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3	REDISTRICTING SUBCOMMITTEE MEETING
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6	PUBLIC SESSION
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8	CERTIFIED COPY
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10	Wednesday, March 2, 2011
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12	10:03 a.m.
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14	Room 105, Gressette Building
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16	Columbia, South Carolina
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19	REPORTED BY: Janni S. Jardine
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1	MEMBERS IN ATTENDANCE:	Page 2
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	SIAFF PRESENI:	
13	BONNIE ANZELMO	
14	PAULA BENSON	
15	CHARLES TERRENI	
16	E. KATHERINE WELLS	
17	DEBBIE HAMMOND	
18		
19		
20		
21		
22		
23		
24		
25		

I'm Page 3 1 SENATOR McCONNELL: All right. 2 going to call to order at this point the 3 Redistricting Subcommittee meeting. 4 On this first meeting of the Senate Judiciary Committee's Redistricting Subcommittee, I 5 would like to describe the challenges that we face 6 7 and propose a plan for overcoming them. When the decennial census data is 8 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 Protection Clause of the 14th Amendment to the 13 14 United States Constitution, which guarantees our citizens the right to equal representation, often 15 expressed as the one-person-one-vote principle. 16 The most basic task which can require 17 drastic changes in existing boundaries can be 18 19 daunting enough. In the 1960s, when the Senate was first being pressed to redistrict, it tried to 20 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 solution to be unconstitutional, requiring that 24 other choices be made. Of course, the requirements 25

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- of equal representation are just the beginning of Page 4
- 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

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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 consider when we draw plans. 6 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 gathered in the public hearings, the Redistricting 15 Subcommittee should adopt criteria to follow 16 through the process. These criteria will serve as 17 our, quote, rules of the road, end of quote, in the 18 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 districts. 24 25 As we consider plans, we must continue

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1 to keep the public involved. We will do so by 2 holding additional public hearings at appropriate times, giving the public the opportunity to submit 3 4 plans of their own for our consideration, and 5 making information available by such methods as our redistricting website. 6 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 exercise. I do not believe that it has to be that 15 way, at least not here in the South Carolina 16 Things can be done differently here. 17 There will be difficult decisions to be made and 18 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 our duties, whether we are collegial, forthright 23 24 and open, whether we're willing to put the public

interest before the parties at interest, whether we

1 make decisions that we can be proud of. I'm Page 7 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 overview of the 2010 Census and where South 6 7 Carolina stands in the process, and then we'll proceed down to look at the public hearing 8 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. SENATOR FORD: Could you tell us a 13 14 little bit about the gentleman? SENATOR McCONNELL: Mr. Terreni? 15 SENATOR FORD: Yeah. 16 SENATOR McCONNELL: Very experienced 17 committee counsel. He was with us in the lawsuits 18 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 machinery and other things in place that we would 23 need in order for this subcommittee to be able to 24 meet and have the tools put forth, and to have some 25

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- 1 good guideposts on what the law is and what we need Page 8
- 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.
- 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

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- 1 cycle census -- excuse me -- is that the ideal size
- 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.
- 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.
- 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

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But if Page 10 1 when different bodies are up for election. 2 we go according to the schedule that they followed last time, in the 2000 cycle, we probably could 3 4 expect to release -- to receive data either next week or by the first week -- by the week of March 5 14th. 6 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 errors in other states' releases so far. 15 For instance, in Virginia, 19,000 16 people from the Norfolk -- Norfolk Navel Base were 17 misassigned in a census block. They were actually 18 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 we've received so far, that there are going to be 23 24 some glitches.

