
25 work together and we would urge the Committee not to 06:01 PM

1 divide this area and its Congressional District. Thank 06:02 PM  
2 you very much.

3 AUDIENCE MEMBERS: (Applauded).

4 VICE CHAIRMAN SENATOR GALLEGOS: Any

5 questions? 06:02 PM

6 (Whereupon, Mr. Ray was excused.

7 VICE CHAIRMAN SENATOR GALLEGOS: Thank

8 you.

9 The Chair calls Robert Cervenka, is that

10 correct? 06:02 PM

11 MR. CERVENKA: Yes.

12 VICE CHAIRMAN SENATOR GALLEGOS: Would you

13 state your name and who you represent for the record?

14 ROBERT CERVENKA, FARM AND RANCHER

15 having signed an oath card, testified as follows:

16 DIRECT TESTIMONY

17 BY ROBERT CERVENKA:

18 A I'm Robert Cervenka. I have farmed and ranched  
19 in this Central Texas area all of my life, and I'm here  
20 to represent myself and hopefully that interest of the 06:02 PM  
21 agriculture industry in Central Texas.

22 Thank you Members of the Committee for  
23 taking the time to hear my concerns about redistricting.

24 The farmers and ranchers in Central Texas believe the  
25 fragmentation of the current Congressional District is a 06:03 PM

1 very bad idea. We believe the plan passed by the House 06:03 PM  
2 will dilute and divide the representation of Central  
3 Texas as an agriculture community of interest. This  
4 phrase, "community of interest," perfectly describes  
5 agriculture in Bell and McLennan County. 06:03 PM

6 Central Texas, including Bell and McLennan  
7 Counties, have been the home of Central Texas  
8 Congressmen for more than a hundred years. At one time,  
9 the district was the home of the Chairman of the House  
10 Agricultural Committee in Congress, Congressman Bob 06:03 PM  
11 Poage. During that period of Texas history, Bob Poage  
12 was known as Mr. Agriculture in Texas. Chairman Duncan,  
13 I am sure you realize how important that position is in  
14 your area.

15 Crops grown in these two counties are 06:03 PM  
16 virtually identical. This means that issues related to  
17 the federal farm program, disaster assistance, water  
18 planning, agriculture research, transportation and many  
19 others will always be similar for producers in both  
20 counties. 06:04 PM

21 Bell and McLennan Counties benefit from  
22 representation by a single Member of Congress who  
23 understands the issues and the needs of constituents.  
24 These areas are so similar in terms of agriculture  
25 production that they are considered together in the 06:04 PM

1 determination of most disaster areas. 06:04 PM

2 I have included a few statistics in my  
3 statement for your consideration. These numbers show  
4 that Bell and McLennan County are clearly part of the  
5 same production area. The crops are the same, the 06:04 PM  
6 problems, challenges and solutions are identical.

7 Bell County has 33,000 head of beef  
8 cattle, where McLennan County has 36,000 head. Corn  
9 production in Bell County is 3.6 million bushels;  
10 McLennan County, 3.01 million bushels. Sorghum: One 06:05 PM  
11 million bushels; McLennan County, .735 million bushels.  
12 Wheat: 415,000 bushels in Bell County; and a million  
13 bushels in McLennan County. Sheep and lambs: 1400 head  
14 in Bell County; and 1600 head in McLennan County.

15 Bell and McLennan Counties with their 06:05 PM  
16 major cities of Temple and Waco are the economic hub of  
17 Central Texas. There is no good reason to separate them  
18 when it comes to Congressional representation. The  
19 Blackland Research Center in Bell County does important  
20 work that relates to crops grown in both counties. The 06:05 PM  
21 center in Temple has provided extension services in the  
22 region, including both Bell and McLennan Counties for  
23 years. The best grain producers in both Bell and  
24 McLennan Counties are together the largest suppliers of  
25 feed to the dairy industry in the Stephenville area. 06:06 PM



1 This is a factor of significant economic importance to 06:06 PM  
2 both the areas. Again, a single Member of Congress  
3 could better serve the interests of this important  
4 agriculture group.

5 Mr. Chairman, I would further mention two 06:06 PM  
6 items of importance to Central Texas that have been  
7 legally addressed by our local Congressman Chet Edwards.  
8 As you may be aware, our Congressman now serves in a  
9 critical position of House appropriations in Washington.  
10 Congressman Edwards added 500,000 to the budget to fund 06:06 PM  
11 a program which unites environmentalists, farmers and  
12 ranchers and the Department of Defense. This is known  
13 as the Culvert Trap Program and it's become a national  
14 model to coordinate co-op agreements.

15 And finally, the Congressman has also 06:07 PM  
16 recently added money to assist dairy farmers in  
17 complying with government regulations, and also to  
18 improve the water supply in the local areas of Waco and  
19 Temple. Also, the Leon River Restoration Project.  
20 Without a locally elected Congressman, the State NRCS 06:07 PM  
21 office located in Temple would probably be moved to  
22 another area of the state. Separating representation in  
23 Washington is an artificial barrier for two agriculture  
24 counties that could not be more closely linked. These  
25 two counties have been agriculturally for more -- joint 06:07 PM

1 agricultural for more than a century. Your efforts to 06:07 PM  
2 keep them in a single district would be greatly  
3 appreciated.

4 I consider myself as an Independent voter,  
5 most of the time voting Republican. This is not a 06:08 PM  
6 partisan issue. This is what is best for Central Texas  
7 agriculture. I thank you for hearing my views.

8 AUDIENCE MEMBERS: (Applauded).

9 VICE CHAIRMAN SENATOR GALLEGOS: Any  
10 question of Mr. Cervenka? 06:08 PM

11 Let me -- for the record, Mr. Cervenka  
12 filled out a card that's circled in Spanish, so I guess  
13 that makes you bilingual to the interpreter.

14 MR. CERVENKA: Do what?

15 AUDIENCE MEMBERS: (Laughter). 06:08 PM

16 VICE CHAIRMAN SENATOR GALLEGOS: This form  
17 is in Spanish.

18 CHAIRMAN SENATOR DUNCAN: We ran out  
19 briefly of cards. (Inaudible).

20 VICE CHAIRMAN SENATOR GALLEGOS: That 06:08 PM  
21 still makes you bilingual. (Group laughter).

22 MR. CERVENKA: Bilingual, but a Chek.

23 AUDIENCE MEMBERS: (Laughter).

24 (Whereupon, Mr. Cervenka was excused.

25 CHAIRMAN SENATOR DUNCAN: The Chair 06:08 PM

1 recognizes Jack Stewart, Greater Waco Chamber of 06:08 PM  
2 Commerce.

3 When you're on the road, sometimes you run  
4 out of supplies and you have to get resupplied, so I  
5 hope you found our translation services on filling in 06:09 PM  
6 the card adequate.

7 Mr. Stewart, state your name, please, and  
8 who you represent?

9 JACK STEWART,  
10 PRESIDENT & CEO, GREATER WACO CHAMBER OF COMMERCE  
11 having signed an oath card, testified as follows:

12 DIRECT TESTIMONY

13 BY JACK STEWART:

14 A Senator Duncan, I'm Jack Stewart. I'm the  
15 President and CEO of Greater Waco Chamber of Commerce, 06:09 PM  
16 and it's indeed a privilege for me to appear before you  
17 certainly to welcome you to Waco and to express our  
18 appreciation that, first, to Senator Averitt for  
19 assistance in arranging this hearing, but for each one  
20 of you who's taken time to be a part of our community 06:09 PM  
21 today and to hear the comments and concerns of the  
22 citizens of this community, we thank you for that.

23 I represent about 1600 of the businesses  
24 within the Waco and McLennan County area. Obviously,  
25 that group of businesses share diverse political and 06:10 PM

1 specific issues related to their businesses. There's 06:10 PM  
2 one thing in which we are of common mind, and that is,  
3 that it's important that McLennan County remain whole.

4 We are a community of interest with not  
5 only the citizens and businesses within our county, but 06:10 PM  
6 within our region, that of McLennan County, Bell County,  
7 Coryell County and others.

8 There's a uniqueness I think that we would  
9 share as a midsize community in the State of Texas.  
10 States in major metropolitan urban areas share their 06:10 PM  
11 concerns. Their suburban communities and communities  
12 that are contingent to them do certainly share common  
13 issues that are important.

14 We in midsize communities are unique in  
15 Texas in the same way. We share a similar interest with 06:11 PM  
16 our rural neighbors. We share a common interest of the  
17 businesses that survive and thrive in our communities.

18 The business aspect and the perspective is  
19 one that I bring to you at this time in the sense of  
20 community of interest. The businesses in our community 06:11 PM  
21 were begun in the wisdom of those who started those  
22 businesses in different parts of our community. They  
23 stretch -- major industry stretches from the north, the  
24 northeast side of our county to the south and southwest  
25 of our county. And each of those areas are key players 06:11 PM

1 of industry that join together, have a common interest 06:11 PM  
2 to bind themselves in search of business and success and  
3 employees within those regions. So it's important that  
4 we share that common community of interest in search of  
5 employees and in the success of each of those 06:12 PM  
6 businesses.

7 The northeast side shares businesses like  
8 L-3, Cargill, Pilgrim's Pride and others. Texas State  
9 Technical College is located in that sector. Maps that  
10 we've seen would segregate those parts of the county and 06:12 PM  
11 our community from other parts that share businesses,  
12 like even in Morris, we share Huck Chair Manufacturing  
13 and the Army Air Force Exchange. Many of those  
14 businesses that serve the needs of the world, but  
15 provide jobs and opportunities to the people in our 06:12 PM  
16 community.

17 This community has worked very diligently  
18 to provide a spirit of cooperation and a spirit of  
19 community. That word "community" means a lot to a lot  
20 of different people. Our commitment to community has 06:12 PM  
21 opened the opportunities for us to develop organizations  
22 like the Communities of Cities that the mayors and city  
23 managers work together. It's also created in our  
24 community the Greater Waco Economic Development Council,  
25 which is a group of economic development professionals, 06:13 PM

1 city managers, mayors from throughout our county and our 06:13 PM  
2 region that work together to develop interests of  
3 commonality that bring together our communities in a way  
4 that enhance business and our working together.

5                   Beyond that, we see a commonality with 06:13 PM  
6 Bell County. Our common thread of the I-35 corridor  
7 makes business a significant common interest that we  
8 share together. Probably, to me, the best indicator of  
9 that common interest between the two counties in a  
10 business sense is the fact that we are a common media 06:13 PM  
11 market. Advertisers on our television stations and  
12 radio stations and our newspapers share customers and  
13 prospective clients in communities in Bell County and  
14 McLennan County, as well as serve the resource of  
15 business employees from both of the neighboring 06:14 PM  
16 counties.

17                   We are a community of common interests.  
18 We believe that our representation should be one that  
19 reflects that common interest. We believe that any  
20 dilution of that ability for us to determine who our 06:14 PM  
21 representation would be by placing us in an alignment  
22 with urban districts of larger metropolitan districts  
23 would be a disservice to our community, to our  
24 constituents and to our business environment. We thank  
25 you for your time. 06:14 PM

1 CHAIRMAN SENATOR DUNCAN: Thank you, 06:14 PM  
2 Mr. Stewart.

3 Are there any questions for Mr. Stewart  
4 from the Members?

5 AUDIENCE MEMBERS: (Applauded).

6 CHAIRMAN SENATOR DUNCAN: Thank you very  
7 much. We appreciate you coming.

8 (Whereupon, Mr. Stewart was excused.

9 CHAIRMAN SENATOR DUNCAN: The Chair  
10 recognizes M.A. Taylor, former State Representative, 06:15 PM  
11 who I understand is a legend.

12 MR. M.A. TAYLOR: I'm sorry, sir?

13 CHAIRMAN SENATOR DUNCAN: I understand...  
14 Do you want me to say that again? I understand you're a  
15 legend in your time -- 06:15 PM

16 MR. M.A. TAYLOR: Yes, sir.

17 CHAIRMAN SENATOR DUNCAN: -- is what I  
18 always heard around the Capitol. I came right after --  
19 with Kip right after -- he and I started at the same  
20 time right after you retired. 06:15 PM

21 MR. M.A. TAYLOR: After sitting through  
22 this hearing today, I'm reminded of why I left already.

23 AUDIENCE MEMBERS: (Laughter).

24

25

1 M.A. TAYLOR,  
2 FORMER STATE REPRESENTATIVE  
3 AND McLENNAN COUNTY REPUBLICAN PARTY CHAIRMAN

4 having signed an oath card, testified as follows:

5 DIRECT TESTIMONY

6 BY M.A. TAYLOR:

7 A It's good to be with. Thank you, Mr. Chairman  
8 and Members of the Committee. I am M.A. Taylor and I am  
9 Chairman of the Republican Party of McLennan County. I  
10 have not been paid to attend these meetings, nor did 06:15 PM  
11 anyone pay my expenses to get here.

12 Further, nobody even sent me a copy of  
13 this five page fax from Washington, D.C. pointing out  
14 the horrors of redistricting.

15 I want to go on record as supporting 06:16 PM  
16 strongly redistricting. I was involved in redistricting  
17 in 1991 as a Republican Minority Member in the House of  
18 Representatives. We didn't run and hide, we didn't shut  
19 down the process, we simply voted against the  
20 redistricting bill, let the Democrats draw the lines and 06:16 PM  
21 we continued to handle the state's business. What a  
22 difference today.

23 It is my fervent hope that you will see  
24 fit to leave McLennan County whole in this endeavor. I  
25 cannot in good conscious support a plan that combines 06:16 PM



1 McLennan with Bell because I think this reduces McLennan 06:16 PM  
2 County's influence and would not be in the best interest  
3 of our community.

4 AUDIENCE MEMBER: (Applauded).

5 A Historically, the whole of McLennan County has 06:17 PM  
6 been in one Congressional District and most of us here  
7 in McLennan County would like to see it remain that way.  
8 Thank you for coming here today. If there are no  
9 questions, that completes my testimony.

10 CHAIRMAN SENATOR DUNCAN: Thank you, 06:17 PM  
11 Mr. Taylor.

12 Are there any questions? Senator Van de  
13 Putte.

14 QUESTIONS BY SENATOR VAN DE PUTTE

15 SENATOR VAN DE PUTTE: M.A., it's always 06:17 PM  
16 good to see you. And let me tell you --

17 MR. M.A. TAYLOR: Thank you, Senator.

18 SENATOR VAN DE PUTTE: -- the House was a  
19 lot different back then. You were a strong Republican,  
20 I was a strong Democrat and we always worked together 06:17 PM  
21 for good public policy, and I want to thank you for  
22 helping me along the way.

23 M.A. was one of the legends and actually a  
24 tremendous leader in the House and helped us --

25 MR. M.A. TAYLOR: And we're still friends. 06:17 PM

1                   SENATOR VAN DE PUTTE: We're still                   06:17 PM  
2 friends. I wanted to make clear one thing on the  
3 testimony. So your testimony is that we should do  
4 redistricting, but that you were opposed to a  
5 dividing -- a dividing line, dividing the county of                   06:17 PM  
6 which you're --

7                   MR. M.A. TAYLOR: That's correct. I would  
8 hope that McLennan County would stay intact within the  
9 district.

10                   SENATOR VAN DE PUTTE: If our options are                   06:18 PM  
11 to vote for a plan that splits this county, is your  
12 recommendation that we vote no on that plan?

13                   MR. M.A. TAYLOR: I -- I would have to see  
14 the plan. My preference, of course, is that McLennan be  
15 wholly kept within a district, but I know that -- I know                   06:18 PM  
16 the difficulty of trying to put together these  
17 redistricting plans and I know a lot of factors enter  
18 into them, and if that became necessary, I'd have to  
19 look long and hard at the plan as they proposed.

20                   SENATOR VAN DE PUTTE: Thank you, we                   06:18 PM  
21 appreciate your involvement.

22                   MR. M.A. TAYLOR: Thank you, Senator.

23                   VICE CHAIRMAN SENATOR GALLEGOS: Senator.

24                   CHAIRMAN SENATOR DUNCAN: Senator

25 Gallegos.

1                   QUESTIONS BY VICE CHAIRMAN SENATOR GALLEGOS

2                   VICE CHAIRMAN SENATOR GALLEGOS:

3   Representative, so listening to Senator Van de Putte's  
4   question, and if you're saying you don't -- you don't  
5   want to split McLennan County and that would be your       06:18 PM  
6   preference, but you and I know that in redistricting,  
7   that it's going to be hard to do that because if we  
8   don't do that, her question was "do you want us to vote  
9   no or yes on splitting it" and what would you -- what  
10   would you ask us to do as the Chairman of the Republican 06:19 PM  
11   Party of McLennan County? This has a domino effect.  
12   You can't just leave... And you were there when I was  
13   there. ...you can't just leave one county alone and  
14   not -- it just -- it just doesn't work that way. We'd  
15   have -- it would have a domino effect on the map that     06:19 PM  
16   the House has and I have not seen or any other map that  
17   comes forward before us, so I guess the question is  
18   again -- once again: Knowing that it would have a  
19   domino effect on it leaving McLennan County whole, which  
20   would be hard to do in any map that I can see, according 06:20 PM  
21   to -- according to what they did in the House and try to  
22   keep it that way. I mean, you're asking us that you  
23   don't -- that you can do redistricting anywhere else,  
24   you just want to leave McLennan County alone. It just  
25   doesn't work that way in redistricting because the       06:20 PM

1 domino effect is all over the state. We just -- per the 06:20 PM  
2 map that we're hearing about in the House. So I guess  
3 if it comes up where the map before us in the Senate,  
4 not the House, in the Senate, splits McLennan County,  
5 what would you have us do? 06:20 PM

6 SENATOR AVERITT: It doesn't matter, I'm  
7 going to vote no.

8 MR. M.A. TAYLOR: I'd -- I'd have to --  
9 (inaudible).

10 AUDIENCE MEMBERS: (Applauded).

11 MR. M.A. TAYLOR: Okay. Thanks.

12 SENATOR AVERITT: That's all I had to  
13 hear, I'm sorry.

14 (Whereupon, Mr. M.A. Taylor was excused.

15 SENATOR VAN DE PUTTE: Enough said. 06:21 PM

16 VICE CHAIRMAN SENATOR GALLEGOS: Enough  
17 said --

18 SENATOR VAN DE PUTTE: Enough said.

19 VICE CHAIRMAN SENATOR GALLEGOS: -- about  
20 power.

21 CHAIRMAN SENATOR DUNCAN: The Chair  
22 recognizes William L. Clifton, Jr.

23

24

25

1 WILLIAM L. CLIFTON, JR.

2 having signed an oath card, testified as follows:

3 DIRECT TESTIMONY

4 BY WILLIAM L. CLIFTON, JR.:

5 A My name is Bill Clifton. Although I wear a 06:21 PM  
6 number of volunteer hats in this community, I come here  
7 tonight representing only myself. I have two teenage  
8 boys at home and I can't even win a majority vote at  
9 home.

10 AUDIENCE MEMBERS: (Laughter).

11 A I'm a lifelong resident of Waco except for the  
12 years I went away to school and the years I served in  
13 our Armed Forces.

14 Senators, thank you very much for coming  
15 to Waco and giving us the opportunity to share our views 06:21 PM  
16 on redistricting. I think it is appropriate that  
17 Senator Duncan has brought his Committee to Central  
18 Texas, particularly since he has earned the reputation  
19 for doing the right thing.

20 For most of us in this room, the right 06:22 PM  
21 thing is to leave Bell, Coryell and McLennan Counties in  
22 the same Congressional District that they have been in  
23 for over a hundred years. We have shared a number of  
24 common interests with our neighbors for many years and  
25 it is not the right thing for an exogenous entity to 06:22 PM

1 force divorce upon us. 06:22 PM

2 Redistricting is probably the most  
3 partisan issue that could confront us. I have supported  
4 mostly Republicans in the past and can remember when I  
5 was in the minority. However, I have supported 06:22 PM  
6 Congressman Edwards for the last few years primarily  
7 because he has delivered time and time again when I have  
8 asked him while wearing one of my volunteer hats for  
9 help on behalf of our community, particularly in the  
10 area of economic development. He has earned my support. 06:22 PM

11 But putting partisan politics aside, I  
12 think that redistricting more than once a decade would  
13 set a poor precedent, one that most likely would come  
14 back to haunt all of us. It still would be best not to  
15 open Pandora's box. 06:23 PM

16 The Legislature had its chance two years  
17 ago to redistrict, it failed, and three federal judges  
18 took over the task. This is the way things have worked  
19 for many years. The rules were in place, everybody knew  
20 the rules and the game was played. I do not think that 06:23 PM  
21 game should be cancelled and a new game played at least  
22 until there is another national census. Congressmen and  
23 Congresswomen already spend too much time campaigning  
24 the party to the two year terms they hold.  
25 Redistricting more than once a decade would exacerbate 06:23 PM

1 this problem. 06:23 PM

2 It is inappropriate for redistricting if  
3 it has to happen to disregard the standard of community  
4 of interests that both political parties have adhered to  
5 for many years. We obviously have common concerns 06:23 PM  
6 within McLennan County. However, as you have heard  
7 today, in areas of water, education, transportation,  
8 media and economic development, we have much in common  
9 with our neighbors in Bell and Coryell Counties. We are  
10 not like the metroplex, we are not like Austin, we are 06:24 PM  
11 not like San Antonio, we are a rural/urban district with  
12 the emphasis on rural.

13 Texas will not be better served if a  
14 system is devised that splits Waco so that such a large  
15 population center is not represented in the United 06:24 PM  
16 States Congress. By splitting McLennan County, you  
17 would diminish and dilute the clout of this community  
18 that has existed for many years.

19 When we began this meeting, Senator Duncan  
20 stated that if you get into redistricting, the task is 06:24 PM  
21 to find 32 districts with 651,619 people. One of my pet  
22 peeves in management or in volunteer work has been  
23 people that bring problems to the table without  
24 potential solutions.

25 If you have to do redistricting, let me 06:24 PM

1 suggest a solution. I asked a member of Congressman 06:25 PM  
2 Averitt's staff during one of the breaks "how many  
3 people currently compromise the 10 counties that he  
4 represents?" Interestingly enough, the number is  
5 exactly 651,619 people. This means that his district 06:25 PM  
6 has grown at the average rate of Texas during the time  
7 period we're talking about. So let's start from within,  
8 let's take these 10 counties, let's call that one  
9 district and begin the redistricting plan if you have to  
10 build one and move outward from here. Thank you very 06:25 PM  
11 much for coming to Waco.

12 CHAIRMAN SENATOR DUNCAN: Thank you, Bill.  
13 Members, are there any questions?

14 MR. CLIFTON: Thank you.

15 AUDIENCE MEMBERS: (Applauded). 06:25 PM  
16 (Whereupon, Mr. Clifton was excused.)

17 CHAIRMAN SENATOR DUNCAN: The Chair  
18 recognizes Helen Quiram. Ms. Quiram, would you please  
19 state your name and who you represent?

20 HELEN QUIRAM  
21 having signed an oath card, testified as follows:

22 DIRECT TESTIMONY

23 BY HELEN QUIRAM:

24 A Yes. Thank you. My name is Helen Quiram and I  
25 am a resident of McLennan County. I come before you 06:26 PM



1 representing myself as a resident of the county. And I 06:26 PM  
2 assure you, ladies and gentlemen, my remarks will be  
3 short.

4 Thank you for holding the hearings and for  
5 letting the citizens of this county to have the 06:26 PM  
6 opportunity to speak to the issue. I am also an elected  
7 member of a body. I am an elected member of the State  
8 Republican Executive Committee, the SREC, representing  
9 Senatorial District 22. I also serve on the board of  
10 TFRW, the Texas Federation of Republican Women. 06:26 PM

11 As I said before, I reside in McLennan  
12 County and that is the position that I am taking today.  
13 I fully support the constitutional right for the  
14 Republican Party, if they so choose to do so, to  
15 redistrict the U.S. Congressional lines for the State of 06:26 PM  
16 Texas in order to send additional help to Washington,  
17 D.C. for our great President George W. Bush.

18 AUDIENCE MEMBER: (Applauded).

19 A However, also at this time, I am here to  
20 respectfully request that McLennan County not be split 06:27 PM  
21 in any form or fashion.

22 Being paired with Bell and/or any other  
23 county as in the past will not be as important to the  
24 future of McLennan County as remaining a whole county.  
25 I respectfully request and I earnestly plead, please do 06:27 PM

1 not split McLennan County. Thank you. 06:27 PM

2 QUESTIONS BY CHAIRMAN SENATOR DUNCAN

3 CHAIRMAN SENATOR DUNCAN: Thank you,  
4 Ms. Quiram. Let me ask you just a couple of questions.

5 I know a lot of people are going to have a lot of 06:27 PM

6 pressure to look at this. I know it's a --

7 redistricting is inherently partisan. That's what it's

8 all about. Always has been, always will be. And I

9 think what we're doing is we're traveling around the

10 state and we hear that there is a -- you know, from the 06:28 PM

11 Party and from others in the Party, we hear that, you

12 know, it's our right to -- for the majority to have the

13 power to redistrict.

14 The question I have, though, is, is that

15 we come to -- we've been to seven cities now, and 06:28 PM

16 overwhelmingly -- and they are in the regions where more

17 than likely changes or adjustments will be made in

18 redistricting, and overwhelmingly, we're hearing in

19 those regions, like we're hearing here, "change thee,

20 but not me." And I'm just hearing -- you know, what is 06:28 PM

21 your advice to us on that?

22 MS. QUIRAM: My knee jerk reaction, sir,

23 is to put McLennan County wherever you think it needs to

24 be. If it needs to be in Congressman Barton's district,

25 if it needs to be in somebody else's district, that's 06:29 PM

1 fine with me. Please leave us whole so that we have a 06:29 PM  
2 voice as a county.

3 CHAIRMAN SENATOR DUNCAN: All right.  
4 Thank you.

5 MS. QUIRAM: That's all I ask. 06:29 PM

6 CHAIRMAN SENATOR DUNCAN: Thank you.

7 SENATOR HARRIS: Mr. Chairman.

8 CHAIRMAN SENATOR DUNCAN: Senator Harris.

9 QUESTIONS BY SENATOR HARRIS

10 SENATOR HARRIS: There -- there has 06:29 PM

11 been -- right now we're under a court-ordered plan that

12 has gone up to the U.S. Supreme Court and been approved.

13 Right now, one of the questions that have to be answered

14 is presuming that there's redistricting in light of the

15 new Ashcroft-Georgia ruling, which came out ten days, 06:29 PM

16 two weeks ago, a whole new standard has now been

17 established as far as minority districts. Prior to

18 this, we've had -- and I certainly don't pretend to be a

19 constitutional lawyer, but we've had the majority of

20 minority impact districts, and now under Ashcroft -- and 06:30 PM

21 the court gave us those standards on which to go by.

22 More or less, there's no black and white guidelines as

23 to how to apply the Ashcroft standard on minority

24 influence districts.

25 Now, my question to you as a member of 06:30 PM

1 SRC: Currently, if you look at voting patterns under 06:30 PM  
2 the court-ordered plan, there are 19 to 20 districts,  
3 that the majority of those districts are Republican  
4 districts based on the Rilander '98 Plan (phonetic) -- I  
5 mean, numbers. Based upon the Dewhurst race, you can go 06:31 PM  
6 back and use almost any statewide election and that  
7 would apply. In turn, though, about those districts,  
8 the voters have come in and decided to stay with an  
9 incumbent Democrat.

10 Now, the question I have for you, since we 06:31 PM  
11 have -- we do not know how Georgia versus Ashcroft would  
12 be applied as versus the minority influence district, do  
13 you think as a member of SRC if it's worth the gamble?  
14 Right now, we are guaranteed with the court plan that's  
15 in place through the next census, but the legal question 06:32 PM  
16 out there that if we redistrict, then in turn, is the  
17 court obligated to apply Georgia versus Ashcroft case to  
18 Texas, and then in turn, impose upon us the new  
19 standards of the Ashcroft case, which would be minority  
20 influence districts? 06:32 PM

21 And what my question is to you: Do you  
22 feel like we're better off having the current definite  
23 plan, knowing where we are, or do you as a member of SRC  
24 think we should crapshoot, because that's literally what  
25 it could be due to the new standards that have been 06:33 PM

1 established under Georgia versus Ashcroft? 06:33 PM

2 MS. QUIRAM: I'm not sure that I want to  
3 venture into answering that, sir. That's pretty deep.

4 SENATOR HARRIS: Well, but do you see my  
5 quandary? 06:33 PM

6 MS. QUIRAM: Yes, I do. And I would bow  
7 to the wisdom of some of this panel and some of you  
8 folks and how you would work this out.

9 SENATOR HARRIS: Well, don't you as a  
10 member of SRC think that this is an issue that we 06:33 PM  
11 definitely should consider?

12 MS. QUIRAM: Oh, well, I'm sure it is,  
13 sir, if it comes to the table.

14 SENATOR HARRIS: Well, it could be very  
15 quickly coming to the table. 06:33 PM

16 MS. QUIRAM: Then I would withdraw my  
17 position and split McLennan County if that is the only  
18 way that you could reach a fair decision.

19 SENATOR HARRIS: Well, I don't think it's  
20 right to split a community of interest like McLennan 06:33 PM  
21 County, Texas personally, but again, I think until we  
22 can get legal -- until we can get a genuine legal  
23 opinion and realize or calculate the gamble we're taking  
24 over these minority influence districts. I hope you  
25 understand my quandary. 06:34 PM

1 MS. QUIRAM: I understand your position, 06:34 PM  
2 sir.

3 SENATOR HARRIS: Thank you.

4 CHAIRMAN SENATOR DUNCAN: Thank you,  
5 Ms. Quiram. 06:34 PM

6 MS. QUIRAM: Any other questions?

7 CHAIRMAN SENATOR DUNCAN: No. Thank you  
8 very much.

9 MS. QUIRAM: Thank you, sir.

10 CHAIRMAN SENATOR DUNCAN: We appreciate 06:34 PM  
11 you being with us.

12 MS. QUIRAM: Well, we appreciate you being  
13 here.

14 CHAIRMAN SENATOR DUNCAN: We didn't mean  
15 to grill you so much, it just kind of give us -- 06:34 PM

16 MS. QUIRAM: Thank you.

17 SENATOR HARRIS: I wanted her as a  
18 sounding board.

19 CHAIRMAN SENATOR DUNCAN: Well, I did,  
20 too. And I appreciate you being here. 06:34 PM

21 SENATOR HARRIS: Thank you.

22 SENATOR VAN DE PUTTE: Thank you, Helen.

23 (Whereupon, Ms. Quiram was excused.)

24 CHAIRMAN SENATOR DUNCAN: Members, it is  
25 6:35, we've been going a little over an hour and a half 06:34 PM

1 and it's time for a break. We will reconvene in 15 06:34 PM  
2 minutes. And, Members, let's try to get back on time.  
3 We've got a lot of people that have been here a long  
4 time today and they want to get through, I know, so I  
5 intend to start on time. Thank you. 06:35 PM

6 (Recess.

7 CHAIRMAN SENATOR DUNCAN: Senator Gallegos  
8 and I are wanting to go ahead and I think the other  
9 Members are on their way, so let's go ahead and get  
10 started. 07:02 PM

11 The Chair will call Robert Gamboa.

12 ROBERT GAMBOA, LULAC

13 having signed an oath card, testified as follows:

14 DIRECT TESTIMONY

15 BY ROBERT GAMBOA:

16 A Good evening, Senator Duncan, my name is Robert  
17 Gamboa. I'm a Representative of the League of United  
18 Latin American Citizens, commonly referred to as LULAC,  
19 and I appreciate the opportunity to be here before this  
20 hearing, which contains such a visionary setting for all 07:02 PM  
21 Texans.

22 I would begin by, one, as many have said  
23 at the start of today's session, that we welcome you to  
24 our great community and we're very, very pleased and  
25 appreciative of the opportunity to convey our concerns 07:03 PM

1 and our wishes to this Committee and to look forward to 07:03 PM  
2 your leadership in guiding that this all works out to  
3 the best of everyone in the State of Texas.

4 May I also say that this particular map  
5 and any other map that appears is simply truly 07:03 PM  
6 unacceptable. The fact that -- to entertain the map, as  
7 I see it here, Plan 01268C, is merely a fashion ticket  
8 to dance with the devil. I would identify the devil as  
9 Mr. DeLay in Washington.

10 AUDIENCE MEMBERS: (Applauded). 07:03 PM

11 A To choose any other redistricting map, again,  
12 is totally unacceptable. The fact that if the -- those  
13 who would choose to arbitrarily sell Texas down the  
14 river for the sake of party affiliation and greed should  
15 never be considered servants of the community, should 07:04 PM  
16 never be given the responsibility to voice concern on  
17 behalf of individuals such as myself, the Hispanic  
18 community, least of all, Members of this prestigious  
19 body.

20 The fact that we urge you, Mr. Duncan, to 07:04 PM  
21 join with your colleague who just last night, according  
22 to published media reports, is denouncing this map. The  
23 Honorable Delwin Jones, Republican Representative from  
24 your home city, Lubbock. And I would urge you to  
25 consider to vote no to any redistricting map that would 07:05 PM



1 continue, as has been these last few weeks, to be viewed 07:05 PM  
2 as a divisive manner in dividing McLennan County and  
3 this fine city. This is my home, Senator, and I do not  
4 appreciate anyone taking me back to the '50s and  
5 claiming that it is progress and all the same as the 07:05 PM  
6 padrone system --

7 AUDIENCE MEMBERS: (Applauded).

8 A (Inaudible). I am not a -- a true sayer of the  
9 padrone system, that is my parents and my grandparents.  
10 And for their blood and for their virtue in this State 07:05 PM  
11 of Texas, that will never, never happen as long as I  
12 draw a breath and be able to vote. And if it means that  
13 I have to walk and if it means that LULAC has to walk to  
14 ensure that we have credibility in Central Texas, then,  
15 Senator, we will do that, and we will do that to the 07:06 PM  
16 max.

17 AUDIENCE MEMBERS: (Applauded).

18 A It is something that is dependent upon our  
19 community. To imply that this map or any other  
20 redistricting map would benefit the Hispanic community 07:06 PM  
21 is an untruth. Senator, I say to you that figures  
22 mathematically can say a lot of things. But those  
23 figures are lying when it says that we have 30/40% and  
24 that we, if we go into a different district, our vote  
25 will be just as powerful and just as useful. It will 07:06 PM

1 not, Senator. It will be diluted to the point that we 07:06 PM  
2 are nonexistent. I appear in the flesh before you. I  
3 am not nonexistent and never will I be until I cease to  
4 ultimately be nonexistent.

5 May I urge the individual representatives 07:06 PM  
6 of this community and this -- of this particular body to  
7 understand that the Hispanic community is saddened by  
8 that map. The only thing missing is the urging of a  
9 poll tax.

10 AUDIENCE MEMBERS: (Applauded).

11 A That is the sadness of that map. May I urge  
12 and with distinction that Mr. Edwards has been not only  
13 a friend of the Hispanic community, but a leader of the  
14 Hispanic community, of the minority community, of all of  
15 Central Texas, least of all Waco and McLennan County. 07:07 PM  
16 It is not just Democrats that has voted him into office,  
17 it is Members of the other parties that have done as  
18 well. And if we are pleased with Mr. Edwards, let us be  
19 continued to be pleased with Mr. Edwards.

20 In closing, Senator Gallegos, may I urge 07:07 PM  
21 you as your voice, your tremendous voice, not only from  
22 Harris County from Houston, Texas, extinguish the  
23 imburst (phonetic) of this discriminatory tactic called  
24 progress for voting.

25 Senator West, may I urge you, sir, to use 07:07 PM

1 your power to create a domino effect of people saying 07:08 PM  
2 "no, we will not tolerate the likes of this map."

3 May I urge you -- and Mr. Harris is not  
4 with us at the moment. His bailiwick, if you will, his  
5 portfolio is economic development. Central Texas is 07:08 PM  
6 virgin territory for economic development. Our Senator,  
7 the Honorable Edwards, knows that all too well as a  
8 small businessman and growing, and we appreciate that.  
9 But if that map or anything close to it is allowed to  
10 exist, it would destroy the future of this community. 07:08 PM

11 Last, but not least.

12 AUDIENCE MEMBERS: (Applauded).

13 A Senator Van de Putte, you've worked with us at  
14 the community Technical College over the -- over the  
15 last few years. May I urge you to invoke the spirit of 07:08 PM  
16 the Honorable Luna, Gregory Luna. Let his spirit rise  
17 because you know as well as I and probably every Member  
18 on this Committee that he would not stand silent to  
19 anything of that fashion.

20 Ladies and gentlemen, while it may sound 07:09 PM  
21 emotional, let it be so, because what is being proposed  
22 is not in the true American way. And we will vote and  
23 we will vote and we will vote, but we will vote for the  
24 people that we want who serve our community the best.  
25 Thank you very much. 07:09 PM

1 CHAIRMAN SENATOR DUNCAN: Thank you. 07:09 PM

2 AUDIENCE MEMBERS: (Applauded).

3 SENATOR VAN DE PUTTE: I have a question.

4 CHAIRMAN SENATOR DUNCAN: Mr. Gamboa,  
5 there's a question. 07:09 PM

6 VICE CHAIRMAN SENATOR GALLEGOS:

7 Mr. Gamboa --

8 MR. GAMBOA: I'm sorry. Yes, sir.

9 QUESTIONS BY SENATOR VAN DE PUTTE

10 SENATOR VAN DE PUTTE: Mr. Gamboa, thank 07:09 PM  
11 you very much. I just have a quick question and, I'm  
12 sorry, I heard part of it as I was coming in. Would you  
13 let us know, how many Hispanics are there in McLennan  
14 County?

15 MR. GAMBOA: I think that we're about in 07:09 PM  
16 the average of 21% - 22% over the last two census  
17 periods. It's been reported that our numbers continue  
18 to double, not increase by a certain amount, but double.  
19 And -- and that is significant because as we begin to  
20 finally provide that leverage in the American way of 07:10 PM  
21 participating in our governmental processes, this type  
22 of situation stands to send us back 20 - 25 years and  
23 dilute our effectiveness. We have become very effective  
24 in this community.

25 SENATOR VAN DE PUTTE: In light of the 07:10 PM

1 Ashcroft case that many of the folks have talked about 07:10 PM  
2 that came out about ten days ago, I wanted to ask you:  
3 Since the coalition building of a Hispanic community and  
4 like-minded coalitions seem to be able to join together  
5 to elect a person of their choice, from your testimony, 07:10 PM  
6 I can gather that although your current Congressman is  
7 not Hispanic, he's been a great leader for Hispanics, is  
8 that correct?

9 MR. GAMBOA: Let me -- let me answer you  
10 in this way. Mr. Edwards is one of a kind. We 07:11 PM  
11 appreciate Mr. Edwards being --

12 AUDIENCE MEMBERS: (Applauded).

13 MR. GAMBOA: -- (inaudible) you still --  
14 the issues and concerns of all of the community, in  
15 particular the minority community; and, yes, we have 07:11 PM  
16 coalesced, we've developed the coalescence with the  
17 African American community and we've done well and we've  
18 worked well and we look to the future to do an even  
19 better job of working together.

20 SENATOR VAN DE PUTTE: Thank you, 07:11 PM  
21 Mr. Gamboa.

22 MR. GAMBOA: Thank you very much.

23 AUDIENCE MEMBERS: (Applauded).

24 (Whereupon, Mr. Gamboa was excused.)

