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**REDISTRICTING SUBCOMMITTEE MEETING**

**PUBLIC SESSION**



**Wednesday, March 2, 2011**

**10:03 a.m.**

**Room 105, Gressette Building**

**Columbia, South Carolina**

**REPORTED BY: Janni S. Jardine  
Court Reporter**

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1 MEMBERS IN ATTENDANCE:

2

3 SENATOR GLENN F. McCONNELL, CHAIRMAN

4 SENATOR RAYMOND E. CLEARY

5 SENATOR ROBERT FORD

6 SENATOR C. BRADLEY HUTTO

7 SENATOR GERALD MALLOY

8 SENATOR LARRY A. MARTIN

9 SENATOR PHILLIP W. SHOOPMAN

10

11

STAFF PRESENT:

12

13 BONNIE ANZELMO

14 PAULA BENSON

15 CHARLES TERRENI

16 E. KATHERINE WELLS

17 DEBBIE HAMMOND

18

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1                   SENATOR McCONNELL: All right. I'm  
2 going to call to order at this point the  
3 Redistricting Subcommittee meeting.

4                   On this first meeting of the Senate  
5 Judiciary Committee's Redistricting Subcommittee, I  
6 would like to describe the challenges that we face  
7 and propose a plan for overcoming them.

8                   When the decennial census data is  
9 released this month, our task will be to redraw the  
10 Senate's districts so that their populations will  
11 be approximately equal in size. Doing so will  
12 allow the Senate to comply with the Equal  
13 Protection Clause of the 14th Amendment to the  
14 United States Constitution, which guarantees our  
15 citizens the right to equal representation, often  
16 expressed as the one-person-one-vote principle.

17                  The most basic task which can require  
18 drastic changes in existing boundaries can be  
19 daunting enough. In the 1960s, when the Senate was  
20 first being pressed to redistrict, it tried to  
21 resolve the dilemmas it was facing by increasing  
22 the number of State Senate districts to 50.

23                  The State Supreme Court held that  
24 solution to be unconstitutional, requiring that  
25 other choices be made. Of course, the requirements

1 of equal representation are just the beginning of  
2 constraints on our process. We are also governed  
3 by the Supreme Court's jurisprudence, which has  
4 evolved over the past 40 years, as well as Sections  
5 2 and 5 of the Voting Rights Act.

6 Most important, I believe, is to meet  
7 the public's expectations of a transparent and  
8 accountable process.

9 I propose that we set out to accomplish  
10 our goals expeditiously and methodically. Over the  
11 years, the Senate has developed a redistricting  
12 process which has served it well, and I believe  
13 that we should generally stick with it. However,  
14 we must also keep in mind that we must have a plan  
15 in place for the 2012 elections.

16 Therefore, we have far less time than  
17 we did in the last cycle when the Senate's next  
18 regularly held elections were scheduled for 2004.  
19 The pressure of time has increased by the fact that  
20 we must allow time for the preclearance process as  
21 we will not be able to implement any plan that has  
22 not been precleared.

23 Staying on schedule will require hard  
24 work and a big-time commitment from our  
25 subcommittee, and I hope I have adequately

1 explained that to each one of you who have agreed  
2 to serve.

3 First, I propose that the subcommittee  
4 gather public input on the criteria and the  
5 communities of interest that it would like us to  
6 consider when we draw plans.

7 To gather this information, I have  
8 instructed the staff to make preliminary  
9 arrangements for eight public hearings in locations  
10 that are geographically disbursed around the state.  
11 These hearings will allow us to hear directly from  
12 the public about how they would allow us to go  
13 about this process.

14 Second, with the information that is  
15 gathered in the public hearings, the Redistricting  
16 Subcommittee should adopt criteria to follow  
17 through the process. These criteria will serve as  
18 our, quote, rules of the road, end of quote, in the  
19 map-drawing process, which provides us with a  
20 consistent rationale for our decision making.

21 Third, with our criteria established,  
22 we will be able to proceed to considering the plans  
23 for redrawing our State Senate and congressional  
24 districts.

25 As we consider plans, we must continue

1 to keep the public involved. We will do so by  
2 holding additional public hearings at appropriate  
3 times, giving the public the opportunity to submit  
4 plans of their own for our consideration, and  
5 making information available by such methods as our  
6 redistricting website.

7 There has been a lot of discussion of  
8 the upcoming redistricting process, particularly in  
9 national media, and much attention has been focused  
10 on South Carolina due to the new congressional seat  
11 the state will receive in the reapportioned  
12 process.

13 Frankly, many observers take for  
14 granted it's a cynical and partisan redistricting  
15 exercise. I do not believe that it has to be that  
16 way, at least not here in the South Carolina  
17 Senate. Things can be done differently here.  
18 There will be difficult decisions to be made and  
19 multiple demands made on us by various  
20 constituencies. That is a normal and reoccurring  
21 aspect of the process that we cannot control. What  
22 we can control is the spirit in which we carry out  
23 our duties, whether we are collegial, forthright  
24 and open, whether we're willing to put the public  
25 interest before the parties at interest, whether we

1 make decisions that we can be proud of. I'm  
2 confident that the Senate can do that and meet the  
3 challenge ahead.

