

Meeting of the Election Laws Subcommittee

South Carolina House of Representatives

Judiciary Committee

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Rock Hill, SC

April 6, 2011

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REP. CLEMMONS: Ladies and gentlemen, we'd like to go ahead and convene this meeting of the election laws subcommittee of the South Carolina House of Representatives Judiciary Committee with the intent of opening our York County redistricting hearing to which I welcome you all.

My name is Alan Clemmons, I'm from Horry County, from Myrtle Beach specifically. I represent Myrtle Beach in the House of Representatives. I have the honor of chairing this subcommittee hearing. I'd like to introduce my subcommittee members to you, and I'll start to my extreme left. We have Jenny Horne, Karl Allen, Emmadine is our staff member, our committee attorney. And here we have Bakari Sellers, next to her. And at the end here is Tom Young.

We also have with us, and I'd ask you to stand, we are in Representative John King's district at the moment, I understand. What a wonderful welcome to your area, Representative King. Please stand. [Applause]

We also have Greg Dellaney, I understand,

1 Representative Dellaney over here. [Applause]

2 Do we have any other members of the
3 legislature here with us that I've overlooked?
4 We might have a few pop in on us as we all
5 headed straight here as soon as the last vote
6 was taken to be here in time. So we may have
7 a few others join us before the end of the
8 meeting that I may recognize from time to
9 time.

10 I'd like to share with you some
11 introductory comments about what this meeting
12 is all about. Now, we have a sign up sheet
13 that I've been handed here for those that
14 would like to speak. If there's anybody else
15 that would like to speak, you can come forward
16 and add your name to the list. If -- Oh, I'
17 sorry, we have lists still being used in the
18 very back at the door. So, if you'd like to
19 speak, please sign up on the sign in sheet and
20 you'll be given an opportunity to address us.

21 These hearings are only the first step,
22 ladies and gentlemen, in a long and involved
23 process that must complete before we can begin
24 working on a redistricting plan. We hope to
25 start tonight, and at the other hearings, by

1 listening to extensive public input and then
2 using that input to form the basis of how we
3 proceed. From that input, this subcommittee
4 must create and submit to the full House
5 Judiciary Committee a plan for how to draw
6 lines in South Carolina House, all 124
7 districts of the South Carolina House and the
8 United States Congress, including the new
9 seventh district that South Carolina received
10 in the most recent federal reapportionment of
11 House districts. The full subcommittee must
12 then submit a plan that may or may not be the
13 same as the subcommittee's plan. That will be
14 submitted to the full House of Representatives
15 for consideration. Any plan that gains
16 approval of the House, and later of the state
17 Senate, must be submitted to the United States
18 Justice Department pursuant to the Voting
19 Rights Act for what is called pre-clearance.
20 If it is determined by the Justice Department
21 or the courts that the plan does not comply
22 with, first, the constitutional mandates of
23 one man, one vote and equal protection. And
24 second, with the statutory requirements of the
25 Voting Rights Act more work may still need to

1 be done. Tonight our goal is to listen to
2 each and every one of you, each interested
3 party, we want you to tell us what you would
4 like to see accomplished in the House's
5 redrawing of district lines, and that would
6 be, again, for both the Unites States House of
7 Representatives and the South Carolina House
8 of Representatives. We are here tonight to
9 listen to your concerns. We are here tonight
10 to listen to your recommendations as to what
11 the subcommittee should consider in this
12 process. As the House undertakes the
13 process of redrawing district lines, public
14 input is indispensable in helping us to shape
15 a House that best represents the people of
16 South Carolina. The House of Representatives
17 is often called the People's House. It's
18 called that because it is truly the house of
19 the people. In order to continue to earn that
20 distinction, we must know how the people want
21 the House to look, how you want your house to
22 look. How the people wish to be represented.
23 That is the sole purpose of these hearings
24 tonight, to hear from those of the public and
25 take their guidance as we shape the House and

1 congressional districts for the coming decade.
2 We welcome any input which helps us understand
3 specific issues in your area in which
4 identifies neighborhoods, political
5 subdivisions and other areas which you believe
6 the subcommittee should take into
7 consideration when drawing district lines.
8 Resulting from this series of hearings, this
9 subcommittee plans to adopt a set of criteria
10 drawn primarily from what we hear from the
11 public. These criteria will be the guiding
12 principles by which the House will draw
13 district lines. As you all know, the
14 plan that is ultimately produced must, more
15 than anything else, assure the principle of
16 one man, one vote, meaning that we are
17 required to have as equal a population in
18 every district as possible. But beyond those
19 requirements, this subcommittee is
20 particularly interested in what political
21 subdivisions or smaller communities have in
22 common, or what they do not have in common,
23 that would suggest they should be placed into
24 one or multiple districts. While this hearing
25 is being conducted this evening here in York

1 County to allow residents of the immediate
2 area an opportunity for input, the
3 subcommittee is happy to hear testimony from
4 anyone interested in any part of the state or
5 the state as a whole. Because tonight's
6 hearing will become part of the record in this
7 matter, this proceeding is being recorded and
8 it will be transcribed. To make sure that we
9 have a clear record, I would ask that each
10 witness come to the microphone, speak slowly
11 and clearly and state your name and address
12 and identify the district or districts that
13 you are interested in. If you are appearing
14 tonight on behalf of a group, we ask you to
15 let us know what group you're appearing on
16 behalf on, be it a political party, a public
17 interest group or other organization. I, and
18 other members of this committee, may make
19 comments, we may ask questions
20 about particular areas which may not reflect
21 the intentions or recommendations of the
22 committee or the House. We will also be glad
23 to answer general questions about the process,
24 if we can. However, because this is a first
25 part of a long process of gathering

1 information from across the state, we may not
2 be able to answer specific questions at this
3 time. I anticipate that this meeting will
4 last approximately two hours, and while we
5 want to hear everything that anyone has to
6 offer, we do reserve the right to limit
7 individual testimony to ten minutes. I would
8 ask each person as they offer testimony to be
9 considerate of others who are here to offer
10 opinions as well. If anyone previous to you
11 has offered comments which would reflect your
12 comments you would like to share, you need not
13 repeat those comments and you may reference
14 the previous comments and your belief that
15 those are comments that would be reflective of
16 your testimony. We'll also be taking any
17 written documentation that you wish to leave
18 with us tonight, and we'll be happy to make
19 that part of the record, we will make that
20 part of the permanent record. We would only
21 ask that you write your name legibly, and your
22 mailing address on any documentation you wish
23 to submit to us.

24 We look forward to hearing from all of
25 you tonight that wish to share your opinion.

1 We want you to share your opinion, that's why
2 we're here tonight. We appreciate this
3 opportunity to be with you. Before we begin
4 hearing testimony; however, I see that several
5 more members of the House, as suspected might
6 have, have joined us. Let me introduce them
7 to you.

8 I believe Representative Pope has joined
9 us. Representative Pope, welcome. And
10 representative Simrill, welcome tonight. And
11 Representative Norman, good to have you with
12 us tonight. If anymore arrive, we may have to
13 declare a quorum here and may have to conduct
14 some House business. Thank you very much.

15 First of all, we have our earliest bird
16 to catch the worm tonight. The first person
17 to sign the list is Al Steele. Mr. Steele,
18 would you please come to the podium and share
19 with us your comments.

20 MR. STEELE: Thank you very much, Chairman
21 Clemmons. My name's Al Steele. I live in
22 Fort Mill, South Carolina. And I'm also, have
23 another person who worked with us on our
24 effort, Dan Mace. Dan, your address?

25 MR. MACE: I live in Tega Cay. Lake Forest Drive

1 in Tega Cay, South Carolina.

2 MR. CLEMMONS: Thank you very much.

3 MR. STEELE: We want to thank you for allowing us
4 to give you this input. Just to give you a
5 little bit of background, --

6 MR. CLEMMONS: Before you start, Gentlemen, are you
7 representing a group here tonight?

8 MR. STEELE: We formed a community committee, so to
9 speak. I don't know if you'd call us a group
10 or not. We call ourselves a reunification
11 committee. Our goal is to reunify our
12 community into the same House and Senate
13 districts. We had sent all of our information
14 down to Patrick Dennis, and he had promised me
15 that he would get it to your guys before the
16 meeting. If you didn't get it, I'd be glad to
17 have that resent to you. Just basically, let
18 me give you the background of how we decided
19 to try to do this effort.