25 CHAIRMAN SENATOR DUNCAN: Alexander 07:11 PM

1 Vernon.

2 ALEXANDER VERNON,

3 PAST STATE COMMANDER OF VETERANS OF FOREIGN WARS

4 having signed an oath card, testified as follows:

5 DIRECT TESTIMONY

6 BY ALEXANDER VERNON:

7 A Mr. Chairman, Members of the Committee, my name  
8 is Alexander Vernon, Past State Commander for the  
9 Veterans of Foreign Wars, and also seven years as a  
10 State commissioner for the Texas Veteran's Commission, 07:12 PM  
11 and at present the vice Chairman for Bell County  
12 veterans.

13 This evening, I would like to talk to  
14 y'all on why we are against this redistricting. We have  
15 a Congressman who has been fighting for us for our 07:12 PM  
16 entitlements, not benefits, change the word "benefits"  
17 to "entitlements." In particular, we feel as if this  
18 effort is targeted against a lone Congressman in Waco,  
19 Chet Edwards.

20 Veterans in our district have an extremely 07:12 PM  
21 strong advocate in Congressman Edwards who has not only  
22 fought for us locally, but has beneficially fought for  
23 veterans in the U.S. House of Representatives. Just  
24 recently, he led the fight to push back cuts to  
25 veteran's programs in a federal budget. He went on to 07:13 PM

1 fight for concurrent receipt for all veterans. 07:13 PM

2 I hope that y'all are aware of concurrent  
3 receipt, and that is the pay that was supposed to be  
4 given to veterans with disability, but for some reason  
5 they changed it around, and Chet Edwards went back in 07:13 PM  
6 trying to get this stuff to pass in the Congress and the  
7 Senate. Again, we have to give him credit for this.

8 He has helped us getting the land from  
9 Fort Hood, which was 174 acres of land for the state  
10 cemetery, and I want to thank you, the Senators and the 07:13 PM  
11 Congress, for helping us to provide this state cemetery  
12 a wishful place in the State of Texas because as we know  
13 in our lifetime we will never see another cemetery that  
14 is a national cemetery in the State of Texas.

15 We had to get 174 acres of land. Chet 07:14 PM  
16 Edwards spearheaded the program by making a first move  
17 to get it passed in Washington, D.C. It was passed and  
18 our cemetery right now is on the way of being  
19 constructed on Fort Hood, which is a federal  
20 reservation. But we have long fought for this because 07:14 PM  
21 spouses cannot travel from Central Texas to San Antonio  
22 or to Dallas, where we have a national cemetery. With  
23 this kind of happenings, we have to ask that y'all not  
24 pass this redistricting because Chet Edwards has been  
25 fighting for us and we have a lot of confidence in him. 07:14 PM

1                   There's a town in Bell County where                   07:15 PM  
2 veterans are nearly -- a vast amount: Fort Hood and its  
3 veteran's medical hospitals. They should hear what  
4 these people have to say before they plan to undermine  
5 the choices that are made. These hearings, however, do 07:15 PM  
6 not appear to be part of the House redistricting  
7 committee's plan. That determines the credibility and  
8 legitimacy of the proceedings. If they do not intend to  
9 consider Central Texas as part of this redistricting,  
10 then they should have dropped the whole idea.                   07:15 PM

11                   We must not forget that the veterans that  
12 fought for this country are asking you, the Senate, once  
13 again, for your help. We need to keep peace in this  
14 state. We are overseas right now keeping peace in every  
15 country, we need to start right here in Texas. Thank           07:16 PM  
16 you.

17                   AUDIENCE MEMBERS: (Applauded).

18                   CHAIRMAN SENATOR DUNCAN: Members, are  
19 there any questions?

20                   (Whereupon, Mr. Vernon was excused.)

21                   CHAIRMAN SENATOR DUNCAN: The Chair calls  
22 Terry Iverson -- Jerry Iverson.

23

24

25



1                   JERRY IVERSON, SITE INSPECTOR,  
2                   L-3 COMMUNICATIONS INTEGRATED SYSTEMS  
3           having signed an oath card, testified as follows:

4                   DIRECT TESTIMONY

5           BY JERRY IVERSON:

6           A       Mr. Chairman, Committee Members, thank you. I  
7           am Jerry Iverson. I'm the site inspector for L-3  
8           Communications Integrated Systems, which I believe is  
9           the largest private employer here in Waco.

10                   First, I'd like to say I've really enjoyed 07:16 PM  
11           the opportunity to view this exercise in Democracy. I  
12           spent 24 years in the U.S. Air Force and due to the  
13           regulations on active military, I've never had the  
14           opportunity to come forward in this type of forum.

15                   For those of you who do not know about       07:17 PM  
16           Integrated Systems, I'll take just a couple of seconds  
17           to tell you about a few facts. Earlier, Senator Harris  
18           was talking about Raytheon out there. In the 13 years  
19           since I've been here, we've had about four name changes.  
20           We started out as Chrysler Technologies Airborne       07:17 PM  
21           Systems, went to Raytheon E-systems, then Raytheon  
22           Company and then last year we were purchased by L-3  
23           Communications.

24                   We are located on the extreme north side  
25           of Waco at the old James Connally Air Force Base. We       07:17 PM

1 employ just over 1500 people, including 350 engineers 07:17 PM  
2 and about another 250 degreed specialists. Our business  
3 is modernizing, modifying and performing heavy  
4 maintenance on large aircraft. This includes avionics  
5 upgrades in the cockpits of aircraft, integration of 07:17 PM  
6 emission systems in the fuselage of aircrafts, VIP  
7 interiors for head of state aircraft, as well as heavy  
8 structural modifications, such as the Sofia Program that  
9 Congressman Edwards talked about earlier.

10 The preponderance of our work is with DOD 07:18 PM  
11 and other government agencies. Currently, we have over  
12 25 aircraft at work and we have delivered 11 aircraft to  
13 satisfied customers so far this year.

14 I appreciate the opportunity to speak on  
15 redistricting of such a significance on the welfare of 07:18 PM  
16 Texas and its residents. I recognize the importance of  
17 redistricting and the task of ensurance that any  
18 redistricting reflects the best interest of all the  
19 citizens of Texas. I also understand that your task is  
20 not an easy one. 07:18 PM

21 I'm not here to support a political  
22 office -- a political party or any specific individual;  
23 however, I do recognize the importance of a focused  
24 Central Texas Congressional District which supports the  
25 interests of Central Texas, including the business and 07:18 PM

1 the economic well-being of this area. 07:18 PM

2 AUDIENCE MEMBERS: (Applauded).

3 A I also am not here to express an opinion on how  
4 redistricting should be done in the larger context.  
5 Rather, I would like to advise this Committee about how 07:19 PM  
6 the current district has done with respect to fully  
7 representing the interests of its constituents,  
8 including L-3 Communications.

9 As I stated earlier, our business is  
10 closely tied with the defense of the United States. It 07:19 PM  
11 is imperative that anyone representing the district in  
12 which L-3 is located be fully engaged in understanding  
13 the defense needs and to be able to associate those  
14 needs with L-3 skills and capabilities. Our  
15 Representatives need to be able to undertake active 07:19 PM  
16 representation of L-3 in Washington.

17 The ability of L-3 to capture new business  
18 is important certainly to the company, but it's also  
19 important to the community here in Waco in general. The  
20 more success that L-3 has in maintaining and growing its 07:19 PM  
21 business, the greater benefit to the citizens of this  
22 district in the form of new jobs, higher income and  
23 greater community involvement.

24 On an even broader scale, healthy growing  
25 business is part -- in any part of the state benefits 07:20 PM

1 all the citizens of Texas no matter where you live. The 07:20 PM  
2 kind of direct support needed by L-3 in furthering its  
3 ability to compete and win defense business both in the  
4 United States and abroad has been well met under the  
5 current structure, and that consists of a focused 07:20 PM  
6 coherent Central Texas Congressional District. That  
7 support has always been characterized by a willingness  
8 to listen and a will to act.

9 In this morning's paper, there was an  
10 article on the defense appropriation bill approved 07:20 PM  
11 yesterday in Washington that included 30 million dollars  
12 for work on Navy surveillance platforms and Army command  
13 control platforms where the work will be done out in  
14 Waco, that's the type of support we've received.

15 In addition to that, over the past few 07:20 PM  
16 years, we've received in excess of 60 million dollars of  
17 Congressional, plus a defense budget, that positively  
18 impacts the workforce at L-3 Communications.

19 So therefore, as the Legislature considers  
20 the redistricting, I strongly urge you that serious 07:21 PM  
21 consideration be given to whether the current district  
22 truly and well represents those who reside in the  
23 district. If it does, as I believe our current district  
24 does, then any change, if any change at all is required,  
25 be such that the core of the current district survives. 07:21 PM

1 To use an old Air Force expression, "if it ain't broke, 07:21 PM  
2 don't fix it." Thank you.

3 AUDIENCE MEMBERS: (Applauded).

4 CHAIRMAN SENATOR DUNCAN: Members, any  
5 questions? 07:21 PM

6 Senator West.

7 QUESTIONS BY SENATOR WEST

8 SENATOR WEST: Let me just -- let me -- to  
9 the speaker. You would not believe how many people  
10 around the State of Texas that have appeared before this 07:21 PM  
11 particular Committee have used the same phrase, "if it  
12 ain't broke, don't fix it." In every city -- in every  
13 city we've gone to, someone has said the same thing and  
14 I just want to make sure you knew that.

15 MR. IVERSON: Thanks. 07:22 PM

16 AUDIENCE MEMBERS: (Applauded).

17 (Whereupon, Mr. Iverson was excused).

18 CHAIRMAN SENATOR DUNCAN: The Chair calls  
19 Carson Hog -- Hoge. Carson Hoge. Is Mr. Hoge in the  
20 audience?

21 AUDIENCE MEMBER: He had to leave, I  
22 think.

23 CHAIRMAN SENATOR DUNCAN: Okay. Let the  
24 record reflect that Mr. Hoge is not present, but would  
25 register a position in opposition to redistricting. 07:22 PM

1                   The Chair recognizes Charles Patterson,       07:22 PM  
2 Superintendent of the (inaudible) Independent School  
3 District.

4                   AUDIENCE MEMBER: Killeen.

5                   CHAIRMAN SENATOR DUNCAN: Killeen. Wrong   07:22 PM  
6 part of the state.

7                   MR. PATTERSON: Thank you, Mr. Chairman.  
8 With my printing or writing, I can understand you  
9 looking at it that way.

10                  CHAIRMAN SENATOR DUNCAN: We usually get a 07:22 PM  
11 doctor's award, but your writing -- you haven't gotten  
12 it. Your writing is pretty good.

13                  MR. PATTERSON: Okay. Thank you, sir.

14                  CHARLES PATTERSON, SUPERINDENT,

15                  KILLEEN INDEPENDENT SCHOOL DISTRICT

16 having signed an oath card, testified as follows:

17                  DIRECT TESTIMONY

18 BY CHARLES PATTERSON:

19                  A     Mr. Chairman, Members of the Committee, first I  
20 want to commend you. I testified before both state       07:23 PM  
21 education committees and some committees due to  
22 Congressman Edwards' support in Washington, and you have  
23 been the most receptive listeners. You've kept in  
24 attendance at high rate, and I want to commend you. It  
25 makes people that come and drive and wait for testimony 07:23 PM

1 feel affirmed and I want to thank you for that. 07:23 PM

2 CHAIRMAN SENATOR DUNCAN: Thank you.

3 A I am Charles Patterson, Superintendent of the  
4 Killeen Independent School District. We're in Bell  
5 County. Our district is composed of the Cities of 07:23 PM

6 Killeen, Harker Heights and Nolanville, and additionally  
7 located within the boundaries of our district is Fort  
8 Hood, a two-division United States Army installation.

9 Of the approximate 32,000 students that  
10 will enroll in August in our school district, about 07:23 PM  
11 one-half of these students will be from families of  
12 soldiers assigned to Fort Hood.

13 Our district is heavily dependent on  
14 federal Impact Aid, a program designed to compensate  
15 school districts for revenue loss from non-taxable 07:24 PM

16 federal properties. On two occasions in recent years,  
17 this program has been seriously threatened to either be  
18 eliminated or severely reduced. Had either of these  
19 threats become reality, the results of the Killeen and  
20 Copperas Cove school districts would have been 07:24 PM

21 catastrophic. Due to the efforts of Congressman Edwards  
22 from the 11th Congressional District and bipartisan  
23 support from throughout the nation, the threats were  
24 thwarted.

25 My plea to you today is that in your 07:24 PM

1 discussions and planning about redistricting, you 07:24 PM  
2 carefully consider the serious negative consequences for  
3 our area if we lose our incumbent Congressman.

4 Of particular interest to me and thousands  
5 of other persons residing in this district is that the 07:24 PM  
6 children of soldiers serving our country receive a  
7 quality education. And quite honestly, children have  
8 not been mentioned much today in testimony. But  
9 military families residing in our area should not have  
10 to worry about their child's education while they're 07:25 PM  
11 deployed to Iraq or other assignments around the world.  
12 Stability is critical for the families of military.

13 Due to the efforts of Congressman Edwards,  
14 Senator Kay Bailey Hutchison and other bipartisan  
15 support, Impact Aid remains a strong program. But it is 07:25 PM  
16 an ongoing fight to preserve this program which is so  
17 vital to school districts throughout the nation who  
18 serve the children of the military.

19 Our area needs a strong effective voice in  
20 Congress with an understanding of the needs of the 07:25 PM  
21 military and military families. You've heard about the  
22 committees that Congressman Edwards serves on, very  
23 vital to our area. He was co-founder and serves as  
24 Co-chair of the House Impact Aid Coalition, a very  
25 outstanding group that -- with the Senate coalition 07:25 PM



1 that's been real responsible for keeping the Impact Aid 07:26 PM  
2 programs strong.

3                   The loss of this Congressional voice due  
4 to redistricting would be a serious blow to Fort Hood  
5 and our area. And for the children of our military 07:26 PM  
6 across this nation and around the world, the loss of  
7 this voice would be a tragedy. Seniority in Congress  
8 does make a difference.

9                   Some will say that the issue I'm  
10 addressing is a small one in the big perspective. But I 07:26 PM  
11 would share with you that the manner in which  
12 decision-makers in this state demonstrate support for  
13 military installations located in Texas and the messages  
14 that these decision-makers send to the families of the  
15 military is one of the most significant issues in this 07:26 PM  
16 state and will be a major determiner in the future of  
17 Texas.

18                   Please do not dismantle the 11th  
19 Congressional District. Yours is a challenging task. I  
20 am very thankful you came to Central Texas. Thank you, 07:27 PM  
21 Senator, for working on that and for letting the voices  
22 of some wonderful people from the 11th Congressional  
23 District be heard. Thank you very much.

24                   CHAIRMAN SENATOR DUNCAN: Thank you,  
25 Charles. 07:27 PM

1 AUDIENCE MEMBERS: (Applauded).

2 CHAIRMAN SENATOR DUNCAN: Members, are  
3 there any questions?

4 (Whereupon, Mr. Patterson was excused.

5 CHAIRMAN SENATOR DUNCAN: The Chair 07:27 PM  
6 recognizes William P. Kliner?

7 MR. KLIWER: Kliwer.

8 CHAIRMAN SENATOR DUNCAN: You might spell  
9 that.

10 MR. KLIWER: K-L-I-W-E-R. William Kliwer. 07:27 PM  
11 That's a funny looking "W" there.

12 WILLIAM P. KLIWER, BOARD OF TRUSTEES,  
13 KILLEEN INDEPENDENT SCHOOL DISTRICT  
14 having signed an oath card, testified as follows:

15 DIRECT TESTIMONY

16 BY WILLIAM KLIWER:

17 A I come to you today as a member of the board of  
18 trustees of the Killeen Independent School District and  
19 also as a businessman in Killeen. And all that I would  
20 ask that you do is do what's in the best interest of 07:27 PM  
21 Central Texas and in the best interest of the State of  
22 Texas. To do that, I think it's important that you have  
23 to look at what's best in the interest of Fort Hood.

24 Fort Hood is the largest single location  
25 employer in the State of Texas with a monthly payroll of 07:28 PM

1 200 million dollars. 2.4 billion dollars a year. It 07:28 PM  
2 has a tremendous impact on the State of Texas. What's  
3 best for Fort Hood is that the voice that represents  
4 Central Texas is a voice that can be heard throughout  
5 Central Texas and represent Fort Hood. We need that 07:28 PM  
6 representation for Fort Hood to ensure that as the  
7 coming round of base realignment and closings comes in  
8 2005 that Fort Hood does not shrink, but that Fort Hood  
9 grows.

10                   Additionally, we need a voice that can 07:28 PM  
11 speak for Impact Aid, as Dr. Patterson mentioned, for  
12 our school district for the 16,000 children of the Fort  
13 Hood soldiers that attend our school district.

14                   Additionally, the school children of the  
15 Copperas Cove school district will testify in a minute 07:28 PM  
16 about the number of their children that are from Fort  
17 Hood as well.

18                   Bell County, Coryell County and McLennan  
19 County are closely linked because of Fort Hood, because  
20 of water interests and other issues, and I would ask 07:29 PM  
21 that you would do everything you can to keep Bell,  
22 Coryell and McLennan Counties intact and as one  
23 district. The best way for you to do that is to vote no  
24 for suspension of rules, to vote no for redistricting,  
25 and to leave the 11th Congressional District intact as 07:29 PM

1 it is. Thank you for your time. 07:29 PM

2 CHAIRMAN SENATOR DUNCAN: Thank you.

3 AUDIENCE MEMBERS: (Applauded).

4 CHAIRMAN SENATOR DUNCAN: Members, any

5 questions? 07:29 PM

6 Thank you.

7 (Whereupon, Mr. Kliwer was excused.

8 CHAIRMAN SENATOR DUNCAN: The Chair

9 recognizes George W. Coffey. Mr. Coffey. While

10 Mr. Coffey is approaching, I'll kind of open up a few on 07:29 PM

11 deck. So we'll have -- next after Mr. Coffey will be

12 Janice Ward and after that will be Chris Benfer.

13 Go ahead, Mr. Coffey.

14 GEORGE W. COFFEY

15 having signed an oath card, testified as follows:

16 DIRECT TESTIMONY

17 BY GEORGE W. COFFEY:

18 A Power to the people of Waco and McLennan

19 County. My name is Mr. George W. Coffey. I'm a Marine

20 Corps. retired and also retired from New York City. 07:30 PM

21 Mr. Chairman, I am against redistricting

22 1000%, but I do have a few questions - five questions,

23 as a matter of fact, a suggestion and a statement.

24 The questions are: What are the

25 advantages and disadvantages of redistricting racially, 07:30 PM

1 educationally, economically and to our veterans and 07:30 PM  
2 disabled veterans in the Waco market? And Tom DeLay  
3 made a statement, as I understood, that he would have  
4 went into the military, but blacks filled up all the  
5 space. He could have gone in the military if he wanted 07:30 PM  
6 to. This is what I have been told.

7 If I may make it very clear, if he made  
8 that statement, will you please tell him he's full of  
9 BS, please? Do that for me.

10 AUDIENCE MEMBERS: (Laughter).

11 A Suggestions and statements: The money you are  
12 going to use is about one-and-a-half million to two  
13 million dollars, so I have been told, for redistricting.  
14 This money can be divided up in our school system. Our  
15 schools need repairing, our schools need improvement, 07:31 PM  
16 our education system needed improvement and the other  
17 money can be used to eliminate terrorism in Waco. Waco  
18 is full of terrorism, economic. I have encountered  
19 terrorism in Waco. As a matter of fact, it started the  
20 week after 9-11. I have been threatened myself with 07:31 PM  
21 contempt -- with silent contempt towards the Texaco  
22 station on 12th Street and Waco Drive. The state was  
23 investigating that.

24 Also, and the name -- and the name of the  
25 man is Chris Peely (phonetic), if I'm pronouncing it 07:31 PM

1 correctly. It hasn't been reported to the Waco police, 07:31 PM  
2 the McLennan County Sheriff's Department and local FBI.  
3 Why? They don't want to take no part in correcting the  
4 situation because you pay for 15 gallons of gas and  
5 getting 14 and less. It's going to get worse in Waco. 07:31 PM  
6 And because we send millions in dollars, millions of  
7 troops and things to foreign countries to stop  
8 terrorism, but we can't stop it here.

9 My point is: Use this money for  
10 redistricting, this is my point, by putting it into the 07:32 PM  
11 education system and then putting it in to eliminate  
12 this economical terrorism. We got it bad, very bad,  
13 it's all up and down I-35.

14 Also, we must use some of this money if  
15 possible to eliminate, as I hear, the closing of the VA 07:32 PM  
16 hospital in Waco. That -- I am a veteran and that  
17 hospital should never be closed. This is the rumors I'm  
18 picking up. We have good uses for that money. Why  
19 should we waste money and screw up the whole system with  
20 redistricting when we've got people here who need help? 07:32 PM  
21 And the redistricting is wrong. I don't know what Tom  
22 DeLay or all his cohorts are trying to do. I don't know  
23 his personally, I just read about him and heard about  
24 him. I thought lynching was illegal and outlawed in  
25 Texas, but I see we still have the political lynching. 07:33 PM

1 This is a good example of political lynching and we must 07:33 PM  
2 not allow that redistricting in the State of Texas and  
3 McLennan County or no place else. We must stand tall  
4 and we must let it remain as it is and we must fight  
5 even if you have to protest. It seems like the people 07:33 PM  
6 here don't know how to protest, but if they want someone  
7 to protest -- a good protestee, I would be a good  
8 protestee. Sometime you've got to fight for what you  
9 want. If you can fight abroad, I can fight right here.  
10 Thank you. 07:33 PM

11 AUDIENCE MEMBERS: (Applauded).

12 (Whereupon, Mr. Coffey was excused.

13 CHAIRMAN SENATOR DUNCAN: (Inaudible).

14 The Chair calls Janice Ward and after that we'll have  
15 Chris Benfer. 07:33 PM

16 AUDIENCE MEMBER: She had to leave.

17 CHAIRMAN SENATOR DUNCAN: Miss Ward is not  
18 in the audience, so let the record reflect that  
19 Miss Ward has registered in opposition to redistricting.

20 The Chair recognizes Chris Benfer. Is 07:33 PM  
21 Mr. Benfer in the audience? Let the record reflect that  
22 Mr. Benfer is not present, but has registered a position  
23 in opposition to redistricting.

24 The Chair recognizes Sherry Miller. Thank  
25 you, Miss Miller. While you're approaching, let me 07:34 PM

1 announce the next witness will be Romania Clark 07:34 PM  
2 Wittstruck and then after that Mandolin Shannon.

3 Thank you. State your name, please?

4 SHERRY MILLER,

5 KILLEEN INDEPENDENT SCHOOL DISTRICT

6 having signed an oath card, testified as follows:

7 DIRECT TESTIMONY

8 BY SHERRY MILLER:

9 A My name is Sherry Miller and I'm speaking in  
10 opposition to the current redistricting -- redistricting 07:34 PM  
11 plan.

12 I've taught in the Killeen Independent  
13 School District for almost 18 years. KISD will educate  
14 about 32,000 students during the 2003/2004 school year.  
15 Almost one-half of those students have one or both 07:34 PM  
16 parents serving currently in active military positions  
17 at Fort Hood. KISD's budget for 2003/2004 will be  
18 approximately 200 million, of which approximately 40  
19 million of operating expenditures come from Impact Aid.

20 Earlier this year, sharp Impact Aid cuts 07:35 PM  
21 were proposed by the Bush plan. For Killeen, that would  
22 have meant approximate -- an approximate 20 million  
23 dollar loss. However, because we have a Representative,  
24 Chet Edwards, who has earned, through years of  
25 experience and very hard work, positions on the 07:35 PM



1 Appropriations Committee and House Budget Committee, 07:35 PM  
2 Killeen ISD did not lose the 20 million dollars. For  
3 those of us who serve as educators in Killeen, it will  
4 allow us to continue to provide the best education for  
5 all of our students in the KISD. 07:35 PM

6 As a native Texan, I've had the  
7 opportunity to appreciate the diversity of several  
8 geographic regions, the Amarillo area, the Dallas/Fort  
9 Worth area, and currently Central Texas.

10 I have lived in Killeen now for almost 19 07:35 PM  
11 years. I've observed the rapid growth of the City of  
12 Killeen and the Waco, Temple and Copperas Cove area. As  
13 Fort Hood has grown into a two-division post, the  
14 economic gains and related support of jobs, such as  
15 retail and like industrial, as well as its own 07:36 PM  
16 governmental entities, such as the city, the county and  
17 educational district. Although this has advanced Texas  
18 monetarily in the Central Texas area, it does also  
19 affect our natural resources, such as water and air  
20 quality. With a strong Central Texas district as we 07:36 PM  
21 currently have, we can assure that our interests and  
22 concerns are heard, not diluted. Just as social  
23 promotion is not allowed in education, our  
24 Representative needs to earn his or her position through  
25 the election process, not through an unnecessary 07:36 PM

1 redistricting process. We've already elected our -- 07:36 PM

2 AUDIENCE MEMBERS: (Applauded).

3 A -- (inaudible). And thank you.

4 AUDIENCE MEMBERS: (Applauded).

5 CHAIRMAN SENATOR DUNCAN: Ms. Miller, we 07:37 PM

6 have a question. Ms. Miller, we have a question.

7 MS. MILLER: Yes, ma'am.

8 QUESTIONS BY SENATOR VAN DE PUTTE

9 SENATOR VAN DE PUTTE: Thank you. And

10 thank you for being here. It's good to hear from our 07:37 PM

11 teachers.

12 MS. MILLER: Thank you.

13 SENATOR VAN DE PUTTE: My question is: In

14 your opening statement, you said that you were against

15 the current redistricting plan. The Senate doesn't have 07:37 PM

16 a plan yet, so --

17 MS. MILLER: Okay. I guess it would be

18 the House plan, the proposed House plan.

19 SENATOR VAN DE PUTTE: So you're opposed

20 on that. Are you against redistricting totally or you 07:37 PM

21 want us to do redistricting just not split up --

22 MS. MILLER: Currently, I would prefer

23 not -- not to redistrict at all.

24 SENATOR VAN DE PUTTE: So your testimony

25 is opposed to redistricting? 07:37 PM

1 MS. MILLER: I'm sorry I wasn't clear on 07:37 PM  
2 that.

3 SENATOR VAN DE PUTTE: Thank you. I  
4 appreciate the clarification.

5 MS. MILLER: Thank you. 07:37 PM

6 CHAIRMAN SENATOR DUNCAN: Any questions?

7 The Chair calls...

8 MS. MILLER: What?

9 CHAIRMAN SENATOR DUNCAN: That's all.

10 Thank you, Ms. Miller. 07:37 PM

11 (Whereupon, Ms. Miller was excused.)

12 CHAIRMAN SENATOR DUNCAN: The Chair calls

13 Romania Clark Wittstruck. Is Ms. Wittstruck in the

14 audience? Thank you.

15 After Ms. Wittstruck, we'll have Mandolin 07:38 PM

16 Shannon and E. Jean Laster -- Lassiter (sic.).

17 Go ahead, Miss Wittstruck.

18 ROMANIA CLARK WITTSTRUCK

19 having signed an oath card, testified as follows:

20 DIRECT TESTIMONY

21 BY ROMANIA CLARK WITTSTRUCK:

22 A I didn't bring my notes because everything that

23 I was going to say has already been said.

24 CHAIRMAN SENATOR DUNCAN: Would you state

25 your name, please? 07:38 PM

1           A     Oh, excuse me. Romania Clark Wittstruck.           07:38 PM

2                   CHAIRMAN SENATOR DUNCAN: Thank you,  
3 Miss Wittstruck.

4           A     Most people know me as Romi (phonetic). The --  
5 I live in Waco, Texas. And I just am very upset about   07:38 PM  
6 that you want to do redistricting at all. I don't know  
7 why the governor ever brought it up. Well, I suspect,  
8 but I don't know, but --

9                   AUDIENCE MEMBERS: (Laughter).

10          A     The rationale -- he certainly didn't campaign   07:38 PM  
11 on this and I don't know anyone who did campaign on this  
12 as a burning issue. I just am completely baffled that  
13 so many people have fallen in line in the House and  
14 voted for this. But right now, it seems to be that --  
15 that Republicans want all of the state-run offices and   07:39 PM  
16 they should have all power in Washington. But, you  
17 know, I recently heard of an axiom and I'd never heard  
18 this before. That every one us has the right to form  
19 our own opinions, but we do not have the right to form  
20 our own facts, and I don't think it's a fact that -- you   07:39 PM  
21 know, that's up to the people. But if this  
22 gerrymandering goes through, and I'm sorry, I want to be  
23 polite because I respect Kip Averitt, I've always  
24 (inaudible). He's been good for this community and he's  
25 been attentive and very receptive to things that are   07:39 PM

1 needed in this community and I -- I feel sorry for you. 07:40 PM  
2 I really -- the pressures that may come on you because  
3 the House has landed this thing in your lap. And I just  
4 think that everybody would be happier if this were just  
5 ended now by not bringing it to the Floor. And not -- 07:40 PM  
6 not getting into the can of worms that would be opened  
7 up if you allow the rules to be bypassed. So please,  
8 please don't do this. Thank you.

9 CHAIRMAN SENATOR DUNCAN: Thank you.

10 AUDIENCE MEMBERS: (Applauded).

11 CHAIRMAN SENATOR DUNCAN: Any questions?

12 (Whereupon, Ms. Wittstruck was excused.

13 CHAIRMAN SENATOR DUNCAN: The Chair calls  
14 Mandolin Shannon. Is Ms. Shannon in the audience? Let  
15 the record reflect that Ms. Shannon has registered -- 07:40 PM  
16 was not present, but asked to be registered in  
17 opposition.

18 The Chair calls Jean Laster, L-A-S-T-E-R.

19 AUDIENCE MEMBER: She's not here.

20 CHAIRMAN SENATOR DUNCAN: Let the record 07:41 PM  
21 reflect that Ms. Laster is not present in the audience,  
22 but registered a position in opposition.

23 Let the record or the Chair calls Glen

24 Acker. Dr. Acker. After Dr. Acker will be Walter

25 Diggles. 07:41 PM

1                   Would you state your name, please?                   07:41 PM

2                   DR. GLEN ACKER,  
3                   COPPERAS COVE INDEPENDENT SCHOOL DISTRICT  
4                   having signed an oath card, testified as follows:

5                   DIRECT TESTIMONY

6                   BY DR. GLEN ACKER:

7                   A     I'm Glen Acker. I'm superintendent of schools  
8                   in the Copperas Cove Independent School District.

9                   Chairman Duncan, Vice Chairman Gallegos is  
10                  not here, and Senator Averitt, the first thing I want to 07:41 PM  
11                  do is express my appreciation for you allowing us in  
12                  Central Texas to give our opinion to you on  
13                  redistricting, and also to commend you on the way you're  
14                  handling the meeting. I too have had the opportunity to  
15                  testify before the Committee, particularly the House       07:41 PM  
16                  committees and Senate committees, and this one is being  
17                  handled as well as any I've seen, and I certainly  
18                  appreciate that and I think you're to be commended.

19                  On behalf of my school district, I urge  
20                  you to oppose any redistricting map, particularly the       07:42 PM  
21                  redistricting map that has passed out of the House on  
22                  July the 8th. This map could have a detrimental effect  
23                  on the Copperas Cove ISD and the students we serve.

24                  Copperas Cove ISD is one of two school  
25                  districts serving Fort Hood, and you just heard from       07:42 PM

1 Superintendent Patterson from Killeen, the other 07:42 PM  
2 district that handles the majority of the students out  
3 of Fort Hood.

4 Our school district has about 3,000  
5 military dependent children whose parents are stationed 07:42 PM  
6 at Fort Hood, and an additional 1,000 children whose  
7 civilian parents work at Fort Hood. These 4,000  
8 children represent about 54% of all the children  
9 educated by our school district. And as you know, we  
10 have -- we are heavily dependent on Impact Aid and we 07:42 PM  
11 are also in the 11th Congressional District with  
12 Congressman Chet Edwards. Because of the impacts  
13 related to Fort Hood, again, we are heavily dependent on  
14 that Impact Aid. As Superintendent Patterson said, in  
15 the past his funds have been very iffy, there's been 07:43 PM  
16 times when we thought they were going away, even this  
17 year, the presidential budget cut out funding for  
18 off-base children, which all of those children -- you  
19 know, in Copperas Cove all of our children are off-base  
20 children. 07:43 PM

21 Because of the efforts of Representative  
22 Edwards on our behalf, funds have not only been  
23 maintained, but have been increased, and payments are  
24 issued in a timelier manner. Last year, approximately  
25 20% of my budget came from Impact Aid, and to lose that 07:43 PM

1 20% would have a devastating effect on Copperas Cove 07:43 PM

2 ISD.

3                   Congressman Edwards has been our  
4 Representative in Washington, D.C. for almost 13 years  
5 and has fought effectively to protect our schools and 07:44 PM  
6 community by keeping Fort Hood strong, and this has been  
7 done in a very nonpartisan way. Because of his position  
8 in the House Democratic leadership, his seniority, his  
9 good working relationship with both Republican and  
10 Democratic Members in Washington and his position on the 07:44 PM  
11 appropriations Committee, he has been able to keep Fort  
12 Hood as the only two-division post in the nation.

13                   As Superintendent Patterson said, that  
14 he's a founder of the Impact Aid Coalition in the House,  
15 he's been able to use his position and seniority to work 07:44 PM  
16 effectively to increase and speed up our Impact Aid  
17 payments and the amount of money that we get.

18                   To protect the schools, communities and  
19 taxpayers of the Fort Hood area, Chet has worked  
20 diligently. He is a ranking member of the Military 07:44 PM  
21 Construction Subcommittee and the second senior ranking  
22 member on the Energy and Water Subcommittee. He's also  
23 a member of the House Budget Committee and has already  
24 made successful fights this year to protect the rights  
25 of veterans and the school-age children and military



1 personnel. I think it was his being on this Budget 07:45 PM  
2 Committee this year that was significant in us  
3 maintaining our Impact Aid money, and I think it would  
4 have been disastrous to cut that Impact Aid money when  
5 we had those soldiers -- 07:45 PM

6 AUDIENCE MEMBERS: (Applauded).

7 A -- in Iraq. Without such thing as a  
8 Representative who is on the right Committee in  
9 Washington, we would not have the thriving community we  
10 have today. And the map approved by the House this week 07:45 PM  
11 removes part of McLennan County and Chet Edwards from  
12 our district. I think you can see how this could  
13 potentially cause a major setback for our district and  
14 effective representation because the map cuts out part  
15 of McLennan County and that cuts out Chet Edwards from 07:45 PM  
16 our district.

17 I realize that I'm talking to you about  
18 one Congressman, but that one Congressman is important  
19 to Central Texas. There is no way that the House map  
20 which takes McLennan County and moves this Congressman 07:46 PM  
21 into a district without the Fort Hood community is best  
22 for Central Texas.

23 I believe the current Congressional map is  
24 fair for both political parties, it allows incumbents  
25 from both parties to retain the traditional base of 07:46 PM

1 their districts, but it also provides the public a very 07:46 PM  
2 real opportunity to take us over the majority of Texas  
3 Congressional delegation. Besides, neither the Texas  
4 Constitution nor any state statute requires - I'll hurry  
5 - the Legislature to act on Congressional redistricting 07:46 PM  
6 in this decade and no court order has told us to do so.  
7 I want to ask you to put Central Texas and Texas ahead  
8 of the partisan politics being pushed by some in  
9 Washington with ambition for national office may have  
10 clouded their view of what is best for Texas. Again, I 07:46 PM  
11 thank you for giving us the time to share our views with  
12 you.

13 CHAIRMAN SENATOR DUNCAN: Thank you,  
14 Dr. Acker.

15 Are there any questions for Dr. Acker? 07:47 PM  
16 Thank you for being here tonight.  
17 (Whereupon, Dr. Acker was excused).

18 AUDIENCE MEMBERS: (Applauded).

19 CHAIRMAN SENATOR DUNCAN: Walter Diggles?  
20 Is Mr. Diggles present? Let the record reflect that 07:47 PM  
21 Mr. Diggles is not present, but has registered as a  
22 resource witness. I guess if there's no questions,  
23 we'll put his card in the record.

24 The Chair recognizes Nolene Sykora,  
25 S-Y-K-O-R-A. After Ms. Sykora will be Dr. David Hardy. 07:47 PM

1 Ms. Sykora, I hope I correctly pronounced 07:47 PM  
2 your name.

3 MS. SYKORA: Yes, you did, sir.

4 CHAIRMAN SENATOR DUNCAN: Well, thank you.  
5 If you would --

6 MS. SYKORA: You're exactly right, and you  
7 spelled it well, too. I appreciate that.

8 CHAIRMAN SENATOR DUNCAN: I think you did  
9 that for me.

10 If you would pronounce -- if you would 07:47 PM  
11 state your name for the record, please?

12 NOLENE SYKORA, PRESIDENT,

13 CENTRAL TEXAS LABOR COUNCIL

14 having signed an oath card, testified as follows:

15 DIRECT TESTIMONY

16 BY NOLENE SYKORA:

17 A Nolene Sykora, S-Y-K-O-R-A. I am President of  
18 the Central Texas Labor Council in Central Texas. We  
19 have 40 unions of teachers, firemen, carpenters,  
20 plumbers, healthcare workers, sheet metal workers and 07:48 PM  
21 newspaper unions and telephone workers in eight  
22 counties, Bosque, Coryell, Falls, Freestone, Hill,  
23 Limestone, McLennan and Milam. This is about 20,000  
24 working men and women of Texas. We see no need for  
25 redistricting again as the Map 1151C that we have seen 07:48 PM

1 will do just fine until the next census as it should be 07:48 PM  
2 in 2010.

3 The special session is a waste of the  
4 taxpayers' money, and union Members do pay taxes.

5 AUDIENCE MEMBERS: (Applauded).

6 A Other issues for this special session we would  
7 like to see undertaken would be the education of our  
8 children. They are our future. Ensuring the VA  
9 hospitals for the care of our veterans stay in place.  
10 Water protection and economic issues. 07:49 PM

11 Our area is so diverse that our interests  
12 are not the same as the larger cities in Dallas and  
13 Houston. We need to keep a local Congressional  
14 Representative from our area. Congressman Edwards has  
15 been concerned with worker's issues and the common man 07:49 PM  
16 because he is one of us.

17 AUDIENCE MEMBERS: (Applauded).

18 A We would ask on behalf of the working men and  
19 women of Texas that you unite together to stop any  
20 redistricting at all in Texas and leave us as we are, as 07:49 PM  
21 we are fine. Thank you.

22 CHAIRMAN SENATOR DUNCAN: Thank you,  
23 Miss Sykora.

24 AUDIENCE MEMBERS: (Applauded).

25 CHAIRMAN SENATOR DUNCAN: Are there any 07:49 PM

1 questions?

07:49 PM

2 (Whereupon, Ms. Sykora was excused.

3 CHAIRMAN SENATOR DUNCAN: The Chair calls  
4 Dr. David Hardy.

5 DR. DAVID HARDY, PEDIATRICIAN

6 having signed an oath card, testified as follows:

7 DIRECT TESTIMONY

8 BY DR. DAVID HARDY:

9 A I'm Dr. David Ray Hardy. I'm a pediatrician in  
10 this district. I'm associate professor of pediatrics 07:50 PM  
11 through Texas A&M Health Science Center at  
12 Scott & White, where I'm a pediatric critical care  
13 physician. I'm here representing myself and my concern  
14 for the healthcare -- the healthcare of the children in  
15 this district. 07:50 PM

16 We've talked about communities of interest  
17 and this district has a fairly unique healthcare  
18 industry. McLennan County and Bell County form the hub  
19 of children's healthcare for this region. Not only this  
20 district, but the surrounding districts around. We have 07:50 PM  
21 about 500 beds in McLennan County, we have about 800  
22 beds in Bell County, and McLennan County has two  
23 hospitals that care for children. We have three  
24 hospitals or four hospitals in Bell who care for  
25 children. We have the only pediatric intensive care 07:51 PM

1 unit in the area as far north as Dallas and as far south 07:51 PM  
2 as Austin. We're sitting right in the middle of it.