4 I'm going to call on our committee  
5 counsel, Mr. Charlie Terreni, to give us an  
6 overview of the 2010 Census and where South  
7 Carolina stands in the process, and then we'll  
8 proceed down to look at the public hearing  
9 schedules, public participation, and other things.

10 Mr. Terreni, if you would, give them  
11 such, an overview and discuss the populations and  
12 the size of districts and other things.

13 SENATOR FORD: Could you tell us a  
14 little bit about the gentleman?

15 SENATOR McCONNELL: Mr. Terreni?

16 SENATOR FORD: Yeah.

17 SENATOR McCONNELL: Very experienced  
18 committee counsel. He was with us in the lawsuits  
19 that we got into ten years ago. He's been with the  
20 Public Service Commission, and I retained him on  
21 behalf of the Judiciary Committee to do the  
22 preliminary groundwork, starting -- getting the  
23 machinery and other things in place that we would  
24 need in order for this subcommittee to be able to  
25 meet and have the tools put forth, and to have some

1 good guideposts on what the law is and what we need  
2 to do to comply with the law.

3 SENATOR FORD: So he's in South  
4 Carolina?

5 SENATOR McCONNELL: Yes, sir. He's  
6 right here to my left.

7 SENATOR FORD: Okay. That's for the  
8 record now.

9 SENATOR McCONNELL: So, Mr. Terreni, if  
10 you would, give us that overview of the 2010 Census  
11 and where South Carolina stands in the process,  
12 please.

13 MR. TERRENI: Thank you, Mr. Chairman.  
14 The release -- the upcoming release of the  
15 decennial census data, of course, drives the  
16 process for the committee. And, so far, what we  
17 have from the Census Bureau is our statewide count,  
18 which has told us that South Carolina has 4,625,364  
19 residents, at least within the 2010 Census. That's  
20 compared to 4,012,012 citizens in the 2000 Census.  
21 We're at a growth rate of about 15.3 percent and  
22 613,352 people.

23 The consequence of this count, which is  
24 the first hard number that we've received for South  
25 Carolina in the census, in this process -- in this

1 cycle census -- excuse me -- is that the ideal size  
2 of a Senate district will be 100,552 persons.  
3 That's compared to 87,218 persons in the 2000  
4 cycle. So that means some districts will be below  
5 this number, some districts will be above this  
6 number, but this will be the ideal that the  
7 committee -- or the subcommittee -- will have to --  
8 to strive for in restricting.

9           As for our congressional districts, the  
10 ideal size of a congressional district in the seven  
11 new congressional districts will be 660,767  
12 persons. That's compared to the current ideal size  
13 for our six districts of 668,669 persons, which was  
14 established in the 2000 Census.

15           We are waiting for the release of our  
16 block-level redistricting data, which will be  
17 available to us no later than April 1st of this  
18 year but probably much sooner. Twenty-one states  
19 have received the redistricting data from the  
20 Census Bureau so far. Five more states --  
21 Delaware, Kansas, Nebraska, North Carolina, and  
22 Wyoming -- are scheduled for release this week.

23           The Census Bureau hasn't announced who  
24 will receive -- or which states will receive data  
25 next week. They do this in waves largely driven by

1 when different bodies are up for election. But if  
2 we go according to the schedule that they followed  
3 last time, in the 2000 cycle, we probably could  
4 expect to release -- to receive data either next  
5 week or by the first week -- by the week of March  
6 14th.

7           When data is released, it will likely  
8 be furnished to us on a Thursday, and I would  
9 caution this subcommittee that the data is going to  
10 have to be checked. We want to have demographic  
11 information for each of the Senate's numbers by the  
12 following week, but we do need to load this when --  
13 we need to look at the geography and look at how  
14 the data falls on it. We know that there have been  
15 errors in other states' releases so far.

16           For instance, in Virginia, 19,000  
17 people from the Norfolk -- Norfolk Navel Base were  
18 misassigned in a census block. They were actually  
19 placed in a census block three miles away from  
20 where it should have been. That affected two House  
21 districts and two Senate districts. So we can  
22 predict, even looking at the geography files that  
23 we've received so far, that there are going to be  
24 some glitches.

25           Our staff is -- is going to review this

1 information carefully. We're going to depend on  
2 the public. We're going to depend on the members  
3 to tell us what they see. Some of you, in  
4 verifying your residences for staff, have already  
5 pointed out flaws in the census geography relating  
6 to addresses, and that was very helpful. But the  
7 good news is, we have the month of March to compile  
8 this information, to process it, and bring in other  
9 data so that we can -- so that we'll be able to  
10 provide the subcommittee and the public with the  
11 best possible set of redistricting data as the  
12 committee enters into the public hearings and,  
13 later on, into the drawing process for the month of  
14 April.

15 SENATOR McCONNELL: All right. Thank  
16 you, sir.

17 Next, we'll move to the public hearing  
18 schedule and call on Ms. Hammond to discuss the  
19 proposal for the subcommittee to hold eight public  
20 hearings.