20 Back in December, I guess, after the
21 census numbers came back, several of us were
22 talking about redrawing the district lines.
23 Now, what happened in Fort Mill and Tega Cay,
24 I'm not sure how many of you are familiar with
25 our community, but we're the part of South

1 Carolina that kind of sticks up into Charlotte
2 on the map. We're separated from the rest of
3 York County by Lake Wylie and the Catawba
4 River. There's only two places that cross the
5 river in York County, I-77, Highway 21,
6 they're side by side. So, although we're a
7 part of York County, we're also, have some
8 unique challenges that we face as a community
9 because of the rapid growth, number one; and
10 our close proximity to Charlotte, number two;
11 and being kind of landlocked from the rest of
12 the county, number three.

13 So what we did, Dan, myself, another
14 gentleman who could not come tonight, Bryan
15 Wilson, he's an attorney, has lived in Fort
16 Mill for 25 years, the three of us discussed
17 trying to organize and raise awareness about
18 redistricting and how important it would be
19 for the Fort Mill township, which includes
20 Tega Cay and Fort Mill and the unincorporated
21 areas of York County between the two back into
22 the same House and Senate districts. We got
23 separated after the 2000 Census. The lines
24 basically go kinda through the middle of our
25 community. Half of us have been represented

1 by Rock Hill and half of us by Lancaster for
2 the last 10 years. The last time we elected
3 someone was Representative Becky Meachum, back
4 in the early 90s. And we want to preface this
5 by saying that we've been well represented by
6 all of these people. We have no problem with
7 any of our representatives or senators.
8 They've done a marvelous job representing us.
9 So, there is no hard feelings or trying to do
10 anything to hurt either one of them from a
11 district standpoint. In fact, we were so
12 concerned about that, that before we did
13 anything we had a meeting at the Fort Mill
14 library, myself, Dan and Bryan, and we called,
15 we asked the Mayor of Fort Mill, the Mayor of
16 Tega Cay, the President of Fort Mill Chamber
17 of Commerce, the President of Tega Cay Chamber
18 of Commerce, and the chairman of our school
19 board to meet with us along with Ralph Norman,
20 Debbie Long and Wes Hayes. Mick Mulvaney, as
21 you know, is in the Fifth District in
22 Washington and had already been elected by the
23 time we met.

24 Our goal was to ask them, to tell them
25 what we thought would be the best for our

1 community and make sure that they have no
2 problem with us pursuing this goal. They all
3 assured us at that meeting that this process
4 is about the people and it's not about the
5 elected representative or senator. So they
6 were very encouraging. We will get to the
7 resolution when Dan speaks towards the end.
8 I'll be very brief.

9 We came up with a resolution that we
10 asked all five entities to adopt, and they all
11 five did unanimously. We also created a
12 little one page fact sheet that you should
13 have in your packet that outlines what makes
14 our community unique from the other parts of
15 the districts that we're in now. I already
16 spoke to number one, it had to do with us
17 being separated as a community after the 2000
18 Census.

19 The second fact is that we acknowledge is
20 that the Fort Mill township is one of the
21 fastest growing townships in South Carolina.
22 It includes the area of York County above the
23 river and on the other side of the lake. And
24 as the fastest growing township and school
25 district, we need and deserve a unified voice

1 in our state government to best handle the
2 challenges that we face from the rapid growth.

3 The third fact that we pointed out is
4 that the Catawba River is a natural boundary.
5 Except in York County, every other county line
6 is the river. Chester, all the way to
7 Columbia. No other -- except in York, no
8 other counties cross the Catawba River. No
9 school districts cross the Catawba River. No
10 voting precincts cross the Catawba River. And
11 there's limited places, bridges that you can
12 actually cross over the river.

13 So we felt like that was a significant
14 geographical thing that makes our plea to you
15 significant. In fact, last week at the Senate
16 hearing, the second -- they have a little
17 piece of paper that talks about traditional
18 redistricting principles. And the second one
19 is district boundaries follow natural, man-
20 made or political geographic boundaries, like
21 mountain ridges, roads; county or municipal
22 lines or precinct boundaries. In our case, we
23 think Lake Wylie and the Catawba River qualify
24 as a significant geographical area. So, along
25 that line, in today's Fort Mill Times, you'll

1 see the editorial page says "Let Common Sense
2 Rule Redistricting." And they talk about that
3 the Catawba River is a natural boundary and a
4 critical resource to our area.

5 With that I'll let Dan speak to the other
6 two facts and, again, I thank you for allowing
7 us to give you this input.

8 REP. CLEMMONS: Thank you, Mr. Steele. I would
9 share with you for the record, we did receive
10 the information that you sent to us, for which
11 we thank you, and that information has been
12 added to the permanent record of this hearing.

13 MR. STEELE: Thank you very much.

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

15 REP. CLEMMONS: Yes, sir, Mr. Mace.

16 MR. MACE: Members of the Committee, and that's
17 what I have here of course, with the packet
18 included support from both regional chambers
19 of commerce, both city councils from Tega Cay
20 and Fort Mill, the school district, and we've
21 accumulated around 500 signatures. We haven't
22 had a, you know, a referenda or anything like
23 that. We've just gone around and done this
24 ourselves to convey to you that we do have
25 unanimity in support of our resolution to

1 consolidate and reunify our voting district.

2 One of the things that motivated me when
3 Al gave me a call was I'm a strong public
4 education advocate and as such, being
5 essentially a bedroom community of the
6 Charlotte metropolitan area, we have
7 experienced in the last ten years quite a lot
8 of pressure on our school system. And it's --
9 as we look for the next ten years from now,
10 it's one of our key concerns that our quality,
11 which we feel is a very high quality, one of
12 the best school districts in the state and one
13 that a lot of districts would like to emulate
14 with the quality of our school system, that
15 that -- that strength of that school system
16 over the next 10 years not be detrimentally
17 affected by the growth. So that's one of the
18 key, I think, unique -- at least in terms of
19 my opinion, is one of the key unique factors
20 that make us a community of interest in the
21 Fort Mill township. And so, we've presented
22 that to you. I would like to kinda see if
23 there's any representative of Fort Mill and
24 Tega Cay that are here that are kinda
25 supporting where we are right here. We've

1 asked a lot of people to be here, we're glad
2 that they've all shown up to be here to
3 express our unified support for this effort.

4 Our resolution reads: Whereas the people
5 of Fort Mill township, including residents of
6 the city of Tega Cay, the town of Fort Mill,
7 and unincorporated areas of York County
8 located north of the Catawba River have a
9 common interest unique to our geographic
10 location adjoining a major metropolitan area;
11 and whereas, a Fort Mill township is currently
12 served by leaders in the South Carolina State
13 Senate and House of Representatives who ably
14 represent the interests of our community
15 together with the disparate interest of
16 others; and whereas, the people of Fort Mill
17 township desire to have their unique interests
18 advanced in a more unified fashion. Now,
19 therefore, be it resolved, the people of Fort
20 Mill township pledge support for the
21 redistricting of state of South Carolina lines
22 for state Senator and state Representative to
23 include all of Fort Mill township in one
24 district.

25 And I thank you for your attention this

1 evening.

2 REP. CLEMMONS: Thank you very much, Gentlemen.

3 MR. STEELE: Is there any questions we an answer
4 for you about our area?

5 REP. CLEMMONS: I think Representative Sellers has
6 a question.

7 REP. SELLERS: I just have one brief question.
8 Thank you for coming up and testifying. You
9 were talking about Tega Cay, Fort Mill and the
10 unincorporated areas located north of the
11 Catawba. What's the population of that area
12 that we're talking about? And the only reason
13 I ask that is because we have a target number
14 of 37,301 for a House district and our goal I
15 think, as our attorneys have instructed us, is
16 to stay within about a percent or two of that
17 target.

18 MR. STEELE: We were surprised to find out - I
19 talked with a Mr. Dennis, Patrick Dennis, last
20 week about that, and the number he gave me was
21 49,853. So we've grown from two partial
22 districts to one and a third in the last ten
23 years. Tremendous growth in our town.

24 REP. SELLERS: So that area that you want to stay
25 whole is 49,000?

1 MR. STEELE: Well, we want a whole district there,
2 and if another part of it has to go to some
3 other part, I mean, it'll have to. I mean you
4 can only --

5 REP. SELLERS: Okay, that's what I -- okay.

6 MR. STEELE: We want to have a House seat that
7 represents Fort Mill, Tega Cay, is what we're
8 asking for. And the Catawba River is the
9 natural boundary. Our school district is the
10 same as our township, overlaps. We have one
11 of the highest milage rates in the entire
12 state in an effort to keep our school district
13 as good as it was when we all came there. And
14 those are some unique challenges that we face
15 to try to keep our education system.

16 I'll give you one more comment and I'll
17 sit down because we're at nine and a half
18 minutes and I want to respect the other
19 speakers. I was discussing this in my
20 business one day with a school teacher. I was
21 telling her what we were trying to do and she
22 says, you know, she said when will it get
23 changed again? I said 2022 election. And she
24 says, Do you realize that 1st graders in this
25 school district will be registered voters at

1 that time and could run for office. She said,
2 You know what would really be good, if all of
3 their classmates could vote for them instead
4 of just half of them like it is now. I never
5 thought about it like that, it makes a lot of
6 sense.