3 We routinely share patients between  
4 McLennan County and Bell County for critical care  
5 issues. All the surrounding areas refer in to either 07:51 PM  
6 McLennan County or Bell County for our children that are  
7 brought into the hospitals for subspecialty care. And  
8 this is the hub of all the children's health issues that  
9 we have here.

10 We've developed thousands of national 07:51 PM  
11 force pediatric events, life support. It's a program  
12 that's put on for two days. We've educated the  
13 paramedics in this region, the nurses in this region,  
14 the doctors in this region. We've started out at  
15 Scott & White, it spread to Hillcrest, it spread to all 07:51 PM  
16 the community hospitals. And these two counties really  
17 form the education of healthcare workers of the children  
18 in this area.

19 McLennan County has a family practice  
20 residency. Scott & White has multiple residencies, 07:52 PM  
21 including pediatrics and family practice. And Darnell  
22 at Killeen has an emergency medicine residency in  
23 pediatrics.

24 In the last 20 years that I've been doing  
25 this, I've seen us go from using Fort Hood's helicopters 07:52 PM

1 to come and pick me up and fly out to the different 07:52 PM  
2 regions to pick up kids to now using them as a backup as  
3 the local areas and their private helicopters will do  
4 the same things, but Fort Hood is still there to support  
5 us. 07:52 PM

6 I see us supporting Fort Hood, both  
7 McLennan County and Bell County. When Bell County  
8 didn't have adequate neurosurgeons, McLennan County  
9 would be the ones who would take the referral from Fort  
10 Hood for our soldiers who are injured in training that 07:52 PM  
11 had head injuries. We do the same now in Bell County  
12 now that they have a surgery staff as I routinely on my  
13 nights of call, which is every third night, am reminded  
14 of how closely we're knit with all the surrounding  
15 counties because I get calls from Marlin and West and 07:53 PM  
16 out as far as San Saba and Lampasas and all the small  
17 communities, and we go out and pick these kids up and  
18 bring them in.

19 I just wanted to remind you that the  
20 healthcare industry is a big vital industry. And we're 07:53 PM  
21 very fortunate in this area where we don't have a town  
22 of over 500,000, yet we've got a major university with a  
23 training program, we have another training program here  
24 in Waco, we have another training program at Fort Hood,  
25 and they all are training people on how to take care of 07:53 PM

1 kids. 07:53 PM

2 I just want to keep us intact, and many  
3 times I've called our district representative both at  
4 the federal government and here at the state governments  
5 to help us with healthcare issues and they've really 07:53 PM  
6 come through for us.

7 CHAIRMAN SENATOR DUNCAN: Thank you.

8 Any questions for Dr. Hardy?

9 SENATOR VAN DE PUTTE: Great testimony.

10 CHAIRMAN SENATOR DUNCAN: We appreciate 07:54 PM  
11 it. Thank you. I appreciate your testimony.

12 AUDIENCE MEMBERS: (Applauded).

13 (Whereupon, Dr. Hardy was excused.

14 CHAIRMAN SENATOR DUNCAN: The Chair calls  
15 Phyllis Hardy.

16 PHYLLIS D. HARDY, ATTORNEY

17 having signed an oath card, testified as follows:

18 DIRECT TESTIMONY

19 BY PHYLLIS D. HARDY:

20 A Okay. My name is Phyllis Hardy. I live in 07:54 PM  
21 Morgans Point, a town of 2,000 -- a town of 2,000 in  
22 Bell County, and I implore, I beg you, I request, I urge  
23 you to vote no on any redistricting of Texas, much less  
24 Bell County, Coryell and McLennan Counties. Please do  
25 not split the counties and please vote no -- don't let 07:54 PM



1 some other committee, don't let the House Committee, 07:54 PM  
2 don't let anyone redistrict it. We're doing just fine.  
3 I believe it was Judge Nowlin of the federal -- a  
4 Republican appointee, I can't think of the name  
5 (inaudible).

6 THE REPORTER: Could you speak up a little  
7 bit, please?

8 MS. HARDY: Yes, ma'am. I'm sorry.

9 A I'm also a Native American Indian, a portion of  
10 me, along with my myriad of ethnic backgrounds, as you 07:54 PM  
11 can see. I ask you to please keep voting rights -- the  
12 Voting Rights Act in your mind when you do consider  
13 this, also the United States Constitution.

14 Of the communities of interest, as you  
15 well have heard, Waco, Temple, Killeen, Belton, all the 07:55 PM  
16 present cities and counties, rural, agricultural, TSTI,  
17 Mary Hardin Baylor and Baylor University relationship.  
18 That -- I actually heard that word mentioned today under  
19 the educational auspices of the communities here.

20 Like leadership that we have here in 07:55 PM  
21 common, MCC, McLennan County Community College, Temple  
22 College, the healthcare we share. We share or use each  
23 other as federal and private sectors constantly. The  
24 social, spiritual and the mores that are common here in  
25 Central Texas. We have many independent voters. I have 07:55 PM

1     been an officer of the Republican Party. I have served 07:55 PM  
2     in the Democratic Party. I have voted Independently,  
3     and there are Independents here in this community, and  
4     that's how we vote and we like it that way, and we put  
5     Chet Edwards in there and we want to keep him. He's 07:55 PM  
6     done an excellent job. Incidentally, my (inaudible)  
7     Democratic Committee versus the few that should be  
8     (inaudible).

9                     THE REPORTER: (Gestured).

10            A     The water districts, from what I could see from 07:56 PM  
11     the back of the House, is that we're going to have a  
12     difference in the water districts. We need to stay in  
13     the same watersheds and not be aligned with counties  
14     that aren't.

15                     I understand the educational school board 07:56 PM  
16     state level that we now share between McLennan County  
17     and Bell County, that may be affected if we do this.

18                     And also as to Tom DeLay. I used to be a  
19     member of the American Immigration Lawyer Association  
20     and Gene Butterfield (phonetic) was our executive 07:56 PM  
21     director. And that man, along with Lamar Smith and  
22     Trent Lott, when they became a majority in the mid '90s,  
23     did everything they could to gut immigration law in the  
24     regulations that we had here that helped file cases as  
25     well as improve immigration. They've hurt doctors, like 07:56 PM

1 one instance in Venezuela that's done excellent research 07:56 PM  
2 in Buffalo, New York. He's married to a U.S. citizen  
3 and had a U.S. citizen child, but they kicked him back  
4 to Venezuela, which was against our American interests.

5 They finally have had hearings with closed 07:57 PM  
6 -- closed door sessions, which sounds like something  
7 that's common now in this particular process. They did  
8 everything they could do stymie Hispanic migration  
9 across the Mexican border. That was one of the primary  
10 initiatives. However, a lot of the Republican ranchers 07:57 PM  
11 or whatever have already called to let them know that  
12 hurt their business.

13 Finally, they started looking to American  
14 immigration lawyers in the group and realized that they  
15 needed to quell some of that and kind of revamp and 07:57 PM  
16 bring it back to where they were. But he does not -- it  
17 was stated in the regular session that he was trying to  
18 help the -- not to lose the minority communities, the  
19 blacks or the Hispanics or whatever, that's not a true  
20 statement. His plan, habit, scheme, (inaudible), 07:57 PM  
21 design, his modis operandi was then in the early '90s,  
22 mid '90s, and it is still here today. So please do not  
23 redistrict, it is not in our best interest. The  
24 permutation and combination that could affect your  
25 individual districts, even though you're not here, 07:57 PM

1 Senator Kip Averitt, that you're not in this district 07:57 PM  
2 can be astounding to you. I get involved in New York  
3 politics, I get involved in California politics, and  
4 most of my relatives -- most of my relatives are in  
5 Southeast Texas and I can get involved and we have a 07:58 PM  
6 very good coalition of Hispanics and LULAC, which I used  
7 to be a member of, and NAACP in Belton (inaudible) and  
8 the Coalition of Hispanics, blacks and whites in our  
9 community. We get along, we're all conservative and do  
10 good things for this community. Thank you very much for 07:58 PM  
11 your time and thank you for having this hearing.

12 CHAIRMAN SENATOR DUNCAN: Thank you,  
13 Ms. Hardy.

14 AUDIENCE MEMBERS: (Applauded).

15 CHAIRMAN SENATOR DUNCAN: (Inaudible).  
16 (Whereupon, Ms. Hardy was excused.

17 CHAIRMAN SENATOR DUNCAN: The Chair  
18 recognizes Phyllis Flowers. After Ms. Flowers, we'll  
19 call Mary Duty and Betty Zuspann.

20 Phyllis Flowers. Miss Flowers, state your 07:58 PM  
21 name and who you represent.

22

23

24

25

1                   PHYLLIS FLOWERS, PRESIDENT,  
2                   WACO, McLENNAN COUNTY NAACP  
3           having signed an oath card, testified as follows:

4                   DIRECT TESTIMONY  
5           BY PHYLLIS FLOWERS:

6           A        Good evening, I'm Phyllis Flowers. I'm  
7           President of the Waco, McLennan County branch of the  
8           National Association for the Advancement of Colored  
9           People. And I said the whole name on purpose, rather  
10          than NAACP, because I don't want anyone to believe that 07:59 PM  
11          I'm just standing up here for African Americans. I am  
12          standing up here for people of color, people of  
13          disenfranchisement, regardless of color.

14                    To all those that protocol is due, that  
15          has already been established. I stand here first to        07:59 PM  
16          greet you and welcome you to the great City of Waco, the  
17          great County of McLennan, and to my alma mater, the  
18          Baylor University, the greatest university in the United  
19          States of America --

20                    AUDIENCE MEMBERS: (Applauded).

21          A        -- of which I and my children are graduates of.  
22          Okay.

23                    Now, I stand to testify opposing the  
24          entire redistricting process and all maps that come out  
25          of it, and any maps that come out of or as a result of 07:59 PM

1 these hearings that I have been attending, but this is 07:59 PM  
2 the first time I've got a chance to testify.

3 My basis for my position is simple. The  
4 methodology used in drawing of the boundary lines in  
5 this current process is totally and unequivocally 08:00 PM  
6 illegal.

7 Yes, the Constitution of the United States  
8 does give the State Legislature the authority to  
9 apportion -- to re-apportion Congressional Districts at  
10 the end of each census, every ten years, not every two. 08:00 PM  
11 However, the Constitution clearly states that the data  
12 used for the re-apportioning of these boundary lines be  
13 the population data results from said census reports.  
14 Nowhere within our current Constitution or its  
15 amendments does it give the Legislators, or anyone else 08:00 PM  
16 as a matter of fact, the authority to use any other data  
17 in making the boundary determinations.

18 In this process, the Republicans have made  
19 no qualms as to the fact that the lines are being drawn  
20 using the voting patterns of the past two general 08:00 PM  
21 elections. Since we have had no vote by the people to  
22 adopt a Constitutional Amendment allowing such a  
23 practice, subsequent use of this method is illegal.

24 I could just stop right here. However,  
25 the issue of gerrymandering, stacking, cracking, 08:01 PM

1 diluting, and regression cannot be ignored. It is also 08:01 PM  
2 illegal for the prevailing political party to manipulate  
3 the drawing of boundary lines with the sole purpose of  
4 increasing future representation of election outcomes,  
5 according to the Supreme Court ruling of 1964. This 08:01 PM  
6 ruling of '64 also forbids voters from being stacked,  
7 packed or cracked into fewer heavily populated friendly  
8 districts, while at the same time clearly placing them  
9 into increased numbers of hostile districts. This  
10 practice has already failed to pass the muster before 08:01 PM  
11 the Supreme Court.

12           The Republicans and Governor Perry had the  
13 chance in the last session, without the walkout of the  
14 Killer D's, to take care of redistricting even with the  
15 special session. They relinquished their authority to a 08:02 PM  
16 three-panel judge -- a three-judge panel. Although this  
17 political strategy move was a good one, it does not give  
18 them an opportunity to get a second bite at the  
19 proverbial apple.

20           On yesterday, President Bush, speaking at 08:02 PM  
21 Goree Island in Senegal, made the following statement:  
22 "In the struggle -- in the struggle toward justice,"  
23 he's making reference to the struggle toward justice,  
24 "in the struggle of the centuries, America learned that  
25 freedom is not the possession of one race. We know with 08:02 PM

1 equal certainty that freedom is not the possession of 08:02 PM  
2 one nation. This belief in the natural rights of man,  
3 this conviction that justice should reach wherever the  
4 sun passes, leads America into the world."

5 Therefore, Senators, I hope the sun of 08:02 PM  
6 justice passes through Austin, Texas. And that justice  
7 of the natural rights of man can be realized by you  
8 voting not to consider redistricting at all under any  
9 plan.

10 The President also made the statement 08:03 PM  
11 yesterday that "my nation's journey toward justice has  
12 not been easy and is not over. But however long the  
13 journey, our destination is set, liberty and justice for  
14 all." If that be a true statement and it's

15 Representative of the President and the Republican 08:03 PM  
16 Party, then let justice be for all by leaving intact the  
17 voting rights approved map that already exists and not  
18 go into redistricting at all. But the simple fact is,  
19 the map was drawn up by three Republicans less than two  
20 years ago and passed the Justice Department and has held 08:04 PM

21 through one general election in November. This map at  
22 least gives us political influence in 13 districts  
23 within -- wherein small percentages of the population  
24 forbids a representative of color. With the proposed  
25 maps of today, our hope unborn has died for the entire 08:04 PM



1 minority population for the State of Texas. Thank you. 08:04 PM

2 CHAIRMAN SENATOR DUNCAN: Ms. Flowers,  
3 thank you.

4 AUDIENCE MEMBERS: (Applauded).

5 CHAIRMAN SENATOR DUNCAN: Members, are  
6 there any questions of Ms. Flowers?

7 MS. FLOWERS: Excuse me?

8 CHAIRMAN SENATOR DUNCAN: Questions?

9 I don't think we have any questions.

10 Thank you for your testimony. 08:04 PM

11 AUDIENCE MEMBERS: (Applauded).

12 (Whereupon, Ms. Flowers was excused.

13 CHAIRMAN SENATOR DUNCAN: The Chair  
14 recognizes Mary Duty. And after Ms. Duty will be Betty  
15 Zuspahn -- Zuspahn.

16 MARY DUTY, WACO RESTAURANT ASSOCIATION  
17 having signed an oath card, testified as follows:

18 DIRECT TESTIMONY

19 BY MARY DUTY:

20 A Yes, my name is Mary Duty. I'm here 08:04 PM  
21 representing the Waco Restaurant Association. I'm also  
22 known as Momma Rolo of Poppa Rolo's. I just got through  
23 delivering pizza up to the room in the shape of Texas.

24 CHAIRMAN SENATOR DUNCAN: Is that for us

25 or -- 08:05 PM

1 MS. DUTY: It's for anybody who can make  
2 it up there in a second. I don't know when the breaks  
3 come. I'll have some more coming in a minute.

4 The punch line is: Redistricting is  
5 difficult any way you slice it. 08:05 PM

6 AUDIENCE MEMBERS: (Group laughter and  
7 applause).

8 SENATOR VAN DE PUTTE: (Inaudible).

9 CHAIRMAN SENATOR DUNCAN: (Inaudible).

10 SENATOR WEST: (Inaudible).

11 MS. DUTY: Hamburger, I think. Oh, dear.  
12 Boy, this has been a long day. I don't know how you  
13 guys have done this all over the state, but thank you so  
14 much for letting us be a part of this process.

15 A I also teach social studies. I teach eighth 08:05 PM  
16 graders about American government, and this has been  
17 energizing to me to see that the process does in fact  
18 work, even if it does get tedious and long.

19 We gathered together the board of  
20 directors after a meeting with the Chamber of Commerce 08:05 PM  
21 and some other groups that were concerned about  
22 redistricting, and as we went around the table, we asked  
23 about their concerns. We're on the low end of the food  
24 chain when it comes to all the economies of the sort of  
25 community of interests that we've been hearing about all 08:06 PM

1 day long. But one thing we do know is that when some of 08:06 PM  
2 the big economies, like the Raytheons, the other  
3 industry, the Fort Hood, the hospitals, when those are  
4 affected, people go out to eat less because there's a  
5 climate of fear sometimes. So it does in fact affect 08:06 PM  
6 us. But when we went around the room, we asked "what  
7 does this all mean to you?" One of the Members talked a  
8 lot about neighborhood, about how these -- how  
9 neighborhoods are very important, and in the sense, this  
10 11th District is a neighborhood and we've elected one of 08:06 PM  
11 our neighbors to go to Congress, and that's important to  
12 us.

13 Another said -- I mentioned all the  
14 colleges and all the industries that are intertwined in  
15 our areas, and I think that's clear, you've heard all 08:06 PM  
16 that already today, I don't need to reiterate that.

17 Like I say, our community of interests in  
18 the restaurant industry is that all of these people from  
19 Meridian and from all these different areas you've heard  
20 from today come into our communities and they dine with 08:06 PM  
21 us and we are one big family in a lot of ways.

22 One of the people who visited with us is a  
23 person who grew up in Germany. She's 60 years old. She  
24 was born in 1943 during the time Hitler was in power in  
25 Germany, and her -- her main concern is that "in this 08:07 PM

1 time of political uncertainty and instability in our 08:07 PM  
2 nation, do we really need another form of instability  
3 either socially or politically." And she truly meant  
4 it, she was very worried about what this sort of says  
5 when "we're a nation of laws, we're not a nation of men 08:07 PM  
6 and women." And we need to remember that. She was  
7 very, very pointed about that one.

8 One of our more home-spun Members said "if  
9 ain't broke, don't fix it" and he felt like there was a  
10 lot of other stuff broken in the state, like our 08:07 PM  
11 education system, and so there are other things that we  
12 could be talking about rather than redistricting.

13 We do want to go ahead and go on record  
14 that we would love to see District 11 stay as much like  
15 District 11 is now as possible, to keep McLennan, Bell 08:07 PM  
16 and Coryell Counties together. And I think one of the  
17 things that I heard today, it really helped me, was all  
18 the folks in rural areas when they came in, they talked  
19 about why this district is different. I don't know, I'm  
20 an old country girl myself. I grew up out not far from 08:08 PM  
21 Waco. And when I left there, I put Waco in my rearview  
22 mirror and I swore that I would never come back. A lot  
23 of us did. Guess what, when time came to raise our  
24 families and to find that community and that place that  
25 was good for us, we came back here. And that's what 08:08 PM

1 makes Central Texas I think special because we 08:08 PM  
2 understand that mix of urban and rural works here, and  
3 we need a Representative from that area. We feel  
4 strongly about that. Like I say, you've heard it all.

5 Thanks for your time. Thank you for being 08:08 PM  
6 here. Thanks to Senator Averitt for making this  
7 possible for all of you, we appreciate it. And please  
8 don't. We've got other stuff we need to do. I'm a  
9 teacher. My \$500 was spent a long time ago.

10 CHAIRMAN SENATOR DUNCAN: Thank you,  
11 Ms. Duty.

12 Senator.

13 SENATOR VAN DE PUTTE: Thank you very  
14 much. Just a quick question.

15 CHAIRMAN SENATOR DUNCAN: A quick  
16 question.

17 QUESTIONS BY SENATOR VAN DE PUTTE

18 SENATOR VAN DE PUTTE: I understand your  
19 testimony, communities of interest, neighbors, McLennan  
20 County staying together, but I didn't know if your 08:09 PM  
21 testimony was do redistricting but keep us together or  
22 don't do it at all.

23 MS. DUTY: Well, actually, what I read  
24 tells me that redistricting was already done by the  
25 panel of judges and that we only do that once every ten 08:09 PM

1 years, and if we haven't done this in 50 years and we do 08:09 PM  
2 it now, then it sets a very dangerous precedent that if  
3 we don't like the way things look, then we can  
4 redistrict again, and that's my concern is that -- and I  
5 think a concern of the groups that I represent is that 08:09 PM  
6 if we open up that Pandora's box that we talked about in  
7 the very beginning of our morning, if we open that box  
8 up, then, you know, I think we've opened up a really,  
9 really spooky box and we'll be doing this more and more.  
10 The panel did it. The courts approved it. 08:09 PM

11 SENATOR VAN DE PUTTE: So you'd rather we  
12 not do it?

13 MS. DUTY: Well, we've already done it and  
14 I think if we go back and do it now, it's going to set a  
15 dangerous precedent for the -- 08:10 PM

16 SENATOR VAN DE PUTTE: Thank you very  
17 much. I appreciate it.

18 CHAIRMAN SENATOR DUNCAN: Thank you,  
19 Miss Duty.

20 (Whereupon, Ms. Duty was excused.)

21 CHAIRMAN SENATOR DUNCAN: Betty Zuspenn --  
22 Zuspenn.

23 MS. ZUSPANN: Yes, sir.

24 CHAIRMAN SENATOR DUNCAN: Would you state  
25 your name since I probably messed it up twice? 08:10 PM

1 MS. ZUSPANN: No, actually, you did very well, Senator. 08:10 PM  
2

3 BETTY ZUSPANN,  
4 DISTRICT 11 VETERANS HEALTHCARE AND BENEFITS ADVOCATE  
5 having signed an oath card, testified as follows:

6 DIRECT TESTIMONY

7 BY BETTY ZUSPANN:

8 A My name is Betty Zuspann, Z-U-S-P-A-N-N. I'm a  
9 veterans healthcare and benefits advocate for District  
10 11, so I guess I represent over 250,000 veterans in our 08:10 PM  
11 district as well as their families who also vote. 50%  
12 of those veterans vote in McLennan County. And I think  
13 one of the things that we've all heard here today is the  
14 fact that we are (inaudible) America's community. I  
15 think you kind of get that through the testimonies, we 08:10 PM  
16 are a wonderful American community, and we don't want  
17 you messing with that, okay.

18 AUDIENCE MEMBERS: (Applauded).

19 A This is a wonderful district. I think our  
20 district is called lead by example. If many of the 08:11 PM  
21 districts in the United States of America would come  
22 here and see our district, I think they'd go "you know  
23 what, we want to be like Texas District 11" because  
24 everybody gets along. Everybody votes for the right guy  
25 or woman, not who spent the most money or who promised 08:11 PM

1 the most things they're not going to deliver to us. 08:11 PM

2 AUDIENCE MEMBERS: (Applauded).

3 A I don't mean that facetiously.

4 I am also a Gulf War wife of a disabled  
5 Gulf War veteran. I want to bring up one -- and that's 08:11 PM  
6 all I'm going to say about that because most people know  
7 my story.

8 I have a veterans newspaper which is well  
9 Representative of veterans in the State of Texas. It  
10 goes all over the State of Texas to veterans. 1.5 08:11 PM  
11 million veterans in our state receive our paper in some  
12 form or fashion, whether it's the Internet or in VA  
13 hospitals or in their home by mail.

14 We also have a radio program that's  
15 Webcast over the Internet that not only goes throughout 08:12 PM  
16 the State of Texas, but throughout the United States.

17 We also have a small veterans magazine  
18 that we're hoping to have statewide soon. So I think I  
19 have a pulse on veterans in the State of Texas and I  
20 talk to them all the time. In fact, we put out a feeler 08:12 PM  
21 on our Webcast about redistricting. Our Website  
22 crashed. We had the most return we have ever had on a  
23 poll. 50% response. We're still getting response. We  
24 have put the site -- we had to hurry to get the site  
25 back up. 08:12 PM



1                   Through the newspaper, Webcasting and so   08:12 PM  
2   forth, we have been able to provide job training for  
3   disabled veterans in District 11. I'm very proud of  
4   that. We have never asked this state for a dime for  
5   that job training. Veterans and families and               08:13 PM  
6   communities in this district have helped do that.  
7   That's the kind of family community that we have in this  
8   district.

9                   QUESTIONS BY SENATOR WEST

10                  SENATOR WEST: Let me -- what was the       08:13 PM  
11   results of the poll?

12                  MS. ZUSPANN: Well, they'd just as soon  
13   throw you all out, but --

14                  AUDIENCE MEMBERS: (Laughter).

15                  MS. ZUSPANN: -- we won't go there. I'm   08:13 PM  
16   trying to be courteous, okay. I was stunned by the  
17   poll, actually.

18                  SENATOR WEST: Why do they want to throw  
19   me out?

20                  AUDIENCE MEMBERS: (Laughter).

21                  MS. ZUSPANN: Well, they are just fed up  
22   with everything, let's put it that way. And we're  
23   trying to calm them down by trying to explain to them  
24   the funding, and their questions are --

25                  SENATOR WEST: Then they're not -- they're 08:13 PM

1 not for redistricting? 08:13 PM

2 MS. ZUSPANN: -- when we've got schools  
3 falling down --

4 SENATOR WEST: Hold on one second.

5 MS. ZUSPANN: -- they're against  
6 redistricting.

7 SENATOR WEST: They're not for  
8 redistricting?

9 MS. ZUSPANN: No redistricting whatsoever  
10 at this time. 08:13 PM

11 SENATOR WEST: And these are the veterans  
12 of our state?

13 MS. ZUSPANN: Veterans and family Members,  
14 voters.

15 SENATOR WEST: From across the state? 08:13 PM

16 MS. ZUSPANN: From across the state.

17 SENATOR WEST: Okay.

18 MS. ZUSPANN: And we are still getting  
19 e-mails.

20 A (Testimony resumed by Ms. Zuspenn) I'm -- what 08:13 PM  
21 surprises me is there's starting to be a paradigm shift.  
22 Republican veterans who voted for George Bush are  
23 e-mailing me now that they are not going to do that this  
24 time. Forget it.

25 AUDIENCE MEMBERS: (Applauded).

1           A     They're going to take a strong look. In fact, 08:14 PM  
2     I'm going to tell you right now. In the State of Texas,  
3     there is a veterans voting block that has been started  
4     to be formed that I'm just -- I'm shocked at how they  
5     are all starting to ban together. And when veterans 08:14 PM  
6     start banning together, you know you're either with them  
7     or you're against them, okay. And if you're against  
8     them, you won't be in office.

9                     AUDIENCE MEMBERS: (Applauded).

10          A     And so that's my concern. My concern is that 08:14 PM  
11     we have people in office who are -- who are educated,  
12     they're trained, and in these times of terrorism and  
13     Homeland Security and all these issues that we've got  
14     going on, we've got military personnel scattered all  
15     over the world, that I don't think we need to be wasting 08:14 PM  
16     our time on issues like this. We've got schools falling  
17     down, teachers working three jobs just to buy books and  
18     school supplies for their students. We've got the  
19     emergency room at the Waco VA shut down for budget cuts.  
20     They may close the whole hospital. Temple VA hospital 08:15 PM  
21     had to close down two ICU units because they did not  
22     have the budget to provide nurses and doctors for those  
23     units. There's been four billion dollars taken out of  
24     the veteran's healthcare budget just in the last since  
25     -- the last nine years. So I don't think I'd be talking 08:15 PM

1 to people about redistricting. I think I would be 08:15 PM  
2 taking that money and fixing the schools, protecting our  
3 borders, instead of fighting in a courtroom somewhere.  
4 I think our children need to be educated and I think  
5 that's -- veterans don't just talk about veteran's 08:15 PM  
6 issues, they care about the children in our communities.  
7 And I'm going to tell one thing right now, Chet Edwards,  
8 if there was ever a Congressman that ever stood up for  
9 veterans or anybody in any community, I don't care if  
10 they're black, I don't care if they're Spanish, I don't 08:16 PM  
11 care if they're pink, I don't care if they're green,  
12 that man will call you back, he'll talk to you, he'll  
13 look at an issue and he'll go solve it, and that's  
14 why --

15 AUDIENCE MEMBERS: (Applauded).

16 A -- (inaudible) Independents, Democrats and  
17 Republicans (inaudible) vote for Chet Edwards. Because  
18 (inaudible) is to the Republicans until heck freezes  
19 over.

20 SENATOR WEST: What's that? Heck? 08:16 PM

21 MS. ZUSPANN: Heck freezes over. But that  
22 man right there would get the support of this district.

23 AUDIENCE MEMBERS: Amen.

24 A So I'm not trying to be rude, I'm just vocal.  
25 Everybody that knows me knows that I'm a staunch 08:16 PM

1 veterans' advocate and I'm a strong voters' advocate, 08:16 PM  
2 and I'm going to tell you right now, I've come before  
3 Senator West before down in Austin on the veteran's  
4 budget. But I'm just telling you right now, you're  
5 opening a can of worms that you're going to wish you'd 08:16 PM  
6 never opened and you can tell Tom DeLay to stay out of  
7 District 11's business.

8 AUDIENCE MEMBERS: (Applauded).

9 CHAIRMAN SENATOR DUNCAN: Thank you. I  
10 might have a question. I know that there's a lot of 08:17 PM  
11 smoke coming out of that court reporter's machine over  
12 there.

13 AUDIENCE MEMBERS: (Laughter).

14 MS. ZUSPANN: I'm sorry, I didn't mean to  
15 talk so fast.

16 AUDIENCE MEMBERS: (Laughter).

17 CHAIRMAN SENATOR DUNCAN: Are there any  
18 questions for Ms. Zuspenn?

19 SENATOR VAN DE PUTTE: Thank you.

20 CHAIRMAN SENATOR DUNCAN: Thank you. You 08:17 PM  
21 did a good job.

22 (Whereupon, Ms. Zuspenn was excused).

23 CHAIRMAN SENATOR DUNCAN: The Chair  
24 recognizes L.C. Nabry (phonetic), I believe, or Navy  
25 (phonetic). Let the record reflect that Mr. Navy is not 08:17 PM

1 in the office -- or in the office, not in the audience, 08:17 PM  
2 but has reflected a position in opposition to  
3 redistricting.

4 The Chair recognizes Christy Carlisle  
5 (phonetic). Is Christy Carlisle in the audience? Let 08:17 PM  
6 the record reflect that Ms. Carlisle has registered a  
7 position in opposition.

8 The Chair recognizes Robert Hawkins  
9 (phonetic) of Bellmead. Is Mr. Hawkins in the audience?  
10 Let the record reflect that Mr. Hawkins registers a 08:18 PM  
11 position -- is not present, but registered a position  
12 against redistricting.

13 The Chair recognizes John Hoyt (phonetic).  
14 Mr. Hoyt? Is Mr. Hoyt in the audience? Let the record  
15 reflect that Mr. Hoyt is not present, but registered a 08:18 PM  
16 position against redistricting.

17 The Chair recognizes Tom (sic.) R. Gimble.  
18 Is Mr. Gimble in the audience? Mr. Gimble, if you could  
19 come forward and state your name, please? After  
20 Mr. Gimble, we'll have Steven Autry. 08:18 PM

21 MR. GIMBLE: It's John R. Gimble, but  
22 that's fine.

23

24

25

1 JOHN R. GIMBLE, YOUNG CONSERVATIVES OF TEXAS  
2 having signed an oath card, testified as follows:

3 DIRECT TESTIMONY

4 BY JOHN R. GIMBLE:

5 A My name is John Gimble and I want to thank each 08:18 PM  
6 of you for your time and commitment to this issue. I'm  
7 here tonight on behalf of the Young Conservatives of  
8 Texas and a friend of mine, Josh Keeton (phonetic),  
9 is from the federal society who wasn't able to stay  
10 late. 08:18 PM

11 We would like to say that redistricting is  
12 not a question of right or wrong, Republican or  
13 Democrat, but a requirement and a duty of the State  
14 Legislature, not the Judiciary. Two years ago, the  
15 Judiciary was given this task and this is what they had 08:19 PM  
16 to say, "it was an unwelcome obligation of performing  
17 the Legislature's deeds." And the state newspapers, the  
18 Dallas Morning News and San Antonio Express, had to say  
19 "Governor Perry shouldn't call a redistricting session,"  
20 they were talking about two years ago. The 08:19 PM  
21 redistricting session was never called, but we still  
22 feel that it is the Legislature's obligation, not the  
23 Judiciary.

24 We feel this is a more Democratic process  
25 because the Legislature is directly elected, whereas the 08:19 PM

1 Judiciary is appointed by people, but these were federal 08:19 PM  
2 judges, who unlike Texas judges, don't answer directly  
3 to our constituents here locally. That's pretty much  
4 all we have to say.

5 I have a couple of rebuttals from things 08:19 PM  
6 that were said earlier. Mr. Dunnam said that the act of  
7 the glass was spilled with the sand, it couldn't be put  
8 back together because the redistrict was done back then,  
9 and we would say more that the persons breaking the  
10 rules were those who ran away to Ardmore and didn't 08:20 PM  
11 address the issue in the session and that's why we're  
12 having to have this special session now.

13 AUDIENCE MEMBER: Oh, get a grip. Get a  
14 life.

15 CHAIRMAN SENATOR DUNCAN: Audience, one of 08:20 PM  
16 the rules we've had is that we're allowing everyone to  
17 express their beliefs and opinions.

18 AUDIENCE MEMBERS: Don't do that.

19 CHAIRMAN SENATOR DUNCAN: Well, Mr. Gimble  
20 is entitled to express his beliefs and opinions. 08:20 PM

21 A That's about all I have to say.

22 QUESTIONS BY CHAIRMAN SENATOR DUNCAN

23 CHAIRMAN SENATOR DUNCAN: Let me ask you a  
24 local question --

25 MR. GIMBLE: Yes, sir. 08:20 PM





1 the people deciding, not people appointed for life that 08:22 PM  
2 are in unaccountable positions.

3 CHAIRMAN SENATOR DUNCAN: Any other  
4 questions?

5 Senator Van de Putte. 08:22 PM

6 QUESTIONS BY SENATOR VAN DE PUTTE

7 SENATOR VAN DE PUTTE: Thank you. We  
8 really appreciate you coming and waiting to testify. My  
9 question is: As -- and we love to see young people  
10 involved. It is -- we wish we could do more to get 18 08:22 PM  
11 to 25 year olds and those folks involved in the process.

12 My question to you as a -- as a leader,  
13 office holder in the Young Conservatives, do you believe  
14 that the Representatives, the Senators and the  
15 Representatives should listen to the testimony of those 08:22 PM  
16 folks who have come to testify?

17 MR. GIMBLE: We believe that they should  
18 listen to them about how the districts should be drawn.  
19 I don't think that necessarily this forum is completely  
20 Representative of the whole population as a whole, it 08:22 PM  
21 has to do with who can come. Has there been any polling  
22 data as far are statewide or --

23 SENATOR VAN DE PUTTE: Excuse me. So your  
24 testimony is although we've heard thousands of people  
25 that have come from the different six - seven cities 08:23 PM

1 we've been to -- 08:23 PM

2 MR. GIMBLE: Uh-huh.

3 SENATOR VAN DE PUTTE: -- and we're  
4 supposed to ignore that they say "don't do  
5 redistricting," we're only supposed to listen to how 08:23 PM

6 they want to us redistrict, is that what the -- you as a  
7 conservative leader, is that what you're telling us?

8 MR. GIMBLE: I would say that since the  
9 State Legislature is given the job, that they should do  
10 the job, even though they're not supposed to do it. The 08:23 PM

11 State Legislature is also given the job of raising the  
12 taxes for -- not raising taxes, but raising the money  
13 from taxes to pay the budget. I'm sure that people  
14 don't want to have any taxes, but we've got to take  
15 budgets on that. The people probably don't want to 08:23 PM  
16 change the lines.

17 SENATOR VAN DE PUTTE: But let me ask you  
18 something. As a Young Conservative and a conservative,  
19 you believe that we should listen to the people, and we  
20 have? 08:24 PM

21 MR. GIMBLE: Uh-huh.

22 SENATOR VAN DE PUTTE: So if we're  
23 listening to the people --

24 MR. GIMBLE: Uh-huh.

25 SENATOR VAN DE PUTTE: -- and 96% of the 08:24 PM

1 folks that have come to testify, and they've all been 08:24 PM  
2 announced in newspapers --

3 MR. GIMBLE: Uh-huh.

4 SENATOR VAN DE PUTTE: -- we've got all  
5 the Voting Rights Act at least in the Senate process of 08:24 PM  
6 notification, and I don't know that one folks can read  
7 the newspaper better than another group of folks --

8 MR. GIMBLE: Yeah.

9 SENATOR VAN DE PUTTE: -- everybody's been  
10 given equal opportunity, and so as a Young Conservative, 08:24 PM  
11 if we listen to the people --

12 MR. GIMBLE: Uh-huh.

13 SENATOR VAN DE PUTTE: -- if it is your  
14 view that we should redistrict as a Legislature --

15 MR. GIMBLE: Uh-huh. 08:24 PM

16 SENATOR VAN DE PUTTE: -- and they're  
17 telling us, "don't mess with the lines," if we adopt the  
18 very same lines that have been approved by the panel and  
19 listened to the people who have come to testify --

20 MR. GIMBLE: Uh-huh. 08:25 PM

21 SENATOR VAN DE PUTTE: -- would that in  
22 your opinion be responsible?

23 MR. GIMBLE: Which panel were you talking  
24 about? The panel from the House or --

25 SENATOR VAN DE PUTTE: No. 08:25 PM

1 MR. GIMBLE: -- or the Legislature or the 08:25 PM  
2 Judiciary --

3 SENATOR VAN DE PUTTE: The current Supreme  
4 Court --

5 MR. GIMBLE: Okay. 08:25 PM

6 SENATOR VAN DE PUTTE: -- panel, I mean,  
7 the current Judicial panel that drew the Congressional  
8 lines, two Republicans, one Democrat, that drew  
9 Congressional lines for 32 districts, in which 20 of  
10 those districts have districts that for all practical 08:25 PM  
11 purposes voted for -- 62% or higher for President Bush,  
12 for Governor Perry, for Lieutenant Governor Dewhurst,  
13 they do -- would you as a Young Conservative say that if  
14 we're to listen to the people, the people's choice is  
15 for us, and you want us to do redistricting -- 08:25 PM

16 MR. GIMBLE: Uh-huh.

17 SENATOR VAN DE PUTTE: -- should not we  
18 vote to have the same map that's in place now?

19 MR. GIMBLE: My only question about that  
20 was whether it was a Representative sample of the state 08:26 PM  
21 as a whole. It wasn't that you should ignore the people  
22 that come. I think it's very valid testimony and they  
23 were -- a lot of these have been people who have been  
24 raising very good points about why their particular  
25 community wouldn't benefit from a certain plan and -- or 08:26 PM

1 that they were opposed to the process at this time. 08:26 PM

2 SENATOR VAN DE PUTTE: Well, all I can  
3 tell you is that we've complied with every notification  
4 procedure, and all I can tell you is that out of the  
5 thousands of people that have come and put in cards, 08:26 PM  
6 that over 90% have said "leave the districts as they  
7 are." So that's why my question to you is if  
8 conservatives -- if we're supposed to be listening to  
9 the folks, the folks are saying "leave them as they  
10 are," and my question to you was: Since they are saying 08:26 PM  
11 that, should we just -- if it's our responsibility,  
12 should we just put out a map that verifies what the  
13 people have been saying?

14 MR. GIMBLE: That would be one option.

15 SENATOR VAN DE PUTTE: Thank you. 08:27 PM

16 AUDIENCE MEMBERS: (Laughter).

17 MR. GIMBLE: I guess -- but to -- my  
18 answer to your question would be --

19 SENATOR VAN DE PUTTE: Thank you.

20 MR. GIMBLE: -- that we're from a 08:27 PM  
21 nonpartisan group, we're the Young Conservatives, we're  
22 not Republican or Democrat, and if you look at the  
23 makeup of who was here testifying, most of the people  
24 identified themselves as a Democrat, whereas you just  
25 stated that 53% of the state votes Republican, so that's 08:27 PM

1 why I was questioning the validity of the sample that 08:27 PM  
2 you were using to draw your conclusions.