21 Ms. Hammond.

22 MS. HAMMOND: Mr. Chairman, as you  
23 previously stated, you asked staff to develop a  
24 proposed statewide public hearing schedule, and if  
25 you will refer to Tab 1, you will see the proposed

1 schedule. We designated the last week in March and  
2 the first week in April for these hearings, every  
3 night except Friday night. And I'll start off with  
4 Monday, March 28th. There will be a public hearing  
5 held in Myrtle Beach; Tuesday, March 29th, in  
6 Aiken; Wednesday, March 30th, in Rock Hill;  
7 Thursday, March 31st, in Greenville; Monday, April  
8 4th, in Beaufort; Tuesday, April 5th, in Columbia;  
9 Wednesday, April 6th, in Florence; Thursday, April  
10 7th, in Charleston.

11 We scheduled, or tentatively scheduled,  
12 all these public hearings at the technical colleges  
13 with two exceptions. One in Greenville, there was  
14 a conflict there, so we had to schedule it for the  
15 Greenville County Council Chambers. And the one in  
16 Columbia will be held here in the Gressette  
17 Building. All of the public hearings will begin at  
18 6:30 and run approximately two hours.

19 I also would like to point you to  
20 another document behind Tab 2. This is an  
21 information and request for public comment sheet  
22 that we will hand out at the public hearings, and  
23 it will also be posted on the website. This tells  
24 a little bit about the purpose for the public  
25 hearings. It tells what the census and

1 reapportionment is all about, and it also gives a  
2 general guide as to what kind of testimony the  
3 committee is looking for from the public. It also  
4 tells you that if you're not able to attend public  
5 hearings, that does not mean you cannot submit  
6 comments. And it has a way to do that either  
7 through the website or by mail.

8           And those are the two documents that I  
9 have for you.

10           SENATOR FORD: Mr. Chairman?

11           SENATOR HUTTO: Mr. Chairman?

12           SENATOR McCONNELL: All right. Senator  
13 from Orangeburg.

14           SENATOR HUTTO: I would like to -- and  
15 I appreciate the work from Ms. Hammond and  
16 everybody getting this together. I would like the  
17 committee, however, to consider some additional  
18 hearings. I would particularly propose Orangeburg  
19 and Sumter. We don't have any hearings in a county  
20 that's -- where the majority of the citizens are  
21 minority population. They are all in the more  
22 urban centers, and I think it's important that we  
23 actually hold some in a rural setting. And I know  
24 that both those, Sumter and Orangeburg, would fit  
25 in that category, and they both have technical

1 schools available to us. And it's a suggestion,  
2 but I think it's -- you know, obviously a lot of  
3 people can come to Greenville and Charleston, but I  
4 still think getting out and having a few hearings  
5 out in a more rural area is appropriate, and I  
6 would ask us to consider that.

7 SENATOR McCONNELL: All right. Senator  
8 has made that request.

9 Senator from Charleston, Senator Ford.

10 You all -- and let me ask you -- if I'm  
11 a little bit methodical, it's because we are taking  
12 it down, and I'm trying to go kind of slow and  
13 repeat things so that we make sure she has a chance  
14 to get everything.

15 All right. So we have your request for  
16 that.

17 Senator from Charleston, Senator Ford.

18 SENATOR FORD: Thank you. Senator, I  
19 have a few questions. The ideal Senate district  
20 would be 105,000 people. And now explain to me --  
21 like non-voting population, like immigrants --  
22 some -- some areas of the state got a lot of  
23 prisons -- or have a lot of prisons -- a lot of  
24 prisons and a lot of college students. Now, let's  
25 say -- okay. Let's use my district, 42. I have a

1 lot of -- lots of immigrants, something like maybe  
2 28,000.

3 SENATOR McCONNELL: Senator, let me  
4 just suggest this. I think counsel -- as soon as  
5 we get the meeting -- get all that we need to get  
6 done, I'll have counsel sit down with you and go  
7 through all of this, because I want to handle this  
8 question with the public hearings and stuff, and  
9 get this stuff, at least, set up.

10 SENATOR FORD: Okay.

11 SENATOR McCONNELL: And I'll just ask  
12 Mr. Terreni if he would have the time to sit down  
13 with you and go through all of that. Would that be  
14 acceptable?

15 SENATOR FORD: Yeah.

16 SENATOR McCONNELL: All right. Let me  
17 go back. Does anybody else have any  
18 recommendations on public hearings? And I would  
19 ask the staff what would be the difficulty -- can  
20 you all go to work on seeing if we can add  
21 Orangeburg and Sumter? And does anybody have  
22 objection to that?

23 And let me ask you this, also. The  
24 ones that we have, do the locations and all of that  
25 seem acceptable to everybody for the public access

1 and all of that?

2 SENATOR HUTTO: Mr. Chairman?

3 SENATOR McCONNELL: Senator from  
4 Orangeburg.

5 SENATOR HUTTO: They do -- thank you.  
6 They do seem -- I think the technical college tends  
7 to be a place most people know where it is, and  
8 also has good parking and security, for that  
9 matter. So I think that's a reasonable location.