Our staff is -- is going to review this

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- 1 information carefully. We're going to depend on Page 11
- 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.
- 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

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- 1 schedule. We designated the last week in March and Page 12
- 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.
- 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

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reapportionment is all about, and it also gives a Page 13 1 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 comments. And it has a way to do that either 6 7 through the website or by mail. 8 And those are the two documents that I 9 have for you. SENATOR FORD: Mr. Chairman? 10 11 SENATOR HUTTO: Mr. Chairman? 12 SENATOR McCONNELL: All right. Senator 13 from Orangeburg. 14 SENATOR HUTTO: I would like to -- and I appreciate the work from Ms. Hammond and 15 everybody getting this together. I would like the 16 committee, however, to consider some additional 17 hearings. I would particularly propose Orangeburg 18 19 and Sumter. We don't have any hearings in a county that's -- where the majority of the citizens are 20 21 minority population. They are all in the more 22 urban centers, and I think it's important that we actually hold some in a rural setting. And I know 23 24 that both those, Sumter and Orangeburg, would fit 25 in that category, and they both have technical

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schools available to us. And it's a suggestion, 1 2 but I think it's -- you know, obviously a lot of people can come to Greenville and Charleston, but I 3 4 still think getting out and having a few hearings 5 out in a more rural area is appropriate, and I would ask us to consider that. 6 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. SENATOR FORD: Thank you. Senator, I 18 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

prisons -- or have a lot of prisons -- a lot of

prisons and a lot of college students. Now, let's

say -- okay. Let's use my district, 42. I have a

23

24

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- 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? Page 16 2 SENATOR HUTTO: Mr. Chairman? 3 SENATOR McCONNELL: Senator from 4 Orangeburg. 5 SENATOR HUTTO: They do -- thank you. They do seem -- I think the technical college tends 6 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 members on the committee that -- because some of 13 14 these are going to be further away from Columbia on legislative days that we could get to if the Senate 15 were in session. And should that fall on the 16 budget week, that would be a problem. 17 And so I'm wondering if we're going to 18 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 then we're going to be off, because this is really 23 24 important. And I think we almost have to go to the 25 hearing, but at the same time, it causes a --

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potentially putting a dilemma if we had some major Page 17 1 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 today and -- or whenever we finalize this 6 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 budget during that time? How would that -- how 10 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. If we can't get agreement, we certainly can get 15 some members of the Judiciary Committee to get up 16 and take an interest in whatever is pending and 17 talk for a while and educate the members that are 18 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 distance than we have to travel. But if there is 23 an insistence on trying to get something through 24

while we're gone, I will try to engage some members

1 of the Judiciary Committee to take an over-interest Page 18 2 in the budgets. But I don't think the budget would be there, but no members of the Finance Committee 3 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. All right. If it is, do I hear a 13 14 motion that we adopt these schedules and that we give the staff the discretion to go forward and 15 nail down a date and location on Orangeburg and 16 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. And the floor is now open for any 23 discussions. If there's none, we'll go to a vote. 24 All in favor, please raise your right 25

1 hand. Page 19 2 Thank you. Say opposed by like sign. Let the record show that every single 3 4 member of the subcommittee -- we have a full 5 attendance -- it was -- all members supported the motion. 6 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 look at Tab 3 in your notebooks, A Policy for 13 14 Public Participation. What I did was, I looked at several different states, primarily those who are 15 also under Section 5 review, to see what 16 information they had posted on their website for --17 to encourage the public participation and to sort 18 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 attend. I also used as a guideline the public 23 24 participation policy that had been adopted by the Senate Judiciary Committee and Subcommittee on 25

1 Redistricting in 2001. Page 20 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 information and database by means such as the 6 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. will have different subcommittee meetings. 12 will be open to the public. Notices of the public 13 14 hearings and subcommittee meetings will be posted on the redistricting website and will be 15 transmitted by e-mail to anyone who is signed up 16 and asked to be on the contact list. 17 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. 21 unbelievable when you stop to think in just ten 22 years where we were then and where we are now. most of the data is going to be available from the 23 website in a very easily -- electronic, 24 downloadable format. 25