3 SENATOR WEST: Mr. Chairman?

4 SENATOR VAN DE PUTTE: No. Let me correct  
5 a statement. When my -- 53% of the folks, that wasn't 08:27 PM  
6 my -- what I said. I said that in the 32 Congressional  
7 Districts, that 20 of the districts are actually -- have  
8 a Republican voting percentage of 62% or more.

9 MR. GIMBLE: And I wasn't --

10 SENATOR VAN DE PUTTE: And that's a fact. 08:27 PM

11 MR. GIMBLE: -- I wasn't agreeing with  
12 this map, I said that I wanted McLennan County to stay  
13 whole. All I was saying is --

14 SENATOR VAN DE PUTTE: Thank you.

15 MR. GIMBLE: -- is that the -- it seems to 08:28 PM  
16 be more that there was Democrat testimony today as  
17 opposed to Republican. I'm neither, I'm a conservative,  
18 so...

19 SENATOR VAN DE PUTTE: Thank you very  
20 much. We appreciate you being here. 08:28 PM

21 VICE CHAIRMAN SENATOR GALLEGOS: All  
22 right. I've got a question. Let me --

23 CHAIRMAN SENATOR DUNCAN: Senator West has  
24 a question.

25 SENATOR WEST: That's okay. Go ahead. 08:28 PM

1                   CHAIRMAN SENATOR DUNCAN:  Senator                   08:28 PM  
2 Gallegos.

3                   QUESTIONS BY VICE CHAIRMAN SENATOR GALLEGOS

4                   VICE CHAIRMAN SENATOR GALLEGOS:  When I  
5 got here to Waco and just like any of the other cities   08:28 PM  
6 that we've gone and heard testimony, when we drove up,  
7 there was no block at the gate, there was nobody there  
8 giving out any "D" patches or "R" patches or "I" patches  
9 or "Green" patches.  This is an open process.  Anybody  
10 can testify.  And the same happened in McAllen and       08:28 PM  
11 Laredo, San Antone.  Everyone, it's open for anybody.  
12 Anybody can come testify.  Anybody.  We don't -- it  
13 doesn't matter who you are.  I'm saying this is an open  
14 process and the same happened up here in Waco, there  
15 wasn't a lock at the gate up here and there was nobody   08:29 PM  
16 passing out "D, R, I," any kind of patches.  We're just  
17 asking you to fill out a form and tell us how you feel.  
18 And that's for everybody and it's posted, to my  
19 knowledge, it was posted...

20                   Was it posted, Mr. Chairman?                   08:29 PM

21                   CHAIRMAN SENATOR DUNCAN:  (Nodded head  
22 affirmatively).

23                   VICE CHAIRMAN SENATOR GALLEGOS:  ...for  
24 everyone to see and -- and I think that's -- as far as  
25 the Senate is concerned, that's happened everywhere       08:29 PM



1 we've gone and to allow anybody to come in and walk 08:29 PM  
2 through this door and those doors that we've had before  
3 and allow whoever wanted to testify to testify, whether  
4 you be for this plan, against this plan or have a plan  
5 of your own. I think what my colleague was trying to 08:29 PM  
6 say is that we have allowed that, it's been an open  
7 process for you and any of your colleagues or your  
8 membership to come in here and voice their opinion, just  
9 like everybody else has. What we're telling you is that  
10 the majority of -- in that process, knowing that 08:29 PM  
11 process, open door process, just like we're doing at the  
12 Capitol, that the majority of testimony has been a  
13 resounding "no to redistricting." We have not denied  
14 anybody any -- denied access to anybody's testimony.  
15 You have the mike now. And I'm just telling you that if 08:30 PM  
16 those that had the mike said to oppose this plan, where  
17 are they?

18 MR. GIMBLE: You asked where the people  
19 were to oppose the plan? I think all of them showed up.

20 VICE CHAIRMAN SENATOR GALLEGOS: Yeah.

21 MR. GIMBLE: It's a lot easier usually to  
22 get people to come out in opposition to something.  
23 People get a lot more passionate in opposition.

24 VICE CHAIRMAN SENATOR GALLEGOS: Oh, no,  
25 I'm not talking about opposed -- let me go back. That 08:30 PM

1 are for the plan -- 08:30 PM

2 MR. GIMBLE: Okay.

3 VICE CHAIRMAN SENATOR GALLEGOS: -- where

4 are they?

5 SENATOR WEST: For redistricting. 08:30 PM

6 VICE CHAIRMAN SENATOR GALLEGOS: For

7 redistricting.

8 MR. GIMBLE: And I wasn't saying that

9 y'all were in a bad process or that you've done anything

10 improper, all I was saying is that the pool of testimony 08:30 PM

11 could possibly not be Representative of the will of the

12 voters as a whole. I know that's what y'all are trying

13 to find and you've had a lot of people testify, but

14 quite a few people that have identified themselves in a

15 partisan manner overwhelmingly identified themselves as 08:31 PM

16 Democrats. There was only two people today that

17 identified -- or three or four that identified

18 themselves as Republicans.

19 VICE CHAIRMAN SENATOR GALLEGOS: What I'm

20 trying to say to you, and that's my point exactly, is 08:31 PM

21 that the process was open to Republicans, to

22 Independents --

23 MR. GIMBLE: I understand that.

24 VICE CHAIRMAN SENATOR GALLEGOS: -- it's

25 open to everybody and all they have to do is come up 08:31 PM

1 here and voice -- voice their opinion and that process 08:31 PM  
2 has been open --

3 MR. GIMBLE: Yeah.

4 VICE CHAIRMAN SENATOR GALLEGOS: -- and  
5 they have not showed up in any of the towns that we've 08:31 PM  
6 been to as far as the majority. Some of them have. The  
7 ones that are for this plan and some of the other plans,  
8 they have showed up, but it's been just an overwhelming  
9 majority in this open process that we've allowed Texans  
10 to come in and voice their opinion in an overt -- I 08:31 PM  
11 mean, just almost a 10 to 1 resounding "no against  
12 redistricting." And the process has been open to all  
13 sides and I just wanted to let you know that, and that  
14 if they -- those that are for this process have not  
15 showed up as much as those that are against the process, 08:32 PM  
16 and we -- like I said, the door is open.

17 MR. GIMBLE: Well, that was kind of my  
18 point is that y'all are elected to be the elected  
19 representatives, and obviously in the House, and we'll  
20 see what happens in the Senate, a majority of those 08:32 PM  
21 people believed that that was what was in the best  
22 interest of their constituents and that's how they  
23 voted.

24 VICE CHAIRMAN SENATOR GALLEGOS: We just  
25 heard from mayors and city councilmen in the areas that 08:32 PM

1 said that they had no input. Even though their State 08:32 PM  
2 Rep voted for the plan, they had no input, and these are  
3 mayors that are elected by their constituencies.

4 MR. GIMBLE: I understand, and I totally  
5 agree with you that the House process wasn't the best 08:32 PM  
6 process. All I said was that the House had a majority  
7 of people that were elected to serve their constituents,  
8 and they believed it was in their constituents' best  
9 interest to do redistricting.

10 FURTHER QUESTIONS BY CHAIRMAN SENATOR DUNCAN

11 CHAIRMAN SENATOR DUNCAN: Do you think  
12 that we should follow them?

13 MR. GIMBLE: If that's what you believe is  
14 in the best interest --

15 CHAIRMAN SENATOR DUNCAN: Let me ask you 08:33 PM  
16 this. Let me ask you this. Should we ignore the 90% of  
17 the people that have testified at all these hearings?

18 MR. GIMBLE: No, sir, and I at no time  
19 said to ignore them, I just only stated that it might  
20 not be a valid pool of the whole voters of Texas and 08:33 PM  
21 then we talked about who -- everybody was open to  
22 comment and everybody could come and I said -- I  
23 acknowledged that and said y'all ran a good process, but  
24 I just was questioning whether it was a complete  
25 statistical valid pool as compared to other statistical 08:33 PM

1 data.

2 CHAIRMAN SENATOR DUNCAN: Well, if we just  
3 did it by polls, scientific polls --

4 MR. GIMBLE: I'm not suggesting --

5 CHAIRMAN SENATOR DUNCAN: -- we would 08:33 PM  
6 never have to have a hearing.

7 AUDIENCE MEMBERS: (Laughter).

8 MR. GIMBLE: I'm not suggesting that at  
9 all.

10 CHAIRMAN SENATOR DUNCAN: Would you 08:33 PM  
11 suggest that -- would you prefer -- and you're doing --  
12 you're really good natured and doing a great job and  
13 we're picking on you a little bit because I guess it's  
14 just --

15 SENATOR WEST: That time of the night. 08:34 PM

16 AUDIENCE MEMBERS: (Laughter).

17 CHAIRMAN SENATOR DUNCAN: -- that time of  
18 the night. But you did -- you've offered a little  
19 opposition and I think that that draws a little bit of a  
20 debate and that's kind of what we're -- you're getting 08:34 PM  
21 to experience now.

22 But I guess the question I have is that  
23 because I'm a conservative and a Republican, should I  
24 ignore the voice of a liberal Democrat when they say --  
25 with regard to their community and with regard to the 08:34 PM

1 area that they live in? 08:34 PM

2 MR. GIMBLE: Well, I would say the people  
3 of your district elected you to represent them, and if  
4 you believe that they elected you for your principles  
5 and your leadership, then you should follow your 08:34 PM  
6 principles and your leadership and what that tells you  
7 you should do, not the papers, not a liberal Democrat,  
8 not other people, but the people in your district who  
9 voted for you and said they wanted your leadership and  
10 your conservative values. 08:34 PM

11 CHAIRMAN SENATOR DUNCAN: Does that mean  
12 that I shouldn't listen then to the witnesses in  
13 McLennan County who have testified basically that what  
14 I've heard today is they don't want to receive  
15 redistricting? 08:35 PM

16 MR. GIMBLE: I'm not saying you shouldn't  
17 listen to them. I think you should take it into  
18 consideration as far as how the plan should go. That's  
19 all I was saying.

20 CHAIRMAN SENATOR DUNCAN: Thank you, 08:35 PM  
21 Mr. Gimble. I appreciate your exchange with us and  
22 you're very courageous to be up here and to do that and  
23 you did a good job.

24 MR. GIMBLE: Thank you, sir.

25 AUDIENCE MEMBERS: (Applauded).

1 (Whereupon, Mr. Gimble was excused.

2 CHAIRMAN SENATOR DUNCAN: We've been going  
3 an hour and a half. We will take a ten minute break and  
4 please be back on time. We'll be in recess until 8:45.

5 (Recess.

6 CHAIRMAN SENATOR DUNCAN: All right. The  
7 Senate Committee on Jurisprudence will come to order.  
8 We'll start with our -- we'll start with our cards. If  
9 you could, remember when I call your name, come forward  
10 and I'll read those who are on deck. The Chair calls 08:57 PM  
11 Steven Autry.

12 And following Mr. Autry will be Bobby  
13 Grant and then Sputnik.

14 STEVEN AUTRY, CEO, FREE FLIGHT SYSTEMS  
15 having signed an oath card, testified as follows:

16 DIRECT TESTIMONY

17 BY STEVEN AUTRY:

18 A Thank you, Mr. Chairman. My name is Steve  
19 Autry. I'm CEO of FreeFlight Systems. FreeFlight  
20 Systems is a GPS manufacturer, global positioning 08:58 PM  
21 systems, for aviation. We're also a beneficiary of the  
22 Waco development effort in this area. Our company was  
23 relocated here from Austin, Texas and we acquired the  
24 assets of what was known as Trimble Navigation in Austin  
25 and relocated it to Waco. 08:58 PM

1                   My partner, Steve Williams (phonetic), the 08:58 PM  
2 president of the company, Steve was unable to attend the  
3 meeting, but he gave me a letter that I would like to  
4 read expressing his opinion and mine as well.

5                   "Honorable Officials and Participants, in 08:58 PM  
6 consideration of the significance of the potential  
7 impact of the redistricting issue on FreeFlight Systems,  
8 I regret that I cannot be with you to make this  
9 presentation in person.

10                   FreeFlight Systems, previously known as 08:59 PM  
11 Trimble Navigation, is a world renowned manufacturer of  
12 satellite navigation of GPS products for aviation. Our  
13 systems, 30,000, which are in service on civil and  
14 military airplanes and helicopters worldwide provide  
15 essential and often sole means of guidance for 08:59 PM  
16 navigation and landing.

17                   In July of 2001 at the initiative of the  
18 Waco Chamber of Commerce and Congressman Chet Edwards,  
19 FreeFlight decided to relocate the business from Austin  
20 to Waco. The primary basis for this decision was the 08:59 PM  
21 excellent working environment existing in the region and  
22 the resounding support of small business demonstrated by  
23 the community officials, and in particular, Congressman  
24 Edwards.

25                   Despite the company's advancement to our 08:59 PM



1 nation with the FAA in support of the acquisition and 09:00 PM  
2 relocation of business, several months after the move of  
3 the company business, we brought -- the company's  
4 business was brought to a standstill due to a  
5 bureaucratic interpretation of the federal aviation 09:00 PM  
6 procedures related to the transfer of product  
7 specifications from Trimble to FreeFlight. The company  
8 attempts to resolve the problem within the normal  
9 channels consumed three months and was fruitless.

10                   During this period, deliveries and 09:00 PM  
11 cashflow were brought to a standstill. The company was  
12 on the verge of losing our most valuable long-term  
13 aircraft customer and near financial collapse. As a  
14 last resort, we appealed to Congressman Edwards, who  
15 assisted in bringing the matter to the attention of the 09:00 PM  
16 FAA management in Washington, D.C. I greeted  
17 Congressman Edwards on Saturday and two days later the  
18 approvals were granted. He saved our business and the  
19 jobs of our employees, now numbering approximately 40  
20 and projected to grow to a hundred over the next year. 09:01 PM

21                   With over 30 years of high level  
22 experience in the aviation industry, I have yet to  
23 experience such a proactive community and lawmaking  
24 support for small business as demonstrated by the  
25 community, and in particular, Congressman Chet Edwards. 09:01 PM

1 Waco is on the way to becoming recognized as an aviation 09:01 PM  
2 center of excellence, bringing valuable economic growth  
3 to the region. I strongly believe that this  
4 redistricting will result in a significant setback for  
5 our community's economic growth initiatives and that 09:01 PM  
6 FreeFlight Systems will likely lose the support which is  
7 so vital to our business." And that's signed "Steve  
8 Williams, President of FreeFlight."

9 For the benefit of our -- the previous  
10 speaker, I am a Republican, I voted for George Bush and 09:01 PM  
11 Governor Perry, and I voted for Chet Edwards. Chet  
12 saved our company, he's been a strong supporter of Waco  
13 development and the efforts of the Waco development  
14 group. My company has been leading the effort towards  
15 aviation businesses in the Waco area. This effort is 09:02 PM  
16 dependent upon strong participation of a Congressional  
17 leader like Chet Edwards.

18 We've been initiating some efforts to  
19 bring a major Italian manufacturer of general aviation  
20 aircraft to the Waco area. That effort was supported 09:02 PM  
21 strongly by Congressman Edwards in Washington and is a  
22 significant element in the decision for this Italian  
23 company to relocate part of their business to Waco.

24 I'm here to testify against redistricting.  
25 And I'm here to testify in support of Congressman 09:02 PM

1 Edwards. As a Republican, he has done -- I voted for 09:02 PM  
2 Congressman Edwards because he has done the job that we  
3 expected him to do in Congress. He has the position of  
4 leadership, the position of knowledge to work miracles  
5 with the FAA. 09:03 PM

6 My previous responsibility was as  
7 president of an avionics integration company and our  
8 dealings with the FAA were on a daily basis, and we  
9 understand how difficult it is to make the FAA move off  
10 of a position once they've taken it. The Congressman 09:03 PM  
11 has that kind of influence in Washington and it can  
12 benefit the economics -- economic development efforts of  
13 Waco, especially in the aviation area.

14 CHAIRMAN SENATOR DUNCAN: Thank you,  
15 Mr. Autry. 09:03 PM

16 Are there any questions for Mr. Autry?  
17 Senator Van de Putte.

18 QUESTIONS BY SENATOR VAN DE PUTTE

19 SENATOR VAN DE PUTTE: Mr. Autry, I want  
20 to say thank you for coming. 09:03 PM

21 Is there a real coalition -- I know that  
22 there's some major employers, but to help me understand  
23 better, is there mainly a coalition or a community of  
24 interest with a lot of small and medium-sized businesses  
25 that cater a lot either to defense-related or to some of 09:04 PM

1 the other industries that have been mentioned? 09:04 PM

2 MR. AUTRY: There are numerous aviation  
3 businesses in the Waco area and McLennan County. And  
4 these businesses are only the tip of an iceberg that  
5 could be created here. We are in a corridor between 09:04 PM  
6 Dallas and San Antonio and there are thousands of  
7 aviation companies. And Waco is in an ideal position,  
8 especially with TSTC and Baylor's support, two airports  
9 which could be used as possible expansion facilities for  
10 some sort of aviation initiative, we're in an ideal 09:04 PM  
11 position to do that.

12 The Waco development group is providing  
13 governmental support and the benefits to companies  
14 moving to this location. They are also providing the  
15 resources that the companies that are already here may 09:05 PM  
16 need. For example, surface mount technology. It's one  
17 of the highest percentage of cost to goods in the  
18 products we produce and there is no local supplier. The  
19 nearest supplier is in San Antonio. And the Waco  
20 development group started the initiative here in town to 09:05 PM  
21 create surface mount technology locally available to us,  
22 bringing that benefit to this community.

23 SENATOR VAN DE PUTTE: Well, thank you  
24 very much. As a San Antonian, and somebody who really  
25 benefits from that, I guess if I was being very 09:05 PM

1     parochial, I would hope that we do somehow have an     09:05 PM  
2     advantage in that competition, but I think it behooves  
3     Texas as a whole to have that. My questioning was  
4     actually -- I know how cluster of businesses works,  
5     small -- as an economic generator.     09:05 PM

6                     MR. AUTRY: Yes.

7                     SENATOR VAN DE PUTTE: And is that your  
8     testimony here today, that the cluster of small and  
9     medium-size businesses that are either aviation or  
10    defense-related, many components really are nurtured and 09:06 PM  
11    better understood when you've got a district --  
12    Congressional District, State Senator or Representative  
13    that understands that cluster and how they work  
14    synergistically together?

15                    MR. AUTRY: Absolutely.     09:06 PM

16                    SENATOR VAN DE PUTTE: Thank you very  
17    much.

18                    MR. AUTRY: Thank you.

19                    AUDIENCE MEMBERS: (Applauded).

20                    (Whereupon, Mr. Autry was excused.     09:06 PM

21                    CHAIRMAN SENATOR DUNCAN: The Chair would  
22    call Bobby Grant. After Miss Grant or Miss Grant, we'll  
23    have... Bobby Grant? Okay. Bobby Grant is not in the  
24    audience. Let the record reflect that he is not  
25    present, but has registered a position in opposition.     09:06 PM

1                   The Chair recognizes H.W. Strain,                   09:06 PM  
2 otherwise known as -- to all of us as Sputnik.

3                   Sputnik, would you state your name and --

4                   MR. STRAIN: You can call me Sputnik,  
5 that's what the President calls me.                   09:06 PM

6                   CHAIRMAN SENATOR DUNCAN: That's good  
7 enough for me.

8                   H.W. (SPUTNIK) STRAIN,  
9                   TEXAS MOTORCYCLE RIDER'S ASSOCIATION  
10 having signed an oath card, testified as follows:

11                   DIRECT TESTIMONY

12 BY H.W. (SPUTNIK) STRAIN:

13                A     Chairman Duncan, Committee Members, my name is  
14 Sputnik. I am the elected political spokesperson for  
15 Texas Motorcycle Rider's Association. And I'm also here 09:07 PM  
16 tonight for my grandchildren, which is why this  
17 organization was started in the first place.

18                   I don't know for sure if we're talking  
19 about the Senate map or the House map tonight, so --

20                   QUESTIONS BY CHAIRMAN SENATOR DUNCAN

21                   CHAIRMAN SENATOR DUNCAN: Let me  
22 straighten you up on that because there's -- the only  
23 Senate map that has been filed is the existing  
24 Congressional lines that were established by the --

25                   MR. STRAIN: Do what?                   09:07 PM

1                   CHAIRMAN SENATOR DUNCAN: The existing       09:07 PM  
2 Congressional lines are the only thing that the Senate  
3 -- the bill that was introduced in the Senate was just  
4 simply the existing lines with no changes.

5                   MR. STRAIN: Well, I realize there's no       09:07 PM  
6 map been drawn, but I studied the proposed boundaries of  
7 all the districts until 4:30 this morning.

8                   CHAIRMAN SENATOR DUNCAN: That would be  
9 the House map.

10                  MR. STRAIN: No, sir, it was attributed to 09:07 PM  
11 Senator Harris.

12                  SENATOR WEST: What are you talking about?

13                  MR. STRAIN: Oh, I read it on the Web last  
14 night.

15                  CHAIRMAN SENATOR DUNCAN: No.               09:08 PM

16                  MR. STRAIN: Okay.

17                  CHAIRMAN SENATOR DUNCAN: Now, Senator  
18 Harris --

19                  MR. STRAIN: I stayed there till 4:30 this  
20 morning.

21                  CHAIRMAN SENATOR DUNCAN: -- does not have  
22 a map, only the 2001 Congressional --

23                  MR. STRAIN: Pardon?

24                               QUESTIONS BY SENATOR WEST

25                  SENATOR WEST: Wait a minute. You stated 09:08 PM

1 what?

2 MR. STRAIN: Pardon?

3 SENATOR WEST: You said you saw something  
4 on the Internet?

5 MR. STRAIN: Yes. I studied a list of 09:08 PM  
6 proposed boundaries, which don't match what we have now,  
7 and lot so-and-so, block so-and-so, track so-and-so  
8 and --

9 SENATOR WEST: Wait, wait, wait, wait,  
10 wait, wait. Slow it down. Slow it down. Do you 09:08 PM  
11 understand what you're saying right now?

12 MR. STRAIN: Yes, I understand, sir.

13 SENATOR WEST: Because as I understand it,  
14 that there has been no consideration of putting together  
15 a map at all by any Member of this Committee. 09:08 PM

16 MR. STRAIN: Well, that's what I have  
17 heard.

18 SENATOR WEST: But what you're saying is  
19 that you studied something on the Internet which  
20 currently is being proposed -- 09:08 PM

21 MR. STRAIN: I studied an awful lot of  
22 laid out boundaries for 32 districts until 4:30 this  
23 morning and at the top of the list it had Senator  
24 Harris.

25 CHAIRMAN SENATOR DUNCAN: Well, we'll have 09:09 PM



1 to ask Senator Harris. 09:09 PM

2 SENATOR WEST: Well, Mr. Chairman, just a  
3 second.

4 CHAIRMAN SENATOR DUNCAN: Senator Harris  
5 has been on the road with us. 09:09 PM

6 SENATOR WEST: He's been on the road,  
7 yeah, but I want to make sure, though, that I understand  
8 what you're saying.

9 MR. STRAIN: Well, I'm very --

10 SENATOR WEST: Sir, hold on. Let me 09:09 PM  
11 finish --

12 MR. STRAIN: Okay.

13 SENATOR WEST: -- please? No disrespect  
14 to you, just we've been a long time.

15 What did you see, when did you see it, 09:09 PM  
16 where is it, and how can we see it?

17 MR. STRAIN: Last night, I went to  
18 [www.texdemocrat.org](http://www.texdemocrat.org). There is a paper that looks just  
19 exactly what you look at when you look at a bill at the  
20 Capitol. Senator Harris's name is at the top and there 09:09 PM

21 are the boundaries of 32 different districts laid out  
22 there, which states county first and then parts of this  
23 county, tract so-and-so, block so-and-so right on down  
24 the line and it -- I'm not sure how many tracts or  
25 blocks or whatever, but that is what I read last night. 09:10 PM

1 If anyone here has a computer, they can bring it up. 09:10 PM

2 SENATOR WEST: Www.democrat.com?

3 MR. STRAIN: The State Democrat.

4 SENATOR WEST: And it's true that it  
5 presents this? 09:10 PM

6 MR. STRAIN: Yes, sir, it's on there.

7 CHAIRMAN SENATOR DUNCAN: Well, the last  
8 time I checked, Senator Harris wasn't a Democrat.

9 MR. STRAIN: I'm well aware of that.

10 SENATOR AVERITT: So Senator Harris 09:10 PM  
11 also...

12 Mr. Chairman, I beg your pardon. Senator  
13 Harris testified at the beginning of this meeting the  
14 only map that he's associated with is the existing  
15 Congressional lines. 09:10 PM

16 CHAIRMAN SENATOR DUNCAN: Just the current  
17 map, but that's it.

18 MR. STRAIN: All right. We'll go with the  
19 current map.

20 A (Testimony resumed by Sputnik Strain) I have 09:10 PM  
21 followed the House hearings all across this state. And  
22 each time we got there, we got a different map or we  
23 didn't get one at all. I testified, I went to a  
24 Committee hearing at two o'clock last Thursday to  
25 testify in the Capitol. We learned we didn't have the 09:11 PM

1 map. They were redrawing another one. We got that one 09:11 PM  
2 at seven o'clock at night. We stayed there until four  
3 o'clock in the morning. When we left there, we assumed  
4 that was the map that was going to be used or at least  
5 most people did. In my testimony, I explained, I am 09:11 PM  
6 certain this is not the map that will be voted on, so I  
7 went to Old Glory to spend the 4th of July, Old Glory,  
8 Texas, a fantastic little town. We had a great time,  
9 they tried to get me to spend the weekend, I told them  
10 "no, I've got to get back to the Capitol." I got back 09:11 PM  
11 to the Capitol, they had taped up the hearing room on  
12 Saturday and supposedly had drawn another map and then  
13 passed it. And I don't believe you can draw one of  
14 those maps like that in a couple or three hours. I  
15 personally believe this map had been there all along. 09:12 PM

16 Now, this went to -- it was voted out of  
17 Committee on Saturday, it went to Calendar and was voted  
18 out on Sunday, it went to the Floor and was voted out on  
19 Monday. So that map you see right there is the one that  
20 the House voted on Monday. And to say that only the 09:12 PM  
21 Democrats were unhappy with it, even Representative  
22 Wohlgenuth, one of the most powerful people in the  
23 House, she offered an amendment to change her district  
24 back to the way it was because she didn't want her  
25 district changed. Numerous Republicans and Democrats 09:12 PM

1 offered amendments to change their boundaries back, each 09:13 PM  
2 time it was voted down. Ultimately at midnight on  
3 Monday night after a lot of arguing and, I mean, some  
4 real heartwrenching breakups that will not heal in a  
5 long time, the bill was passed and that is the map they 09:13 PM  
6 passed.

7                   Now, the map that comes to you will be a  
8 Senate map, I assume. I don't guess you'll sit and wait  
9 until they send that one over to you and take it up.  
10 And I'm not sure if you are aware, I'm sure you watched 09:13 PM  
11 it on the news, I know you weren't down there, but when  
12 Senator Ratliff spoke to the news media and he told them  
13 he would not accept that map and he would not vote to  
14 bring one to the Floor unless he would receive a  
15 guarantee from the Lieutenant Governor that once they 09:14 PM  
16 put it on the Floor, it wouldn't come back like that.  
17 The Lieutenant Governor said that he could guarantee  
18 that the Senate would pass a good map that everyone  
19 could get along with, but there would be no guarantee  
20 when it came back out of conference, and no guarantee 09:14 PM  
21 means that's going to be the map. I think it was  
22 designed like that from the start.

23                   This has really been a hurtful,  
24 destructive session, especially this part. I have seen  
25 the Senate call a quorum when there were 11 Senators 09:14 PM

1 present, I've seen the House call a quorum with 57 09:14 PM  
2 people there just to try to get this stuff moving.  
3 That's wrong. That's not the way it's supposed to be  
4 done.

5 I represent the Texas Bikers and we are 09:15 PM  
6 roughly some 740,000 people in this state. I have  
7 several thousand right here who own companies, work here  
8 on the base, and I'm mustered out right there at Fort  
9 Hood when I got out of the hospital, so I'm well  
10 acquainted with this place, too. But Senators, 09:15 PM  
11 Committee Members, this is going to be one of the worst  
12 things that ever happened.

13 Now, there are no such things as great  
14 men, only common men do great things. Everyone's  
15 working to get 11 Senators to stop it, and Senator 09:15 PM  
16 Duncan, today is your day. You have an opportunity to  
17 be that great man. When they said that Congressman  
18 Brooks' (phonetic) folks didn't matter just because he  
19 was Chairman, we know that's not true. A Chairman  
20 determines whether or not a bill will come out of 09:15 PM  
21 Committee. I have seen that. So you have an  
22 opportunity right now to be a hero.

23 CHAIRMAN SENATOR DUNCAN: Thank you,  
24 Sputnik.

25 Members, any questions of Sputnik? 09:16 PM

1 Good to see you. 09:16 PM

2 MR. STRAIN: Thank you.

3 AUDIENCE MEMBERS: (Applauded).

4 (Whereupon, Mr. Strain was excused).

5 CHAIRMAN SENATOR DUNCAN: The Chair calls 09:16 PM

6 Mr. Morgan (phonetic). Let the record reflect... Is

7 Mr. Morgan in the audience? Let the record reflect that

8 Mr. Morgan is not present, but has registered a position

9 in opposition to redistricting.

10 The Chair recognizes J.H. McCallum. Is 09:16 PM

11 Mr. McCallum in the audience? Let the record reflect

12 that he's registered a position as against. In order to

13 speed this up, I'll read these quicker.

14 And the Chair recognizes Deeana Courageous

15 (phonetic). Ms. Courageous is not present in the 09:16 PM

16 audience, but has registered a position against.

17 Penny Flood. Miss Flood, would you please

18 approach? And behind Miss Flood will be Carolyn Harvey.

19 THE REPORTER: I'm sorry, the last name?

20 CHAIRMAN SENATOR DUNCAN: Carolyn Harvey. 09:17 PM

21 SENATOR AVERITT: Mr. Chairman?

22 CHAIRMAN SENATOR DUNCAN: Senator Averitt.

23 SENATOR AVERITT: Don't hold it against

24 her, but Miss Flood was my political science professor

25 at Baylor and she started me down this road, so... 09:17 PM

1 CHAIRMAN SENATOR DUNCAN: Okay. We're 09:17 PM  
2 going to have to ask her a lot of questions.

3 AUDIENCE MEMBERS: (Laughter).

4 MS. FLOOD: I wasn't going to acknowledge  
5 that. I appreciate your bravery. 09:17 PM

6 CHAIRMAN SENATOR DUNCAN: You did a great  
7 job.

8 MS. FLOOD: I think so.

9 PENNY FLOOD

10 having signed an oath card, testified as follows:

11 DIRECT TESTIMONY

12 BY PENNY FLOOD:

13 A My name for the record is Penny Flood and I'm  
14 here representing myself and my family. I'm a native  
15 Wacoan. And I think you've heard over and over again 09:17 PM  
16 all the things that I have written on this piece of  
17 paper. I am sure with your fatigue you must be  
18 wondering "why do I have to hear any more of this?" And  
19 frankly, as a person who sat here since 11:30 this  
20 morning, I'm wondering "why do we have to hear any more 09:18 PM  
21 of this" because except for four people, I've been here  
22 the whole time, we're all in agreement. What I've heard  
23 from you is that you've heard this all over the state,  
24 so I can't add to what's been said, but I'm a teacher  
25 and I talk, and I'd like to try to give a little 09:18 PM

1 different perspective, maybe anecdotally, knowing who I 09:18 PM  
2 am, of a way to look at this.

3                   When I was an obnoxious junior high  
4 student, and I was obnoxious because I talked then, I  
5 told everyone I was a Texan first, I was the worst kind 09:18 PM  
6 of braggart you could imagine, I told them I was a  
7 Baptist second, and all of this was true, and I told  
8 them I was a Republican third. And my entire life, I  
9 have called myself a Republican.

10                   I've worked -- my first campaign I was 09:18 PM  
11 active in was Barry Goldwater's. I know I don't look  
12 that old, but that was the first time I handed out  
13 pamphlets door-to-door and answered phone calls. The  
14 last campaign I worked in to help a candidate I believed  
15 in was Kip Averitt. So I had dreams of going into 09:19 PM  
16 politics, but that changed, I became a teacher. And I  
17 taught, among other things, government at McLennan  
18 Community College and political science at Baylor in the  
19 '70s. I had a forum of young people in my classes where  
20 I had studied the topic we were talking about. And I 09:19 PM  
21 will admit to you now, because my fellow professors who  
22 were in here, and by the fact I had a lot of teachers  
23 that -- students that I taught that have all left, they  
24 saw I was coming here. That's --

25                   AUDIENCE MEMBERS: (Laughter). 09:19 PM



1           A     In public classes, I scorned gerrymandering. I 09:19 PM  
2     scorned Yellow Dog Democrats, if you young people still  
3     know what that is. And I felt empowered to do that  
4     because, after all, I was Republican and I had the  
5     Floor. 09:20 PM

6                     Now, I find that the shoe is on the other  
7     foot, we are the majority and I don't like the way that  
8     right shoe feels on my left foot. It doesn't fit very  
9     well. My party is engaged in what I consider to be  
10    gerrymandering, and I appreciate -- I've learned so much 09:20 PM  
11    today because I left the political arena and I've  
12    learned from you that you haven't done anything. So I'm  
13    appealing to you as a panel to consider that you can  
14    still be the honorable closer of the Pandora's box.

15                    I have gotten the impression from 09:20 PM  
16    newspaper letters and from other speakers and other  
17    forums that we've now got Yellow Dog Republicans who  
18    cannot see beyond the party label and ignore principle.

19                    Speaking of principle, one of my values in  
20    remaining Republican for all these years, although I 09:20 PM  
21    have not agreed with everything on the Republican  
22    platform and I have not agreed with the particulars of  
23    every candidate, principle to me is bigger than little  
24    details, and one of the strongest principles for  
25    Republicans that's kept me close has been to maximize 09:21 PM

1 local control and minimize national control. 09:21 PM

2 The redistricting issue that I'm hearing  
3 about these days demonstrates to me departure from that  
4 principle, and I'm hurt that it is Republicans doing it.

5 I just told a colleague back here, "I think I've 09:21 PM  
6 matured" is what that means.

7 The purpose I've heard others say has not  
8 been partisanship. I suggest to you the impetus for  
9 this whole discussion was indeed partisanship. What  
10 we've heard today and what I'm omitting now are all the 09:21 PM  
11 other ramifications that have come out of these plans.

12 But partisanship is the beginning of this whole process.  
13 Please -- and I've heard Mr. West -- Senator West ask  
14 others, "what is your party." I told you, I don't  
15 really know, I know what Senator Averitt is, I've drawn 09:22 PM

16 some inferences about you, but I -- no one has told me  
17 what all the rest of you are. But I'm telling you, if  
18 you have a way to get with Republicans and make this  
19 leave the partisanship arena and become a practical,  
20 reasonable, highly principled process, you won't change 09:22 PM

21 anything. I don't understand, we've been here nine --  
22 eight hours and I'm back to the first question I heard  
23 earlier today, "why are we doing this, and why are we  
24 doing it now?" I appreciate very much your time.

25 AUDIENCE MEMBERS: (Applauded).

1 CHAIRMAN SENATOR DUNCAN: Senator West. 09:22 PM

2 QUESTIONS BY SENATOR WEST

3 SENATOR WEST: You are against  
4 redistricting?

5 MS. FLOOD: Absolutely. Anywhere in 09:22 PM  
6 Texas.

7 SENATOR WEST: Anywhere in Texas?

8 MS. FLOOD: There's no reason.

9 SENATOR WEST: Okay. Now, did you support  
10 the Congressman in this district? 09:23 PM

11 MS. FLOOD: Thank you for asking that.  
12 That was one of my notes I left out. I voted for Bush,  
13 Perry, Dewhurst, Averitt and Chet Edwards, and for  
14 someone --

15 AUDIENCE MEMBERS: (Applauded).

16 MS. FLOOD: -- to stand up here -- for  
17 people -- for anyone to stand here, and I appreciate  
18 young people in politics so much, I was a young person  
19 once and I told you my background, I was a young  
20 conservative, but for people to suggest that this forum 09:23 PM  
21 has not represented this community hasn't been here or  
22 hasn't been listening. This has certainly been  
23 Representative and you've heard it all over the state.  
24 I supported Chet Edwards, and he wouldn't know me if he  
25 bumped into me on the street -- 09:23 PM

1 SENATOR WEST: I bet he will now. 09:23 PM

2 AUDIENCE MEMBERS: (Laughter).

3 MS. FLOOD: -- but I'd recognize him. I  
4 supported him because, in principle, he's good for  
5 Central Texas. And that's a simple enough reason for 09:24 PM  
6 me. I've left partisanship and I've got to issues and  
7 what people stand for.

8 SENATOR WEST: If you don't mind me  
9 saying, as a political science professor, it seems as  
10 though the phenomenon in these 62%-plus Republican 09:24 PM  
11 districts have been, and you may be able to shed some  
12 light on this, coalition politics, and what we're seeing  
13 not only in this district, but also the 17th, and  
14 probably some of the other ones, too, where you have a  
15 majority Republican district and you have a Democrat 09:24 PM  
16 incumbent is that you see a coalition of Democrats,  
17 Independents, Republicans and minority voters coalescing  
18 to support someone of their own choosing. Is that  
19 uncommon or is that a common phenomenon?

20 MS. FLOOD: I feel like an old lady 09:25 PM  
21 talking to you young people. You weren't even in school  
22 when I was teaching. I'm not suggesting that you're  
23 much younger than he is.

24 AUDIENCE MEMBERS: (Laughter).

25 CHAIRMAN SENATOR DUNCAN: Flattery will 09:25 PM

1 get you everywhere. 09:25 PM

2 AUDIENCE MEMBERS: (Laughter).

3 MS. FLOOD: I think there is so much more  
4 knowledge and information available to people today that  
5 literally most of our practices have changed, included 09:25 PM

6 among them voting decisions. I heard one of the -- one  
7 of the four people who thought districting should not be  
8 so alarming, "after all, we did it in '81 and no one  
9 raised any ruckus, we did it in '91 and no one raised  
10 any ruckus, why all the concern now?" Well, because 09:25 PM

11 those were the standard redistricting times. The ruckus  
12 is because this is not the standard redistricting time.  
13 And we've become more knowledgeable. We know that -- I  
14 shouldn't say "we." Many people know that partisanship  
15 is not what true issues are about. I suggest to you, 09:25 PM

16 some people have already heard this from me, that in all  
17 of government, 50% of the people from both parties are  
18 here. It's the moderate 50% with 25% on each side, and  
19 I'm hoping that this panel is in that moderate 25%. I'm  
20 not worried about Senator Averitt, that's why I voted 09:26 PM

21 for him and tried to help him get elected, but I'm  
22 hoping that that's the group because they are the ones  
23 that make reasonable decisions on what people are living  
24 through and they are the ones that really guide us and  
25 lead us in government. And I'm so thankful that I can 09:26 PM

1 talk to you. I don't know how to get this message back 09:26 PM  
2 to other Republicans. They are my party and I am a vote  
3 splitter and I think you're going to find more vote  
4 splitters.

5 SENATOR WEST: How important of an issue 09:26 PM  
6 is this to you on a scale from 0 to 10, 10 being very,  
7 very, very important?