10 I would ask just -- seeing the time  
11 line, I've got no problem with these two weeks, but  
12 are we going to have some assurance for those  
13 members on the committee that -- because some of  
14 these are going to be further away from Columbia on  
15 legislative days that we could get to if the Senate  
16 were in session. And should that fall on the  
17 budget week, that would be a problem.

18 And so I'm wondering if we're going to  
19 have some ability to get with the rest of the  
20 Senate leadership and make sure that during those  
21 weeks while we're holding hearings, that there are  
22 not going to be major votes being on the floor, and  
23 then we're going to be off, because this is really  
24 important. And I think we almost have to go to the  
25 hearing, but at the same time, it causes a --

1 potentially putting a dilemma if we had some major  
2 piece of legislation, particularly the budget being  
3 debated while we weren't here.

4           Is there a provision that we can assure  
5 ourselves that -- in other words, can we go in  
6 today and -- or whenever we finalize this  
7 schedule -- and agree by a -- somewhat that we  
8 would adjourn on those days to allow us to get to  
9 those hearings or that we wouldn't take up the  
10 budget during that time? How would that -- how  
11 would that work if we have some conflict on the  
12 floor with the hearing?

13           SENATOR McCONNELL: Well, Senator, if  
14 we had a conflict on the floor -- there's one way.  
15 If we can't get agreement, we certainly can get  
16 some members of the Judiciary Committee to get up  
17 and take an interest in whatever is pending and  
18 talk for a while and educate the members that are  
19 there about why we need to be there to vote.

20           So I would hope that what we would do  
21 is -- is to publish this to the Senate, tell them  
22 that we, as members, we'll be leaving some afar a  
23 distance than we have to travel. But if there is  
24 an insistence on trying to get something through  
25 while we're gone, I will try to engage some members

1 of the Judiciary Committee to take an over-interest  
2 in the budgets. But I don't think the budget would  
3 be there, but no members of the Finance Committee  
4 are serving on this committee.

5 SENATOR HUTTO: Okay.

6 SENATOR McCONNELL: But I will look to  
7 you to help me round up some folks that would be  
8 interested in whatever is pending.

9 SENATOR HUTTO: Likely candidate right  
10 here.

11 SENATOR McCONNELL: Right here.

12 But that's a very valid concern.

13 All right. If it is, do I hear a  
14 motion that we adopt these schedules and that we  
15 give the staff the discretion to go forward and  
16 nail down a date and location on Orangeburg and  
17 Sumter?

18 SENATOR HUTTO: So noted.

19 SENATOR McCONNELL: All right. Do I  
20 hear a second?

21 SENATOR CLEARY: Second.

22 SENATOR McCONNELL: Seconded.

23 And the floor is now open for any  
24 discussions. If there's none, we'll go to a vote.

25 All in favor, please raise your right

1 hand.

2 Thank you. Say opposed by like sign.

3 Let the record show that every single  
4 member of the subcommittee -- we have a full  
5 attendance -- it was -- all members supported the  
6 motion.

7 Next, we need to move to public  
8 participation, and I would call on Ms. Wells to  
9 present a graph called Participation Policy for the  
10 subcommittee's consideration.

11 MS. WELLS: Thank you, Mr. Chairman.  
12 Members of the subcommittee, if you would, please  
13 look at Tab 3 in your notebooks, A Policy for  
14 Public Participation. What I did was, I looked at  
15 several different states, primarily those who are  
16 also under Section 5 review, to see what  
17 information they had posted on their website for --  
18 to encourage the public participation and to sort  
19 of get some guidelines on what we expect the  
20 public -- public to do in order to participate and  
21 to also make it clear that these public hearings  
22 are open to the public, and we encourage them to  
23 attend. I also used as a guideline the public  
24 participation policy that had been adopted by the  
25 Senate Judiciary Committee and Subcommittee on

1 Redistricting in 2001.

2           If you will, take a look at this  
3 briefly. It provides the public with information  
4 on how they can stay informed of the subcommittee's  
5 deliberations and how to access relevant  
6 information and database by means such as the  
7 Senate redistricting website.

8           This will be posted on our Senate's  
9 redistricting website and available to anybody who  
10 asks for a copy of this. Basically it talks about  
11 the fact that we will have public hearings. We  
12 will have different subcommittee meetings. Those  
13 will be open to the public. Notices of the public  
14 hearings and subcommittee meetings will be posted  
15 on the redistricting website and will be  
16 transmitted by e-mail to anyone who is signed up  
17 and asked to be on the contact list.

18           We encourage people to attend. We talk  
19 about the data. What's great about this time is  
20 technology has advanced so much since 2001. It's  
21 unbelievable when you stop to think in just ten  
22 years where we were then and where we are now. So  
23 most of the data is going to be available from the  
24 website in a very easily -- electronic,  
25 downloadable format.

1           And we will, to the extent possible,  
2    try to make maps, reports, data information  
3    available to anyone who has -- who is not --  
4    doesn't have access easily to the Internet, and we  
5    will then -- you know, for certain low costs, we'll  
6    be able to provide the data to them. But most of  
7    the websites now around the nation on redistricting  
8    have all their data available. The U.S. Census  
9    Bureau has their data available straight from their  
10   website. We have links on our website to the  
11   Department of Justice, all of that information as  
12   well.