7 Thanks again for allowing us to speak to
8 you today.

9 REP. CLEMMONS: Thank you very much. We appreciate
10 your comments. And we also appreciate you
11 two-teaming up here. So anybody that would
12 like to join together and use their ten
13 minutes jointly, we welcome you to do that.
14 Thank you, Gentlemen.

15 Next we have Marvin Smith. Mr. Smith.

16 MR. SMITH: I have no team member, Mr. Chairman.

17 REP. CLEMMONS: That's all right, sir.

18 MR. SMITH: I am Marvin Smith, I live in Fort Mill.
19 I'm here with prepared remarks in favor of the
20 proposal that was just presented to you.

21 I'm Marvin Smith, Board Chairman of the
22 York County Regional Chamber of Commerce which
23 serves the communities of Fort Mill, Rock Hill
24 and Tega Cay, and maintains offices in each of
25 these areas. I'm here to speak on behalf of

1 our 850 business member firms. We appreciate
2 you holding this public hearing which gives
3 organizations like the chamber an opportunity
4 to pride you with our perspective as a voice
5 of the business community.

6 First of all you have heard testimony
7 from Al and Dan, representing Fort Mill
8 Township which is of course located in York
9 County. The chamber appreciates that fact
10 there's specific group of citizens like these
11 gentlemen and business people from a key
12 geographic area of our county is focusing on
13 the representation of that particular area.
14 We strongly support their position. In a
15 broader sense the York County Regional Chamber
16 also supports a redistricting process that
17 equability apportions representations to York
18 and all other counties across the state. We
19 believer that such a redistricting process
20 should result in more York County based
21 representation in the South Carolina General
22 Assembly. While currently each of our 11
23 legislative delegation members are admirable
24 people and respected legislators, less than
25 half of the delegates reside in York County.

1 We believe York County is due
2 consideration for greater resident based
3 representation for the following reasons:
4 According to the 2010 Census, York County is
5 the state's second fastest growing county with
6 a ten year population growth of 37.3 percent
7 which is you know is nearly two and a half
8 times that of the state's overall growth rate.
9 New census results also indicate that 226,000
10 South Carolina citizens live in York County
11 making us the state's seventh most populated
12 county. As a strong business center and
13 significant contributor of retail sales taxes
14 to state revenue the counties business
15 community, including resident employees, need
16 more direct representation in the state
17 legislature. While York County benefits from
18 our proximity to a large metropolitan area
19 just across our state line, there are many
20 unique and complex issues we face as a border
21 county. Therefore the county needs to have
22 its interests advanced by representatives who
23 best understand the significance of these
24 issues.

25 We appreciate your interest in York

1 County and consideration of the chamber's
2 position, which is represented by a resolution
3 that we have submitted for the record. Thank
4 you very much.

5 REP. CLEMMONS: Thank you very much, Chairman
6 Smith. We appreciate your comments. Next,
7 Mr. Eddy Lee. Mr. Lee.

8 MR. LEE: I'm Eddy Lee, I'm the Mayor of the City
9 of York. Just a couple of quick observations.
10 We're represented by House Districts 47 and 49
11 and within a five mile radius of downtown York
12 we have 30,000 people. We would like you to
13 consider letting us have our own whole
14 district and let it be the city of York's.

15 The second observation has to do with
16 your congressional districts and let me speak
17 for a second as a historian - I teach history
18 at Winthrop University. The Fifth
19 Congressional District is of interest to me.
20 Historically it has been seven counties. And
21 what has happened to the Fifth Congressional
22 District is it is headed toward the coast and
23 it's headed toward the Pee Dee. And I would
24 ask you to consider bringing it back to
25 historically what it's been. The Fifth

1 Congressional District has been the seven
2 counties in the Upper Piedmont. So those are
3 the two observations.

4 REP. CLEMMONS: Thank you very much, Mayor. Twana
5 Burris, Ms. Burris.

6 MS. BURRIS: Thank you, Chairman. My name is Twana
7 Burris and I'm a resident of Rock Hill and a
8 constituent of District 49 and I'm also a
9 business owner, the Burris Legal Group, which
10 is actually a law firm that's located here in
11 the city of Rock Hill.

12 I would like to present -- understanding
13 that the redistricting, understanding that as
14 we go forward. The question is what is the
15 procedure of the redistricting, and thank you
16 for giving us this opportunity to come before
17 you. Understanding my main concern is making
18 sure that we do not dilute the minority
19 representation in the state of South Carolina.
20 We want to make sure, of course, in going
21 forward that in redistricting and drawing the
22 boundaries in redistricting, we want to make
23 sure that people of community interest, those
24 who actually share the same values, those who
25 actually share the same ideas, making sure

1 that the various block of voters who have the
2 same interest and ideas are and have effective
3 and fair representation. For example in
4 District 49, of course, we have our Honorable
5 Mr. King. Honorable Representative King who
6 actually represents District 49 and he has had
7 to pull within of the crevices of some of what
8 I call or consider some of the most discrete
9 rural areas that are under represented in our
10 community. These people of course have voted
11 him because he actually represents their
12 interest in the state of South Carolina in
13 Columbia. We want to make sure that we keep
14 these boundaries and these district lines
15 actually drawn together so that their majority
16 representation is not diluted.

17 Again, when you think about it if you --
18 education tends to alienate people. When you
19 have your lower and your middle class people
20 and then you have your upper class and your
21 wealthy people, and when they actually come
22 together, you have to make sure that the lower
23 and middle class people understand and have
24 effective means of communication, even when it
25 come to actually getting or receiving

1 information in regards to voting. You want to
2 make sure they receive the information, they
3 have the same effective means to getting
4 information as those who may actually be in
5 the upper or of the wealthy class. And where
6 I'm actually going with this is that sometimes
7 when there's a difference in education level
8 or where there's lower or middle class persons
9 versus upper or wealthy class persons, people
10 with less education tend to alienate
11 themselves. And because there's more
12 representation, the wealthy, upper class then
13 of course you'll have these people who have
14 somewhat pigeon holed themselves and therefore
15 there's under representation and it's sort of
16 an effect where they're pigeon holed, under
17 representation, their common or community
18 interest are not represented because they're
19 not actually getting an equal -- there's not
20 the one vote, one person. And that's where
21 dilution actually occurs.

22 Also, when you think about the different
23 redistricting and the different boundary lines
24 that are actually redrawn, if you think about
25 it with the lower and middle class and you

1 have the homes that maybe valued at 60 or
2 \$70,000 versus the homes that may actually
3 valued at say 500 -- \$300,000 and you place
4 these persons together it's what we call --
5 what could happen. Because any time you
6 actually put -- place the wealthy, the more
7 wealthy class, of course, with what we call
8 the upper or middle or what we call blue
9 collar persons together you have potentially
10 higher property taxes which could potentially
11 force an eviction upon those who are of the
12 lower or middle class. In the sense that the
13 property taxes actually tend to increase when
14 you have the higher valued properties mixed
15 with the lower valued properties. And so
16 there's -- of course the property taxes will
17 go up, there's a forced eviction because the
18 lower or the middle or the blue collar working
19 class people can't actually afford the
20 property taxes in the various areas.

21 And so I would just say to you it is very
22 important that we, and including myself became
23 I'm a constituent of District 49, that we
24 protect the socioeconomic interest of these
25 people. We have persons like Mr. King who

1 actually represent us in Columbia. We want to
2 make sure that his bills are certainly
3 effective and fair representation of the
4 commoner, community interest of the people in
5 the district. We want to make sure that the
6 policies that he's conforming or the policies
7 in which he is in favor of is certainly
8 representative of the people in which whom
9 have actually elected him in this particular
10 position in going forward in the redistricting
11 and drawing the actual boundary lines. It's
12 just very important that, that, again, those
13 persons who are sort of not in the forefront
14 and those persons who are under represented,
15 minority district, you're talking about the
16 City of York and the representative -- y'all
17 may not actually be familiar with. I'm
18 talking specifically California Street and
19 Blackmon Street these are what we consider the
20 more discrete areas in which Mr. King, of
21 course, not specifically Mr. King, anyone who
22 is actually going to represent those persons
23 of those interest have to be able to pull out
24 of the crevices and out of those discrete
25 areas those persons in making sure their

1 common and community interests are represented
2 in Columbia.