8 MS. FLOOD: 11. I have been --

9 AUDIENCE MEMBERS: (Laughter).

10 MS. FLOOD: -- I have been lying -- 09:27 PM

11 SENATOR WEST: I said 0 to 10.

12 AUDIENCE MEMBERS: (Laughter).

13 MS. FLOOD: I've been lying awake at  
14 nights wondering, "how can I -- I'm not anybody, how can  
15 I contact anyone in Austin that would hear me?" Thank 09:27 PM  
16 you for letting me spout off here. I really appreciate  
17 that.

18 SENATOR WEST: Thank you.

19 CHAIRMAN SENATOR DUNCAN: Thank you,  
20 Ms. Flood. 09:27 PM

21 MS. FLOOD: You're welcome.

22 AUDIENCE MEMBERS: (Applauded).

23 CHAIRMAN SENATOR DUNCAN: Ms. Flood, I  
24 think you've got another question.

25 QUESTIONS BY SENATOR VAN DE PUTTE

1                   SENATOR VAN DE PUTTE: Ms. Flood, could I 09:27 PM  
2 ask you a question real quick? I'm so sorry, I know the  
3 hour is late, but the temptation is too great and I do  
4 want to thank you as a teacher for sparking that  
5 interest in Senator Averitt. He is a joy to work with. 09:27 PM

6                   My question to you as a political science  
7 teacher and a government teacher, there have been some  
8 that have testified, very few, that the process in 1991  
9 resulted in Democratic gerrymandering and so it should  
10 be all right to do that now. My question to you is: If 09:28 PM  
11 the Democrats did do this gerrymandering in 1991, and  
12 during the '90s, the Democrats lost five Congressional  
13 Districts, I think it was five: 12, District 13,  
14 District 14, District 23, they also I think in 1996 lost  
15 the 9th District, got it back I think two years later. 09:28 PM  
16 But if the assertion is made that there was Democratic  
17 gerrymandering in 1991 and Republicans held all their  
18 seats in Congress during the '90s and then gained five,  
19 would you say the Democrats did a really bad job of  
20 gerrymandering if that's what they did? 09:28 PM

21                   MS. FLOOD: It would appear that way on  
22 the surface. Gerrymandering, if this is not too strong,  
23 is not an ethical means of achieving Representative  
24 positions in America. I just find it unethical. As I  
25 said, I scorned it then. And when my guys are in 09:29 PM

1 control, just because they're in control, I will not 09:29 PM  
2 applaud it now. Principle, if it's wrong then, it's  
3 wrong now.

4 AUDIENCE MEMBERS: (Applauded).

5 SENATOR VAN DE PUTTE: Thank you very 09:29 PM  
6 much.

7 CHAIRMAN SENATOR DUNCAN: (Inaudible).

8 AUDIENCE MEMBERS: (Applauded).

9 (Whereupon, Ms. Flood was excused.

10 CHAIRMAN SENATOR DUNCAN: The Chair calls 09:29 PM  
11 Carolyn Harvey.

12 CAROLYN HARVEY

13 having signed an oath card, testified as follows:

14 DIRECT TESTIMONY

15 BY CAROLYN HARVEY:

16 A My name is Carolyn Harvey. I reside in Waco.  
17 I am one of those Democrats and I am proud of it. I am  
18 proud to say that Waco is the home of Chet Edwards, Jim  
19 Dunnam and John Mabry, and I am very proud to be  
20 associated with them. 09:29 PM

21 AUDIENCE MEMBERS: (Applauded).

22 A I believe that we would not be having these  
23 hearings had Jim Dunnam and his 51 Killer D's hadn't had  
24 the courage of their convictions and went to Ardmore so  
25 that this would get the attention of people. This got 09:30 PM



1 national attention, and it's not very flattering for 09:30 PM  
2 Texas that this sort of thing happens.

3 This map would have been voted right  
4 through the House without any voice at all. We voiced  
5 our opinion, but it didn't make any difference. We went 09:30 PM  
6 to Dallas, everybody was against it. They didn't  
7 listen, they voted it right through. That's not right  
8 when everybody is speaking out against it.

9 I felt that this 78th Legislation Session  
10 was the worst I've ever seen. More -- the cuts that 09:31 PM  
11 were made are going to hurt more people for a long time,  
12 and most of all, our children. They're not going to get  
13 the kind of education that they should get because we're  
14 spending money in this session doing this. That money  
15 should be going toward education. The money spent doing 09:31 PM  
16 this would buy a lot of textbooks.

17 I read something recently that made my  
18 blood boil, and I read it the day before the 4th of July  
19 and I have to tell you that I didn't feel very  
20 patriotic. This comes from an article that was in the 09:31 PM  
21 New York Times and it is in a quote from a Mr. Norquist  
22 (phonetic), who is an active power broker in Washington  
23 and he is a native of Massachusetts, and he said that he  
24 was going to lead the -- "from Washington at least  
25 Republican partisans say that they are confident that 09:32 PM

1 Lieutenant Governor Dewhurst, if pressured, will do the 09:32 PM  
2 right thing for his party if it falls short the 21  
3 votes. The whole world is watching, said Mr. Norquist,  
4 he can't possibly screw up. Mr. Norquist has taken the  
5 lead in pressuring GOP controlled Legislators to take 09:32 PM  
6 unprecedented redistricting maps as Republicans in Texas  
7 Legislature are seeking to do. Norquist has spoken  
8 openly about his intention to destroy bipartisanship in  
9 Texas and across the country. He called bipartisanship  
10 another name for date rape, and he said he was pursuing 09:33 PM  
11 redistricting so that no Texan need growing -- need grow  
12 up thinking that being a Democrat is acceptable  
13 behavior."

14 Now, that made my blood boil. Now, that  
15 is not good. Texas has always operated in a bipartisan 09:33 PM  
16 manner in the Legislature, they've done that for years.  
17 And we are told that that's going to be dead. Well, I  
18 am upset. And I think it's wrong. It's a wrong message  
19 to send. I have worked in every campaign that Chet's  
20 run for the House of Representatives, and I will 09:33 PM  
21 continue to work. I have worked for Jim Dunnam and John  
22 Mabry. I finally have a Representative in John Mabry.

23 I am upset. And I am standing before you  
24 as a Democrat very opposed to this. I don't think we've  
25 ever done anything like this. Thank you. 09:34 PM

1 CHAIRMAN SENATOR DUNCAN: Thank you, 09:34 PM  
2 Ms. Harvey.

3 AUDIENCE MEMBERS: (Applauded).

4 CHAIRMAN SENATOR DUNCAN: Thank you for  
5 your testimony. 09:34 PM

6 (Whereupon, Ms. Harvey was excused.

7 CHAIRMAN SENATOR DUNCAN: The Chair calls  
8 George Coffee, Jr. After that, Mr. Herbert Petree  
9 (phonetic).

10 GEORGE N. COFFEE, JR.

11 Having signed an oath card, testified as follows:

12 DIRECT TESTIMONY

13 BY GEORGE N. COFFEE, JR.:

14 A Thank you, Mr. Chairman. I appreciate the way  
15 you've conducted the meeting here. My name is George N. 09:34 PM  
16 Coffee, Jr. I've lived in this town 62 years. And I  
17 want to thank you, Kip Averitt, for holding -- being  
18 able to hold a meeting here for this purpose. I think  
19 it's real nice you did it. I think the conducting of  
20 the meeting here has been fair, it's been nice, it's 09:35 PM  
21 been a pleasure to see y'all operate the way you operate  
22 as a Senate. I didn't particularly like it in Dallas,  
23 when I went to Dallas, when the House was working in  
24 Dallas on redistricting. We had a lady come out of Fort  
25 Worth, Tarrant County to begin to criticize the 09:35 PM

1 liberals, Democrats, and she was a Republican Chair in 09:35 PM  
2 Tarrant County and the people booed her and I can  
3 understand why the way she was talking. And really, it  
4 should have never got out of hand, the Chair should have  
5 handled it a little better in Dallas than the way he 09:35 PM  
6 handled the meeting. But y'all have done a good job  
7 here today. I want to praise all of you for what you've  
8 done and I thank you and I appreciate my good  
9 Representative from this district, John Mabry, Brother  
10 Dunnam, and my good Congressman Chet Edwards. 09:35 PM

11 I've known Chet since he first run for  
12 office. When he run against Phil Graham, he lost by 185  
13 votes when he was 26 years old when Phil ran for  
14 Congress.

15 I have been in this county 62 years. I've 09:36 PM  
16 got one son, one daughter-in-law, three grandkids, five  
17 great grandkids, and really to be honest with you, this  
18 is something I have never done before is went to the  
19 public on redistricting and argue we should not do this.  
20 I went to Dallas, my first trip I ever did this, and 09:36 PM  
21 today it's the second time I've ever done this.

22 I think we could be spending the money we  
23 are spending on better things for the government than  
24 what we're spending on redistricting. And I'm going to  
25 say that you -- and all of you Senators, we will be 09:36 PM

1 looking at you when you take your vote in the Senate 09:36 PM  
2 whether you redistrict or not. And I guarantee you,  
3 I've been in politics since 1960, I went to the first  
4 Democratic Convention, I am a Democrat, and I went to  
5 the Democratic Convention in December, I mean, in 1960 09:37 PM  
6 and John Connally was running for Governor, and I'll  
7 tell you what I told my congregation from my local union  
8 when I come back from San Antone in 1960: "I'm going to  
9 support John Connally, and support him for one reason,  
10 because he's supporting John F. Kennedy for President." 09:37 PM  
11 But I told my membership at that time when I reported to  
12 them, John Connally would run on the Republican ticket  
13 before he would say it's over. So when you make a  
14 speech, my good friends, I'll be able to read you if --  
15 the way you vote, Republican or Democrat, the way you 09:37 PM  
16 vote.

17 I was raised in a community where there  
18 were black kids that I lived neighbor to, and that was  
19 no disgrace for me because black has never been an issue  
20 for me. I served in the Korean, and really, when they 09:38 PM  
21 integrated the service, it was the best thing that ever  
22 happened for the blacks in the service and the whites  
23 also. It also made us free people. And we should  
24 represent everybody in the country. And I'm begging you  
25 not to mess up the Heart of Texas here today. And I 09:38 PM

1 hope when you go back to Austin you will consider what 09:38 PM  
2 we said and leave the whole state like it is and never  
3 redistrict. I don't think you should. And I can tell  
4 y'all one other thing. I served and represented the  
5 people of General Tire and Rubber Company before we had 09:38 PM  
6 1300 good union employees. I had to negotiate  
7 contracts. You have able -- to be able to give and take  
8 when you're negotiating contracts. You're negotiating  
9 with people that's got education, maybe more than I've  
10 got, but you have to understand, you have to abide by 09:39 PM  
11 and live with what you negotiate for the length of the  
12 contract. And when it's up for renewal, yes, you can go  
13 back and make new, but you'll live with what you've got  
14 while you've got it. So I'm asking you as Senators to  
15 live with what you've got now and not change it. Thank 09:39 PM  
16 you.

17 AUDIENCE MEMBERS: (Applauded).

18 CHAIRMAN SENATOR DUNCAN: Are there any  
19 questions?

20 Thank you. 09:39 PM

21 (Whereupon, Mr. Coffee was excused.)

22 CHAIRMAN SENATOR DUNCAN: The Chair calls

23 Herbert Dieterich Is Mr. Dieterich in the audience?

24 Mr. Dieterich is not present, but registers his position

25 against redistricting. 09:39 PM

1                   The Chair recognizes Helen (sic.)                   09:39 PM  
2                   Hagewood. Miss Hagewood, are you present? She's  
3                   coming? Would you please approach, state your name,  
4                   please, and who you represent? And while you're coming  
5                   forward, the next in line will be Carolyn Payne Lomax                   09:40 PM  
6                   and Charles -- Dr. Charles Doc Anderson.

7                   AUDIENCE MEMBER: He left for awhile.

8                   ELLEN HAGEWOOD  
9                   having signed an oath card, testified as follows:

10                   DIRECT TESTIMONY

11                   BY ELLEN HAGEWOOD:

12                   A       My name is Ellen Hagewood. I live in Waco,  
13                   Texas. I have been a resident of the great State of  
14                   Texas for over 20 years by choice, and I don't want to  
15                   go back to the state I came from. I came here today, I                   09:40 PM  
16                   don't represent anybody but myself, and the reason I  
17                   came here is because you're my source to get the message  
18                   back to Austin, Texas: "Leave it alone. Don't go  
19                   there. You don't want to open that can of worms."  
20                   Because I may be one person, but there are a lot of                   09:41 PM  
21                   other people that are just like me that can't afford to  
22                   go to Austin, Texas and sit on their hiney all day to  
23                   get to speak and then have to probably take a hotel room  
24                   because they can't afford it. I'm on a fixed income. I  
25                   have to buy medications. My money has to go for that.                   09:41 PM

1 So I appreciate y'all coming here so I can say my peace. 09:41 PM

2 I -- I want to send a message to the  
3 Governor and the Lieutenant Governor and I want to say  
4 "what were you thinking?" I also want to tell them to  
5 get their heads out of their political hineys. If it 09:41 PM  
6 requires the jaws of life to extract their heads out of  
7 their political hineys, we'll get it.

8 AUDIENCE MEMBERS: (Applauded).

9 A When they became elected, they should have  
10 dropped their party line because they are supposed to be 09:42 PM  
11 representing the people who voted them in and they don't  
12 -- you know, Democrat, Republican, Independent, I don't  
13 give a flip. I vote for the individual. I don't care  
14 whether he's faithful to his wife or not. I don't care  
15 whether he goes to church or not. I don't care if he's 09:42 PM  
16 marched in a gay rally or not. I don't care. He's  
17 going to Austin to run the government, and that's what  
18 they're supposed to do. They're getting their eyes off  
19 of the prize and they're letting the public down by  
20 doing this. And, you know, they can get there and they 09:42 PM  
21 can shake hands and they can listen to lobbyists all  
22 they want, but as far as I personally as a voter am  
23 concerned, I've got my eye on them and I have Internet  
24 access and I can know how they vote. And by golly, it's  
25 going to reflect how I vote. You can take that to the 09:43 PM



1 bank. That's not a threat, that is a promise. 09:43 PM

2 As a taxpayer and a hard working  
3 individual and a person who's trying to survive in  
4 today's economy, I do not appreciate this. And I take  
5 it as a slap in the face. The rules were set up after, 09:43 PM  
6 you know, everybody's taken the survey and everything  
7 and they can pick out how to do it, fine. If they want  
8 to change the rules in midstream, the game doesn't play  
9 that way. And they ought to know that and they ought to  
10 be ashamed of themselves. This does not teach good 09:43 PM  
11 citizenship to the young citizens of this state. The  
12 money that they are spending down there to bicker over  
13 this BS should be put towards the educations. If we  
14 don't educate our young people, we are going to have to  
15 incarcerate a lot of them, and frankly, I'd rather see 09:44 PM  
16 my tax dollar go to educate young people than putting  
17 them behind bars because they don't have the sense that  
18 God gave geese and they break the law. Not knowing the  
19 law is not an excuse, so we've got to educate them. And  
20 that's just as a plain citizen. You know, I'm a harsh, 09:44 PM  
21 you know, rude, crew and socially unacceptable female,  
22 that's fine. But I'm also a voter and I'm armed with a  
23 voter registration card, and I know how to use it and  
24 I'm not afraid to use it.

25 AUDIENCE MEMBERS: (Applauded).

1           A     And by golly, I'm going to tell all my friends 09:44 PM  
2     when it comes to voting time and I'm not going to let  
3     any one of those SOB's, excuse my French, slip under the  
4     line. Their record is going to show and y'all haven't  
5     voted on it yet, so y'all can kind of breathe easy, but 09:45 PM  
6     any one of y'all start messing with it, hell hath no  
7     fury like a pissed off old lady.

8                   AUDIENCE MEMBERS: (Laughter).

9           A     And man, I'm getting pissed.

10                   AUDIENCE MEMBERS: (Laughter).

11          A     You don't want to see me mad and I'll never be  
12     invited to any of y'all's caucuses or anything because  
13     I'll tell you how a cow ate the cabbage, and I will hold  
14     my tongue. Thank you very much.

15                   AUDIENCE MEMBERS: (Applauded).                   09:45 PM

16                   CHAIRMAN SENATOR DUNCAN: Thank you for  
17     your testimony.

18                   Any questions?

19                   SENATOR VAN DE PUTTE: Thank you.

20                   AUDIENCE MEMBERS: (Applauded).

21                   (Whereupon, Ms. Hagewood was excused.)

22                   CHAIRMAN SENATOR DUNCAN: The Chair  
23     recognizes Carolyn Payne Lomax. After Ms. Lomax will be  
24     Dr. Charles Anderson.

25

1 CAROLYN PAYNE LOMAX  
2 having signed an oath card, testified as follows:

3 DIRECT TESTIMONY  
4 BY CAROLYN PAYNE LOMAX:

5 A I am Carolyn Payne Lomax. I am fourth 09:45 PM  
6 generation Wacoan married to a fourth generation Bosque  
7 Countian. My father-in-law is 101 years old in three  
8 weeks. He is still very viable.

9 Change is necessary. Our country was  
10 founded on change as was this state. We cannot be 09:46 PM  
11 afraid of change, even though our intermost being says  
12 change is scary, the unknown is something to be afraid  
13 of. We cannot be afraid of change. We cannot be afraid  
14 of the unknown. We have to know what is right. I ask  
15 you as Members of the Committee, as a voter in McLennan 09:46 PM  
16 County, the 11th Congressional District, and the United  
17 States of America under God, do what is right. If it  
18 means change, do it. If it does not mean change and you  
19 think it's right, do that, too. Don't pad your  
20 political party and don't pad your political backside. 09:47 PM  
21 You are looking at voters from around this state. Yea  
22 or nay, let's stop being afraid of the change.

23 I do not like the map that the House of  
24 the Representatives in the State of Texas sent to you.  
25 It is not fair. Waco and McLennan County is the hub of 09:47 PM

1 Central Texas. Every county whose boundary touches 09:47 PM  
2 McLennan County depends on McLennan County for jobs,  
3 economic stability and education.

4 My husband drove from Meridian, Texas to  
5 Baylor University. Kip came from Gatesville, Copperas 09:47 PM  
6 Cove, over in that direction. Some of you may have come  
7 from other areas to go to school. McLennan County is  
8 probably one of the most diverse counties of the 254 we  
9 have in the State of Texas. How do I know this? I work  
10 with law enforcement. My husband is in the funeral 09:48 PM  
11 industry. We have every walk of life in McLennan

12 County. But to that comes the surrounding counties and  
13 the people who live in those counties, and they gain  
14 from what comes out of this county. If you want to keep  
15 McLennan County intact, so be it, but don't separate it 09:48 PM  
16 from its surrounding counties who support it. Don't  
17 separate it from the rock, from the farmers and the  
18 ranchers like the Cervenkas and the Holdens (phonetic).  
19 Don't separate from the different people who are in the  
20 military and retired and take their benefits away from 09:48 PM  
21 them and their families. Stop looking at political  
22 lines and look into your heart and into your minds and  
23 what you were taught in school. Don't sit back and let  
24 George do it, you do it yourself.

25 And I look around this room and I see many 09:49 PM

1 Waco High School graduates and we had a fabulous civics 09:49 PM  
2 teacher by the name of Annie Quat-Quat Bailey  
3 (phonetic). And she said "if you want it, do it, don't  
4 let George do it."

5 I am 63 years old. I have voted half my 09:49 PM  
6 life. My vote is my private opinion. Your vote is  
7 yours. Sadly, it is public because that is the way you  
8 have chose it to be. Vote what is right. Change is not  
9 something to be afraid of. Mr. Edwards isn't afraid of  
10 change. Mr. Dunnam isn't afraid of change. Dr. Charles 09:49 PM  
11 Anderson isn't afraid of change. So if change is what  
12 this state needs, then let it be. We need to  
13 redistrict, but we need to look at the socioeconomic  
14 boundaries of each individual district and what comes  
15 off of the center of each district, and it doesn't need 09:50 PM  
16 to be done by political lines. Thank you for your time.

17 QUESTIONS BY CHAIRMAN SENATOR DUNCAN

18 CHAIRMAN SENATOR DUNCAN: Thank you.  
19 Ms. Lomax, let me ask you just a brief question. It's  
20 just housekeeping. And I think I understand your 09:50 PM  
21 testimony, and I'm trying to figure out, you didn't  
22 indicate on your card whether you were for or against or  
23 on --

24 MS. LOMAX: I am for redistricting, but I  
25 am not for the House map that's been presented to you. 09:50 PM

1                   CHAIRMAN SENATOR DUNCAN: That's kind of   09:50 PM  
2 what I thought you were saying. It is a --

3                   MS LOMAX: Redistricting is something that  
4 is necessary. It is that change that everybody is  
5 afraid of. Whether it takes place today, whether it   09:50 PM  
6 takes place next year, change is necessary, but not with  
7 the map as it is drawn.

8                   And I also do not think the federal court  
9 should be mandating how the State of Texas votes. That  
10 is your job, that's what you all were elected to do.   09:50 PM  
11 That is what the House was elected to do.

12                   CHAIRMAN SENATOR DUNCAN: For our records  
13 and you'll -- the Minutes of our meeting will have  
14 everybody that testified and what their position was,  
15 and I want to put, with your permission, that you were   09:51 PM  
16 for, but not the House map.

17                   MS LOMAX: That is correct. I am for  
18 redistricting, but not the House map. Thank you for  
19 your time.

20                   CHAIRMAN SENATOR DUNCAN: Any questions?   09:51 PM  
21 Appreciate your testimony.

22                   (Whereupon, Ms. Lomax was excused.)

23                   CHAIRMAN SENATOR DUNCAN: The Chair  
24 recognizes Dr. Charles Doc Anderson.

25                   AUDIENCE MEMBER: He had an emergency.

1 CHAIRMAN SENATOR DUNCAN: Well --

2 AUDIENCE MEMBER: He's not here.

3 CHAIRMAN SENATOR DUNCAN: He's not here.

4 Dr. Doc Anderson is not here. Dr. Anderson is not here,  
5 but has registered a position in favor of redistricting. 09:51 PM

6 The Chair recognizes Herbert Dieterich.

7 Mr. Dieterich.

8 What is your name, sir?

9 MR. LIGHT: Light. Dudley Light. I was  
10 Number 49. 09:52 PM

11 CHAIRMAN SENATOR DUNCAN: That's right,  
12 you told me awhile ago and we'll hunt for your card  
13 because... How do you spell that?

14 MR. LIGHT: L-I-G-H-T. It's Number 49.

15 CHAIRMAN SENATOR DUNCAN: I haven't seen 09:52 PM  
16 that card yet.

17 AUDIENCE MEMBER: It was right after mine  
18 and right before his, so he was 49.

19 CHAIRMAN SENATOR DUNCAN: Yeah, but it's  
20 not the name. 09:52 PM

21 MR. LIGHT: Dudley Light.

22 CHAIRMAN SENATOR DUNCAN: Okay. We'll  
23 look for that, Mr. Light, and we'll keep moving here.

24 Tom Salome.

25 AUDIENCE MEMBER: Salome. He's not here. 09:52 PM

1                   CHAIRMAN SENATOR DUNCAN: Okay. Tom           09:52 PM  
2 Salome is not present, but has registered a position  
3 against redistricting.

4                   Charles Reed. Mr. Reed has registered as  
5 a resource. Would you please approach, state your name, 09:52 PM  
6 and who you represent?

7                   CHARLES REED, FORMER WACO MAYOR  
8 having signed an oath card, testified as follows:

9                   DIRECT TESTIMONY

10 BY CHARLES REED:

11           A     Got my wrong glasses. Wait a minute.

12                   AUDIENCE MEMBERS: (Laughter).

13           A     I am Charles Reed. I would like to correct my  
14 card. I didn't expect to have to answer a question  
15 without the question being on there and so I tried to     09:53 PM  
16 take the neutral position --

17                   CHAIRMAN SENATOR DUNCAN: Well, you did,  
18 and actually, I should have said "on," which would be a  
19 more or less neutral position.

20           A     Well, I'm not -- my position is not neutral.     09:53 PM  
21 But I'm Charles Reed and I represent myself. I am  
22 former Mayor of Waco. I have lived in McLennan County  
23 for almost 30 years. But I'm absolutely opposed to any  
24 redistricting this year by the Texas Legislature. So  
25 let me make that clear. I'd like to correct any           09:54 PM



1 impression that was on my card. 09:54 PM

2 I want to thank the Senate Committee here  
3 for giving us this hearing. And I think our own  
4 Representative -- our own State Senator Kip Averitt, I'm  
5 sure had a lot to do with that. I also think that you 09:54 PM  
6 wouldn't be having this hearing today if it wasn't for  
7 our two State Representatives from Waco, Jim Dunnam and  
8 John Mabry, because it was quite clear that there was an  
9 intent on the part of several people in the Legislature  
10 to sneak in a redistricting bill without even telling 09:54 PM  
11 the people what was in it until it was too late, and I  
12 think we all know that that is not playing fair and  
13 that's not what we expect in Texas when it comes to fair  
14 government.

15 I note that the House leadership 09:55 PM  
16 apparently doesn't think Waco is important enough to  
17 hold a hearing here, and I'm glad that you do.

18 I want to say a word about our Congressman  
19 Chet Edwards. I met -- I first met Congressman Edwards  
20 more than 20 years ago when he was first elected to 09:55 PM  
21 represent this area. And Congressman Edwards has  
22 represented Waco and Central Texas for over 20 years,  
23 counting his time in the Texas Senate. A lot of people  
24 have testified as to the things that he has done and why  
25 that we in Central Texas, including many Republicans and 09:55 PM

1 Independents, like the way he represents us. And I just 09:56 PM  
2 want to say one thing that I think the people of Waco  
3 and Central Texas like and vote for -- keep voting to  
4 re-elect Congressman Edwards, not because he's a  
5 Democrat, but because we like the way he represents us. 09:56 PM  
6 And that includes the way he has looked out for the  
7 senior citizens of this Congressional District, the  
8 farmers and the ranchers, the veterans, and our military  
9 people at Fort Hood. And I'm sure that Congressman  
10 Edwards is going to be one of those in Washington 09:56 PM  
11 fighting against the administration's attempt to keep  
12 the debt gratuity for our military people who die in  
13 combat at \$6,000, rather than increasing it to \$12,000,  
14 and against cutting the allowance -- separation  
15 allowance for the families whose husbands and wives are 09:57 PM  
16 in combat, and cutting the combat -- cutting the combat  
17 pay for our veterans -- for our military people.

18 I think the entire notion of Republican  
19 government is based upon fair elections, and I think  
20 what is being done and what is being offered here is an 09:57 PM  
21 intended assault upon the integrity of fair election.  
22 And so I would just say that you -- whether you are  
23 Republicans or Democrats, I think you need to look down  
24 into your own soul and your own integrity and I think  
25 kind of like when Congressman Edmond G. Robinson, I'm 09:57 PM

1     sorry, Senator Edmond G. Ross of Kansas was forced to     09:58 PM  
2     vote on the impeachment and removal of Andrew Johnson,  
3     and he said to himself, "I will give up my political  
4     career in order to do the right thing," and I believe we  
5     need people, Republicans and Democrats, who will stand     09:58 PM  
6     up to do what you know to be the right thing and leave  
7     this redistricting alone.

8                     The Texas Legislature failed to do its job  
9     and the courts stepped in and did it because the  
10    Legislature failed. The Legislature had its chance and     09:58 PM  
11    now it's time to leave it alone. Thank you.

12                    CHAIRMAN SENATOR DUNCAN: Thank you,  
13    Mr. Reed.

14                    Any questions?

15                    AUDIENCE MEMBERS: (Applauded).

16                    (Whereupon, Mr. Reed was excused.)

17                    CHAIRMAN SENATOR DUNCAN: The Chair calls  
18    Billy Laughlin. And on deck will be Pat Ballon and  
19    after that will be Alice Ann Wallace.

20                    BILLY D. LAUGHLIN  
21    having signed an oath card, testified as follows:

22                    DIRECT TESTIMONY

23    BY BILLY D. LAUGHLIN:

24             A     Senators, and more especially, Senator Averitt,  
25    I appreciate you getting this hearing here today.             09:59 PM

1                   CHAIRMAN SENATOR DUNCAN: Could you -- you 09:59 PM  
2 need to state your name, sir.

3           A     Billy D. Laughlin, 428 Spring Bay in Hood,  
4 Texas. I've probably lived in this town 60-something  
5 years, have voted regularly. I've cast and worked in     09:59 PM  
6 precincts and tried to get people out to vote and so on.  
7 I first met Mr. Edwards back in 1982. And he was a  
8 young man on his own and he was running for election and  
9 he asked the common people of this town to support him  
10 in his election. He was elected to the Texas Senate.     10:00 PM  
11 He was elected to Texas Senate again. He was elected,  
12 then went through the House of Representatives and the  
13 U.S. Congress. He got elected and he's been elected  
14 six -- four -- four times that I know of when there was  
15 a sufficient candidate from the Republican Party that     10:00 PM  
16 contested him. The competition was clean, it was open  
17 and so on, but yet the people in the 11th District said  
18 "I might vote Republican Governor, Lieutenant Governor  
19 and on down, but when it comes to our Congressman, I'm  
20 voting for Chet Edwards."     10:00 PM

21                   Now, you've heard this story all day, so  
22 I'm not saying anything new to you, but I want you to  
23 know that he has represented not only McLennan County,  
24 Bell, he had Falls County and they moved him out of it,  
25 and all you've got to do is go down to Falls County and     10:01 PM

1 you'll find out what all has happened down there as far 10:01 PM  
2 as closing facilities down and so on. They didn't close  
3 it while he was there representing the veterans, there  
4 was a veterans hospital there and so on.

5 I implore you to go back to Austin and 10:01 PM  
6 tell the Governor that it's over with. That we do not  
7 want no kind of redistricting at all in the State of  
8 Texas because he and the Legislators of 2001 had an  
9 opportunity to do the job. They failed. They did not  
10 want to take the responsibility and so on. 10:02 PM

11 Now, two years later, some brilliant  
12 strategist from Washington, Tom DeLay, comes riding in  
13 on a horse, the exterminating man. What does he want to  
14 do? He wants to exterminate my personal vote for my  
15 Representative and for all these other rep -- other 10:02 PM  
16 people out here.

17 AUDIENCE MEMBERS: (Applauded).

18 A The Mayor -- the Mayor of Waco said it right.  
19 "Don't touch it if it's black and white in the country  
20 because it's a skunk and you'll have to live with it for 10:03 PM  
21 a long time." I ask you to fold up the tent and tell  
22 them it's over with. Thank you.

23 CHAIRMAN SENATOR DUNCAN: Thank you,  
24 Mr. Laughlin.

25 AUDIENCE MEMBERS: (Applauded).

1 (Whereupon, Mr. Laughlin was excused.

2 CHAIRMAN SENATOR DUNCAN: Pat Ballon. Is  
3 Mr. Ballon in the audience or Miss Ballon? Let the  
4 record reflect that they are not present, but have  
5 registered a position in favor of redistricting. 10:03 PM

6 The Chair recognizes Alice Anne Wallace.  
7 Alice Anne Wallace. Is Miss Wallace in the audience?  
8 Let the record reflect that she is not, but she has  
9 registered a position in opposition.

10 The Chair recognizes Mr. Dudley Light. 10:03 PM  
11 Mr. Light, thank you for your patience. I know you've  
12 been here all day.

13 DUDLEY LIGHT  
14 having signed an oath card, testified as follows:

15 DIRECT TESTIMONY

16 BY DUDLEY LIGHT:

17 A I'm Dudley Light and I am strictly against  
18 changing the Bell County, the Coryell County and  
19 McLennan County situation as it is, and there's still  
20 several good reasons. 10:04 PM

21 Number 1, you have the veteran hospitals.  
22 The veteran hospital in Temple is the regional -- is our  
23 regional. The veteran hospital in Waco. These are  
24 intermingled. Now, someone talked about 200 beds.  
25 That's the immaterial part of the hospital -- of the 10:04 PM

1 hospitals. Outpatients. My God, we've got hundreds and 10:04 PM  
2 hundreds of outpatients, thousands. And that is the  
3 primary -- the focus of the VA system. And also it's  
4 tied in -- also it's tied in with the clinic over in  
5 Temple. And right now my former VA primary physician is 10:04 PM  
6 one who is in charge of that in -- not Temple, but in  
7 Killeen and that takes care of the families of veterans.

8           There's another thing coming up that was  
9 specific to this area. Dr. Vanwarmer (phonetic) and  
10 I -- well, first Dr. Vanwarmer took and tried to get a 10:05 PM  
11 kinesial therapy type program for exercising and that  
12 under Medicare. Well, he can't do it, but we went one  
13 bit further. We went out and we want to make a kinesial  
14 therapy type program through places like, now that we  
15 have an outfit in town as these are called that 10:06 PM  
16 qualified, and that's the Waco Family Y. We can get  
17 some others to qualify and, in other words, instead of  
18 going down there at nine o'clock to exercise at the VA  
19 and cost a fortune and you get there and do 35 - 40  
20 minutes and they've got to run you out because somebody 10:06 PM  
21 else is coming in and they can't intermingle because  
22 there are patients that have mental problems, and three  
23 times a week now, that costs quite a fortune.

24           Now, under this type of program, it will  
25 cost \$34.50 a month, a \$70 fee for the Family Y. Now, 10:06 PM

1 the Family Y does not have the equipment that's needed 10:06 PM  
2 and Gold Gym did. But the Gold Gym did not have a hot  
3 pool, it did not have a hot tub and the Family Y didn't  
4 have the proper equipment. So in November of 2001, I  
5 started raising hell and took patients and the equipment 10:07 PM  
6 over at the Gold Gym -- took it over to the Family Y,  
7 and as of January, they had that equipment. They are  
8 perfectly situated for this type of program.

9 Now, I've talked to Chet Edwards and we're  
10 talking about asking to have a special test program set 10:07 PM  
11 up for the Central Texas. This test program and it was  
12 approved, whether it works or not, it will work and save  
13 a lot of money. It will save the government money and  
14 it will also allow patients -- veterans and that to get  
15 themselves in physical condition and they won't have as 10:07 PM  
16 many other medical problems. That's the second one I  
17 talked to Chet and we're going to take this proposal,  
18 we're going to propose it for Central Texas. And we'll  
19 get a program set up for Killeen and one in Temple. And  
20 this will be a test program to prove how good it is. 10:08 PM

21 Now, the other program is that map over  
22 there. That map over there is a runoff from the dairy  
23 farms. That's Erath and Comanche dairy farms. That is  
24 polluting the water from -- on all the North Bosque and  
25 the Leon River. Now, I met with an outfit that's 10:08 PM



1 worldwide and I had a chance to go to Korea -- to go to 10:08 PM  
2 Iraq and do a water study on the -- on the water tables  
3 over there for this company, because they (inaudible)  
4 irrigation and other types of programs and it's just --  
5 they've got a whole program and they do go in and do 10:08 PM  
6 special things of this type. They did it in Argentina,  
7 they did it in South Africa, they did it in Brazil and  
8 they can do it here. And we've got 20-something maps  
9 coming in to cover that area shown right there, and  
10 government maps 1-24000 maps. And those maps coming in 10:09 PM  
11 program together and that's going to -- that will  
12 involve keeping Killeen -- I mean, keeping McLennan and  
13 Bell and Coryell County together. We've already talked  
14 to people up in Comanche and people -- and they're --  
15 they're going to cooperate. In fact, they've already 10:09 PM  
16 sent their county maps down and all that, they've sent  
17 down locations of all the dairy farms and that, and so  
18 this would be a tremendous area, it would be a big thing  
19 not only for Central Texas, but the whole area, but this  
20 will be headquartered in Waco. 10:10 PM

21 CHAIRMAN SENATOR DUNCAN: Thank you,  
22 Mr. Light. I appreciate your participation here tonight  
23 and your testimony, and I think you were going to send  
24 us something on the e-mail.

25 MR. LIGHT: Right. I'll get you an 10:10 PM

1 e-mail, I'll get it all out to you. 10:10 PM

2 CHAIRMAN SENATOR DUNCAN: Right. I  
3 appreciate it very much.

4 SENATOR AVERITT: Mr. Chairman, also I  
5 would like to say that I was very insistent on having 10:10 PM  
6 that map here today and --

7 CHAIRMAN SENATOR DUNCAN: He was the first  
8 one that acknowledged that it was here. So now --

9 SENATOR AVERITT: -- I was afraid we  
10 weren't going to use my map, so it's very accurate.

11 CHAIRMAN SENATOR DUNCAN: Oh, I remember,  
12 you talked a lot about that map.

13 MR. LIGHT: But that's a little map here.  
14 We could have 47 maps covering that same area.

15 CHAIRMAN SENATOR DUNCAN: We appreciate 10:10 PM  
16 your efforts there. I know that's how important that is  
17 for this region and probably other areas of the state  
18 could be experiencing the same thing.

19 MR. LIGHT: Well, we'll go there later.

20 (Whereupon, Mr. Light was excused. 10:10 PM

21 CHAIRMAN SENATOR DUNCAN: The Chair  
22 recognizes T.D. Steinke.

23 MR. STEINKE: Present.

24 CHAIRMAN SENATOR DUNCAN: And as he  
25 approaches, we'll have Coke Mills next. And following 10:11 PM

1 Mr. Mills, we'll have J.B. Leutwyler, The Third. 10:11 PM

2 SENATOR AVERITT: Coke Mills isn't here.

3 CHAIRMAN SENATOR DUNCAN: Will you state  
4 your name, please, into the record?

5 T.D. STEINKE

6 having signed an oath card, testified as follows:

7 DIRECT TESTIMONY

8 BY T.D. STEINKE:

9 A T.D. Steinke, 2130 Huntington Road, Waco,  
10 Texas. Telephone number 772-0184. 10:11 PM

11 Mr. Chairman, Senators on the panel,  
12 staff, brothers and sisters, and all the leaders of this  
13 community who are here tonight, we as leaders are here  
14 tonight because we made a choice to be here and present  
15 our voices in the interest of better recognition -- more 10:12 PM  
16 recognition and better representation.

17 I'm very proud to be a great supporter or  
18 working supporter for Congressman Chet Edwards and for  
19 State Representative Jim Dunnam, State Rep John Mabry.  
20 They stand for real values. They are men of integrity. 10:12 PM  
21 They are men of honesty. They are men of truth. They  
22 have visions and they are not bashful or bold when you  
23 have to stand up, they don't fold up like an accordion,  
24 they lie down, stay there and play the right kind of  
25 music for the people. And so we in Central Texas have 10:12 PM

1 much to be proud of to have them representing us. And I 10:13 PM  
2 don't want to forget my good sister Mayor Linda Ethridge  
3 wherein she conducted a very good hearing down at the  
4 Convention Center on July the 4th. It was that  
5 important to her that she, as a leader, another 10:13 PM  
6 responsible leader, took that position and stepped  
7 forward and called some -- called the council together  
8 and then other interested people who wanted to appear,  
9 and then the council unanimously adopted the resolution  
10 that's been placed before this panel here today for your 10:13 PM  
11 consideration, and we hope that you'll go along with the  
12 request of that resolution as well as the other  
13 resolutions from the other neighboring cities here in  
14 Central Texas.

15                   And our position is: The judges have 10:13 PM  
16 spoken, three on a panel. And by the way, it was  
17 mentioned earlier here today I believe by my Congressman  
18 that two of them were Republicans. Could it be maybe  
19 that they don't even like themselves? That's something  
20 to think about. We've kind of got to like ourselves, we 10:14 PM  
21 don't have to be too bold or to brag about it, but be  
22 proud of ourself without diluting our self-esteem and we  
23 go spreading, peddling, peddling, meddling and peddling  
24 discord and unrest, and we don't need that.