13           So this policy basically is to  
14    encourage the public to participate, to let them  
15    know where the data is, and it will be posted on  
16    the website.

17           SENATOR McCONNELL: All right. And so  
18    what this will do -- as I understand it, you  
19    designed this to encourage public participation,  
20    provide the public with the information on how to  
21    stay informed, and also give them access to the  
22    data.

23           MS. WELLS: That would be correct.

24           SENATOR McCONNELL: All right. I ask  
25    if there are any questions on it. If not, is there

1 a motion that we go ahead and adopt this public  
2 participation policy?

3 SENATOR MALLOY: I'll move for it.

4 SENATOR CLEARY: Second.

5 SENATOR McCONNELL: Senator from  
6 Darlington moves it. Now we'll move for a second.

7 The floor is now open for any  
8 discussion.

9 SENATOR HUTTO: Mr. Chairman?

10 SENATOR McCONNELL: Yes, sir, Senator  
11 from Orangeburg.

12 SENATOR HUTTO: How -- and I realize  
13 what our counsel, Mr. Terreni, said about the  
14 possibility of, when we get the information, that  
15 it may not be 100-percent accurate. Are we going  
16 to put it up as we receive it, or are we going to  
17 vet it first before we put it up?

18 SENATOR McCONNELL: Mr. Terreni.

19 MR. TERRENI: We're going to put it up  
20 as soon as possible, meaning -- let's say we  
21 received it on a Thursday. It will be likely a  
22 Thursday afternoon or Thursday around midday. We  
23 need time to load it just to make sure it works,  
24 and then do just a preliminary scan of it to make  
25 sure that nothing is seriously wrong, and then get

1 it up on the Internet as soon as possible, perhaps  
2 with a caveat or disclaimer that the data is still  
3 under review.

4 But that is, at that point, the Census  
5 Bureau's data. It's available on the Census  
6 Bureau's website. It will become available to the  
7 general public on the Census Bureau's website as  
8 well. So, no, it's not something that we would  
9 hold on to and try to review for two weeks before  
10 making publicly available because it will be public  
11 anyway.

12 SENATOR HUTTO: Can I ask a follow-up?  
13 Using the Norfolk scenario, let's say we found that  
14 they had put Fort Jackson in Lexington County or  
15 something by mistake. To correct that, we've got  
16 to report that to the census, and they correct it  
17 on their big maps and give us a new map? Or do we  
18 correct that ourselves? I'm just wondering  
19 eventually what the public will see. Is it going  
20 to mirror on what they're seeing if they went to a  
21 different website?

22 MR. TERRENI: Right. I think we'll  
23 have both options available. In the Virginia case,  
24 the Census Bureau actually amended the release, but  
25 that's an unusual thing. They have not -- they've

1    been slow to do that in the past.  During this  
2    process, there is actually -- during this cycle,  
3    there's actually a process by which local  
4    jurisdictions can -- can bring errors to the  
5    attention of the Bureau and request a correction or  
6    an amendment.  However, that process can drag out a  
7    little bit, and the committee may very well be  
8    underway.

9                    So what I would envision is that if we  
10   find other things such as -- and, for instance, in  
11   the preliminary TIGER/line geography that we got  
12   from the Census Bureau, we noticed that one of the  
13   Senate's districts was just off by a block of  
14   geography that, if that became apparent, we would  
15   post some sort of annotation on our website, let  
16   the public know how our file is different from the  
17   Census Bureau's file and why so the -- so that  
18   we're not waiting on the bureaucracy to correct  
19   data, because that may never happen.

20                   SENATOR HUTTO:  Mr. Chairman, one more  
21   question.

22                   SENATOR McCONNELL:  Yes, sir.

23                   SENATOR HUTTO:  So then, in essence, we  
24   would use our file, not theirs.  If we find  
25   something that we all agree is incorrect by a block

1 or two or whatever and we agree what the correct  
2 version is, regardless of whether they fixed it on  
3 the big computers in Washington, we'll use what we  
4 determine to be the accurate data, even if it  
5 doesn't match us to the census data.

6 MR. TERRENI: Well, I think that's  
7 generally true, because what we would be talking  
8 about is data assignment rather than -- it's not  
9 like we would change a count.

10 SENATOR HUTTO: I understand that.

11 MR. TERRENI: We would just be talking  
12 about maybe where it should be. An example would  
13 be in the -- in the previous redistricting cycle,  
14 the Senate may determine that it was necessary to  
15 make some adjustments for institutional population,  
16 and went ahead and did that independently. The  
17 Census Bureau published it and told everybody. And  
18 you may recall from the last cycle that Senate  
19 witnesses were always talking about adjusted data,  
20 and that was -- that was the Senate's data set, and  
21 that's something that happens in various  
22 jurisdictions where -- where the jurisdictions make  
23 the determination that they need to do this for  
24 whatever legitimate reason is out there to do it.

25 SENATOR McCONNELL: All right. Are

1     there any other questions or any discussions on --  
2     and the motion is that we propose the public  
3     participation policy.