3 REP. CLEMMONS: Thank you very much, Ms. Burris.

4 We appreciate your comments

5 MS. BURRIS: Thank you.

6 REP. CLEMMONS: Representative John R. King. Did
7 you want to address us, Representative? Thank
8 you very much.

9 REP. YOUNG: Can I ask a question?

10 REP. CLEMMONS: You may, yes. Representative
11 Young. For Ms. Burris?

12 REP. YOUNG: Yes.

13 REP. CLEMMONS: Ms. Burris, can you take the podium
14 again please.

15 REP. YOUNG: Are you saying that you currently are
16 happy with the lines for District 49?

17 MS. BURRIS: Yes, sir.

18 REP. YOUNG: Okay. Thank you.

19 REP. CLEMMONS: Thank you Ms. Burris.

20 MS. BURRIS: You're welcome.

21 REP. CLEMMONS: Moving on, Ms. Holly Cooper.

22 MS. COOPER: Good evening. My name is Holly Cooper
23 and I want to thank you for coming to Rock
24 Hill. I am here on behalf of the Southeastern
25 Women in Politics a bipartisan organization

1 that encourages women in South Carolina to run
2 for elected office. As you know, and Mr.
3 Smith stated earlier, the 2010 Census
4 indicated that York County is the state's
5 second fastest growing county. In addition we
6 are now the state's seventh most populated
7 county.

8 I am speaking today because of the lack
9 of women representatives in York County and
10 the state of South Carolina. Although women
11 are the majority gender in York County at 51.3
12 percent, and 54.2 percent in Rock Hill, we are
13 under represented as elected leaders. South
14 Carolina is ranked last in the country in
15 terms of elected women in office. We have no
16 state Senators. We only have 15 women in the
17 House of Representatives. We have no women in
18 the York County Council and only two in the
19 city council. Yes, the state has made great
20 progress by electing our first woman governor
21 but it wasn't without public scrutiny and
22 unnecessary attacks on Governor Haley's
23 character and personal matters. I believe you
24 should recommending one or two new districts
25 to York County because it is imperative to

1 have a balance of gender that is more
2 reflective of our growing county as well as
3 the majority. Thank you.

4 REP. CLEMMONS: Thank you so much. We appreciate
5 your comments, Ms. Cooper. Terry Hutchinson.

6 MR. HUTCHINSON: Thank you for putting this
7 together and coming here today.

8 REP. CLEMMONS: Yes, sir.

9 MR. HUTCHINSON: I'm Terry Hutchinson and I live on
10 West Lakeview Road here in Rock Hill in the
11 Newport section. First off, I wouldn't want
12 to be in your shoes right now. Looking at
13 these numbers on this you don't have to be a
14 mathematician to figure out that around here,
15 you're going to have fun.

16 REP. CLEMMONS: Yes, sir.

17 MR. HUTCHINSON: I've got a unique opportunity.
18 I've got Mr. Norman as my representative, he's
19 my resident representative, but I've got Mr.
20 Pope just to my west and I've got Deborah Long
21 just to my east and Gary Simrill to the south
22 and looking at their numbers I don't see how
23 you're going to do this. But I know you're
24 going to come up with a way that's going to be
25 fair and balanced as Mr. Steele had said

1 earlier and, you know, they want their own in
2 House representative and by the numbers I'd
3 say that's a pretty fair deal, but somebody's
4 losing big time in this state by this. And
5 you know, I just hope it's not going to be us
6 obviously because the way the districts are
7 set up and the numbers out of our district.
8 That's all I really have to say about it.
9 Thank you.

10 REP. CLEMMONS: Mr. Hutchinson, thank you for your
11 input. David Bowman.

12 MR. BOWMAN: My name is David Bowman, I resided at
13 572 Sweet Peach Lane, Fort Mill, South
14 Carolina, 29715. I sit upon the York County
15 Council, representing District No. 1 which
16 encompasses Tega Cay the majority of Fort Mill
17 and the unincorporated areas north of Catawba
18 River. I won't repeat, stand here and repeat
19 for a very long time what you've already
20 heard. I support the measures that we've
21 asked for and hope that you will take those
22 into great consideration. Thank you.

23 REP. CLEMMONS: You're supporting the measure of
24 keeping Tega Cay and Fort Mill together in the
25 House district?

1 MR. BOWMAN: That is correct. Unless you want to
2 give each city one.

3 REP. CLEMMONS: Thank you very much, Mr. Bowman.

4 MR. BOWMAN: Thank you.

5 REP. CLEMMONS: Richard Sealy. Mr. Sealy is next.

6 UNIDENTIFIED SPEAKER: I'm representing Richard
7 Sealy.

8 REP. CLEMMONS: Very good sir.

9 UNIDENTIFIED SPEAKER: I live in the Ebenezer
10 section of Rock Hill and I'm happy with my
11 representation as it is, with the district
12 lines as they are.

13 REP. CLEMMONS: And who would that be, sir? Who is
14 representing you?

15 UNIDENTIFIED SPEAKER: They're all here. Like Gary
16 and Wes Hayes.

17 REP. CLEMMONS: Gary Simrill and Wes Hayes. Okay.
18 Thank you very much, sir. Foster Senn.

19 MR. SENN: We might go as a team, would that be
20 okay?

21 REP. CLEMMONS: I'm sorry?

22 MR. SENN: Can we do it as a team?

23 REP. CLEMMONS: You absolutely may. And I see that
24 Representative Walt McLeod has joined us and
25 we might even be blessed from some comments

1 from Mr. McLeod during this team tag event.

2 Welcome Representative McLeod.

3 REP. MCLEOD: Thank you so much. I would like to
4 introduce you to the Mayor of Newberry, and
5 also his name is Foster Senn. I'll introduce
6 you to the Mayor of Little Mountain, his name
7 is Buddy Johnson.

8 REP. CLEMMONS: Thank you, Mr. McLeod.

9 REP. MCLEOD: I have some letters that I'll present
10 to you later.

11 REP. CLEMMONS: Thank you, sir, it's a pleasure to
12 meet you both.

13 MAYOR SENN: Thank you Chairman Clemmons and
14 Representatives. Thank you for the
15 opportunity to speak. I would like to speak
16 on Newberry maintaining a resident
17 representative district which we've always had
18 and would like to keep. Now I understand the
19 census showed that people are moving to the
20 suburbs and as a the mayor of a small to
21 medium size city in a rural county I
22 understand and recognize that. Even so a
23 sizeable percentage of the state still lives
24 in rural counties like Newberry. In fact the
25 population of Newberry was measured at 37,508

1 which I understand meets the quantity for a
2 state House district.

3 Now, going forward, Newberry has aspects
4 we can build on and we plan to aggressively to
5 meet the challenges of the next decade and I
6 think we'll be successful. But I feel better
7 about our chances if we have a resident
8 representative. A resident representative who
9 will share our goals, our vision, our identity
10 and our future. Now we appreciate -- we are
11 currently represented by District 40, Walt
12 McLeod and then District 15, Jeff Duncan,
13 formally and now David Tribble and appreciate
14 both of them. But we would like to keep a
15 resident representative district. And I
16 think, while we appreciate our neighboring
17 counties, we feel that instead of dividing up
18 the people of Newberry, Newberry County for
19 the next ten years so our neighboring counties
20 can have additional representative, we'd just
21 like to keep one. And that's our goal and I
22 think it would be in the best interest of the
23 citizens of the county and with this
24 consideration by y'all and your committee I
25 think we have a better chance for success.

1 Thank you.

2 REP. CLEMMONS: Thank you, Mayor, we appreciate
3 your comments.

4 MAYOR SENN: And I have a letter I'd like to turn
5 in from the county also, if that's okay.

6 REP. CLEMMONS: Okay. Certainly. Absolutely. You
7 can hand that to Ms. Dean.

8 MAYOR JOHNSON: Mr. Chairman, members of the
9 Subcommittee --

10 REP. CLEMMONS: Mr. Mayor.

11 MAYOR JOHNSON: Thank you for the opportunity to
12 appear before you. I've been in elected
13 office for some 28 years and I'm one of seven
14 mayors in the municipalities in Newberry
15 County and I'm former president of the
16 Newberry County Governmental Association.
17 I'll be very to the point. I have two
18 letters, one from myself representing the town
19 government and this is to the committee. For
20 the citizens of Newberry County and the town
21 of Little Mountain this 2011 redistricting is
22 of utmost importance. On behalf of the town
23 government of Little Mountain we strongly
24 request that House District 40 be retained
25 intact. 2010 Census shows Newberry County has

1 a population of 37,508 which is very close to
2 the House district target of 37,301.
3 Currently this House district represents some
4 85 percent of Newberry County the other 15
5 percent is represented in by the Clinton
6 district.