25                   I stand by that decision of those three 10:14 PM

1 judges that was upheld by the Supreme Court. One of you 10:14 PM  
2 attorneys could correct me if I'm wrong, but that's the  
3 way I understood it. And we don't need a change. We  
4 don't need a change here. It's working real good for  
5 the citizens of Central Texas and the surrounding 10:14 PM  
6 communities.

7 And I've come up -- I was born in 1925, so  
8 I guess I'm 77 years old. And I lived through the Great  
9 Depression or the big bad depression. Certain people  
10 was making the statements "overproduction, it was 10:15 PM  
11 overproduction." It wasn't overproduction, it was  
12 under-consumption. No money was in circulation.  
13 Certain few people hogged it all up like big hogs around  
14 the trough. I hate to say it that way, but that's the  
15 way it is here. 10:15 PM

16 And then we had Franklin Roosevelt that  
17 said -- he was elected and we said "happy days are here  
18 again" and he put the people back to work, CCC, KFWPA  
19 (phonetic) and other things.

20 COMMITTEE CLERK: (Gestured).

21 MR. STEINKE: Thank you.

22 A And that's what we need to do today. And then  
23 we get back to the Preamble of the Constitution, if you  
24 all know what that is, "to form a more perfect union."  
25 If we're a union, we're working together in the interest 10:15 PM

1 of the people, a more perfect union, and then we pledge 10:15 PM  
2 allegiance, we give that -- we take that oath of  
3 obligation, we pledge allegiance to. Everybody knows  
4 that. And our security is in our Representatives that  
5 on the date on the job every day that take care of the 10:16 PM  
6 needs who are response -- Representatives that are  
7 responsible in that manner for progress.

8 So I say stand up in unity, stand up for  
9 victory, stand up for freedom, stand tall, brothers and  
10 sisters, because they'll follow after us today, your 10:16 PM  
11 children, your grandchildren, your great grandchildren,  
12 they're following after us today, those children. They,  
13 too -- they, too, must cross this way. So let's -- what  
14 are we going to do? They, too, must cross this way.  
15 We're going to build these bridges. We're not going to 10:16 PM  
16 be wreckers and we're going to hold fast to our position  
17 and we don't want any changes, everything is working  
18 good and we're satisfied and we appreciate y'all's  
19 prayerful consideration and vote -- and vote to keep  
20 District Number 11 as it is and I'm opposed to all the 10:16 PM  
21 redistricting because the judges done spoke and that's  
22 where I stand. Thank you. God bless you.

23 AUDIENCE MEMBERS: (Applauded).

24 CHAIRMAN SENATOR DUNCAN: Thank you,

25 Mr. Steinke. 10:17 PM

1 AUDIENCE MEMBERS: (Applauded).

2 (Whereupon, Mr. Steinke was excused.

3 CHAIRMAN SENATOR DUNCAN: The Chair calls  
4 Coke Mills. Is Mr. Mills in the audience?

5 AUDIENCE MEMBER: No.

6 CHAIRMAN SENATOR DUNCAN: Let the record  
7 reflect that he's not present and hasn't indicated a  
8 position. We'll put that he was here on the bill.

9 The Chair recognizes J.B. Leutwyler, The  
10 Third. Mr. Leutwyler, please state your name and who 10:17 PM  
11 you represent. After Mr. Leutwyler will be Richard  
12 Manning, Jr.

13 J.B. LEUTWYLER, THE THIRD  
14 having signed an oath card, testified as follows:

15 DIRECT TESTIMONY

16 BY J.B. LEUTWYLER, THE THIRD:

17 A Hi, I'm J.B. Leutwyler, The Third. Most people  
18 call me Jeb. I am honored to be represented by or have  
19 been represented by two of the Senators on this  
20 Committee, both Kip and also Chris Harris. 10:17 PM

21 I appreciate the opportunity to speak to  
22 you today and I'm here to speak in favor of  
23 redistricting. I'm not here to speak in favor of  
24 gerrymandering, which I have opposed all my life.  
25 Although, the State of Texas has always gerrymandered. 10:17 PM

1 Districts that were drawn in 1991 were some of the most 10:18 PM  
2 severe gerrymandering that's been done in the history of  
3 this nation, and we're living with that today because  
4 the three-judge federal panel said "we don't want to" --  
5 and if you read their opinion, which I have them, they 10:18 PM  
6 said "we do not want to change what's there, we're going  
7 to make the minimal changes we can to add the two seats  
8 that Texas picked up." We've got districts all over  
9 this state that look like spiders or snakes due to  
10 gerrymandering. And what I would like for you to do, 10:18 PM  
11 and I pray that you will do it, is take a fresh look at  
12 the State of Texas, look at communities of interest and  
13 try to get precise compact districts that don't go all  
14 over the place. Keep cities intact wherever possible  
15 and counties. That way, you have true communities of 10:18 PM  
16 interest. It's not really a community of interest when  
17 you've got people from one side of the state in the same  
18 district with the other side of the state, which is what  
19 we have today on the existing maps that we're using and  
20 it's what you have in the map that the House passed the 10:19 PM  
21 other day. I just feel like it's real important that  
22 you do that.

23 Also, some things have been mentioned here  
24 several times about the Democrats keep getting elected  
25 in Republican districts. Well, I think you all are 10:19 PM



1 sharp enough politicians to understand the power of the 10:19 PM  
2 incumbency. The incumbent automatically picks up  
3 several voting points mainly due to the dollars that  
4 PACS provide. So don't be swayed by those stories that  
5 say that. And I'm not going to tell you how to do your 10:19 PM  
6 job, I just would appreciate it if you'd each take a  
7 good hard look at the state and look seriously for true  
8 communities of interest and look at trying to get rid of  
9 the gerrymandering that we've lived with for the last  
10 hundred years and get nice complex compact districts 10:19 PM  
11 that truly represent the people of Texas. Thank you.

12 CHAIRMAN SENATOR DUNCAN: Thank you,  
13 Mr. Leutwyler. I appreciate you.

14 Members, are there any questions for  
15 Mr. Leutwyler? 10:19 PM

16 AUDIENCE MEMBERS: (Applauded).

17 MR. LEUTWYLER: Thank you.

18 CHAIRMAN SENATOR DUNCAN: Thank you for  
19 your testimony.

20 (Whereupon, Mr. Leutwyler was excused.)

21 CHAIRMAN SENATOR DUNCAN: The Chair  
22 recognizes Richard Manning, Jr.

23

24

25

1 RICHARD MANNING, JR. 10:20 PM

2 Having signed an oath card, testified as follows:

3 DIRECT TESTIMONY

4 BY RICHARD MANNING, JR.:

5 A Good evening, Mr. Chairman, Honorable Senators, 10:20 PM  
6 my name is Richard Manning, Jr. I'm a citizen of Waco,  
7 Texas. I'm the honored husband of Patty (phonetic),  
8 proud father to Quintavia (phonetic) and Trinity  
9 (phonetic), grandfather to Alecia (phonetic) and Otis  
10 (phonetic), and I'm here today for their sakes. I'm 10:20 PM  
11 proud to pastor Greater Trubine Baptist Church  
12 (phonetic) here in Waco. I'm a tri-vocational pastor  
13 and I know what that means to most pastors and ministers  
14 is that we have to have more than one job to support our  
15 ministry. I represent as well a group called the Black 10:21 PM  
16 Male Perspective in empowerment and affirmation work of  
17 several churches in this area.

18 There are four things that I want to  
19 recognize tonight. And first, I want to recognize  
20 Mr. Averitt. I officed with him in the Liberty building 10:21 PM  
21 for several years and I always found him to be attentive  
22 to the things that he could help us with and has been a  
23 Representative of this district in a good fashion for as  
24 long as I've known him.

25 I also recognize Senator Edwards. I've 10:22 PM

1 known him a long time. And he has been a person if you 10:22 PM  
2 go to him or anyone in his office, whatever he tells you  
3 he's going to try to do, he'll try to do it. Sometimes  
4 we fall out over this abortion issue, but one of these  
5 days he's going to get on the right side of that, too. 10:22 PM

6 I am reminded of what was stated in the  
7 Supreme Court's last effort under conservative Justice  
8 William H. Rehnquist, in which it proved that it was not  
9 sympathetic to requests for special line drawing  
10 considerations for minorities. In 1995, the court ruled 10:23 PM  
11 that election districts drawn mainly to boost black  
12 voter political clout was unlawful. The following year,  
13 the justices struck down a Texas Congressional plan  
14 ruling that the free -- excuse me, the three  
15 predominantly minority districts were unconstitutional 10:23 PM  
16 because race was the principle consideration for their  
17 configuration. The issue of placing minorities in other  
18 districts is essentially the same thing.

19 Waco has a vibrant and successful minority  
20 community. We coexist with every group in Waco. We 10:23 PM  
21 work together to get things done in this tri-county  
22 area. I don't think that there's anyone who can say  
23 that there's another heterogenous group that works  
24 better together than the McLennan County, Coryell and  
25 Bell County area. A lot of that is because of what 10:24 PM

1 we've had to go through as a group of people. 10:24 PM

2 In the early '70s, Judge Barefoot Sanders  
3 put us under a deep segregation ruling, and we worked  
4 for years, my mother was part of one of the committees  
5 that started on that work, and we worked for years to 10:24 PM

6 try to bring these groups together. Finally in the  
7 '80s, Judge Sanders declared that we were a unified  
8 political group, and that's what I want you to

9 recognize. That this community -- this community of  
10 interest is unified, that we try to work together, that 10:25 PM

11 we try to bring good things to pass from the people in  
12 this community. I do not accuse you of doing something  
13 that's wrong. You have the right to redistrict. But  
14 what I ask you to do is to consider the rightness of  
15 redistricting. I stand opposed to it. Thank you. 10:25 PM

16 CHAIRMAN SENATOR DUNCAN: Thank you,  
17 Mr. Manning.

18 AUDIENCE MEMBERS: (Applauded).

19 (Whereupon, Mr. Manning was excused.

20 CHAIRMAN SENATOR DUNCAN: The Chair calls 10:25 PM  
21 Ronne (sic.) Lacy.

22 THE REPORTER: Senator, I need to  
23 download.

24 CHAIRMAN SENATOR DUNCAN: Why don't we do  
25 this then, let's go ahead and it's about time, we've 10:25 PM

1     been going an hour and a half, let's take a -- we're     10:25 PM  
2     going to take a 15 minute break, and the reason we're  
3     going to take a 15 minute break is, I think we're at a  
4     point in time where we can ask and...

5                     You don't have to put this on the record     10:26 PM  
6     if you don't want to. I'm going to --

7                     THE REPORTER: Okay. I'm running out of  
8     space, so I don't think I can.

9                     CHAIRMAN SENATOR DUNCAN: -- I'm going to  
10    recess the meeting and then I'm going to give you some     10:26 PM  
11    -- an idea of how we can kind of get this working, so  
12    the Committee will stand in recess until 10:45.

13                    (Recess.

14                    CHAIRMAN SENATOR DUNCAN: Okay. Please  
15    take your seats. We will move into the rest of our     10:50 PM  
16    testimony today. I appreciate your patience with us and  
17    I think this will work to organize this better. If you  
18    are scheduled to testify here in the next few minutes,  
19    if you could move down closer to the front and we will  
20    move along here.   10:50 PM

21                    The Chair calls Ronne (sic.) Lacy, Jr.  
22    And then after Mr. Lacy will be Fred Carter. Thank you,  
23    Mr. Lacy.

24

25

1 ROANE LACY, JR.  
2 having signed an oath card, testified as follows:

3 DIRECT TESTIMONY  
4 BY ROANE LACY, JR.:

5 A Thank you, Mr. Chairman. My name is Roane 10:51 PM  
6 Lacy, Jr. I'm a fourth generation Wacoan, and a fifth  
7 generation Texan. My family came to Texas in 1854, to  
8 Waco in the 1870s. Most of them are buried within a  
9 mile of here where I expect to be buried. I'm, in other  
10 words, committed to this community, I've lived here all 10:51 PM  
11 my life and I vote for Independents and don't vote a  
12 straight ticket. I vote for the best man or woman. And  
13 I represent that voice, I think.

14 I also represent the voice of the citizens  
15 who would not be categorized as liberal or conservative 10:51 PM  
16 and as Republican or Democrat. But I'd like to add some  
17 insight possibly on the economic ties, and I heard a  
18 couple of Senators reaching for it earlier, Senator  
19 Harris and Senator West.

20 My family began a company in 1882 as a 10:52 PM  
21 corn company, which became Integrated Turkey Products  
22 Company. We went from corn, to feed, to growing  
23 turkeys, to processing turkey meat products. 200  
24 million pounds -- 200 million dollars a year in sales,  
25 1800 employees. And for all the good things that I've 10:52 PM

1 heard about L-3 Communications today, we were the 10:52 PM  
2 largest employer in town, manufacturing employer, and in  
3 fact, we had a mill -- a feed mill, we have one in Bell  
4 County, I have a hatchery in Bosque County and have two  
5 plants in Waco, Texas. The people who work in those 10:52 PM  
6 facilities come from the surrounding four county - five  
7 county area, driving in from places like Corsicana and  
8 Stephenville.

9 Our resources all came from the  
10 multi-county area. We fed a lot of grain, a lot of soy 10:53 PM  
11 beans. The corn and mill load has made up two-thirds of  
12 the diet of these birds. That produces the largest  
13 single agricultural crop income for our area, which came  
14 from the two big pools of grain just north of Waco and  
15 just south of Waco. And, in fact, economically, it's 10:53 PM  
16 the only two railroads that Texas has left due to the  
17 deregulation and subsequent consolidation in the nation  
18 are the Santa Fe and the Union Pacific. Those rail  
19 lines in Texas cross at Temple. That's a critical  
20 factor and was a factor in our decision to put our mill 10:53 PM  
21 there. Waco lost rail competition. But the fact is  
22 that the -- with the Brazos River and the Leon River and  
23 the rail connections and with pools of grain and the  
24 great labor supply, it's a good place to do business,  
25 and our company crossed lines. 10:53 PM

1                   The point being that the community of           10:53 PM  
2 interest, it does not stop at the McLennan County line.  
3 So when you're considering whether to split McLennan  
4 County, it cannot live by itself. Bell County is a big  
5 part of it and we are sisters of Coryell County and           10:54 PM  
6 Hamilton County and Hill County and Falls County also.

7                   But I will say that the -- what you're --  
8 I've heard some great speeches today, and at one point  
9 -- you know, this is clearly politics. I wished that we  
10 lived in a more perfect world. I'm a child of the '60s. 10:54 PM  
11 I remember John F. Kennedy saying that we could go to  
12 the moon in 10 years and leading us to do it. I  
13 remember his book "Profiles in Courage," and I know all  
14 of you have read it. I heard it quoted earlier by  
15 Charles Reed. And I remember the late '60s when there       10:54 PM  
16 was hope from the civil rights movement that we could  
17 have equivalent peace in our time or an Age of Aquarius.  
18 Ironically, that song was playing on the radio as I came  
19 back from dinner tonight.

20                   My point being that we are not going to           10:55 PM  
21 have a perfect situation unless -- I don't expect that  
22 the Senate will be looking for the best possible balance  
23 of interest because that job was to have been done two  
24 years ago and it should be done every 10 years.

25                   I'll only ask my Representative Kip                   10:55 PM



1 Averitt to -- and we understand the pressures you're 10:55 PM  
2 about to be under and are under now with your party on  
3 one side and its requirements, and your district on the  
4 other side and our needs, and you've got a fine line to  
5 tread there and I know you'll do the right thing and 10:55 PM  
6 vote your conscience, and I hope you'll do your best to  
7 convince the other folks on this Committee to do the  
8 right thing. I think the right thing, in summary, is  
9 kill this baby in Committee. Do not let it out of your  
10 Committee. If it comes to the Floor, do not vote to 10:55 PM  
11 suspend the rule. If you do either of those things,  
12 then you're not voting for the best interests of this  
13 community or the great State of Texas.

14 SENATOR WEST: Mr. Chairman.

15 CHAIRMAN SENATOR DUNCAN: Senator West. 10:56 PM

16 QUESTIONS BY SENATOR WEST

17 SENATOR WEST: I'm trying to figure out  
18 how to phrase this question. There may be those of us  
19 that wanted to do the right thing, but there are  
20 external political forces that comes to bear on us 10:56 PM  
21 outside of our districts to attempt to influence what  
22 occurs within our district by lies, telling lies and  
23 things of that nature, dishonest. So the question  
24 becomes one of being able to do the right thing and to  
25 be able to withstand that type of political adversity 10:57 PM

1 when it comes and making sure that there's a hedge of 10:57 PM  
2 supporters that are around us to make sure that they  
3 understand and can help weather the adversity from  
4 without. Did you understand what I said?

5 MR. LACY: I do understand what you're 10:57 PM  
6 saying.

7 SENATOR WEST: That's all I've got to say  
8 about that.

9 MR. LACY: And I'd like to say, given that  
10 opportunity to respond, that Senator Averitt should 10:57 PM  
11 clearly from what he heard today be able to count on  
12 crossover vote, call it that, but this county will vote  
13 for the best person, and this area will vote for who  
14 does the best job for the community. He'll get a lot of  
15 Republican votes if he withstands the pressure. 10:58 PM

16 SENATOR WEST: I didn't say Senator  
17 Averitt.

18 MR. LACY: I'm sorry, I didn't say that --

19 AUDIENCE MEMBERS: (Laughter).

20 SENATOR WEST: It was just a theoretical 10:58 PM  
21 question.

22 SENATOR AVERITT: I'm impulsively  
23 confident that there's no censure on this panel or  
24 censure in the Senate of Texas that's not responsive to  
25 the folks back home. The only political pressure I feel 10:58 PM

1 is from the voters in my district, and I understand as 10:58 PM  
2 long as I'm taking care of the interests of the voters  
3 in my district, that my political career is just fine,  
4 so -- and I expect that from everybody on this panel.

5 And we have a great tradition in the Senate of 10:58 PM  
6 responding to issues in that regard.

7 SENATOR WEST: And I sense that because I  
8 know that often times, I'll do what I think is right and  
9 there very well may be some Democrats outside of my  
10 district that will come after me because I did what was 10:59 PM  
11 right for my district and that's a political reality,  
12 but I'm surrounded by a hedge of supporters that  
13 recognize that I did what was right, and I know that's a  
14 political reality that other Senators can face also and  
15 they need to make sure that they have that same hedge, 10:59 PM  
16 if you understand.

17 MR. LACY: I do understand you. I'm  
18 encouraged to hear those words. Thank you, Senator.

19 SENATOR WEST: You're welcome.

20 MR. LACY: Thank you for --

21 AUDIENCE MEMBERS: (Applauded).

22 QUESTIONS BY VICE CHAIRMAN SENATOR GALLEGOS

23 VICE CHAIRMAN SENATOR GALLEGOS: Just a  
24 second. Mr. Lacy, is it?

25 MR. LACY: Yes, sir. 10:59 PM

1 VICE CHAIRMAN SENATOR GALLEGOS: And 10:59 PM  
2 you're a turkey farmer?

3 MR. LACY: Well, I was the chief executive  
4 officer of the company. It's a family-owned company. I  
5 am no longer a turkey farmer. 10:59 PM

6 AUDIENCE MEMBERS: (Laughter).

7 VICE CHAIRMAN SENATOR GALLEGOS: Oh, okay.  
8 1800 employees. And the reason I ask is that I knew --  
9 one of my firefighters, his father was a turkey farmer  
10 in Lockhart, and him and his wife during the flood a few 11:00 PM  
11 years ago, I don't know if you remember down I-10, he  
12 was coming back from Houston and wanted to take care of  
13 his turkeys and got caught in the flood, both his wife  
14 and himself got thrown down the river.

15 But -- and I was late on your testimony 11:00 PM  
16 and I apologize, but you said we could kill it in  
17 Committee. Let me -- let me say something to you and  
18 the people that are here, and I probably should have  
19 said this earlier, that some of the testimony that we've  
20 had here today, Mr. Lacy, is that we didn't do our job 11:00 PM  
21 and that's why we're here on redistricting. I'm talking  
22 about redistricting, you didn't say that, but I'm saying  
23 that we heard that in some of the testimony. I was  
24 Chair during the interim -- Co-Chair during the interim  
25 right before the redistricting session. And we went as 11:01 PM

1 scheduled, along with the House, we heard input, the 11:01 PM  
2 whole ball of wax, and then Lieutenant Governor -- we  
3 had a new Lieutenant Governor Bill Ratliff and he chose  
4 Jeff Wentworth --

5 SENATOR VAN DE PUTTE: That's right. 11:01 PM

6 VICE CHAIRMAN SENATOR GALLEGOS: -- as  
7 Chairman of the Committee, and that's going to be a  
8 little history -- a little homework for Kip's political  
9 science teacher. And, Mayor, I should have said this  
10 earlier when there was more people in the crowd here. 11:01 PM

11 Let me tell you what happened. I'm not going to give  
12 you any names, this is for you to find out yourself, and  
13 you could find out. We were in the redistricting  
14 session, Delwin Jones passed the bill in the House, it  
15 came over. It never went anywhere because it couldn't 11:01 PM

16 get out of Committee. All right. Then in the Senate,  
17 the same way, because there was a Senator, and I'm not  
18 going to mention any names, and some of the Senators,  
19 you can block, you can block whoever you want to block  
20 with 11 votes, and that Senator, and I'm not going to 11:02 PM

21 tell you whether it was a male or female because that's  
22 up to you to find out, okay, and that Senator chose to  
23 block the entire process and, you know, when it --  
24 evidently it was apparent that nothing was going to  
25 pass, okay. Now, y'all find out yourselves, you know, 11:02 PM

1 don't take my word for it, look on the Internet. Look 11:02 PM  
2 on the Internet and find out how the process went, go  
3 from -- you go from Point A to Point -- from Point B to  
4 Point C and how to find out who blocked it, you know.  
5 If I were sitting where you are, I'd want to know who 11:02 PM  
6 blocked it, okay. I'd want to know whether it's  
7 Republican, Democrat, Independent, I would want to know  
8 why we are here for the frustrations you've had in the  
9 towns we've been to, and when you find out who blocked  
10 this whole process from State House to State Senate to 11:03 PM  
11 Congressional, you're going to be surprised, but that's  
12 up to you. Because I respect this panel and I respect  
13 the colleagues in the Senate and that's up to you to  
14 find out. And when you find out, you're going to be  
15 surprised on who blocked this whole process and the 11:03 PM  
16 reason that we are here. Now, that's some homework for  
17 y'all. Now, I'm here listening.

18 MR. LACY: That's very interesting. I'll  
19 do the homework.

20 CHAIRMAN SENATOR DUNCAN: All right. Are 11:03 PM  
21 there any more questions of Mr. Lacy?

22 SENATOR VAN DE PUTTE: Thank you,  
23 Mr. Lacy, for your testimony.

24 (Whereupon, Mr. Lacy was excused.)

25 CHAIRMAN SENATOR DUNCAN: Fred Carter. 11:03 PM

1 Mr. Carter. Is Mr. Carter in the audience? Okay. Let 11:03 PM  
2 the record reflect that Mr. Carter is not present, but  
3 he's registered a position against redistricting.

4 The Chair recognizes Steve Manning. And  
5 after Mr. Manning will be Roy Dell Wathall. 11:04 PM

6 Go ahead.

7 STEVE MANNING

8 having signed an oath card, testified as follows:

9 DIRECT TESTIMONY

10 BY STEVE MANNING:

11 A My name is Steve Manning. I'm here on my own  
12 behalf. Mr. Chairman and Members of the Committee, I  
13 thank you for the opportunity to speak.

14 I'm going to talk a little bit about a  
15 community of interest that you've probably not heard of 11:04 PM  
16 yet. I'm from Coryell County, I don't know if you've  
17 had too much Coryell County representation other than  
18 Copperas Cove.

19 I'm a fifth generation Coryell County  
20 rancher. I'm a member of an organization called the 11:04 PM  
21 Central Texas Cattlemen's Association. And that  
22 organization is comprised of the families who are the  
23 original landowners who gave up their land so Fort Hood  
24 would have a place to come and be back in the early  
25 '40s. And all through that time, those families stayed 11:05 PM

1 together. And since the very early 1950s, they've had a 11:05 PM  
2 continuous grazing lease on Fort Hood on that property.  
3 And because of the complications of dealing with the  
4 federal agencies on federal land and keeping those  
5 families together, I'm here as a third generation of our 11:05 PM  
6 organization that has had a continuous relationship with  
7 that Member of Congress representing the 11th  
8 Congressional District, a relationship that goes back  
9 for over half a century.

10                   When the Army took that land and all those 11:05 PM  
11 families had to find a place to live, they scattered out  
12 pretty much, so those families are actually not just in  
13 Coryell County, the families of our organization are in  
14 Coryell and Bell and Lampasas and McLennan Counties, so  
15 there's a definite connection of community of interests 11:05 PM  
16 there and agricultural interests that's connected as a  
17 thread to keep those counties together for -- since  
18 about 1952. And so starting with my grandfather, to my  
19 father, to me, we -- third generation now in our  
20 organization, we've had to deal with first Congressman 11:06 PM  
21 Poage, then Marvin Leath and now Chet Edwards. And  
22 those are people that had to be effective, and have  
23 been, in order for us to stay alive.

24                   Trying to operate an agricultural interest  
25 on federal land is not always easy and extremely more 11:06 PM



1 difficult over the past few years, and so that alone is 11:06 PM  
2 something I think you would find of interest when you're  
3 looking for community of interest and maybe something a  
4 little different than what you've heard today.

5           Also, I've had the opportunity because of 11:06 PM  
6 our involvement in Fort Hood to be involved with some  
7 projects outside of Fort Hood. One of those involved  
8 some endangered species work on private property because  
9 of things we were involved with on Fort Hood. Our  
10 organization along with the Texas Farm Bureau, the Texas 11:06 PM  
11 Southwest Cattle Raising Association, the Texas Wildlife  
12 Association back in the early part of 2000 found the  
13 need to try to put together a program to do some  
14 endangered species recovery work on private land and we  
15 were running into some roadblocks with the federal 11:07 PM  
16 agency, U.S. Fish and Wildlife Service, and so our  
17 organization went together to Chet Edwards and got him  
18 to -- to put together a meeting and work through those  
19 interests, and this has been a time when the previous  
20 administration was not necessarily inclined to put those 11:07 PM  
21 kind of collaborative efforts together, it just wasn't  
22 on their radar screen, but he took the leadership and  
23 put together meetings down in Austin with the Fish and  
24 Wildlife Service and we were able to remove those  
25 obstacles so that we could move forward. 11:07 PM

1 Well, that immediately led to a need for 11:07 PM  
2 us to find some money to do the things we need to do on  
3 private land, and that's where I got to see firsthand  
4 the effect of having someone in a senior position on the  
5 Appropriations Committee. We sent a joint letter to 11:07 PM  
6 Congressman Edwards asking for a specific amount of  
7 money, half a million dollars, and that's just what we  
8 got, right down to the penny, I think he got it to us.  
9 And I can tell you, when it comes to getting money in  
10 this district, he can get it done. The truly amazing 11:08 PM  
11 thing about that money is, he knew bringing that money  
12 in, not all of it was going to go to this district, in  
13 fact, it went all over the state. That money helped  
14 start a program that today is in operation in over 40  
15 counties in this state trying to recover an endangered 11:08 PM  
16 bird, and what's ironic is it's such a good program, the  
17 current administration is using it as a national model.

18 The other program that we're involved  
19 with, and Senator Averitt, with your permission, I will  
20 use your map for reference. We're also involved with 11:08 PM  
21 the program, the second program, that's kind of a  
22 spin-off from our work on Fort Hood, involving some  
23 brush control and water heal work in the Leon River  
24 watershed. Something that also worked well with that,  
25 we went to Congressman Edwards for money on that project 11:08 PM

1 and he was successful in getting half a million dollars 11:08 PM  
2 through USDA appropriations in the '03 appropriation  
3 bill for us, and that money is going out over ground to  
4 private land owners. Approximately a hundred of those  
5 landowners are in Hamilton and Coryell Counties. 11:09 PM

6 The other part of that that shows a  
7 community of interest in connection is that there's a  
8 problem, you probably heard it earlier today, on the  
9 Bosque watershed affecting Lake Waco. Our project is  
10 actually taking compost, dairy compost out of Bosque, 11:09 PM  
11 bringing it over to Leon and planting grass and getting  
12 that grass to grow to boost that yield. There's another  
13 indication of having a good Congressman that not only  
14 understands Fort Hood issues and Waco issues, but the  
15 way to tie those together to the better advantage of 11:09 PM  
16 ag and everybody within that district.

17 And so I guess that what I will say to you  
18 is that based on my history and about 50 years worth of  
19 experience that our families have had, and based on what  
20 I've seen firsthand, I stand before you today in strong 11:09 PM  
21 opposition to any plan to break up this district or  
22 redistricting in general, and I would tell you that I  
23 believe we've got something that works, it sure works  
24 for us. Without that 11th Congressional District and  
25 that strong representation, our 80-some families are out 11:10 PM

1 of business. We need that. 11:10 PM

2 And the last thing I'll say and, Senator  
3 West, I won't use the phrase that you've heard about "if  
4 it ain't broke, don't fix it," but I'll give you another  
5 one. "Stop the madness." Thank you. 11:10 PM

6 SENATOR WEST: Mr. Chairman.

7 CHAIRMAN SENATOR DUNCAN: Senator West.

8 AUDIENCE MEMBERS: (Applauded).

9 QUESTIONS BY SENATOR WEST

10 SENATOR WEST: Sir, can I ask you, what is 11:10 PM  
11 your political affiliation?

12 MR. MANNING: Well, I guess you would say  
13 I'm a vote splitter. I vote for the person more than  
14 the party.

15 SENATOR WEST: So you're Independent? 11:10 PM

16 MR. MANNING: But Chet Edwards has got my  
17 vote.

18 SENATOR WEST: So you're an Independent?

19 MR. MANNING: I'm an Independent.

20 SENATOR WEST: Okay. Thank you. 11:10 PM

21 (Whereupon, Mr. Manning was excused.)

22 CHAIRMAN SENATOR DUNCAN: The Chair calls  
23 Roy Dell Wathall.

24

25

1 ROY DELL WATHALL

2 having signed an oath card, testified as follows:

3 DIRECT TESTIMONY

4 BY ROY DELL WATHALL:

5 A My name is Roy Wathall of Waco, Texas. I'm 11:10 PM  
6 testifying on my behalf against redistricting in the  
7 year 2003.

8 For the past 17 years, I have taught Texas  
9 government at McLennan Community College. Prior to  
10 that, I had the privilege of being a Legislative 11:11 PM  
11 assistant with the Texas Legislature during the 62nd and  
12 63rd and 64th Sessions. In fact, actually I was looking  
13 at my watch, and in about nine hours, I'm going to be  
14 teaching my Texas government class on about how the  
15 Senate and House do redistricting and some of that -- 11:11 PM  
16 (inaudible).

17 THE REPORTER: Could you speak up a little  
18 bit? I'm sorry, could you speak up?

19 MR. WATHALL: I'm sorry.

20 A Anyway, Congressional re-apportionment was 11:11 PM  
21 taken up and it was as divisive then back in those  
22 Legislative sessions as it is today. It was political  
23 and it's always been political.

24 The United States Constitution, which we  
25 are all sworn to defend and uphold, is actually very 11:11 PM

1 vague on this issue. When Madison, the father of the 11:11 PM  
2 Constitution, offered 12 proposed amendments to the  
3 first Congress in 1789 -- in 1791 known as the Bill of  
4 Rights, his very first proposal dealt with Congressional  
5 apportionment. I don't know if y'all know that. 11:11 PM

6 His second dealt with the equally hot  
7 topic of Congressional pay. That first idea was never  
8 ratified by the required nine State Legislatures, and  
9 the second took 201 years to be ratified as our 21st  
10 Amendment. 11:12 PM

11 The third proposal that Madison gave us  
12 was religious freedom and the right to speak and  
13 petition our government for redress of grievances, which  
14 brings us to my testimony.

15 Waco and Central Texas have been 11:12 PM  
16 represented in Washington by a total of 14 Congressmen  
17 since 1845. Specifically, a district within McLennan  
18 and Bell County core has been drawn by the Texas  
19 Legislature ever since 1876, which is the adoption of  
20 our Constitution that we're under. 11:12 PM

21 Our last six Congressmen have specifically  
22 resided in McLennan County. During the past eight  
23 years, Congressman Tom Connally, Bob Poage, Marvin Leath  
24 and Chet Edwards have distinguished themselves as  
25 independent-minded fiscally conservative politicians who 11:12 PM

1 kept the interest of their district paramount over 11:12 PM  
2 strictly partisan politics.

3                   Personally, I do not understand why it's  
4 important to alter this district; however, politically,  
5 I do understand that the Republican Party of Texas and 11:12 PM  
6 its White House wants our Democratic Congressman and  
7 five other Democratic Congressmen purposely defeated.

8 All that's political because the geographically drawn  
9 districts have served neither geography, nor community  
10 interests, are merely partisan tools to perpetuate an 11:13 PM  
11 ideological right agenda. Nothing more, nothing less.

12 It is instructive, though, to understand that the  
13 founding of our republic, and I don't know if y'all know  
14 this, but there were no such things as single-minded or  
15 single-member Congressional Districts. Each state was 11:13 PM

16 represented by Congressmen elected at large, and that  
17 was true all the way through the 1820s when Jacksonian  
18 Democracy basically changed all that. I did a lot of  
19 research on this when I was in graduate school, and one  
20 of the things in Virginia, which I studied, was the big 11:13 PM

21 battle between the Tidewater big cities or the urban  
22 areas of Richmond, Williamsburg and that area, and the  
23 Piedmont areas, which is the rural areas, and basically  
24 when they were electing Congressmen at large for  
25 virtually about 40 years of our republic, guess who got 11:13 PM

1 all of the Congressmen? It was the big urban areas or 11:13 PM  
2 the Tidewater areas again. And that's what started  
3 Jefferson's Democratic Republic Party and that's what  
4 started this whole movement to single-member districts,  
5 and that's basically -- it came to Texas under a 11:14 PM  
6 Democracy that we know now. And that's never really  
7 been put in the Constitution either, but the idea was  
8 legalized in 1962 Baker versus Hart (phonetic), a  
9 Supreme Court decision, and followed through with the  
10 1967 Congressional law that mandated single-member 11:14 PM  
11 districts in Texas and in the south. Of course, the  
12 Voting Rights Act of 1965 and 1970 also basically  
13 reinforced that.

14 Professionally, I believe the time has  
15 come to drop partisan, winner take all, gerrymandering 11:14 PM  
16 geographic districts, which represent nothing, and go to  
17 a fair proportional allocated method. The State of  
18 Texas is being made a laughing stock of just doing  
19 redistricting whenever they want to and for a political  
20 whim. Perhaps we could redraw the political box and 11:14 PM  
21 basically think of a different way of doing this. It  
22 sure would be helpful and we'd be spending our time on  
23 something worthwhile that would actually be leading the  
24 cutting edge of the 21st Century politics.

25 But again, thank you for your service to 11:15 PM



1 our state. And as a person that went through this 11:15 PM  
2 process 30 years ago, I really can't fathom why Governor  
3 Perry put you in the Legislature through this twice in  
4 the same decade. That is quite a remarkable feat, and I  
5 do appreciate all the work that y'all are doing. Thank 11:15 PM  
6 you very much.

7 AUDIENCE MEMBERS: (Applauded).

8 CHAIRMAN SENATOR DUNCAN: Thank you.

9 Are there any questions of Mr. Wathall?

10 Thank you for your testimony today and for 11:15 PM  
11 your patience in waiting.

12 (Whereupon, Mr. Wathall was excused.

13 CHAIRMAN SENATOR DUNCAN: The Chair calls  
14 Karen Petree. After Miss Petree will be Louis Strockman  
15 (sic.).

16 AUDIENCE MEMBER: Strobacker.

17 CHAIRMAN SENATOR DUNCAN: I don't have my  
18 glasses on, I'm sorry.

19 KAREN PETREE

20 having signed an oath card, testified as follows:

21 DIRECT TESTIMONY

22 BY KAREN PETREE:

23 A Hi, my name is Karen Petree and I'm  
24 representing my family. My father is in the audience.

25 This past year, my family displayed signs 11:15 PM

1 in our yard supporting a Republican for Judge and a 11:15 PM  
2 Democrat for Congress. My family votes a split ticket.  
3 According to those who feel redistricting is the most  
4 important agenda, we must vote a straight ticket. Perry  
5 and DeLay are saying that any district that fails to 11:16 PM  
6 elect all candidates from the same party must be  
7 disbanded. This is not right. We should be able to  
8 elect officials that represent us, not a party.

9 In 1976, many Texans crossed party lines  
10 to vote for Ronald Reagan in the Republican primary. 11:16 PM  
11 They voted for a philosophy of less control from  
12 Washington, returning rights to the local people.  
13 Reagan won the vast majority of open primaries, but the  
14 Republican Party nominated Gerald Ford in closed  
15 caucuses. Four years later, Republicans trusted the 11:16 PM  
16 people and owned the White House for the next 12 years.  
17 Texans embraced Reagan's party, they campaigned for  
18 local control and for the term limits to discourage the  
19 type of centralized power DeLay and Perry are building  
20 today. What happened to that? 11:16 PM

21 Several years -- several years ago,  
22 Clayton Williams was campaigning for Governor when he  
23 joked with reporters that "if rape is inevitable, you  
24 should lay back and enjoy it." The comment did not set  
25 well with Texans, who thought the quote made light of 11:17 PM

1     hopeless victims' plight. That seems to be a message     11:17 PM  
2     coming from our Governor with this redistricting plan.  
3     Governor Perry split the entire State House because he  
4     followed a Republican leadership that embraced  
5     bipartisanship and cooperated in fulfilling the     11:17 PM  
6     interests of all Texans. Were we wrong to trust this  
7     Governor to do the same?

8                     Now we are being assaulted with this plan  
9     that absolutely has no purpose but to feed the cravings  
10    of those who hold the power and control of others.     11:17 PM

11                    My family applauds those who represent us  
12    and refuses -- and refuse to accept the assault lying  
13    down. We are grateful for those who have already risked  
14    their political lives to bring attention to our plight.  
15    My family thanks all of our Representatives for rescuing     11:17 PM  
16    us from this unprovoked attack. And I yield the rest of  
17    my time to questions. Thank you.

18                    CHAIRMAN SENATOR DUNCAN: Thank you,  
19    Miss Petree.

20                    Any questions?     11:17 PM

21                    VICE CHAIRMAN SENATOR GALLEGOS: Yes,  
22    Senator.

23                    CHAIRMAN SENATOR DUNCAN: Senator  
24    Gallegos.

25                    QUESTIONS BY VICE CHAIRMAN SENATOR GALLEGOS

1                   VICE CHAIRMAN SENATOR GALLEGOS:  So,  
2  Miss Petree, is that your name?

3                   MS. PETREE:  Uh-huh.

4                   VICE CHAIRMAN SENATOR GALLEGOS:  So what  
5  you're -- I'm using your quotes and what you said about  11:18 PM  
6  Clayton Williams.  So you're saying that if  
7  redistricting is inevitable, that we should just take it  
8  back -- we should just lay back and take it, is that  
9  what you advise?