4             All in favor, please raise your right  
5     hand.

6             Thank you. Opposed by like sign.

7             Let the record show that all of the  
8     members of the subcommittee were here and all voted  
9     in support of the public participation plan as  
10    moved.

11            I move next to public submissions, and  
12    I would call on Mr. Terreni to present a proposed  
13    policy on public submissions.

14            MR. TERRENI: Thank you, Mr. Chairman.

15            During the last round of redistricting,  
16    the subcommittee employed a public submissions  
17    policy to provide guidelines to the general public  
18    and interest groups on how they might submit their  
19    own redistricting plans for the subcommittee's  
20    consideration. And staff undertook to update the  
21    document that was obtained in -- I mean, that was  
22    used in the last cycle. And that's what you have  
23    at Tab 4 of your notebooks. It's -- it's largely a  
24    technical document which will apply after the  
25    public hearings stage -- after the public hearings

1 that Ms. Hammond discussed, after the committee has  
2 adopted criteria and begins the process of  
3 considering plans. It will designate a time period  
4 in which the public may submit plans.

5           And what we wanted to do was ensure  
6 that the public knew how to submit plans in such a  
7 manner that they could easily be loaded into our  
8 computers. And towards that end, you will see that  
9 in Paragraph 3, we specified a file format, which  
10 is the most universal file format we could  
11 determine. It's one that would allow people using  
12 various forms of software -- you know, most of them  
13 are interchangeable -- but to simply put their data  
14 in a common denominator and submit it to us in such  
15 a manner as it could be loaded, and also provide us  
16 with descriptive information that's sufficient for  
17 us to know whether we're loading what they want us  
18 to load. In other words, they can get a file mixed  
19 up or such.

20           In developing the update of this  
21 policy, as Ms. Wells said, we modernized -- we  
22 modernized our guidelines, and we don't accept data  
23 on 3-and-a-half inch diskettes anymore, but we also  
24 look to the Department of Justice's technical  
25 guidelines for submitting Section 5 preclearance

1 submissions.

2 SENATOR McCONNELL: Any questions?

3 If not, do I hear a motion that we  
4 adopt these guidelines for the public submission?

5 SENATOR MARTIN: So moved.

6 SENATOR McCONNELL: All right. Do I  
7 hear a second?

8 SENATOR MALLOY: Second.

9 SENATOR McCONNELL: Now, moved the  
10 second. The floor is open for any discussion, if  
11 there is any discussion. If not, we'll move to a  
12 vote.

13 All in favor of adopting the policy on  
14 public submission, please raise your right hand.

15 Thank you. Opposed by like sign.

16 Let the record show that all of the  
17 members of the subcommittee voted for the public  
18 submissions policy.

19 Next, we need to go to the website.  
20 And which one of you wants to tell us about that?  
21 Ms. Hammond?

22 MS. HAMMOND: Mr. Chairman, several  
23 months ago, staff was asked to develop a website  
24 that reflects your vision for this process, open  
25 and accessible. With the assistance of Angela Hill

1 and Connie Huff with Legislative Printing, we have  
2 developed the site you're about to see.

3 Behind Tab 5 of your notebook, you will  
4 find snapshots of several pages of the site I would  
5 like to highlight very briefly.

6 Mr. Chairman, with your permission, I  
7 need to move to the computer to be able to navigate  
8 the website.

9 SENATOR McCONNELL: Okay. Go ahead.

10 MS. HAMMOND: What was most important  
11 to us as we developed this site was that it was --  
12 you could find it very easily. There are three  
13 ways to access the Senate's redistricting website.  
14 And the first page of the State House website,  
15 which is [www.scstatehouse.gov](http://www.scstatehouse.gov), under the Senate  
16 portion of the website, there is a new button  
17 called Redistricting. And if you click on that, it  
18 will pull up the website. And I'll do that in just  
19 a moment.

20 Most people by now, if they spend a lot  
21 of time on this website, they go to Citizens'  
22 Interest. That's where we generally put special  
23 committees, task force, that kind of thing. We  
24 felt that we needed to have a link there in case  
25 that's where the public is most comfortable finding

1 the website. So if you click on Citizens' Interest  
2 and scroll down, you'll see Redistricting, comma,  
3 Senate. It will bring the website up.

4 Last, but not least, if you just enter  
5 redistricting.scstate -- no --  
6 redistricting.scsenate.gov, that will also bring up  
7 this website. So I'm going to click on the  
8 Redistricting button here. And you will see -- and  
9 I'm just going to play this quickly. First you  
10 will see the chairman in the middle of the screen.  
11 He has videotaped a message in November that  
12 briefly describes the process and how the public  
13 can participate, so I'm going to click on that.

14 Okay. I'm not going to play the whole  
15 thing, but you can also find the text version of  
16 his comments, so if you do not want to hear him  
17 actually say it, you can print it.

18 Okay. Now I'm going to go across the  
19 top buttons. Here is the home page. Under Current  
20 Districts, you will find the districts you serve  
21 under now. You will find the maps, plan  
22 components, and the block equivalency file for the  
23 Senate plan and the congressional plan that we're  
24 currently under.