7 Newberry County and its municipal
8 governments have progressed very strongly over
9 the last two decades, both in economic and
10 community development. Newberry County
11 citizens have approved three referendums
12 dealing with three sale tax bonds for capital
13 projects since 1988. These capital projects
14 provide both educational, water and sewer
15 expansion, medical equipment, recreational and
16 services opportunity in addition to historic
17 restoration.

18 Newberry County has one school district.
19 One county wide water and sewer authority, one
20 recreation commission, one governmental
21 association. Since Newberry County meets the
22 House district target population, has a strong
23 commonality of purpose, is a proven community
24 of interest it is in the best interest of
25 Newberry County and the town of Little

1 Mountain to retain House District 40 intact
2 and to have a representative who shares this
3 vision. I want to thank the members of
4 committee for your consideration of this
5 recommendation.

6 REP. CLEMMONS: Thank you, Mayor Johnson.

7 MAYOR JOHNSON: I also have a letter from the mayor
8 of Prosperity. Thank you.

9 REP. CLEMMONS: Thank you, Mayor Johnson. Your
10 letters have been received by the committee
11 and will become part of the permeant record.
12 Thank you very much. representative McLeod,
13 do you wish to say anything?

14 REP. MCLEOD: I would merely ask, you should have a
15 letter from the municipality of Little
16 Mountain or a letter from the municipality of
17 Newberry. A letter from the municipality of
18 Prosperity and a letter from the Newberry
19 County Council to which four of the seven
20 members have indicated their signatures and
21 that would be the demonstrative evidence that
22 we would submit to you at this time. It's
23 been my pleasure to represent House District
24 40 which consists of the county and city of
25 Newberry and the municipalities contained

1 therein. Consequentially, I represent a
2 portion of Lexington County, in particular the
3 community -- municipality of Chapin. It's
4 been my honor to represent House District 40
5 and I look forward to working with each of you
6 in the years a head. Thank you very much.

7 REP. CLEMMONS: Thank you, Mr. McLeod. Mr. McLeod
8 I don't see a letter from the -- you said they
9 city or town of Newberry.

10 MAYOR SENN: I came instead.

11 REP. MCLEOD: I made a mistake it was his voice and
12 not his letter.

13 REP. CLEMMONS: Okay. Very good. And a very
14 strong voice it was, Mayor. Thank you. Mr.
15 McLeod, Mr. Allen would like to ask you a
16 question. Would you take the podium again.

17 REP. ALLEN: Thank you, Mr. McLeod. You made a
18 comment and I'm looking at the county of
19 Newberry that correspondence, demonstrative
20 evidence in the record, a letter April 6,
21 2011, signed by Henry Livingston as chairman.
22 You made a comment that the four of the seven
23 -- this is five of the seven is that correct,
24 that have signed that?

25 REP. MCLEOD: Well, it's really signed by five of

1 seven but one called on the way to -- called
2 me on the way to Rock Hill today to say he
3 wanted to withdraw his signature. So that
4 would be Mr. Baker. His name should be
5 stricken.

6 REP. ALLEN: All right. And that goes to my
7 question, so we should strike Mr. Baker --

8 REP. MCLEOD: That is correct.

9 REP. ALLEN: -- from the letter. Do you know if
10 Mr. Hipp and Mr. Stockman take a different
11 view than what is set forth in the letter or
12 they just did not get an opportunity to sign
13 the letter?

14 REP. MCLEOD: I was advised by the county manager
15 that they declined to sign.

16 REP. ALLEN: All right.

17 REP. CLEMMONS: Let the record reflect that Mayor
18 Foster Senn is now addressing the panel.

19 MAYOR SENN: I'm nonpartisan so I think I can
20 reflect on these things. I think sometimes
21 you republicans and democrats sometimes don't
22 always agree on letters and things like that.

23 REP. ALLEN: They don't agree in Newberry?

24 Mayor Seen: They don't. As nonpartisan I do watch
25 some of that.

1 REP. ALLEN: Well, let me ask you a question, if I
2 may then. Are the two that have not signed,
3 because I wasn't really looking at it as a
4 republican or democrat issue, but the two that
5 are blank are those a certain party?

6 Mayor Senn: They are.

7 REP. ALLEN: Okay. I see. All right.

8 MAYOR SENN: Fortunate on city council we don't
9 have that the desire is nonpartisan. But I do
10 think that the majority of -- certainly in
11 Newberry we've always had a resident
12 representative and that we would keep it.

13 REP. ALLEN: Okay. Thank you.

14 REP. CLEMMONS: Thank you very much. Stan Smith
15 with York County Libertarians. Mr. Smith.

16 MR. Smith: Chairman, members of the Subcommittee,
17 I'm here also representing the Executive
18 Committee of the South Carolina Libertarian
19 Party. We prefer not to see distinctions
20 among people. What we want to do is to stand
21 for principal. And the resolution that we
22 passed at our last executive committee meeting
23 is: Whereas gerrymandering of political
24 districts is disruptive of the fabric of our
25 nation and of our state, be it resolved that

1 the South Carolina Libertarian Party opposes
2 redistricting on any basis other than
3 equalization of the voting population and
4 geographic economy. Any questions? I just
5 want to make sure its in the record and it's
6 clear.

7 REP. CLEMMONS: Very well, sir. It is now part of
8 the record. Thank you so much.

9 MR. SMITH: I would remind you that we are at least
10 two percent of the population of the entire
11 state. We are never represented. We would
12 like to, at some point, be represented. The
13 only way to do that is to have a fair process
14 that does not gerrymander. Thank you.

15 REP. CLEMMONS: Thank you very much for your
16 remarks, sir. Mr. Don Long. Mr. Smith -- I'm
17 sorry, Mr. Long, if you could stand just aside
18 for just one minute. Mr. Smith, Mr. Young has
19 a question for you please.

20 REP. YOUNG: Thank you. You said, We are two
21 percent of the state. When you say we, are
22 you talking about the Liberation Party?

23 MR. SMITH: Yeah, the Liberation Party tends to
24 draw a two percent despite the fact that it's
25 difficult to vote for us.

1 REP. YOUNG: Is that based on a presidential
2 election results or . . .

3 MR. Smith: It's based on the last election. We
4 were about two percent of the population.
5 Yeah.

6 REP. Young: All right. Thank you.

7 REP. CLEMMONS: Thank you. Yes, sir, Mr. Long.

8 MR. Long: Thank you, Chairman Clemmons for coming
9 to see us. My name is Don Long, I live in
10 Lake Wylie on Sunrise Point Court, 29710.
11 First, as has been said previously, this
12 comment is not a complaint about the quality
13 of the representative the residents of York
14 County have received from our legislators. I
15 believe the representation has, on balance,
16 been quite good. In Lake Wylie we are very
17 ably represented by Representative Norman in
18 District 48 and Representative Pope in
19 District 47.

20 Lake Wylie, by the way, while
21 unincorporated grew 189 percent from 2000 to
22 2010. Were we incorporated, we would now be
23 the third largest town in York County after
24 Rock Hill and Fort Mill. What this comment
25 does attempt to do is look objectively at the

1 process of determining what level of resident
2 representation York County and its residents
3 are to have for the next decade. As you know
4 York County's legislative delegation is
5 composed of the state senators, state
6 representatives who collectively represent
7 portions of York County. Currently, or for
8 the greater part of the last decade, our
9 delegation has been composed of one senator
10 resident in York County, three nonresidents
11 senators, four resident representatives and
12 three nonresident representatives. The total:
13 Five resident legislatures and six nonresident
14 legislatures such that only 45 percent of our
15 overall state legislative representation comes
16 from within the county. Needless to say our
17 nonresident senators and representatives, if
18 push comes to shove, are primarily (inaudible)
19 and concerned about the issues most relevant
20 to the residents of Chester, Lancaster,
21 Cherokee Counties.

22 York County is the seventh largest and
23 the second fastest growing county in South
24 Carolina according to the 2010 Census. York
25 County grew 37 percent in the last decade

1 exceeded only by Dorchester County and nearly
2 matched by Horry County. In York County the
3 growth over the last decade alone justifies 1
4 2/3 additional House seats. That's just the
5 growth, let alone that we're one short for the
6 whole decade to begin with. And that's at a
7 rate of 37,300 population per seat which is
8 indicated by the 2010 Census.

9 Greenville, Richland and Horry are the
10 only others with comparable absolute
11 population growth. And Greenville and
12 Richland already control as many seats as
13 their new population justifies. This leave
14 Horry one short and York two short on House
15 seats out of the largest seven counties.