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And we will, to the extent possible, 1 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 be able to provide the data to them. But most of 6 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 know where the data is, and it will be posted on 15 16 the website. SENATOR McCONNELL: All right. And so 17 what this will do -- as I understand it, you 18 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 That would be correct. MS. WELLS: SENATOR McCONNELL: All right. 24 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 Darlington moves it. Now we'll move for a second. 6 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 what our counsel, Mr. Terreni, said about the 13 14 possibility of, when we get the information, that it may not be 100-percent accurate. Are we going 15 to put it up as we receive it, or are we going to 16 vet it first before we put it up? 17 18 SENATOR McCONNELL: Mr. Terreni. 19 MR. TERRENI: We're going to put it up as soon as possible, meaning -- let's say we 20 21 received it on a Thursday. It will be likely a 22 Thursday afternoon or Thursday around midday. We need time to load it just to make sure it works, 23 and then do just a preliminary scan of it to make 24 sure that nothing is seriously wrong, and then get 25

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- 1 it up on the Internet as soon as possible, perhaps
  Page 23
- 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?
- 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

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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 find other things such as -- and, for instance, in 10 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 post some sort of annotation on our website, let 15 the public know how our file is different from the 16 Census Bureau's file and why so the -- so that 17 we're not waiting on the bureaucracy to correct 18 19 data, because that may never happen. 20 SENATOR HUTTO: Mr. Chairman, one more 21 question. 22 SENATOR McCONNELL: Yes, sir. SENATOR HUTTO: So then, in essence, we 23 would use our file, not theirs. If we find 24

something that we all agree is incorrect by a block

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1
     or two or whatever and we agree what the correct
                                                    Page 25
 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
     make some adjustments for institutional population,
15
     and went ahead and did that independently.
16
     Census Bureau published it and told everybody.
17
     you may recall from the last cycle that Senate
18
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
     the determination that they need to do this for
23
24
     whatever legitimate reason is out there to do it.
25
                 SENATOR McCONNELL: All right. Are
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there any other questions or any discussions on --1 Page 26 2 and the motion is that we propose the public participation policy. 3 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. During the last round of redistricting, 15 the subcommittee employed a public submissions 16 policy to provide guidelines to the general public 17 and interest groups on how they might submit their 18 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 at Tab 4 of your notebooks. It's -- it's largely a 23 technical document which will apply after the 24 25 public hearings stage -- after the public hearings

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- 1 that Ms. Hammond discussed, after the committee has Page 27
- 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

SENATOR MCCONNELL: Any questions?  If not, do I hear a motion that we  adopt these guidelines for the public submission?  SENATOR MARTIN: So moved.  SENATOR MCCONNELL: All right. Do I  hear a second?  SENATOR MALLOY: Second.  SENATOR MCCONNELL: Now, moved the  second. The floor is open for any discussion, if  there is any discussion. If not, we'll move to a  vote.  All in favor of adopting the policy on  public submission, please raise your right hand.
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
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
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
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
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
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
second. The floor is open for any discussion, if there is any discussion. If not, we'll move to a vote.  All in favor of adopting the policy on
11 there is any discussion. If not, we'll move to a 12 vote. 13 All in favor of adopting the policy on
12 vote.  13 All in favor of adopting the policy on
13 All in favor of adopting the policy on
14 public submission, please raise your right hand.
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.
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 Hil

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- 1 and Connie Huff with Legislative Printing, we have Page 29
- 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, 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

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- 1 the website. So if you click on Citizens' Interest  $$\operatorname{\textsc{Page}}\xspace30$$
- 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.
- Okay. And the next button is the

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1 Redistricting Process and History. This is Page 31 2 everything that has happened in the state dealing with elections under our current plans since the 3 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 how to find who represents you and what district 13 14 you live in. Okay. Contact -- okay. Under this 15 screen, you have all the contact information for 16 the committee members. It lists those for the 17 subcommittee members, and if you click on the 18 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 knew how to contact staff. We have an e-mail 24

address, which is senateredistricting@scsenate.gov,

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- 1 but we felt like it was very important that people Page 32
- 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.
- 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. Page 33 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 computer, and so on any press release, any kind of 15 document where we can put a contact number, we have 16 my name, my phone number so the public knows there 17 is a person, and they can get the same information 18 19 that's posted on the website. 20 SENATOR McCONNELL: Any questions? 21 Senator from Orangeburg. 22 SENATOR HUTTO: So is Ms. Hammond the webmaster? Is that --23 24 MS. HAMMOND: Yeah. I mean, I'm

responsible for posting things.