25 Okay. And the next button is the

1 Redistricting Process and History. This is  
2 everything that has happened in the state dealing  
3 with elections under our current plans since the  
4 last process, since the 2000 Census. And most  
5 websites have Frequently Asked Questions, and what  
6 we did was try to develop questions that the public  
7 would ask: you know, what is redistricting, how  
8 can I contact the staff, and those types of  
9 questions. And it has the answers.

10 Another thing it has, most people --  
11 well, not most, but a lot of people don't know how  
12 to find their legislators, so we provided a link on  
13 how to find who represents you and what district  
14 you live in.

15 Okay. Contact -- okay. Under this  
16 screen, you have all the contact information for  
17 the committee members. It lists those for the  
18 subcommittee members, and if you click on the  
19 committee members, it will bring your bio up that's  
20 on the Senate website. And it also has a map of  
21 your district. So that -- that was, I thought, a  
22 nice thing to add.

23 We also wanted to make sure that people  
24 knew how to contact staff. We have an e-mail  
25 address, which is [senateredistricting@scsenate.gov](mailto:senateredistricting@scsenate.gov),

1 but we felt like it was very important that people  
2 had a person they could contact and a telephone  
3 number.

4           Okay. You can see on the left, there  
5 is a public hearing segment. We will have the  
6 public hearing schedules, all the agendas for the  
7 public hearings, locations, maps, directions, all  
8 of the handouts. You can even sign up to testify  
9 before you even go to the hearing. And once we  
10 have the hearings, transcripts will be -- from the  
11 hearings will be posted on the website. The same  
12 thing with committee meetings. So we will be able  
13 to see everything about what the Redistricting  
14 Subcommittee and the Judiciary Committee does.

15           Then over here, over on the right side  
16 of the page, you will see Redistricting Materials,  
17 and I did not print every single page for you under  
18 Current Districts. Again, you're going to find the  
19 Senate districts and the congressional districts.  
20 We will have a calendar, if there is one, for  
21 special events. All the press releases regarding  
22 the district will be posted here. I'm going to  
23 pull up the data portion of the website to show you  
24 there are already things out there to view, and  
25 this is where more data, as we get it, will be

1 posted.

2           Then under Web Resources, other  
3 entities, such as the Census Bureau, National  
4 Conference of State Legislators, the Department of  
5 Justice, their websites, there is a link to those.

6           And you also have South Carolina  
7 Redistricting Laws. You have links to those. So  
8 we tried to make it easy, accessible, and provide a  
9 lot of information about the process. We also have  
10 an announcement box. Anything that's posted,  
11 that's newly posted, we want to bring -- we want to  
12 bring your attention to that.

13           So that's pretty much it. It will  
14 grow. We also recognize that not everybody has a  
15 computer, and so on any press release, any kind of  
16 document where we can put a contact number, we have  
17 my name, my phone number so the public knows there  
18 is a person, and they can get the same information  
19 that's posted on the website.

20           SENATOR McCONNELL: Any questions?  
21 Senator from Orangeburg.

22           SENATOR HUTTO: So is Ms. Hammond the  
23 webmaster? Is that --

24           MS. HAMMOND: Yeah. I mean, I'm  
25 responsible for posting things.

1           SENATOR HUTTO: You are responsible.

2           MS. HAMMOND: Yes.

3           SENATOR HUTTO: So if somebody has --  
4 sees something on the website that they question,  
5 you're the contact person?

6           MS. HAMMOND: Absolutely. Absolutely.

7           SENATOR HUTTO: The second question I  
8 have is, under Current Districts, it only lists the  
9 Senate and the congressional districts but not the  
10 State House districts, and -- which is sort of fine  
11 with me, but I think the public may click on that  
12 and wonder where they are and might suggest that we  
13 put a link to whatever the House puts up. I mean,  
14 if we aren't going to put the House districts on  
15 here. It is part of the redistricting process.

16          MS. HAMMOND: Absolutely.

17          SENATOR HUTTO: And I don't want  
18 somebody to think just because they couldn't find  
19 it on our website, that it's not being considered.  
20 So either under the Web Resources or Current  
21 Districts, I think we ought to have some link so  
22 that if somebody's looking for their House  
23 district, and they're on our website, that they  
24 should be able to get to that.

25          MS. HAMMOND: Well, whatever the

1 committee wants.

2 SENATOR McCONNELL: Can you all do  
3 that, put a link on there?

4 MS. HAMMOND: Yes, sir, absolutely.

5 SENATOR McCONNELL: Okay.

6 MS. HAMMOND: And there's also an  
7 Archives section that has everything about the last  
8 redistricting process for the Senate and for  
9 congressional, so we will --

10 SENATOR HUTTO: The final question I  
11 have is about the transcripts. Like, for instance,  
12 this meeting today, do you propose that the  
13 transcript from this are going to show up or just  
14 the transcripts from the public hearings?