16 In the South Carolina House the four
17 resident House seats are the only ones
18 controlled by the residents of York County and
19 represent only 57 percent of the House portion
20 of our legislative delegation. All of the
21 largest six counties in South Carolina control
22 at least 79 percent of the House portion of
23 their legislative delegations. With an
24 average level of control of 83 percent. Once
25 again that compares directly to 57 percent in

1 York County. York County is the only one, of
2 the largest seven counties in South Carolina,
3 that does not control as many House seats as
4 were justified by it's population as of the
5 2000 U.S. Census. York's population justified
6 over five House members but we've gone the
7 last decade with only four. All of the other
8 six, of the largest seven, have controlled at
9 least as many House seats as their
10 population's justified over the last decade.
11 For example: Greenville controlled twelve and
12 justified twelve. Richland controlled ten and
13 justified ten. Charleston controlled eleven
14 but justified only ten. Spartanburg
15 controlled eight, justified eight. Horry
16 controlled six and justified six. Lexington
17 controlled eight but only justified seven.
18 York controlled four while justifying five.
19 We were the only one out of that group that
20 didn't have at least as many as were justified
21 by the population for the last decade.

22 Only two counties out of the largest
23 seven which grew enough since the 2000 Census
24 to justify additional House seats, Horry
25 County and York County. Horry now justifies

1 over seven but has only six. York now
2 justifies over six but has only four. York is
3 now the only county, which if it stays as it
4 is today will be two resident House seats
5 short of what it should have. While it's not
6 practical with readily available information
7 to closely estimate the percentage of
8 residents of York County that are currently,
9 based on the 2000 Census, represented by House
10 districts controlled by the residents of York
11 County, suffice to say it is less 79 percent.
12 In all of the other six larger counties the
13 comparable number is likely above 95 percent.
14 If York County doesn't get a fifth and sixth
15 resident House district in the current
16 redistricting process, York will immediately
17 fall to less than 65 percent of residents
18 being represented by House districts
19 controlled from within the county. And if
20 growth picks up again over the coming decade,
21 that number will continue to fall likely to
22 the point that less than half of York County
23 residents will have little or no say in their
24 House representation by the end of the decade.
25 This is somewhat analogous to having one of

1 our two U.S. Senators for South Carolina
2 living in and primarily representing Kentucky.
3 The legislature should be embarrassed and
4 ashamed to admit they can't or won't do a
5 better and truly representative job of setting
6 legislative districts.

7 Representative Delleney was kind enough
8 to come to a recent meeting in Rock Hill where
9 he described the redistricting process. He
10 indicated that the primary redistricting
11 principles were to consider communities of
12 interest, compactness and contiguity, county
13 lines, and applicable laws and standards. Let
14 me, if I may, consider each of these as it
15 applies to York County and our future
16 representation. There are few communities of
17 interest at any level as clearly appropriate
18 and important as the county level. It's the
19 county that assess levies and collects much of
20 our taxes, provides a major portion of our
21 public services, controls much of our planning
22 and zoning. Provides a major part of our law
23 enforcement service, funds much of our fire
24 protection and in general deals with our
25 growth and well being. What more important

1 community of interest is there as it relates
2 to our representation at the state level.
3 With regard to compactness and contiguity, the
4 county is politically, economically,
5 geographically, and socially the most compact
6 and contiguous unit. County lines are well
7 defined and in great part are the dividing
8 lines between the residents of the county and
9 other counties not just geographically but
10 also as it relates to dealing with their
11 everyday needs and concerns. Applicable laws
12 and regulatory standards are what they are and
13 you've obviously have got to take those into
14 account.

15 A fifth formal area of consideration
16 which is clear to many, certainly including
17 all of you, is "Continuation of similar
18 representation." That translates to the
19 status quo being favored by legislators
20 because it protects their incumbency. Even if
21 it means poor representation for the people.
22 This is truly the fox minding the henhouse.
23 To me this consideration represents a glowing
24 endorsement for the institution of an
25 independent nonpartisan commission appointed

1 by the Governor to study and recommend the
2 structure of our districts including Senate,
3 House and Congressional. Such an approach
4 would remove or at least have the potential to
5 reduce the substantial and unjustified
6 leverage that incumbency has today.

7 The characteristics not considered in
8 this list are fairness and equability. These
9 say that persons should be represented by
10 elected officials who live, work and share
11 primary interests and concerns with those who
12 are represented. Representatives and senators
13 come and go, some would say not often enough,
14 but the county endures. The priority and
15 considering how districts should be formed
16 should be to insure the most appropriate and
17 responsive representation of the people. This
18 means that wherever possible the
19 representation should come from and be
20 resident within the most meaningful common
21 denominator and community of interest which is
22 clearly the county. What this means in turn
23 is that if combinations are needed, smaller
24 counties should be combined and contiguous
25 common districts representing the likely

1 common communities of interest which exist in
2 more sparsely populated and slower growing
3 areas. Population location will dictate
4 some overlap across county lines of sparsely
5 and densely populated counties, but this
6 should be kept to a minimum in order to focus
7 on commonality of district characteristics.
8 Unnecessarily mixing the representation
9 between sparsely populated, slower growing
10 areas and heavily populated, faster growing
11 areas does a major disservice to both. Since
12 one or the other or both will be less well
13 represented based on the residents of the
14 representative.

15 York County deserves a fifth and a sixth
16 resident House district seats. Please give us
17 what we deserve. We should put aside the
18 almost total focus on preserving the status
19 quo and the incumbency of current
20 representatives and get back to representing
21 the people rather than representing the
22 representatives.

23 REP. CLEMMONS: Thank you very much Mr. Long.
24 Representative Young has a question for you,
25 Mr. Long.

1 REP. YOUNG: Mr. Long, is your testimony today --
2 when you said the county controls the seat,
3 what exactly do you mean by that? Are you
4 saying --

5 MR. LONG: Well, as --

6 REP. YOUNG: Let me say what I think you're saying.

7 MR. LONG: All right.

8 REP. YOUNG: You're saying that you believe that
9 the majority of the people in the district
10 should live within that county, is that what
11 you're saying?

12 MR. LONG: If a county controls the district, the
13 majority of the people in that district are
14 from that county. In other words, for
15 example, in the case of Greenville, they have,
16 if I remember correctly and I'm coming off the
17 top of my head now a little bit, but there are
18 11 districts that are within, entirely within,
19 the county of Greenville. There is a 12th
20 district which Greenville controls because
21 there's more population in Greenville than
22 there is - And I don't remember which county
23 it is offhand. - but more population than
24 there is in the county that shares the
25 district with them. So, effectively,

1 Greenville controls 12 districts, although
2 only 11 of them are entirely within Greenville
3 County.

4 REP. YOUNG: Uh-huh.

5 MR. YOUNG: Charleston, for example, has only six
6 districts entirely within Charleston County
7 but they control 11, because there are five
8 other districts where Charleston has a larger
9 chunk of the district than the other counties
10 that they share them with.

11 REP. YOUNG: One of the interesting things we've
12 heard from the testimony around the state is
13 that there are some counties that actually do
14 have districts that have majority population
15 but they overlap into other counties and it
16 happens to be that the elected official lives
17 in the county that has the minority pop -- the
18 smaller number of people living in the
19 district.

20 MR. LONG: Based on what I went through, again, as
21 best I could using the legislative manual, I
22 didn't find any of those. There may be some
23 like that. I didn't find them.

24 REP. YOUNG: I don't know. There has been some
25 testimony about that.

1 MR. LONG: It's certainly possible.

2 REP. YOUNG: Yeah. And that's why I was intrigued
3 by what you were saying, your data and I
4 wanted to ask that question. Thank you.

5 MR. LONG: It's certainly possible that could
6 happen. I couldn't find any, but there
7 probably are some. Thank you.

8 REP. CLEMMONS: Thank you Representative Young.
9 Thank you, Mr. Long. The next speaker is
10 Melvin Poole. While Mr. Poole is coming
11 forward I'd like to recognize some additional
12 members of the South Carolina House that have
13 joined us. We have Representative Whipper
14 here with us and Representative Jefferson,
15 Representative Sabb and Representative Mack.
16 Welcome, good to have you gentlemen with us.

17 And Mr. Poole -- excuse me President
18 Poole. I see you are President of the Rock
19 Hill NAACP. Welcome, good to have you with
20 us, sir.

21 MR. POOLE: Thank you, good evening. Thank you for
22 allowing me to speak before you. My name is
23 Melvin Poole I reside in Rock Hill. I
24 represent half of the county in the NAACP
25 branch. There are two branches here in York

1 County and I represent the eastern half.

2 The first thing I'd like to say is that
3 we're not conceding a new congressional seat
4 and that's seat number seven I believe. We
5 feel that this seat should be a majority-
6 minority seat and ask that you do everything
7 within your power to make that happen.

8 Next, we'd like to ask you to maintain
9 the majority-minority level in District 49 as
10 was present after the 2000 Census. Also,
11 please take a look at establishing another
12 majority-minority district in this section of
13 the state including York, Lancaster, Chester
14 and Cherokee Counties.