10                  MS. PETREE:  But I also said that Texans  11:18 PM  
11  did not agree with that --

12                  VICE CHAIRMAN SENATOR GALLEGOS:  Okay.  
13  Okay.

14                  MS. PETREE:  -- and Texans did not stand  
15  for that.  11:18 PM

16                  VICE CHAIRMAN SENATOR GALLEGOS:  All  
17  right.  I just wanted to make sure.

18                  MS. PETREE:  Is that it?

19                  SENATOR AVERITT:  Mr. Chairman.

20                  CHAIRMAN SENATOR DUNCAN:  Senator Averitt. 11:18 PM

21                  SENATOR AVERITT:  Karen was one of our  
22  Senate scholars during this past session in Austin and  
23  visited us in Austin, and I'm very proud that she's just  
24  graduated from Waco High School and on her way to  
25  Baylor, I understand, and I expect that one of these  11:18 PM

1 days soon, we may be seeing her maybe on this side of 11:18 PM  
2 the table.

3 VICE CHAIRMAN SENATOR GALLEGOS: So she's  
4 the one that kept you in line?

5 CHAIRMAN SENATOR DUNCAN: She did an 11:18 PM  
6 excellent job, very well --

7 MS. PETREE: I was very impressed with Kip  
8 Averitt. And he's one of the reasons, including Chet  
9 Edwards, that I'm interested in politics. And Girl  
10 State (phonetic) is another and I've been a citizen and 11:19 PM  
11 a counselor. So I'm very interested in government and  
12 watching him in Committee, he was the only one that  
13 voted against a bill, he knew it was going to pass  
14 anyway, went on a second reading, but he had to speak  
15 out, and he said "you know what, I know it's going to 11:19 PM  
16 pass anyway, but I have to speak out for my  
17 constituents." And I hope he does the same because his  
18 vote is obviously the one that makes a difference in  
19 this. I'm sorry. But, I mean --

20 AUDIENCE MEMBERS: (Laughter). 11:19 PM

21 SENATOR AVERITT: (Gestured).

22 AUDIENCE MEMBERS: (Applauded).

23 SENATOR VAN DE PUTTE: Kip, be careful.

24 QUESTIONS BY SENATOR VAN DE PUTTE

25 SENATOR VAN DE PUTTE: Miss Petree, can 11:19 PM

1 you point out your daddy? 11:19 PM

2 MS. PETREE: (Gestured). And he's a  
3 public schoolteacher and we both -- he's already a  
4 teacher. I want to be a teacher, I'm going to teach  
5 mathematics. 11:19 PM

6 SENATOR VAN DE PUTTE: Congratulations,  
7 you did well.

8 CHAIRMAN SENATOR DUNCAN: Thank you very  
9 much.

10 AUDIENCE MEMBERS: (Applauded).  
11 (Whereupon, Ms. Petree was excused.)

12 CHAIRMAN SENATOR DUNCAN: Let me ask in  
13 the audience, is there anyone -- persons who wish to  
14 testify or who would desire the services of our  
15 interpreter? I see none in the audience. 11:20 PM

16 Members, is there any objection -- I would  
17 entertain a motion that we allow the Interpreter to go.

18 SENATOR WEST: Oh, I object. I object.  
19 Stay with us.

20 AUDIENCE MEMBERS: (Laughter). 11:20 PM

21 CHAIRMAN SENATOR DUNCAN: Okay. Is there  
22 any objection? Senator Gallegos moves that the  
23 Interpreter be allowed to leave if he so desires, be  
24 discharged. Is there any objection to the motion? The  
25 Chair hears none. So ordered. 11:20 PM



1 thank the Committee for coming to Waco and allowing us 11:21 PM  
2 this opportunity. I think the Governor did the right  
3 thing in at least having this session to allow the  
4 people of Texas to get involved in it. I have to take  
5 my glasses off to read my notes. Anyway, I want to 11:21 PM  
6 thank the Committee and Senator Averitt, in particular.

7 My comments are that I think that  
8 redistricting is the right thing. It should be done.  
9 You should not let federal judges tell us how to do it.  
10 You know, it just really rips on me, and I don't care if 11:22 PM  
11 they're Republican or Democrat judges, they're sitting  
12 on the federal bench, I think it's Texas' priority to do  
13 it.

14 And anyway, I was born and raised in what  
15 I believe was the 21st Congressional District and back 11:22 PM  
16 in the '40s, that -- as I recall, that was a fairly  
17 cohesive district. It was Kerr County and several  
18 adjoining surrounding counties.

19 Sometime in the '60s, I'm going to say in  
20 one of those redistrictings, either in '60 or '70, 11:23 PM  
21 certain people I think got to feel threatened and we  
22 wound up with a Congressional District that instead of  
23 representing the Hill Country interests, ranching  
24 interests, it stretched from downtown San Antonio to  
25 Alpine, Texas. A distance that one could hardly drive 11:23 PM



1 in a day, particularly those days. I see remnants of 11:23 PM  
2 that in the maps and stuff that we are shown today, and  
3 I think that's particularly wrong. I see the same kind  
4 of thing going through McLennan County. I think the  
5 district should be as concise and particularly 11:23 PM  
6 economically cohesive as they possibly can be in sharing  
7 common interests. I've heard a number of people on both  
8 sides and I think -- on whether they support or do  
9 support, I think that's a lot of what they were talking  
10 about is, you know, keeping -- you know, keeping 11:24 PM  
11 economic type areas together. You know, I'm not  
12 particularly interested in whether any particular  
13 Congressman survives redistricting or not. I don't  
14 think it should be done with that regard, I think it  
15 should be done with regard towards looking at, you know, 11:24 PM  
16 what's right for that area, who do these people fit best  
17 with, you know, to the extent that you can. I realize  
18 that it's a tough job.

19                   Anyway, I believe gerrymandering was bad  
20 then, it's wrong -- equally wrong now. It shouldn't be 11:25 PM  
21 done. I think there's things in the federal laws that  
22 you have to live with that are probably the result of  
23 some of that.

24                   QUESTIONS BY CHAIRMAN SENATOR DUNCAN

25                   CHAIRMAN SENATOR DUNCAN: Mr. Strobacker, 11:25 PM

1 let me ask you a question. 11:25 PM

2 MR. STROBACKER: Yes, I believe I'm pretty  
3 much done.

4 CHAIRMAN SENATOR DUNCAN: Do you -- do you  
5 -- are you in favor of or do you oppose dividing 11:25 PM  
6 McLennan County?

7 MR. STROBACKER: Generally, I think it  
8 would be very regrettable to split McLennan County, yes.

9 SENATOR WEST: Mr. Chairman.

10 CHAIRMAN SENATOR DUNCAN: Senator West. 11:25 PM

11 QUESTIONS BY SENATOR WEST

12 SENATOR WEST: I have a couple of  
13 questions. If the Legislative branch of government does  
14 not perform its Constitutional or Legislative mandated  
15 duty, do you believe that the federal courts should step 11:26 PM  
16 in and perform that duty?

17 MR. STROBACKER: Well, obviously, it can  
18 and will when they have to.

19 SENATOR WEST: I understand that, but do  
20 you believe that they should do that? 11:26 PM

21 MR. STROBACKER: I suppose that that's  
22 probably right, but I think it's very regrettable if it  
23 gets -- you know, when it gets to that point. You know,  
24 that's kind of like, you know, you have to have  
25 reminders to tell you to do the right thing. 11:26 PM

1                   SENATOR WEST: Right. I mean, and I'm not 11:26 PM  
2 going to take you down that memory lane, but there's  
3 been a lot of instances where the State of Texas has not  
4 done what it's supposed to do. Let me give you an  
5 example. Our prison system was under a federal court 11:27 PM  
6 order --

7                   MR. STROBACKER: Over many years, yes.  
8 John (sic.) Wayne Justice.

9                   SENATOR WEST: -- and I believe that our  
10 Health and Human Services, we were mandated by federal 11:27 PM  
11 courts to -- because it wasn't the Legislative will or  
12 the Executive branch will to perform certain things.  
13 Historically, in redistricting, that's pretty much been  
14 the case here.

15                   You may recall that Senator Gallegos was 11:27 PM  
16 trying to take you down memory lane in terms of history.  
17 The Congressional map that we're currently under now  
18 came about because of the Legislature --

19                   MR. STROBACKER: Yes.

20                   SENATOR WEST: -- during the last 11:27 PM  
21 session --

22                   MR. STROBACKER: Well, and --

23                   SENATOR WEST: -- redistricting fight.

24                   MR. STROBACKER: Right. And you know  
25 better than I do how much legacy that has in it. You 11:28 PM

1 know, we've had, I'm going to say at least in my memory, 11:28 PM  
2 these weird looking maps that go back at least 30 - 40  
3 years.

4 SENATOR WEST: And maybe longer.

5 MR. STROBACKER: Yes. I'm saying in my 11:28 PM  
6 memory, and I really don't have much memory of it back  
7 beyond that.

8 SENATOR WEST: And I know you made a  
9 statement that, you know, we don't want the courts to do  
10 our -- the courts shouldn't do our job. 11:28 PM

11 MR. STROBACKER: Well, I think we can do a  
12 better job. I think they even think that.

13 SENATOR WEST: And I agree. That's why we  
14 initially have the duty in the first place. But when we  
15 don't exercise or we don't perform the Legislative duty, 11:28 PM  
16 like Judicial Redistricting, that's a different subject  
17 altogether --

18 MR. STROBACKER: Oh, yes.

19 SENATOR WEST: -- which we haven't done in  
20 over a hundred years, but that's a different deal. The 11:28 PM  
21 court is the mechanism or the branch of government in  
22 our constitution that provides for us to make sure that  
23 our duty is in fact performed. And that's what happened  
24 here, the court put together the plan.

25 MR. STROBACKER: Well, and I understand 11:29 PM

1 that. I'm not so sure that it would have -- I guess in 11:29 PM  
2 my liking, I would have rather they had knocked some  
3 heads together and said "guys, you've got to do it."

4 SENATOR WEST: Well, they all did that.

5 MR. STROBACKER: I don't know what their, 11:29 PM  
6 you know, persuasive abilities are, but, yes. What I --  
7 as I said, it's regrettable when they have to get  
8 involved.

9 SENATOR WEST: So you are for or against  
10 redistricting? 11:29 PM

11 MR. STROBACKER: I am still for the state  
12 doing their own redistricting. I think it could be  
13 improved upon what we have.

14 SENATOR WEST: Okay. And even with the --  
15 recognizing that the state had the opportunity to do it, 11:29 PM  
16 we shirked our responsibilities, and then the court  
17 intervened and did redistricting, you still think now we  
18 should go back and do it or we should stay with the  
19 court's map and then when we do the census again --

20 MR. STROBACKER: I think we should go back 11:30 PM  
21 and see if we can do a better job than the courts did.

22 SENATOR WEST: Okay. Thank you.

23 CHAIRMAN SENATOR DUNCAN: Thank you,  
24 Mr. Strobacker.

25 SENATOR VAN DE PUTTE: Mr. Chairman. 11:30 PM

1 CHAIRMAN SENATOR DUNCAN: Yes, I think 11:30 PM  
2 he's answered. Go ahead.

3 QUESTIONS BY SENATOR VAN DE PUTTE

4 SENATOR VAN DE PUTTE: My question is:  
5 You made a statement that you thought the district was 11:30 PM  
6 funny drawn. Can you tell me about the 11th  
7 Congressional District, because if we have to do this,  
8 what is -- looks funny about that or how would you  
9 change your map to --

10 MR. STROBACKER: Well, you know, maybe 11:30 PM  
11 I -- well, I'm not sure what I can see over there,  
12 but -- but what I think is the 11th District, and maybe  
13 I'm wrong, maybe I'm looking at another one, but it  
14 looks kind of like we are doing redistricting. I can't  
15 see very good today. 11:31 PM

16 SENATOR VAN DE PUTTE: Currently, the 11th  
17 has McLennan and Coryell and Bell, Lampasas, Hamilton,  
18 Bosque and it looks like San Saba and Mills County.

19 MR. STROBACKER: Oh, I see.

20 SENATOR VAN DE PUTTE: Are those community 11:31 PM  
21 of interests or does that look funny to you?

22 MR. STROBACKER: Okay. Well --

23 SENATOR VAN DE PUTTE: Oh, I think you  
24 might be looking at the House. I was talking about the  
25 current, the current. 11:31 PM

1 MR. STROBACKER: Oh. 11:31 PM

2 SENATOR VAN DE PUTTE: I want to find out  
3 if you think the 11th is really ugly looking or how  
4 would you draw that better?

5 MR. STROBACKER: Okay. I agree, I looked 11:31 PM  
6 at the thing over there.

7 SENATOR VAN DE PUTTE: Now, that's the  
8 House map, I think.

9 MR. STROBACKER: Well, okay. And I don't  
10 know that I could draw it better. I don't even know 11:31 PM  
11 what -- you know, a lot that goes into it. I've been  
12 somewhat associated with the local redistricting efforts  
13 at times, but I really don't know what -- what's on the  
14 table right now.

15 SENATE STAFF MEMBER: (Handed document to 11:32 PM  
16 Mr. Strobacker).

17 VICE CHAIRMAN SENATOR GALLEGOS: That's  
18 the current.

19 SENATOR VAN DE PUTTE: That's the current  
20 district and I know that you're on the McLennan County. 11:32 PM  
21 Does that go with Coryell and Bell real well or would  
22 you change your 11th -- the Congressional District that  
23 you're in?

24 MR. STROBACKER: Well, that wasn't -- this  
25 doesn't change what I'm in here on. 11:32 PM

1                   SENATOR VAN DE PUTTE: I know. This is 11:32 PM  
2 the current map. So if we change, if we redistrict, how  
3 would you redistrict the 11th that you're a citizen of  
4 to make it better? Because you said in your statement  
5 that you wanted us to make it better, and I'm asking you 11:32 PM  
6 how do we help you, how do we make it better?

7                   MR. STROBACKER: Well, and I don't know  
8 that, you know, and I haven't, you know, looked at all  
9 the data, but there are some districts out there that  
10 look a little strange, but I haven't seen it before 11:33 PM  
11 this.

12                   SENATOR VAN DE PUTTE: But your district,  
13 11th District, does it look strange to you?

14                   MR. STROBACKER: Not really any worse than  
15 any of the others. I'm not necessarily telling you to 11:33 PM  
16 change it, I'm saying what we need to do is look at it  
17 and make sure that we agree with it.

18                   SENATOR VAN DE PUTTE: Thank you.

19                   CHAIRMAN SENATOR DUNCAN: Thank you,  
20 Mr. Strobacker. I appreciate your testimony today. 11:33 PM

21                   (Whereupon, Mr. Strobacker was excused.)

22                   CHAIRMAN SENATOR DUNCAN: The Chair  
23 recognizes Toni Herbert.

24

25



1 TONI HERBERT

2 having signed an oath card, testified as follows:

3 DIRECT TESTIMONY

4 BY TONI HERBERT:

5 A My name is Toni Herbert and I'm actually here 11:33 PM  
6 representing myself, although I have worked for the past  
7 six years as a Member of the Waco City Council in  
8 nonpartisan community-wide efforts to address issues  
9 that are critical to Waco, McLennan County and the Heart  
10 of Texas. 11:34 PM

11 I oppose redistricting at this time. And  
12 I believe that this is a destructively polarizing issue.  
13 This effort has forced many Wacoans and other Central  
14 Texans to choose between loyalty to their party, to the  
15 Republican Party, and their very real concerns about the 11:34 PM  
16 effects of cow manure in our drinking water; about  
17 improvements to Interstate Highway 35; about support for  
18 our excellent institutions of higher education; about  
19 the economic health of local employers; about continued  
20 attention to the social and economic future of the Heart 11:34 PM  
21 of Texas, and on and on and on. The upshot of the  
22 situation that we find ourselves in is that we're  
23 feeling disrespected, devalued and deprived of a strong  
24 voice by the decisions that target our current  
25 Congressional District for extinction. 11:35 PM

1                   A lot of the local Republicans are                   11:35 PM  
2                   conflicted by this process since they live in this  
3                   district, too, and they want the best for their families  
4                   and their businesses. A lot of Democrats and  
5                   Independents, including myself, are shocked, and as you   11:35 PM  
6                   can -- as you experienced here, riled up about -- by  
7                   this hostile ill-timed push to redistrict.

8                   I'm here to speak against any  
9                   redistricting because I'm for the people and the  
10                  interests of Waco and Central Texas. And like many       11:35 PM  
11                  others, I resent the aggressive move to silence Central  
12                  Texas voices and relegate Central Texas issues to the  
13                  political scrap heap.

14                  My position is that, first, elected  
15                  officials in the State of Texas should recognize and       11:35 PM  
16                  respect the people of the Heart of Texas.

17                  Second, that redistricting should be  
18                  considered at the appropriate time, after the next  
19                  national census.

20                  And third, that the Texas Senate should       11:35 PM  
21                  "just say no" and show the leadership necessary to see  
22                  us through this emotional process without violating the  
23                  will of the people and the self-determination of Waco  
24                  and the Heart of Texas.

25                  I'd like to thank this Committee,                   11:36 PM

1 Mr. Chairman and the Senators, for the respectful 11:36 PM  
2 attention that you have given us by, first of all,  
3 having a meeting here and just your demeanor throughout  
4 this. At least you're giving us the perception that  
5 you're paying attention to us and that you're open to 11:36 PM  
6 what we're saying, and this is in stark contrast to what  
7 we experienced when we went -- when we took people to  
8 Dallas because there wasn't a meeting -- a House meeting  
9 in Central Texas. A group of us got on the bus at six  
10 o'clock on a Saturday morning, drove a hundred miles, 11:36 PM  
11 sat through 11 hours of testimony, only to hear  
12 ourselves derisively referred to by the Chairman of the  
13 Committee as "people who were bussed in," and most of us  
14 didn't get a chance to speak. We sat there until --  
15 from eight o'clock in the morning until eight o'clock 11:37 PM  
16 that evening and had to get on the bus and come back to  
17 Waco without a chance to speak, so we really appreciate  
18 what you've done by coming here and showing us the  
19 respect and at least listening to what we had to say.  
20 Thank you very much. 11:37 PM

21 CHAIRMAN SENATOR DUNCAN: Thank you,  
22 Ms. Herbert.

23 AUDIENCE MEMBERS: (Applauded).

24 (Whereupon, Ms. Herbert was excused.

25 CHAIRMAN SENATOR DUNCAN: Now, Ms. Myrtle 11:37 PM

1 Captain. And after Ms. Captain, we'll have Denton 11:37 PM  
2 Lessman.

3 MYRTLE L. CAPTAIN  
4 having signed an oath card, testified as follows:

5 DIRECT TESTIMONY

6 BY MYRTLE L. CAPTAIN:

7 A Thank you, Mr. Chairman. First, I want to make  
8 very quick apologies. I'm recuperating from three  
9 serious strokes, so anything I say to you tonight is  
10 purely from my heart, so please bear with me. 11:37 PM

11 I'm from Temple, Texas. For the record,  
12 the name is Myrtle Captain. I was just a kid when the  
13 VA hospital in Temple was known as McCluskey (phonetic).  
14 My mother worked there. Now, it's old and empty.

15 I'm a 37 year employee of Fort Hood. I 11:38 PM  
16 take that very seriously because I started night shift  
17 temporary laundry. When I retired, I was the  
18 senior-most woman on that post. GM13. That's more than  
19 a GS. I was general manager, that's why it's GM. 37  
20 years on Fort Hood. I loved every year of it. 11:38 PM

21 In my community, I was the 13 year  
22 President of the Temple Branch of NAACP and 13 years --  
23 additional years as the Secretary to the State of Texas  
24 NAACP. In the year of 2000, I worked for the NAACP in  
25 Austin. Two and three o'clock in the morning, I'd be up 11:39 PM

1 on the Floor in the best interest of those bills that 11:39 PM  
2 were particularly affecting people of color.

3 I've heard quite a few little slogans  
4 thrown around here this evening. But I'm from the Army  
5 and as a civilian we don't fix stuff that ain't broke. 11:39 PM  
6 Chet Edwards' 11th Congressional District is very  
7 appropriate. We don't need it switched and redesigned.  
8 In all cases, we need the most contiguous district we  
9 can possibly have. We don't need to break in between  
10 and gerrymandering for the sole purpose of partisan 11:40 PM  
11 tactics.

12 During my NAACP career, I also organized  
13 and stayed the Chairman of the Heart of Texas NAACP.  
14 Why was that? Because the community around Temple -  
15 Coryell, Milam County - had separate branches, but our 11:40 PM  
16 greatest impact was when we came together. So as the  
17 Chairman of the Heart of Texas unit of NAACP, our State  
18 President, who is still our State President, Gary L.  
19 Bledsoe, our most influenced attorney in Austin, has led  
20 us very well and we do believe that the closer people 11:41 PM  
21 are to government, the better they can understand it,  
22 and when we understand it, we want to participate in it.

23 Chet Edwards came after Marvin Leath. My  
24 memory goes back to W.R. Poage. We've got the Poage  
25 Building there in Temple. 11:41 PM

1                   One minute more. I promised you I'd give 11:41 PM  
2 you some of it back.

3                   But anyway, we're very pleased with Chet.  
4 Chet has done the Army well. Not just the Army itself,  
5 but all of us connected with it. Civilian employees 11:42 PM  
6 feel a close association with our Congressman. And I  
7 appreciate you, Chet, however this turns out. Oh, I  
8 think I don't know exactly where I put the X on "for" or  
9 "against," but I want you to know the 11th Congressional  
10 District as it is today is good for us. We don't need 11:42 PM  
11 for you to push through it and trying to please some  
12 personal preference, at least not for all partisan  
13 preference.

14                   Do you have any questions for me?

15                   SENATOR WEST: Mr. Chairman. 11:42 PM

16                   CHAIRMAN SENATOR DUNCAN: Senator West.

17                   QUESTIONS BY SENATOR WEST

18                   SENATOR WEST: Ms. Adams (phonetic), I  
19 don't have any questions for you, but you are an icon in  
20 the civil rights movement -- 11:43 PM

21                   MS. CAPTAIN: Thank you.

22                   SENATOR WEST: -- in the State of Texas.

23                   MS. CAPTAIN: Thank you.

24                   SENATOR WEST: And I want to personally  
25 say thank you for all that you've done throughout these 11:43 PM

1 years. But for your vigilance, your persistence, and 11:43 PM  
2 your teamwork, I would not be sitting here today as a  
3 State Senator and I'm well aware of that. Thank you.

4 MS. CAPTAIN: Thank you very much. I  
5 respect every word you say. 11:43 PM

6 CHAIRMAN SENATOR DUNCAN: Thank you,  
7 Ms. Captain. Thank you for being here with us.

8 AUDIENCE MEMBERS: (Applauded).  
9 (Whereupon, Ms. Captain was excused.)

10 CHAIRMAN SENATOR DUNCAN: The Chair 11:43 PM  
11 recognizes Denton Lessman. Mr. Lessman.

12 DENTON BYRON LESSMAN  
13 having signed an oath card, testified as follows:

14 DIRECT TESTIMONY  
15 BY DENTON BYRON LESSMAN:

16 A My name Denton Lessman. I live in Hewitt,  
17 Texas, which is here in McLennan County. I am a seventh  
18 generation or my son is the seventh generation person in  
19 this county. My family has been here a long time. I've  
20 got lots of relatives, both distant, and I've got lots 11:43 PM  
21 of friends in this area.

22 This -- I just graduated from this law  
23 school. That Chair right there, I was the first person  
24 to sit in. I've been really busy, I've got the bar exam  
25 in three weeks. Those of you who are attorneys know how 11:44 PM

1 busy it is. This redistricting is obviously something 11:44 PM  
2 that legislatively you have the right to do. As far as  
3 busting up the 11th District, I feel so strongly about  
4 it, that my wife who is a physician and is on call  
5 tonight is home with our eight month old baby and I'm 11:44 PM  
6 hoping I don't have to leave real quickly. I'm taking  
7 time out of my bar study to come down here and speak to  
8 you.

9 I've sat here and heard a lot of these  
10 people for the last couple of hours, and it's amazing 11:44 PM  
11 how much emotion and how strongly everybody is  
12 communicating to y'all, and I appreciate your -- your  
13 attention that you're giving us. I would like to just  
14 make a couple of points or a few points, if I could.

15 A Republican form of district or 11:45 PM  
16 government to my understanding and to my knowledge is  
17 basically we are to represent somebody, and the way we  
18 try divvying up the redistricting is try to make it as  
19 far as a percentage of the population to the voice that  
20 we have up in Washington. According to the House 11:45 PM  
21 Website, I pulled this off today and I tallied the  
22 actual population that we have here in the 11th District  
23 as 651,820, I believe is what it was. But anyway,  
24 basically if you divide it by the 20,851,820 that we  
25 have in the state, you have 3.13% of the Texas 11:46 PM



1 population here in the 11th District. If you take -- to 11:46 PM  
2 my understanding, we've got 32 of y'all up there. If  
3 you take 1, divide by 32, that comes out to 3.13%.  
4 We're exactly where we should be. This district is  
5 lined up right for the population and for the voice that 11:46 PM  
6 we have in Washington. That's the first part.  
7 Whether -- whether Mr. Edwards is up there or somebody  
8 else is up there, you know, one of these days, he's not  
9 going to be up there, somebody else will be up there.  
10 You know, I know that's not the part and I know that's 11:46 PM  
11 the intent for doing what's going on right now. And  
12 I'll go on record and say I am Republican and, you know,  
13 I find it very disturbing that, you know, that would be  
14 the purpose for trying to break up something that has  
15 worked so well for over a hundred years -- well over a 11:46 PM  
16 hundred years.

17 I'd like to point out if I could some of  
18 the concerns. You've heard lots of concerns and I know  
19 I'm going to repeat a lot of them that have been said  
20 here tonight. 11:47 PM

21 I-35 through McLennan County. To my  
22 understanding, I-35 in McLennan County is the largest  
23 pollutant in this county. We've got a glass plant here  
24 in town, we've got lots of other industry here in town,  
25 but that highway right out here is the largest pollutant 11:47 PM

1 that we have in this county. I'm sure it's the same for 11:47 PM  
2 Bell County, I'm sure it's the same for Hill County and  
3 I know -- you know, Milam County probably the same way.  
4 That's an issue.

5 Military. Fort Hood, I mean, it's the 11:47 PM  
6 biggest -- the biggest one we've got. And I know that  
7 -- I know that as she was saying, you know, there's  
8 people from all over, there's people here that drive to  
9 Fort Hood to work. I've got friends that live here in  
10 town that drive to Fort Hood. 11:47 PM

11 Agriculture. Central Texas, you can look  
12 at the map and you see the way counties were originally  
13 laid out. This 11th District is right there and this is  
14 the heart of the black land. This isn't hill country,  
15 this isn't -- this isn't the clay, this is black land 11:48 PM  
16 right here. We raise corn, we grow wheat, we've got  
17 some oats, we'll throw some maize, we've got cows, we've  
18 got some dairies, there's some up the river that we have  
19 some issues with the water on, but that's all right  
20 here. It's different than San Antonio, it's different 11:48 PM  
21 than Fort Worth, its issues. And I know that the  
22 gentleman who spoke earlier about the -- you know, about  
23 the relationship that they have with Fort Hood knows a  
24 lot more than I do.

25 Local government delivery. Funds that 11:48 PM

1     come down from Washington. To my understanding, a lot     11:48 PM  
2     of that stuff is divvied up through cogs. We have two  
3     cogs, we have the Central Texas cog and we have hot cog,  
4     hot cog being here in Waco. These delivery systems are  
5     things that have been set up that deliver very, very,     11:49 PM  
6     very well. They deliver services to the people that we  
7     have here, the people that aren't as fortunate as I've  
8     been blessed. Here in McLennan County, we have the  
9     McLennan County Family Practice --

10                   CHAIRMAN SENATOR DUNCAN: Time's up.             11:49 PM

11                   MR. LESSMAN: Oh, okay, I'm sorry.

12                   CHAIRMAN SENATOR DUNCAN: Go ahead and  
13     wrap up. I just want you to know. I didn't know if you  
14     saw the card or not.

15                   MR. LESSMAN: Okay.

16             A     I -- I just wanted to -- you know, that's it.  
17     This is -- this is a community. We've got friends,  
18     we've got family and thank you.

19                   CHAIRMAN SENATOR DUNCAN: Thank you,  
20     Mr. Lessman.   11:49 PM

21                   AUDIENCE MEMBERS: (Applauded).

22                   CHAIRMAN SENATOR DUNCAN: Before you  
23     leave, do you have any questions?

24                   Thank you.

25                   (Whereupon, Mr. Lessman was excused.             11:49 PM

1 CHAIRMAN SENATOR DUNCAN: Arthur Resa. 11:49 PM

2 ARTHUR RESA, GREATER TEMPLE/BELTON LULAC COUNCIL

3 having signed an oath card, testified as follows:

4 DIRECT TESTIMONY

5 BY ARTHUR RESA:

6 A My name is Arthur Resa. I'm President of the  
7 Greater Temple/Belton LULAC Council and I reside in  
8 Belton.

9 I'm a seventh generation Tejano. My  
10 family has roots in Central Texas that date back to 11:50 PM  
11 1866. In all 10 counties that compose District 11, out  
12 of 10 counties, I have relatives in nine counties.

13 As LULAC President of the Temple/Belton  
14 Council, I'm heavily involved in the Hispanic community  
15 in Temple/Belton and I also monitor the pulse of the 11:50 PM  
16 community daily. And I'm greatly concerned with the  
17 idea of redistricting our district, and also all the  
18 other U.S. Congressional Districts. My concern is about  
19 redistricting is totally a partisan gain and is not an  
20 objective means of addressing concerns of the Hispanic 11:51 PM  
21 community.

22 Our Congressman gives our community proper  
23 representation and contributes to the great harmony  
24 within our district. To redistrict will cause  
25 disharmony in our community and will have far reaching 11:51 PM

1 and long-term effects in our community, Central Texas 11:51 PM  
2 and in Texas that can take years to repair. In simple  
3 terms, by allowing redistricting, you will allow  
4 assaults to be made on the gains that the Hispanic  
5 community has made in healthcare, public education, 11:52 PM  
6 Social Security, jobs, and the leadership that we have  
7 gained recently. If redistricting is allowed, I truly  
8 believe that our Temple/Belton Hispanic community will  
9 be victimized by this redistricting.

10 So I want to go on record that this Senate 11:52 PM  
11 hearing Committee stands accused of allowing crimes that  
12 will take place in the future. Those crimes will be  
13 assaults on our Hispanic community. So I urge you to  
14 vote no to redistricting. It is the just thing to do.  
15 But if you do vote yes, then let it be your legacy that 11:52 PM  
16 you will be committing crimes.

17 In closing, I want to say these hearings  
18 and redistricting is nothing more than Washington  
19 politics. It is not Texas politics. It is Washington  
20 gerrymandering with what we have that is working. You 11:53 PM  
21 have the power to stop this Washington politics in Texas  
22 and our district, and to do that, all you have to do is  
23 vote no. Thank you.

24 CHAIRMAN SENATOR DUNCAN: Thank you,  
25 Mr. Resa.

1 AUDIENCE MEMBERS: (Applauded).

2 CHAIRMAN SENATOR DUNCAN: Any questions?

3 (Whereupon, Mr. Resa was excused.)

4 CHAIRMAN SENATOR DUNCAN: Leticia Lerma.

5 LETICIA LERMA

6 having signed an oath card, testified as follows:

7 DIRECT TESTIMONY

8 BY LETICIA LERMA:

9 A Good evening, Mr. Chair and Committee, my name  
10 is Leticia Lerma. I'm from Central Texas area 11:54 PM  
11 (inaudible) and I just want to approach this argument in  
12 a different way. Not based on ethnicity or religion or  
13 party affiliation, I think this is an argument -- well,  
14 hearing the testimony of fellow citizens, a lot of --  
15 two words seem to be reoccurring frequently, and that 11:54 PM  
16 is, "the process" and "people." So, to me, this  
17 argument is really an argument of whether the people are  
18 running the process or the process is running the  
19 people. To me, being young and idealistic still, I  
20 believe that the people should run the process. This 11:54 PM  
21 attempt at redistricting because numbers don't match and  
22 a statistician somewhere said that 66% doesn't match up  
23 with the number, we all know how statistics can be  
24 arranged, and I think that people's voice is the only  
25 voice that -- are the only -- the only part of the 11:55 PM

1 process that we own is our right to vote, and for 11:55 PM  
2 legislation -- politicians to try and suffocate the  
3 people's voice by using the process to justify what  
4 they're really doing, which is taking the voice away  
5 from the people. So I would just like to say that on 11:55 PM  
6 this -- but with this issue, you can uphold the process  
7 and you can uphold the people's vote by voting for the  
8 current redistricting map as the status quo or voting  
9 against the redistricting -- the House redistricting  
10 map. So I think in this -- with respect to this issue, 11:56 PM  
11 you can uphold the process and the people. Thank you,  
12 that's all I have.

13 CHAIRMAN SENATOR DUNCAN: Thank you,  
14 Ms. Lerma. I appreciate your testimony.

15 AUDIENCE MEMBERS: (Applauded).

16 CHAIRMAN SENATOR DUNCAN: Any questions?  
17 (Whereupon, Ms. Lerma was excused.

18 CHAIRMAN SENATOR DUNCAN: The Chair  
19 recognizes Tom Purdy.

20 TOM PURDY  
21 having signed an oath card, testified as follows:

22 DIRECT TESTIMONY

23 BY TOM PURDY:

24 A I'm Tom Purdy. I live at 351 Greenwood Lane,  
25 Waco, Texas. I thank each one of you for coming here 11:56 PM

1 and we -- I want to say sarcastically, and with 11:56 PM  
2 sincerity, "Tom DeLay, thank you so much for letting us  
3 stay up so late tonight to have this hearing."

4 The main thing that bothers me is that  
5 when you look at that map, it reminds me of a person 11:56 PM  
6 with a greasy hand reaching up and grabbing the guts of  
7 McLennan County and pulling them out. And if you really  
8 look at that map carefully, you see that it cuts a great  
9 deal of the togetherness that we have with our races.  
10 East Waco, many of our blacks live in that area, South 11:57 PM  
11 Waco. Almost by design, they are taking the guts out of  
12 a community that has been and is continually working  
13 toward improving its relationship. I'm totally opposed  
14 to the change of this district. If we change it, change  
15 after the next census. 11:57 PM

16 Now, I have always voted on -- and on the  
17 primary, I wish we could say we had an open primary.  
18 Because of the special interests in this past election,  
19 I voted Republican in the primary because of a district  
20 judge race that I was very much interested in. But you 11:58 PM  
21 will note in my record, I vote for both Democrat and  
22 Republican depending on what the issues were at the  
23 time. The thing that bothers me is that now you have,  
24 in essence, a party, and I think you're right on a  
25 national standpoint, coming in and working the various 11:58 PM



1 types of influences to pull us into conflict at this 11:58 PM  
2 time and we do not need it.

3 I appreciate your being here, I appreciate  
4 your patience, and appreciate your seeing that we keep  
5 this district as is now. Thank you. 11:58 PM

6 CHAIRMAN SENATOR DUNCAN: Thank you,  
7 Mr. Purdy.

8 AUDIENCE MEMBERS: (Applauded).

9 CHAIRMAN SENATOR DUNCAN: Any questions?  
10 Thank you for your testimony today. 11:58 PM  
11 (Whereupon, Mr. Purdy was excused.

12 CHAIRMAN SENATOR DUNCAN: The Chair  
13 recognizes -- actually, it's almost tomorrow, believe it  
14 or not. The Chair recognizes Douglas Guthrie.

15 CHAIRMAN SENATOR DUNCAN: And after 11:59 PM  
16 Mr. Guthrie, we'll have Laura Lanning-Shipton.

17 DOUGLAS GUTHRIE  
18 having signed an oath card, testified as follows:

19 DIRECT TESTIMONY

20 BY DOUGLAS GUTHRIE:

21 A I'm Douglas Guthrie, I live in Waco, and I'm a  
22 country doctor who's consulted in all the community  
23 hospitals around here. I represent seven generations of  
24 Guthries in Waco when they came to -- it was Goliad in  
25 '30 -- came to Texas in '32, at Goliad in '36, and came 11:59 PM

1 to Waco in '52. We've been voting in this community and 11:59 PM  
2 this district for a long time and expect to keep on  
3 voting for another long time.

4 This proposal is -- it doesn't make. I  
5 don't -- being a country doctor, I really don't 12:00 AM  
6 understand the numbers when you spoke to the numbers  
7 earlier. We've got 32 districts, 22 of them are  
8 predominantly Republican, and five predominantly  
9 Republican districts elected five Democrats. Now, does  
10 the Republican Party deny that they want their party to 12:00 AM  
11 elect who they want? That seems -- it doesn't -- you  
12 know, it's not Congress to me that they're already in  
13 the majority and that's not enough.

14 I definitely am opposed to this  
15 redistricting. Without getting into all of my personal 12:00 AM  
16 policies, I have dealt in politics most of my life. I  
17 was on the staff of John Connally. My first campaign  
18 was with Allen Shivers, and I've been involved ever  
19 since.

20 Kip sometimes refers to me as his favorite 12:01 AM  
21 Democrat. And I did break a very religious belief of  
22 mine, I did contribute to Kip, have, and I will again.

23 SENATOR AVERITT: You're still going to  
24 have to.

25 A But to talk about history first. I remember 12:01 AM

1 when Chet worked for Tiger Teague, and I guess not many 12:01 AM  
2 of them in here would remember that. My daughter was  
3 with -- was a page in his office in the Senate and so  
4 forth. So I'm -- I want us to just leave it alone. I'm  
5 opposed to redistricting in the state, not just McLennan 12:01 AM  
6 County. I appreciate y'all being here and look forward  
7 to arm wrestling you again.

8 CHAIRMAN SENATOR DUNCAN: Thank you,  
9 Doctor.

10 AUDIENCE MEMBERS: (Applauded).  
11 (Whereupon, Mr. Guthrie was excused.)

12 CHAIRMAN SENATOR DUNCAN: The Chair calls  
13 Laura Lanning-Shipton.

14 LAURA LANNING-SHIPTON  
15 having signed an oath card, testified as follows:

16 DIRECT TESTIMONY  
17 BY LAURA LANNING-SHIPTON:

18 A Thank you for being here. My -- I'm not --

19 CHAIRMAN SENATOR DUNCAN: State your name,  
20 please? 12:02 AM

21 MS. LANNING-SHIPTON: Excuse me, Senator.  
22 My name is Laura Lanning-Shipton.

23 CHAIRMAN SENATOR DUNCAN: Thank you.

24 MS. LANNING-SHIPTON: Do I need to say  
25 anything else before I start? 12:02 AM

1                   CHAIRMAN SENATOR DUNCAN: No.                   12:02 AM

2           A     My interest is central -- in fact, somebody who  
3     is personally interested in this area, especially the  
4     water quality. With the research that's being done  
5     right now, they have found out that pesticides can come 12:02 AM  
6     back down in the fog and rain, the amounts of things  
7     that can go through the water. And talking about the  
8     manure, very molded (inaudible) seems to actually be  
9     manure. They're actually using manure in biograde  
10    mediation to get rid of other stuff. It's actually 12:02 AM  
11    good.

12                   Antibiotics exist in bacteria and --  
13    excuse me. Mercury, pesticides and antibiotics that are  
14    in the water are the ones that are causing the most  
15    hassles. By doing what is called biograde mediation 12:03 AM  
16    (phonetic), which is using bacteria or pipa-mediation  
17    (phonetic), it helps get rid of these items.

18                   Now, with the research that's going on,  
19    I'm just worried that somebody might not be personally  
20    interested in this area. What we have -- I know one 12:03 AM  
21    major item that is here is corn, which feeds stock for  
22    animals, and animals have a potential of being very  
23    important, especially cow manure, and they're actually  
24    using -- it combines to -- it's fertile to break down  
25    other items into nontoxic substances. I don't know what 12:03 AM

1 would happen if we redistricted. That's the -- that's 12:04 AM  
2 all I have to say.