15 MS. HAMMOND: Everything.

16 SENATOR HUTTO: Every committee  
17 meeting?

18 MS. HAMMOND: Yes, sir.

19 SENATOR HUTTO: Which leads me to my  
20 next question. How quickly? In other words, if we  
21 start having this public hearing and somebody wants  
22 to see what we did in Myrtle Beach on the first  
23 night so that they don't ask the same questions  
24 twice, or that kind of thing, how quickly will they  
25 get up? Will they be up that -- that timely so

1 that somebody can read the transcripts from the day  
2 or two before, before they show up at the fifth  
3 public hearing, that they could see what happened  
4 at the first four?

5 MS. HAMMOND: Mr. Chairman, do you  
6 mind?

7 We've talked about that, and in an  
8 effort to minimize the expense, what we can have  
9 available the day after a public hearing, not just  
10 a typical committee meeting, but the public  
11 hearings, they can give us a draft. It may have  
12 mistakes in it, but you will be able to get the  
13 flavor of what was said. So you can do that.

14 SENATOR HUTTO: So you --

15 MS. HAMMOND: Now, that will not be  
16 posted.

17 SENATOR HUTTO: It won't be on the  
18 website, though?

19 MS. HAMMOND: No.

20 SENATOR HUTTO: Well, so how would they  
21 get it? How would the interested public get a  
22 copy?

23 MS. HAMMOND: Well, if you all want an  
24 unedited -- you know, not edited but --

25 SENATOR HUTTO: A tentative --

1 MS. HAMMOND: An unfinished -- because  
2 the court reporter, of course, is not going to  
3 verify a draft until she has gone through it, and  
4 names are spelled correctly, that --

5 SENATOR McCONNELL: Okay. Mr. Terreni.

6 MR. TERRENI: Senator, one thing we  
7 might be able to explore is putting some sort of  
8 audio file on within 24 hours of the hearing, and  
9 that may be -- I know court reporters, as you do,  
10 and they're very reluctant to put their rough  
11 product out in public. And there are problems with  
12 that, too, because --

13 SENATOR HUTTO: Well, also, the  
14 technology is such that it comes out a lot quicker  
15 than it used to. I mean, I don't know which  
16 technology they're using, but a lot of court  
17 reporters can almost simulcast. Not quite, but  
18 it's close.

19 MR. TERRENI: Close, but those -- you  
20 know, those audio conversions still, they -- at  
21 least my experience with realtime court reporters  
22 is they always insisted on having the chance to  
23 review. Because we have these back-to-back public  
24 hearings, I'm not sure it's fair to them. But we  
25 could probably get an audio file up by the next day

1 and say their transcript will be coming as soon as  
2 we can put it up. I mean -- but we'll certainly  
3 explore all the possibilities.

4 SENATOR McCONNELL: Any other  
5 questions?

6 Thank you, ma'am.

7 SENATOR MALLOY: Mr. Chairman?

8 SENATOR McCONNELL: Yes, sir, Senator  
9 from Darlington.

10 SENATOR MALLOY: I just pulled up the  
11 site, and right under Senate, where it has the  
12 calendar and it has Redistricting, right where your  
13 pointer is, it's not coming up on the computer yet,  
14 so I guess that's just --

15 SENATOR HUTTO: Mine just came up just  
16 now on my computer.

17 SENATOR MALLOY: It just came up.

18 MS. HAMMOND: This did, too. I got out  
19 of it and went back in.

20 SENATOR McCONNELL: That's everything  
21 we have for today.

22 Yes, sir. Senator from Georgetown.

23 SENATOR CLEARY: Thank you.

24 There are two, actually, technical  
25 colleges -- two Horry-Georgetown Technical campuses

1 in Myrtle Beach. There is one on 501, and there is  
2 one at the Air Force base. So, if you would, make  
3 sure that we specify which one we're going to have  
4 that meeting at for the public. That will be  
5 helpful.

6 MS. HAMMOND: There will be a campus  
7 map as well as directions to the campus. Yes, sir,  
8 we'll have the address.

9 SENATOR CLEARY: Yeah, because there  
10 are two campuses. There's a campus at the old Air  
11 Force base, and there's a campus on 501, so --

12 SENATOR McCONNELL: You all, let me  
13 just, again, say thank you for agreeing to serve.  
14 We'll take some time, and I'll follow up on the  
15 senator from Orangeburg's suggestion and talk to  
16 the chairman of Finance Committee, but we may also  
17 look at our Senate schedules and see what we can do  
18 to make some adjustments that week. Otherwise, we  
19 will find some members of the Judiciary Committee  
20 that have some interest in some bills.

21 With that, then, we'll stand in recess  
22 until the next order.

23 (The meeting was concluded at  
24 10:49 a.m.)

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CERTIFICATE OF REPORTER

I, Janni S. Jardine, Court Reporter and Notary Public for the State of South Carolina at Large, do hereby certify:

That the foregoing meeting was taken before me on the date and at the time and location stated on Page 1 of this transcript; that the foregoing meeting as typed is a true, accurate and complete record made at the time of the meeting to the best of my ability.

I further certify that I am neither related to nor counsel for any party to the cause pending or interested in the events thereof.

Witness my hand, I have hereunto affixed my official seal March 21, 2011, at Columbia, Richland County, South Carolina.

-----  
Janni S. Jardine  
Court Reporter  
My Commission expires  
September 1, 2019

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