SENATOR HUTTO: You are responsible.
Page 34 1 2 MS. HAMMOND: Yes. SENATOR HUTTO: So if somebody has --3 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 State House districts, and -- which is sort of fine 10 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 It is part of the redistricting process. 15 MS. HAMMOND: Absolutely. 16 SENATOR HUTTO: And I don't want 17 somebody to think just because they couldn't find 18 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 district, and they're on our website, that they 23 24 should be able to get to that. MS. HAMMOND: Well, whatever the 25

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

```
that somebody can read the transcripts from the day Page 36
 1
 2
     or two before, before they show up at the fifth
     public hearing, that they could see what happened
 3
 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
     flavor of what was said. So you can do that.
13
14
                 SENATOR HUTTO: So you --
15
                 MS. HAMMOND: Now, that will not be
16
    posted.
                 SENATOR HUTTO: It won't be on the
17
18
     website, though?
19
                 MS. HAMMOND: No.
                 SENATOR HUTTO: Well, so how would they
20
21
     get it? How would the interested public get a
22
     copy?
23
                 MS. HAMMOND: Well, if you all want an
     unedited -- you know, not edited but --
24
                 SENATOR HUTTO: A tentative --
25
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1
                 MS. HAMMOND: An unfinished -- because
                                                    Page 37
 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 --
                 SENATOR HUTTO: Well, also, the
13
14
     technology is such that it comes out a lot quicker
     than it used to. I mean, I don't know which
15
     technology they're using, but a lot of court
16
     reporters can almost simulcast. Not quite, but
17
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
     hearings, I'm not sure it's fair to them.
24
     could probably get an audio file up by the next day
25
```

- and say their transcript will be coming as soon as Page 38
  we can put it up. I mean -- but we'll certainly
  explore all the possibilities.

  SENATOR McCONNELL: Any other
  questions?
  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.
- Yes, sir. Senator from Georgetown.
- 23 SENATOR CLEARY: Thank you.
- 24 There are two, actually, technical
- 25 colleges -- two Horry-Georgetown Technical campuses

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```
1
     in Myrtle Beach. There is one on 501, and there is
 2
     one at the Air Force base. So, if you would, make
     sure that we specify which one we're going to have
 3
 4
     that meeting at for the public. That will be
    helpful.
 5
 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
     senator from Orangeburg's suggestion and talk to
15
     the chairman of Finance Committee, but we may also
16
     look at our Senate schedules and see what we can do
17
     to make some adjustments that week. Otherwise, we
18
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
    until the next order.
22
23
                 (The meeting was concluded at
24
     10:49 a.m.)
25
```

1	CERTIFICATE OF REPORTER Page 40
2	•
3	I, Janni S. Jardine, Court Reporter and Notary Public for the State of South Carolina at Large, do hereby certify:
4	That the foregoing meeting was taken
5	before me on the date and at the time and location stated on Page 1 of this transcript; that the
6	foregoing meeting as typed is a true, accurate and complete record made at the time of the meeting to
7	the best of my ability.
8	I further certify that I am neither related to nor counsel for any party to the cause pending or interested in the events thereof.
10	Witness my hand, I have hereunto
11	affixed my official seal March 21, 2011, at Columbia, Richland County, South Carolina.
12	
13	
14	Janni S. Jardine
15	Court Reporter
16	My Commission expires September 1, 2019
17	
18	
19	
20	
21	
22	
23	
24	
25	

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