15 Now for my concerns. Fort Mill is a town
16 of 10,811 citizens and it's the fastest
17 growing community in York County. It grew 42
18 percent since the last census. Minority
19 residents make up about 16 to 18 percent of
20 that population. For years they have been
21 complaining to our organization about the lack
22 of representation and feel they are left out
23 of the political process. Most of them live
24 in an area south of the city around Steele
25 Street and Jones Boulevard. The mayor and two

1 other council members are elected at large and
2 four council members are elected by ward.
3 Council members are elected to a two year
4 term. As I understand it none of the wards
5 are a majority-minority. We are asking that
6 you consider establishing a purer single
7 member district system within the town of Fort
8 Mill, with at least one majority-minority
9 district being established. I don't recall
10 that a minority has ever been elected on the
11 Fort Mill Town Council. For years these
12 citizens have been denied the right of
13 representation.

14 In Rock Hill we're asking that you
15 sustain the two majority-minority districts in
16 city of Rock Hill to the levels of the 2000
17 Census and establish a third majority-minority
18 at the same level. Rock Hill is the largest
19 city in York County and the fourth largest city
20 in the state. It also is the third largest
21 city of the Charlotte metropolitan area behind
22 Charlotte and Gastonia, yet the minority
23 population is under represented in local
24 government. The present minority population
25 in Rock Hill is between 40 and 45 percent and

1 more than supports our argument for a third
2 council position. All council members in Rock
3 Hill are elected by ward. Rock Hill has grown
4 by about 30 percent since the last census and
5 we believe a large part of the growth is in
6 the minority community. We feel that the
7 change in the population should be made to
8 reflect the members who sit on our city
9 council.

10 REP. CLEMMONS: President Poole, I'm sorry, I hate
11 to interrupt you. I just want to make very
12 clear. We do not have jurisdiction to address
13 town, city or county councils. Our
14 jurisdiction extends solely to South Carolina
15 House Districts and U.S. Congressional
16 Districts. You may put on the record what you
17 like.

18 MR. POOLE: I fully understand that, but I recall
19 during your opening comments you did say I
20 could mention concerns.

21 REP. CLEMMONS: You certainly may, sir.

22 MR. POOLE: Then I mention this as a concern.

23 REP. CLEMMONS: Please go right ahead. I just
24 wanted you to be clear.

25 MR. POOLE: I mention it every chance that I get.

1 REP. CLEMMONS: Yes, sir. Go right ahead.

2 MR. POOLE: And finally, council members in Rock
3 Hill are elected to four year terms. Are
4 there any questions?

5 REP. CLEMMONS: Mr. Bakari Sellers has a question
6 for you. Yes, sir, Mr. Sellers.

7 REP. SELLERS: Thank you Mr. Speaker -- Mr.
8 Chairman, I'm sorry, that was a slip. I have
9 a great deal of interest in your first point
10 of interest which was a majority-minority
11 congressional seat. And I think that given
12 where we are after the 2010 Census and
13 understanding just basic percentages of
14 African Americans in this state versus how
15 many congressional seats we have, I think that
16 may have some merit and hopefully that will
17 flush out as we continue these hearings. My
18 question simply is have you given any thought
19 to what that may look like?

20 MR. POOLE: No, I haven't. I'll let the experts do
21 that.

22 REP. SELLERS: I guess that's us. My last question
23 is you said a majority-minority district, a
24 House district in Rock Hill or in York County
25 --

1 MR. POOLE: In this area. It includes York County

2 --

3 REP. SELLERS: Lancaster, Chester, Chesterfield --

4 MR. POOLE: -- Cherokee, and maybe even Winnsboro.

5 REP. SELLERS: I have to ask the same question to
6 help guide us, just looking at the pure
7 numbers, I think that the numbers may actually
8 justify what you say, however, have you given
9 any thought to what that may look like?

10 MR. POOLE: I only got to a position to where I
11 could look at the numbers and I didn't look at
12 how it might be constructed.

13 REP. SELLERS: Well, I just want to suggest, not
14 only to yourself but anybody else who has any
15 interest in those areas, especially in the
16 upstate and the Seventh Congressional
17 District, if you have any ideas, please
18 forward them to the committee because I think
19 that may of us would look at that with a very
20 serious eye and we would value your opinion.

21 MR. POOLE: Okay.

22 REP. SELLERS: Thank you so much.

23 REP. CLEMMONS: Thank you Mr. Poole.

24 MR. POOLE: Thank you.

25 REP. CLEMMONS: Yes, sir. Pat Caulkins, with the

1 York County Democratic Party. Ms. Caulkins.

2 MS. CAULKINS: Thank you for being here and for
3 giving us the opportunity to speak to you.

4 REP. CLEMMONS: Yes, ma'am.

5 MS. CAULKINS: I really feel that what the things I
6 wanted to say were said very lovely by Mr.
7 Long and I support what he had to say. So if
8 you have copy of his comments, then just add
9 my name on to the bottom. I appreciate what
10 he said.

11 REP. CLEMMONS: Thank you, Ms. Caulkins. We will
12 duly note that in the record. Thank you.
13 Bear with us one moment while we retrieve our
14 next list of speakers.

15 REP. ALLEN: Thank you Mr. Chairman. I think it's a
16 good point that we make at this time that to
17 the last speaker that this committee will
18 listen to and accept evidence at any of the
19 other committee hearings geographically
20 throughout the state of South Carolina. If
21 there's additional information you may have,
22 for example, a majority-minority district,
23 we'll be happy to entertain that in the in the
24 Greenville hearing, or any hearing throughout
25 the state of South Carolina. So don't think

1 that this opportunity is the last opportunity
2 to present evidence geographically. Thank
3 you.

4 REP. CLEMMONS: Thank you Mr. Allen for that
5 clarification. I would expand that a bit that
6 we will not limit that to any information you
7 would like to share with us to that one
8 particular issue, but any thoughts you may
9 have as to this redistricting process. The
10 record remains open and we would like to hear
11 from you. Our next speaker is Paul Boger with
12 the Greater York Chamber.

13 MR. BOGER: No, sir, I was just signing in.

14 REP. CLEMMONS: Thank you Mr. Boger. Sig Huet.

15 UNIDENTIFIED SPEAKER: He's here with me, he was
16 signing in also.

17 REP. CLEMMONS: All right. Mr. Roy Blake. Mr.
18 Blake, do you wish to address us?

19 MR. BLAKE: I appreciate the opportunity of
20 speaking before the commission --

21 REP. CLEMMONS: It's our pleasure, sir.

22 MR. BLAKE: -- to hear our concerns. My name is Roy
23 Blake I'm former York County Councilman,
24 District Four Representative. I live at
25 Holland Road, Rock Hill, South Carolina.

1 REP. CLEMMONS: Thank you, sir.

2 MR. BLAKE: What I'm here to say this afternoon is
3 that I'm in hopes that the subcommittee will
4 be doing the right things and taking
5 (inaudible) out of the process and thinking of
6 South Carolina and the economy and economics
7 as a whole. I guess some of the things that I
8 -- one of the things that's my biggest concern
9 that I want to ask is similar to the speaker
10 that was right before me and that's concerning
11 a -- looking for the a creation of a new, at
12 least one new House district within the
13 Catawba region of council government. Because
14 I think the numbers are there for us to be --
15 have a majority-minority district, at least
16 one or two to come out of the Catawba region
17 area.

18 To let you know -- Well, I did mention
19 something about economics. This seems to be
20 good economics if we have elected officials
21 that reflects the population of South
22 Carolina. I think that we should cover all
23 basis as far as getting elected officials that
24 reflects the state of South Carolina so that
25 in the event that we are in competition for a

1 company to move into this area or to start up,
2 that it won't -- let's not let our elected
3 official makeup be a hindrance from us landing
4 a job. I think those things are very
5 important and like I said I appreciate the
6 opportunity to appear before you and I hope
7 you take it under consideration that we do
8 need more representation in the House, at
9 least two from the Catawba area. Thank you.