3 CHAIRMAN SENATOR DUNCAN: Thank you,  
4 Ms. Shipton.

5 Any questions of Miss Shipton? 12:04 AM

6 Thank you for your presence here today.

7 AUDIENCE MEMBERS: (Applauded).

8 (Whereupon, Ms. Lanning-Shipton  
9 (was excused.

10 CHAIRMAN SENATOR DUNCAN: Is there anyone 12:04 AM  
11 else in the audience who would like to testify for or  
12 against or on redistricting?

13 MR. MAHON: Yes, sir.

14 CHAIRMAN SENATOR DUNCAN: Yes, sir. Would  
15 you please approach? 12:04 AM

16 SENATE STAFF MEMBER: General Taylor.

17 CHAIRMAN SENATOR DUNCAN: Do we have a --  
18 have you filled out a comment... How many, three?

19 Okay. Sir, approach. And do you -- have you filled out  
20 a card? 12:04 AM

21 MR. MAHON: I filled it out and returned  
22 it.

23 CHAIRMAN SENATOR DUNCAN: Okay.

24 MR. MAHON: I don't -- I handed it to them  
25 earlier.

1 CHAIRMAN SENATOR DUNCAN: Okay. You have 12:04 AM  
2 five more minutes.

3 MR. MAHON: Thank you, sir.

4 BILL MAHON, CHAIRMAN,

5 McLENNAN COUNTY VETERANS ASSOCIATION

6 having signed an oath card, testified as follows:

7 DIRECT TESTIMONY (Resumed)

8 BY BILL MAHON:

9 A Once again, I'm Bill Mahon, Chairman of the  
10 McLennan County Veterans Association. I've been there 12:04 AM  
11 for 12 years, and I'm also a city councilman for eight  
12 years, I am a voter for 32 years, a citizen for 51  
13 years, a veteran for 33 years, a volunteer firefighter  
14 for eight years, and a deputy sheriff for six years.  
15 I've devoted my entire existence on earth to helping 12:05 AM  
16 others in whatever community I'm in.

17 I wanted to represent myself as an  
18 individual voter as well as those entities that I'm  
19 aligned with and go back to some of the testimony  
20 earlier today. 12:05 AM

21 The Mayor of Killeen stated "don't cut the  
22 legs out from under our troops now in harm's way." The  
23 way I see this redistricting, we're attempting to cut  
24 the legs out from the citizens in the 11th District.  
25 The 11th District with this redistricting is in harm's 12:05 AM

1 way. I may not know all the ins and outs of 12:05 AM  
2 redistricting, but I know some basics or I feel I know  
3 some basics, and I don't think this is a good thing for  
4 our citizens from any point of duty I've ever worked.

5 I do want to thank you for bringing 12:06 AM  
6 yourselves to the people in our community, in our  
7 district, because it doesn't often happen, it rarely  
8 happens. It allows all those who testified today to  
9 hopefully make a difference in your decision or at least  
10 make them know they went through the progress or the 12:06 AM  
11 process of decision making.

12 I -- after I spoke earlier, I kind of  
13 snuck up there and I said something to a couple of you,  
14 and when I spoke earlier, I spoke as the Chairman of the  
15 Veterans Association. We veterans feel we understand 12:06 AM  
16 freedom and Democracy more than most. And I said to  
17 yourself, Chairman, that we tip our hats to each and  
18 every one of you on this panel because this is Democracy  
19 at work, this is listening to the people. And not all  
20 of you heard it, but I came back tonight just to make 12:07 AM  
21 sure you know, we appreciate as citizens and we  
22 appreciate it as veterans, because this is exactly what  
23 we put our service in our county for, for this  
24 Democracy.

25 The leadership in either party can promise 12:07 AM

1 you anything, but the fact that a Congressman is out of 12:07 AM  
2 our immediate area or a Representative is not in your  
3 immediate area devalues his appreciation for your area,  
4 and he may or may not intentionally do that, but he's  
5 got more people at home, as one of you gentlemen stated 12:07 AM  
6 earlier, with local political pressure on him to assist  
7 him or to support him than he has from a hundred miles  
8 away. And as that gentleman said, that's just a basic  
9 fact of politics.

10 We as a group have called upon both 12:07 AM  
11 parties for support in the past and, quite frankly, our  
12 most visible means of support is Congressman Edwards.  
13 When it comes to Fort Hood, the TST Airport -- the TSTC  
14 Airport and the VA hospital in Marlin, Congressman  
15 Edwards was relentless in his assistance. He was here 12:08 AM  
16 when we needed him and he pursued every avenue of  
17 solving the situations at the time we had a problem.  
18 From demonstrating personal support for the many  
19 functions and needs of veterans personally, to many,  
20 many times providing support to our annual 12:08 AM  
21 veteran-related function here in McLennan County that I  
22 know of, we have had but to ask and as this -- his  
23 assistance was provided. We cannot expect the same  
24 support under the redistricting plan.

25 A question was asked earlier on the VA 12:08 AM



1 hospital about how many beds there are. There are 12:08 AM  
2 approximately 200 beds, 24-hour patient beds maintained.  
3 There are approximately 50,000 outpatients that go  
4 through the Waco, McLennan County VA hospital. The  
5 Temple hospital has about 175,000 annual outpatients. 12:09 AM  
6 These are not coming from me, these are coming from our  
7 Representative at the VA's, so I'm not just throwing  
8 numbers at you.

9 In my closing, I'd like to repeat what I  
10 said earlier toward Kip, sir. As a member of your 12:09 AM  
11 Congressional District, as a person involved in those  
12 entities that I am involved, I am requesting that you  
13 first do not make or support any motion to suspend rules  
14 in relation to redistricting. I ask and request that  
15 you do not make or support any motion to redistrict at 12:09 AM  
16 all. I ask that you not currently presently, now or  
17 until the next census, provide or support any maps  
18 pertaining to redistricting Central Texas or any part of  
19 Texas. I think not only are we defending Central Texas  
20 here today, we are defending the whole state because 12:10 AM  
21 this is a matter that's not just affecting us, it's a  
22 matter affecting the whole state, and I'll gladly stand  
23 up here or in Austin and say the same because I think if  
24 we fight it here, as you were -- if we resist it here,  
25 we can resist it and assist every Texan in the state. 12:10 AM

1 Thank you. 12:10 AM

2 CHAIRMAN SENATOR DUNCAN: Thank you very  
3 much.

4 Senator Gallegos.

5 QUESTIONS BY VICE CHAIRMAN SENATOR GALLEGOS

6 VICE CHAIRMAN SENATOR GALLEGOS: Mr. Mahon

7 --

8 MR. MAHON: Yes, sir.

9 VICE CHAIRMAN SENATOR GALLEGOS: -- the  
10 other patients at the VA that are in beds, how many 12:10 AM  
11 outpatients did you say there were?

12 MR. MAHON: Approximately 50,000, sir.  
13 There are blind -- there's a blind rehab center out  
14 there. There is a hearing center. I've got a set of  
15 hearing aids made for me right here in Waco, Texas. 12:11 AM

16 They've got eyeglasses. They have a small rehab for  
17 PTSD. The PTSD unit is all volunteer from the Veterans  
18 of the Vietnam War, Incorporated. They have about 30  
19 Members out there and they are a nationwide organization  
20 just as well as the VFW or American Legion who are 12:11 AM

21 chartered by Congress. And at present, under the threat  
22 of the closing of the VA hospital, this organization is  
23 allowed to use one building and they have agreed -- from  
24 Pennsylvania, they have agreed to double the size of  
25 their beds, they've got 20 beds now, they've agreed to 12:11 AM

1 pay the government's bill of doubling the beds and 12:11 AM  
2 paying for 40 patients. They're paying for it all  
3 themselves now. They have agreed to use the VA facility  
4 and pay for 40 beds.

5 VICE CHAIRMAN SENATOR GALLEGOS: And 12:12 AM  
6 that's outpatient services on a daily basis?

7 MR. MAHON: I'm sorry?

8 VICE CHAIRMAN SENATOR GALLEGOS:  
9 Outpatient services on a daily basis.

10 MR. MAHON: It's outpatient services. 12:12 AM  
11 It's an 11 week PTSD rehab program and it takes people  
12 off the street, it takes the homeless in. And in  
13 addition to the PTSD, it rehabs homeless people and gets  
14 them back to work.

15 VICE CHAIRMAN SENATOR GALLEGOS: Thank 12:12 AM  
16 you.

17 CHAIRMAN SENATOR DUNCAN: Thank you for  
18 your testimony.

19 AUDIENCE MEMBERS: (Applauded).

20 (Whereupon, Mr. Mahon was excused.

21 CHAIRMAN SENATOR DUNCAN: The Chair  
22 recognizes William (sic.) Taylor.

23 MR. TAYLOR: Pete Taylor.

24 CHAIRMAN SENATOR DUNCAN: Oh, I'm sorry.

25 MR. TAYLOR: Good morning, Mr. Chairman

1 and -- 12:12 AM

2 CHAIRMAN SENATOR DUNCAN: I didn't have my  
3 glasses on. I apologize to you. I'll do that now.

4 PETE TAYLOR, FORMER COMMANDING GENERAL, FORT HOOD  
5 having signed an oath card, testified as follows:

6 DIRECT TESTIMONY

7 BY PETE TAYLOR:

8 A Good morning, Mr. Chairman and Committee  
9 Members, ladies and gentlemen. I am Pete Taylor and I  
10 live in Westbrook (phonetic), Bell County, and was 12:13 AM  
11 formerly the Commanding General of Fort Hood and I've  
12 lived in Central Texas for the past 12 years.

13 And, Senator Gallegos, if you'd like to  
14 have a tour of Fort Hood, we can do this. In fact, we  
15 can probably start now. 12:13 AM

16 VICE CHAIRMAN SENATOR GALLEGOS: I've been  
17 there.

18 MR. TAYLOR: But I understand you've been  
19 lost out there a few times.

20 VICE CHAIRMAN SENATOR GALLEGOS: Well, 12:13 AM  
21 lost when I get in.

22 MR. TAYLOR: I know my way around.

23 SENATOR WEST: I want to go, too.

24 MR. TAYLOR: You're welcome to do that.

25 SENATOR WEST: All right.

1           A     I am not a member of or affiliated with any     12:13 AM  
2     political party, and I come here today strictly as a  
3     private citizen asking you to do what is right, not only  
4     for our nation, but for the State of Texas and our  
5     greater Central Texas community.                             12:13 AM

6                     As you well know, the strength of the  
7     military, specifically Fort Hood, is essential to both  
8     the nation and to our area. For my last assignment as  
9     III Corps and Fort Hood Commander, I can assure you  
10    that this military presence that we have there should     12:13 AM  
11    not be taken for granted in terms of the capacity of the  
12    leadership at the Congressional levels to know what to  
13    do and to know how to do it. Thus, this redistricting  
14    issue should not be about partisan politics, but rather  
15    should be considered only in light of what is best both     12:14 AM  
16    for our national defense and for Texas.

17                    What we face in less than two years is a  
18    base realignment and closure review that will be  
19    rigorously applied to all military installations, none  
20    of them taken off the books, and that includes Fort     12:14 AM  
21    Hood. While you might think that no one would ever  
22    consider closing Fort Hood or negatively realigning a  
23    military installation with the capabilities of Fort  
24    Hood, I can assure you there have been efforts in the  
25    past to do just that. On at least two occasions in the     12:14 AM

1 past 13 years, we've had decisions made in Washington, 12:14 AM  
2 D.C. that I would move or attempted to move a division,  
3 and that's 15,000 people. And you talk about industries  
4 here that employ two or three or 4,000 people. Fort  
5 Hood employes over 42,000, and when I retired there, we 12:15 AM  
6 had 46,000. And so it bounces back and forth between  
7 that. But there have been efforts to move out 15,000  
8 soldiers on at least two occasions since I've been  
9 familiar with it. And only through the efforts of an  
10 experienced and very knowledgeable Congressman were we 12:15 AM  
11 able to avoid or redress these very ill conceived and  
12 potentially devastating actions, and I would -- I had  
13 the pleasure to work with our Congressman on both of  
14 those issues.

15 Therefore, this is not just about our 12:15 AM  
16 current Congressman, it is about keeping constant the  
17 key leadership and the savvy at a very critical juncture  
18 because I remind you again that BRAC 2005 is coming.

19 This is not a partisan issue. It is  
20 reality about having an experienced leader who knows and 12:15 AM  
21 understands the landscape, as well as the nuances of  
22 what it takes to bring all the resources to bear for a  
23 successful outcome. At this point in time with BRAC  
24 just over the horizon, are we ready to arbitrarily give  
25 up the ranking member of the House Appropriations 12:16 AM

1 Subcommittee on Military Construction who has succeeded 12:16 AM  
2 in funding approximately 60 million dollars a year for  
3 Fort Hood construction on an annual basis or almost 700  
4 million in just 11 years?

5 Also, are we ready to give up a 12:16 AM  
6 Congressional leader who cares about our soldiers and  
7 their families with a track record of winning the battle  
8 to devote 300 million dollars to the largest and most  
9 innovative housing program, which will build or renovate  
10 housing for over 6,000 families at Fort Hood? 12:16 AM

11 Do we want to give up the current  
12 Co-Chairman of the bipartisan House Army Caucus, who led  
13 the efforts to stop the Department of Defense from  
14 cutting two divisions from the Army in 2001? An action  
15 which no doubt would have negatively affected Fort Hood 12:17 AM  
16 as well as our national defense, since it is -- since  
17 Fort Hood is the only two-division post in the Army.

18 Do we want to give up the current  
19 Co-Chairman of the bipartisan House Impact Aid caucus,  
20 which was started as mentioned, that has been successful 12:17 AM  
21 in bringing over 45 million in Impact Aid to Central  
22 Texas schools that are heavily impacted with military  
23 students?

24 This is not just about our current  
25 Congressman, but is about a track record that is needed 12:17 AM

1 and necessary at this point in time. I remind you again 12:17 AM  
2 that the BRAC Committee will begin its work in March of  
3 2005, and irreversible decisions will be made regarding  
4 our military installations by November of that year.  
5 Plans are already being made and already being drawn up 12:17 AM  
6 in the Department of Defense that will impact negatively  
7 or positively on Fort Hood, and has been mentioned  
8 before, there's some great opportunities for Fort  
9 Hood -- for Fort Hood and our region. We can  
10 accommodate at Fort Hood over 50,000 soldiers. And we 12:18 AM  
11 only have 42,000 now. We could lose some or we could  
12 gain some.

13 I see that my time is up and I just wanted  
14 to make one final point, Mr. Chairman, since I'm the  
15 last speaker. 12:18 AM

16 We've talked an awful lot about the --  
17 CHAIRMAN SENATOR DUNCAN: No.

18 MR. TAYLOR: I'm not? Okay. We've got  
19 some more.

20 A We've talked an awful lot about what our 12:18 AM  
21 Congressman does for our local area. I think -- and  
22 that is terribly important. We expect him to bring home  
23 certain things to our district, but we also should be  
24 concerned about what he or she does for us in the  
25 deliberations in Washington from a national level. Our 12:18 AM



1 Congressman has to vote on some very key issues. One 12:18 AM  
2 that he's voted on recently is sending portions of my  
3 family to war. I'm very interested in what he does  
4 about that, and I want somebody that knows what they're  
5 doing to take those votes. And I just ask you to think 12:18 AM  
6 carefully before you redistrict an incumbent Congressman  
7 with all this experience and seniority out of his  
8 current job.

9 CHAIRMAN SENATOR DUNCAN: Thank you,  
10 General. We appreciate you being here. 12:19 AM  
11 Senator West.

12 QUESTIONS BY SENATOR WEST

13 SENATOR WEST: Mr. Chairman, I also wanted  
14 to say, General, thank you for staying with us all day  
15 and presenting this evening. Thank you for your service 12:19 AM  
16 to this country, also. You've taken care of a lot of  
17 our sons and daughters during your tour of duty. Thank  
18 you.

19 CHAIRMAN SENATOR DUNCAN: I appreciate you  
20 being here. 12:19 AM

21 AUDIENCE MEMBERS: (Applauded).

22 (Whereupon, Mr. Taylor was excused.)

23 CHAIRMAN SENATOR DUNCAN: The Chair  
24 recognizes Harold -- Dr. Harold Rafuse.

25

1 HAROLD E. RAFUSE,  
2 ADVANCED CONCEPTS AND TECHNOLOGIES INTERNATIONAL  
3 having signed an oath card, testified as follows:

4 DIRECT TESTIMONY

5 BY HAROLD E. RAFUSE:

6 A My name is Harold Rafuse. Senator Duncan and  
7 distinguished Senators of the Jurisprudence Panel, first  
8 and foremost, we thank you for coming today and spending  
9 these long hours with us to give us and the citizens of  
10 the Central Texas area an opportunity to express our 12:20 AM  
11 viewpoints and comments regarding the proposed  
12 redistricting plan.

13 Thank you also for the opportunity to  
14 present some thoughts this evening, I should say this  
15 morning, regarding the ongoing re-examination of Texas 12:20 AM  
16 Legislative Districts and the impact of redistricting  
17 discussed today on the residents and the businesses of  
18 Central Texas, including McLennan, Bell, Coryell and  
19 seven other counties of the existing District 11.

20 I come to you this evening or this 12:20 AM  
21 morning, rather, as both private citizen and resident of  
22 McLennan County, but also as a business owner and a  
23 defense contractor. I am the co-founder and managing  
24 director of a company called Advanced Concepts and  
25 Technologies International. We refer to ourselves as 12:20 AM

1 ACT I because trying to say Advanced Concepts and 12:20 AM  
2 Technologies International repeatedly tends to become  
3 rather difficult to do.

4 ACT I is a defense contractor that  
5 provides science, technology, research, engineering, 12:20 AM  
6 logistics, test evaluation, modeling and simulation,  
7 cost modeling and analyses, and program management  
8 support services to Department of Defense clients, as  
9 well as private sector clients.

10 Earlier today -- earlier yesterday, I 12:21 AM  
11 should say, Senator Harris talked about the defense  
12 community and highs in the area here. ACT I is  
13 headquartered here in Waco, Texas. We also have offices  
14 at other major cities throughout the United States. We  
15 also have facilities at TSTC Airport. Senator Harris 12:21 AM  
16 specifically asked about other defense-related companies  
17 in the TSTC area. We have a 26,000 square foot hangar  
18 up there which is used for many of our projects and in  
19 support to our defense clients.

20 I'm proud to say like L-3 Com is the host 12:21 AM  
21 to the President and the presidential aircraft, Air  
22 Force One, when they are in town and the President's in  
23 town, we are the hosts to what's called the U.S. Marine  
24 Corps HMX-1 Squadron which provides helicopter airlift  
25 support to the President and other distinguished 12:22 AM

1 visitors to the Western White House. 12:22 AM

2                   There have been -- let me mention a couple  
3 of other things that Senator Harris touched on that I  
4 think I'd be remiss in not mentioning tonight for the  
5 record. We have at any given point in time many people 12:22 AM  
6 from our company at Fort Hood on a daily basis doing  
7 work in support of the various tactical and combat  
8 systems that are deployed at Fort Hood and elsewhere  
9 throughout the United States. We also have formed many  
10 working relationships between our company and many other 12:22 AM  
11 companies in McLennan County, Coryell County and Bell  
12 County areas in supporting our work in support to our  
13 various defense clients, so we have ties, there is a  
14 coalition. In fact, we have an initiative in our  
15 company that I am chairing to form a coalition of 12:22 AM  
16 defense contractors among the District 11 companies that  
17 do defense work so we have a stronger voice.

18                   There have been many excellent and valid  
19 points made by the various previous testimony given  
20 today. I would like to -- my thoughts would like to 12:23 AM  
21 focus on three areas as related to the proposed  
22 redistricting plan. The proposed plan will negatively  
23 impact, one, the effective representation of the mutual  
24 interests of the residents and businesses of McLennan,  
25 Bell and Coryell Counties and the other constituents of 12:23 AM

1 District 11. 12:23 AM

2 Secondly, the proposed plan will  
3 negatively impact the continuation and growth of  
4 existing businesses that employ residents of District  
5 11, and that particularly those businesses that directly 12:23 AM  
6 support the war fighting capability of our soldiers,  
7 sailors, airmen and Marines.

8 And lastly, the fragmentation of District  
9 11 will negatively impact the further economic  
10 development of all the communities and businesses in 12:24 AM  
11 District 11 related to national defense to our country,  
12 and those that are also devoted to Homeland defense  
13 initiatives.

14 I say these three points to supplement  
15 what's been presented here earlier during previous 12:24 AM  
16 testimony because our distinguished Congressman Chet  
17 Edwards understands ACT I and he understands companies  
18 like ourselves and the L-3 Coms. He has taken the time  
19 and the interest to understand what we do and the  
20 importance of what we do for our war fighters, and we're 12:24 AM  
21 proud to be doing that, believe me. As a retired Air  
22 Force Colonel, I am very proud to have this company  
23 supporting -- continuing to support the defending -- the  
24 defense of our country. Chet has been particularly  
25 supportive of companies like myself, ACT I, and the L-3 12:24 AM

1 Coms of the world. He also has been particularly 12:24 AM  
2 supportive of all of the constituents of District 11.

3 I know my time has run out, but bear with  
4 me just one moment. I believe that the residents -- I  
5 believe that the residents and businesses of District 11 12:25 AM  
6 have had for many years fully supportive representation  
7 in Congress on multiple public and business-related  
8 projects of mutual interests and dedication,  
9 perseverance, and more recently, the senior influence by  
10 that representation is being placed in jeopardy by this 12:25 AM  
11 redistricting plan. Redistricting should not be  
12 supported, and if implemented as proposed will do a  
13 significant injustice to the residents and businesses of  
14 existing District 11 and will result in severely  
15 negative impacts to business -- businesses' economic 12:25 AM  
16 development and services rendered to our citizens.

17 I again thank you for the time I had  
18 allotted this evening and I thank you for coming here  
19 and listening to the citizenry of this great District  
20 11.

21 CHAIRMAN SENATOR DUNCAN: Thank you,  
22 Dr. Rafuse.

23 Any questions?

24 I appreciate you being here today.

25 (Whereupon, Mr. Rafuse was excused.)

1 AUDIENCE MEMBERS: (Applauded). 12:26 AM

2 CHAIRMAN SENATOR DUNCAN: Anybody else  
3 wish to testify for or against or on redistricting? The  
4 Chair hears none -- the Chair hears one. Thank you,  
5 sir, come on forward. Do you have a card? 12:26 AM

6 MR. COOPER: Yes, I do. My name is Bill  
7 Cooper.

8 CHAIRMAN SENATOR DUNCAN: Mr. Cooper,  
9 state your name, please, and who you represent.

10 BILL COOPER  
11 having signed an oath card, testified as follows:

12 DIRECT TESTIMONY

13 BY BILL COOPER:

14 A My name is Bill Cooper and I'm a citizen here  
15 in Waco and I just want to thank the Committee very much 12:26 AM  
16 for having us here tonight. I want to thank you also  
17 for your commitment, not only for this hearing, but the  
18 previous six. I realize that when you got elected, you  
19 weren't planning on having these all-night sessions  
20 hearing people talk about things like this, but I 12:26 AM  
21 appreciate very much your commitment and your  
22 willingness to hear what is going on in the hearts and  
23 minds of the people, not only here in Central Texas, but  
24 throughout the state.

25 I don't know that I have anything specific 12:26 AM

1 to say, except I want to summarize what I have been 12:27 AM  
2 hearing all day, and that is that we've learned that  
3 communities are created with very subtle interaction of  
4 economic, of social, educational, political, friends,  
5 and that to not pay attention to the way these 12:27 AM  
6 interweave and create viable and vibrant communities to  
7 do violence to who we are as a people. We have learned  
8 how deep-seated is the geography and culture of this  
9 present district, this community is, and it would be a  
10 -- I think a grave error or some kind of basically a 12:27 AM  
11 cynical political move to say "this Committee does and  
12 this community doesn't matter." We can split it up any  
13 way we want in order to spread out votes the way you  
14 think is appropriate. I think this kind of an attitude  
15 toward a community that is this well pulled together is 12:27 AM  
16 a little bit, frankly, unAmerican.

17 My contact with this area goes over 50  
18 years. In the 50 years that I have been a witness to  
19 what has been happening in this part of the state is  
20 that there's been a tremendous progress taking place. 12:28 AM  
21 All kinds of struggles have occurred to overcome  
22 separation, to overcome a certain backwardness, to  
23 introduce a certain newness and vision and an energy  
24 that's very, very important and vital. And it would  
25 seem to me that we would need to pay special attention 12:28 AM



1 to what has been accomplished here in these last 50 12:28 AM  
2 years and not toss this out.

3 Another thing to emphasize here is the  
4 intervening of political leadership and a community  
5 strength. We've been very fortunate in this district to 12:28 AM  
6 be able to pull together an effective political  
7 leadership and activity, and at the same time coordinate  
8 this with the efforts that are going on in this district  
9 to make this a viable community. And for this reason, I  
10 oppose any redistricting that would change the district 12:29 AM  
11 as we have at present.

12 I would conclude by wishing you Godspeed  
13 as you return to Austin. Your political action will be  
14 effective in blocking the efforts to break up the 11th  
15 District. Thank you. 12:29 AM

16 CHAIRMAN SENATOR DUNCAN: Thank you for  
17 your testimony, Mr. Cooper.

18 Any questions? The Chair hears none.

19 (Whereupon, Mr. Cooper was excused.)

20 AUDIENCE MEMBERS: (Applauded).

21 CHAIRMAN SENATOR DUNCAN: I guess anyone  
22 else in the audience who wishes to testify for, against  
23 or on the redistricting?

24 SENATOR VAN DE PUTTE: Mr. Chairman.

25 CHAIRMAN SENATOR DUNCAN: Yes, Senator. 12:29 AM

1                   SENATOR VAN DE PUTTE: Thank you. Just 12:29 AM  
2 before we ended Public Testimony, I just wanted to go on  
3 public record.

4                   I neglected to wish two people a happy  
5 birthday yesterday. I did get to talk to them. And I 12:30 AM  
6 wanted to wish Isabella Van de Putte, who turned 16, and  
7 Paul Van de Putte, who turned 14, two of my six children  
8 had a birthday when we started this hearing yesterday,  
9 and since momma wasn't home, I wanted it entered in some  
10 public record that momma didn't forget. 12:30 AM

11                   AUDIENCE MEMBERS: (Laughter).

12                   CHAIRMAN SENATOR DUNCAN: I would make a  
13 motion that we move it back to the first of the record,  
14 sort of retroactive.

15                   MRS. CHET EDWARDS: I second that. 12:30 AM

16                   CHAIRMAN SENATOR DUNCAN: Okay. The Chair  
17 hears that there's no further testimony, then Public  
18 Testimony is closed.

19                   (Whereupon, Public Testimony closed.

20                   CHAIRMAN SENATOR DUNCAN: I'd like to 12:30 AM  
21 comment first that this has been a very I think  
22 enlightening day and we've had excellent testimony and  
23 the people of Waco have opened their arms to this  
24 Committee and to the Texas Senate and allowed us to come  
25 in here and hear -- and conduct a meeting in a very high 12:30 AM

1 order. We had very articulate, intelligent testimony. 12:30 AM  
2 I think that it was very helpful to this Committee to  
3 guide us in what I think is going to be some really  
4 tough days ahead. I think that at this point in time,  
5 we know that the House has passed a map. I anticipate 12:31 AM  
6 that there will be concepts en masse that will be  
7 presented to the Committee and then the Members of the  
8 Committee will have to make tough decisions on what they  
9 do.

10 I do know that I can speak for myself and 12:31 AM  
11 I know for each of the Members of the Committee that  
12 your testimony that we heard here today will be a  
13 significant factor in our deliberations on this  
14 important topic for Texas, so thank you for your  
15 participation in the process. 12:31 AM

16 I wanted to thank the Committee. I have  
17 been joined by the greatest Committee and other Members.  
18 Senator Van de Putte has been with us at every -- at  
19 every stop, and we've had other Members as well, but I  
20 think that this works because this Committee works hard 12:31 AM  
21 together. We may -- we may debate issues and disagree  
22 about issues, but we're not disagreeable and we work  
23 together and I think we respect each other's positions,  
24 we respect each other's constituencies, and I think  
25 that's what makes this great government and our 12:31 AM

1 constitutional form of government work, so thank you, 12:32 AM  
2 Members, for a good meeting.

3 We have a little business to take care of,  
4 we have -- probably that is one of the biggest stacks of  
5 cards that I've seen and we need to enter those cards 12:32 AM  
6 into the record. Senator Gallegos moves that the cards  
7 that have indicated -- the cards that have the names of  
8 the persons who have indicated that they do not wish to  
9 testify, but would like to register a position either  
10 for, against or on redistricting be entered into the 12:32 AM  
11 record. Is there any... We need to take a roll call on  
12 that.

13 Clerk, call the roll.

14 COMMITTEE CLERK: Duncan?

15 CHAIRMAN SENATOR DUNCAN: Aye. 12:32 AM

16 COMMITTEE CLERK: Gallegos?

17 VICE CHAIRMAN SENATOR GALLEGOS: Aye.

18 COMMITTEE CLERK: Averitt?

19 SENATOR AVERITT: Aye.

20 COMMITTEE CLERK: West?

21 SENATOR WEST: Aye.

22 COMMITTEE CLERK: Four ayes, zero nays.

23 CHAIRMAN SENATOR DUNCAN: Four ayes and

24 zero nays. The motion carries and the cards and the

25 positions will be entered into the record. 12:32 AM

1                   There being no further business --                   12:32 AM

2                   VICE CHAIRMAN SENATOR GALLEGOS:

3                   Mr. Chairman.

4                   CHAIRMAN SENATOR DUNCAN:   Senator

5                   Gallegos.

6                   VICE CHAIRMAN SENATOR GALLEGOS:   I also  
7                   would like to thank the citizens of McLennan County and  
8                   the surrounding counties that came to testify before us  
9                   today and to the Congressman there staying the whole  
10                  time, him and his -- Congressman Edwards and his wife   12:33 AM  
11                  that are -- they stayed the whole time while -- while  
12                  this testimony was being heard.

13                  Mr. Chairman, earlier I had made a motion.  
14                  I'd like to make that motion once again to allow --  
15                  since Public testimony is now closed -- Regional           12:33 AM  
16                  Testimony, and that's really all I care about is the  
17                  Public Testimony, that my motion would be that we allow  
18                  the transcripts of Public Testimony, including what  
19                  we've heard here today from the citizens of McLennan  
20                  County and those that testified today, including the   12:33 AM  
21                  General's, be allowed to be reviewed by our colleagues  
22                  from the time it could be transcribed by the court  
23                  reporters, and the court reporters that have been in the  
24                  other cities at a time certain to be put on the Website  
25                  of each of our colleagues so they can review testimony   12:34 AM

1 from the public that we have heard and that we allow 12:34 AM  
2 them 72 hours to review that testimony, including the  
3 testimony that we've heard here yesterday and the 35  
4 minutes today, before any -- any action is taken by this  
5 Committee. Mr. Chairman, I'd like to make that into the 12:34 AM  
6 form of a motion.

7 CHAIRMAN SENATOR DUNCAN: Senator, I've  
8 tried to check on times as I've told you. Our  
9 understanding was, is that we would be able to have a  
10 record if we went four hours today by Friday. We've 12:34 AM  
11 obviously gone over. I think the court reporter  
12 indicates that she can turn the record out fairly  
13 quickly. It is the intent of the Chair to allow a  
14 reasonable amount and an adequate time for all Members  
15 of the Senate to be able to review the transcripts. 12:35 AM

16 I don't -- I really at this point in time  
17 would request cooperation of the Members of the  
18 Committee, and I would entertain -- would prefer to  
19 entertain a motion on that at our meeting in the morning  
20 when I have a better... What I'm trying to do is to 12:35 AM  
21 work with -- with anyone who's interested in this  
22 process to set out a timetable. Now that we're through  
23 with our Public Hearings in the region, we still don't  
24 have a bill, other than the House Bill that has been  
25 filed, and I guess that's the only thing we have and 12:35 AM

1 Senator Harris' bill before us. And my theory would be 12:35 AM  
2 is to try to lay out a timetable that all of us could be  
3 satisfied with, but I'm just not ready to do that at  
4 this point in time, and I would respectfully request for  
5 you to give me in the morning -- until tomorrow and I'll 12:36 AM  
6 share with you prior to the meeting, if you prefer, and  
7 get your input on that timetable before we make a motion  
8 at this point in time, which I would think would be  
9 premature.

10 VICE CHAIRMAN SENATOR GALLEGOS: Well, 12:36 AM  
11 Mr. Chairman, and I respect -- I respect the prerogative  
12 of the Chair to have his viewpoint, but to me, Public  
13 Testimony has been -- Regional Testimony has been closed  
14 and only Invited Testimony will be taken up tomorrow,  
15 and my preference would be to -- to allow -- and I have 12:36 AM  
16 heard from some of my colleagues that they want to see  
17 some of the -- some of the -- some of the testimony.  
18 Well, they want to see all the testimony, to tell you  
19 the truth, not only of what we've heard yesterday and 35  
20 minutes of today, plus the other cities that we've been 12:37 AM  
21 to and allowed the time to review the testimony by each  
22 and every one of the Texans that came before the Senate  
23 Committee to testify. And if I wasn't a Member of this  
24 Committee, I'd want the same privilege, Mr. Chairman.

25 CHAIRMAN SENATOR DUNCAN: Senator, I take 12:37 AM

1 your -- I take your statements to heart and it is the 12:37 AM  
2 intent of the Chair to entertain your motion tomorrow.  
3 I would prefer that your motion be in writing so that  
4 we're clear on what the timelines and the deadlines are.

5 I prefer that we make sure that we -- when we pass on a 12:37 AM  
6 motion, what I think is important is that --

7 VICE CHAIRMAN SENATOR GALLEGOS: Well,  
8 Mr. Chairman, the court reporter is still --

9 CHAIRMAN SENATOR DUNCAN: No, I want a  
10 motion in writing so that we can review it to ensure 12:37 AM  
11 that it's appropriate. And it's not the intent of the  
12 Chair at this point in time to recognize a motion as you  
13 have described. It will be --

14 VICE CHAIRMAN SENATOR GALLEGOS: So wait a  
15 minute. For the record, you're denying me the motion? 12:38 AM

16 CHAIRMAN SENATOR DUNCAN: No. I'm saying  
17 tonight at or this is in the morning after 12 --  
18 11-and-a-half hours of testimony today and after a  
19 morning where we went until 2:45 the morning before, and  
20 until eleven o'clock the day before, that it is not an 12:38 AM  
21 appropriate time to deliberate on such a motion. I'm  
22 requesting that you submit a motion in writing and it  
23 will be the pledge of the Chair that we will vote on  
24 your motion tomorrow. You'll be recognized on that  
25 motion and I want to be sure and I want to be mindful of 12:38 AM



1 the fact that the decisions we make here about our 12:38 AM  
2 deliberations are important and I want them to be  
3 specific and detailed so that there will be no questions  
4 about what the motion is or what any interpretation of  
5 that motion I have to do. 12:38 AM

6 VICE CHAIRMAN SENATOR GALLEGOS:  
7 Mr. Chairman, and I respect that, I just -- and I  
8 respect the prerogative of the Chair, it's just when you  
9 say "reasonable time," I want to make sure that  
10 reasonable time is reasonable time, and reviewing -- you 12:39 AM  
11 know, I don't have a problem with that and I'm willing  
12 to do that. I just want a commitment from the Chair  
13 that a reasonable time to view --

14 SENATOR WEST: Is not 24 hours.

15 CHAIRMAN SENATOR DUNCAN: I would agree. 12:39 AM

16 VICE CHAIRMAN SENATOR GALLEGOS: -- is not  
17 24 hours and that's what I'm saying.

18 CHAIRMAN SENATOR DUNCAN: And I'm going to  
19 tell you that I don't know that 72 is not unreasonable,  
20 I'm not saying that. All I'm saying is, is that I'm not 12:39 AM  
21 prepared for this Committee to make that decision at  
22 this time. I will be prepared tomorrow morning when  
23 I've had a chance to go through this full schedule and  
24 I -- you know, if you're -- and take your input on that.  
25 And in the meantime, I would suggest I think that you 12:39 AM

1 prepare a motion in writing -- 12:40 AM

2 VICE CHAIRMAN SENATOR GALLEGOS: I can do  
3 that.

4 CHAIRMAN SENATOR DUNCAN: -- that way, we  
5 know -- that way, we can look at it and make sure that 12:40 AM  
6 the details and the technical aspects of when you set a  
7 deadline, what does that mean, from when to when? And I  
8 want to make sure --

9 VICE CHAIRMAN SENATOR GALLEGOS: Well,  
10 it's from the time that all the court reporters -- 12:40 AM

11 CHAIRMAN SENATOR DUNCAN: Well, I  
12 understand. I made my position clear, Senator. I think  
13 I will entertain the motion tomorrow at our hearing in  
14 writing. And if you want --

15 VICE CHAIRMAN SENATOR GALLEGOS: Well, 12:40 AM  
16 then okay. Let me ask you this. And then I have a  
17 commitment from you that -- and I'll pull down my  
18 motion, but I have a commitment from you that as soon as  
19 all the transcripts are done by the court reporters,  
20 each and every single testimony that was taken by a 12:40 AM

21 citizen of this great state, including the testimony  
22 tonight and -- or this morning and yesterday, as soon as  
23 we get that, that I have a commitment to you that each  
24 and every one of the -- of my colleagues in the Senate  
25 will have a reasonable amount of time to review that 12:41 AM

1 testimony before any action is taken by this Committee? 12:41 AM

2 CHAIRMAN SENATOR DUNCAN: Senator, that's  
3 my intent.

4 VICE CHAIRMAN SENATOR GALLEGOS: Then I  
5 pull down my -- my motion. 12:41 AM

6 CHAIRMAN SENATOR DUNCAN: Thank you,  
7 Senator.

8 Members, we've got some traveling to do  
9 and then I can't remember what time we've posted the  
10 hearing. Nine o'clock? One o'clock?

11 COMMITTEE CLERK: One o'clock.

12 CHAIRMAN SENATOR DUNCAN: One o'clock. So  
13 I would hope to have a productive day tomorrow and I  
14 appreciate your cooperation and indulgence with me  
15 tonight. 12:41 AM

16 Without any further business coming before  
17 this Committee, the Committee will stand adjourned.

18 (Whereupon, the Texas State Committee

19 (on Jurisprudence was adjourned.  
20  
21  
22  
23  
24  
25

1 REPORTER'S CERTIFICATE

2 THE State OF TEXAS )  
3 COUNTY OF TRAVIS )

4

5 I, DEBBRA WOOD, Certified Shorthand  
6 Reporter and Notary Public in Travis County for the  
7 State of Texas, do hereby certify that the facts as  
8 stated by me in the caption hereof are true; that the  
9 foregoing 451 pages constitute a full, true and correct  
10 transcript of the proceedings had. I further certify  
11 that I am neither counsel for, related to, nor employed  
12 by any of the parties or attorneys in the above-entitled  
13 cause, and further that I am neither financially or  
14 otherwise interested in the outcome of this cause.

15 GIVEN UNDER MY HAND AND SEAL of office on  
16 this, the \_\_\_\_\_ day of July, 2003.

17

18 \_\_\_\_\_  
19 DEBBRA WOOD, CSR #1044  
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24

25 Taxable Cost:\$\_\_\_\_\_ Charged To:\_\_\_\_\_