10 REP. CLEMMONS: Thank you, Mr. Blake. We will take
11 your comments into consideration. Mr. Barry
12 Faile.

13 MR. FAILE: Thank you very much Mr. Chairman and
14 thank you for giving us, the citizens the
15 opportunity to speak. My name is Barry Faile
16 and I reside in Fort Mill, South Carolina.
17 I've lived in York County all 66 years of my
18 life, except four years that I served in
19 United States Navy. I've work at Celanese
20 plant for 35 years before it was shut down. I
21 was a former local, district and state union
22 president for the Union of Needle Trade,
23 Industrial and Textile Employees. And I'm
24 very concerned about this redistricting
25 situation. I'm concerned about minorities,

1 I'm concerned about average folks, average
2 working people. A lot of people around here
3 don't feel like they have a voice in their
4 government and that certainly needs to be
5 remedied. Some of the changes that are being
6 proposed like this Fort Mill, the Tega Cay
7 district and I don't know how this is going to
8 come out or balance out or anything, but we
9 already feel as if we have virtually no voice
10 and we're virtually under representative --
11 under represented, excuse me, but I feel like
12 it would almost possibly make this a more
13 elitist district. And I know y'all have a
14 very difficult and demanding job and I
15 certainly respect that and I know you'll
16 certainly put forth your best efforts to do
17 that. Along with what Ms. Burris said earlier
18 and what Mr. Smith, the Libertarian said, you
19 know, we need to try to do this
20 redistricting and everything in a fair and
21 equable manner which I know you're certainly
22 going to try to do the best you can. But
23 these things ought to be taken into
24 consideration. Poor people and working people
25 seem to be coming out on the short end of the

1 equation nowadays. And I think it's high time
2 that somebody stepped up to the plate and
3 spoke out for them. You know we're people
4 too, we exist, we live in this country and the
5 privileged few, you know, shouldn't dictate
6 everything that goes on.

7 But I'd also like to say and I'll just
8 close briefly, and you said concerns. And I
9 think I certainly would be remiss if I didn't,
10 since most all of you are legislators and on
11 the Columbia scene and everything. I think
12 it's downright shameful that nothing had been
13 done to address the tax system in this state,
14 tax reform. It's absolutely pathetic. Act
15 388, which has virtually destroyed our
16 educational system, it's underfunded it
17 tremendously. You're laying off teachers.
18 People have no resources basically or anything
19 like that to do anything like that. And we
20 sat down here for four years and you sat here
21 and you continuously, year after year, seen
22 what happened and no action had been taken
23 down there about it and done anything.

24 And the final think I would like to
25 mention is the voter ID card. I think it's

1 despicable that somebody's required to do
2 that. And I think the proposals that's going
3 down there, I know that one of the proposals
4 is for senior citizens to be exempted. How
5 you going to discriminate against people? How
6 you going to let one class of people out on
7 something? Nobody should have to do that.
8 And the thing about it is, people should be
9 encouraged to vote. You should be doing
10 things to allow more people to vote not doing
11 things to hinder them from voting.

12 And in closing I'd just like to say one
13 other thing, I'd like to commend
14 Representative King and I'd also like to
15 commend Senator Hayes for all the hard that
16 work that he's done on the Catawba River
17 issue. Senator Hayes has also been a very
18 good leader and a very good proponent of
19 education and a number of other issues. And
20 with that I'll close and I thank you for your
21 time and patience.

22 REP. CLEMMONS: Thank you Mr. Faile for your
23 comments. Janet Davis.

24 MS. DAVIS: Hello.

25 REP. CLEMMONS: Good afternoon.

1 MS. DAVIS: Evening --

2 REP. CLEMMONS: Evening, actually, yes.

3 MS. DAVIS: Well, thank you for being here. I know
4 you are tired and worked all day and been
5 around and all. Mine's going to be easy. I
6 agree with Don that York County needs the two
7 extra (inaudible) they've got the most people
8 that's grown and all. But I haven't seen
9 mine. I'm from Chester County and my
10 representative is here, Greg Dellaney. I'm
11 blessed with him being here. But I've worked
12 with some of the gentlemen in York County
13 also. I've heard that the two different ways,
14 the scenarios that we could broke up. You
15 know you don't how it'd be great if you could
16 close your eyes and play pin the donkey, you
17 know, pin the needle on the donkey.

18 REP. CLEMMONS: Pin the tail on the donkey.

19 MS. DAVIS: Yeah. But we're not going to accuse --
20 you know, it's hard. Your job is very hard to
21 decide which way you're gonna go. And I heard
22 that Chester County could be in with Florence.
23 You know, you don't know how you're going to
24 do it and that's very concerning to me. I've
25 got everything on James Clyburn. I don't want

1 to be in his district at all. And I know it's
2 just like -- because it's not fair. He's
3 never going to get out of office. He's got
4 that -- you know, he's there for life. His
5 seat will come up if they bequeath it to
6 whoever he wants to leave it to. You know,
7 it's not a fair election. And to throw us in
8 something like, Chester County, speaking from
9 me, it's like what he does -- his
10 constituents, he doesn't treat them like
11 constituents. It's like he tells them what to
12 do and then they're like slaves to him. It
13 doesn't matter. He's going to put them into
14 government slavery and say this is what you're
15 going to do and this is what the government is
16 going to give you. So it's not fair to the
17 people -- you throw Chester County people more
18 votes for him because it's all democrats. I
19 mean we don't even get a republican till we
20 get (inaudible). So I mean it's just like
21 putting more democrats to him. So I just want
22 you to be advised of that you throw Chester
23 County, it's going to be like a big block.
24 It's just going to give him more democrats.
25 That's bad. So, I just wanted you to know

1 that.

2 REP. CLEMMONS: Thank you very much Ms. Davis. Jim
3 Watkins, excuse me, Reverend Jim Watkins is
4 our next speaker.

5 REV. WATKINS: I wasn't going to speak because I
6 have just moved from York County to Georgetown
7 County but I figured I might not have an
8 opportunity to speak down there. And I'm
9 speaking as someone who used to live in York
10 County. Okay?

11 REP. CLEMMONS: Very good, sir.

12 REV. WATKINS: And full disclosure since my
13 republicans friends are here, and they are
14 friends. Aren't we Gary?

15 REP. SIMRILL: We are.

16 REP. WATKINS: I'm a former chair of the York
17 County Democratic Party. However, I'm not
18 wearing that partisan hat. Really want to
19 thank you for being here. Can not stress that
20 enough. To paraphrase Mark Twain, Every now
21 and then an innocent person is sentenced to be
22 on a redistricting committee. And it's a hard
23 job, it's a tough job, somebody's got to do
24 it.

25 I do want to speak to process because

1 both the elephant and the donkey in the room
2 is the reality that redistricting
3 reapportionment can be the most partisan
4 political activity there is and we all know
5 that. I would encourage you to put on the hat
6 of the common good for the state of South
7 Carolina and to make sure that whatever you
8 come up with is done in a fair and just way.
9 I think that's critical. It's critical to
10 begin to restore faith in government, we've
11 heard some speakers here who were cynical
12 about things. If you put out to do that also
13 -- and I'm going to lay something on y'all and
14 on all our other - John and everybody, you've
15 heard me say this before. - other folks in
16 government here. In my religious tradition,
17 John Calvin, who was not a priest, he was an
18 attorney. John Calvin said that the highest
19 calling of all was a civil magistrate. You
20 folks, elected representatives because you're
21 job is to form society, rules governing
22 society, the policies governing society in a
23 just and fair way. So I give you my best, I
24 give you my prayers. I appreciate the job
25 you're doing and when you come down to

1 decisions; commonality of interest, contiguous
2 land, look at who is not -- who needs to be
3 represented and maybe currently is having a
4 tough time being represented. It can be done.
5 Technology being what it is, you can use that
6 technology to do the -- to either go one
7 direction and make it as partisan as possible
8 and to do what you can to cut people in and
9 cut people out or you can use that technology
10 to be a model to come up with what is right
11 and fair for the citizens of South Carolina.

12 Thank you for being here, and now I'm
13 going to get hooked up with my wife because
14 we're going to be moving furniture. If
15 anybody here wants to help us move some
16 furniture, you're more than welcome to join
17 us. Nobody's raising their hands on that one.
18 But thank you so very much for being here.

19 REP. CLEMMONS: Thank you Rev. Watkins, you're
20 moving to God's country, by the way,
21 Horry/Georgetown County. Thank you, sir.
22 Next we would have Lonnie Harvey speak to us.

23 MR. HARVEY: Pass.

24 REP. CLEMMONS: Thank you Mr. Harvey. Suzie
25 Hinton.

UNIDENTIFIED SPEAKER: She signed in. She was a sign in also.

REP. CLEMMONS: Okay. You don't wish to speak Ms. Hinton, that's fine. O.L. Johnson, Jr. Oh, I think we've heard from Mr. Johnson, Mayor Johnson already. Well that exhaust the list of speakers that have signed up to speak. But I would ask if the previous speakers have moved you to a desire to get up and share something that's weighting on your shoulders, we are delighted to hear from you. Is there anyone else in the audience that would like to speak to the panel? Ladies and gentlemen hearing none it's been a pleasure to be with you here today. Thank you so much for your respectfulness to each other's comments and the kindness that you've shown to us as your visitors in this area. We look forward to receiving any further information you may like to share with us by mail. Please feel free to forward it directly to us. Thank you so much, God bless you all.

[Applause]