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## **VIDEO TRANSCRIPTION**

*January 10, 2022*

**House Judiciary Committee**

**Full Committee Meeting**

REPORTER: Kathryn Bostrom

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STATE OF SOUTH CAROLINA  
HOUSE JUDICIARY COMMITTEE  
REDISTRICTING HEARINGS

The within hearings, before the South Carolina House  
Judiciary Committee, transcribed by Kathryn B Bostrom,  
Court Reporter and Notary Public in and for the State of  
South Carolina; said hearings were taken in Columbia, South  
Carolina, on Monday, the 10th day of January, 2022.

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APPEARANCES:

House Members present:

- Weston Newton, Acting Chairman
- Wallace "Jay" Jordan
- Justin Bamberg
- Neal Collins
- Patricia Henegan
- Beth Bernstein
- Jason Elliot
- Weston Newton

Other representatives:

- John Richard King
- Elizabeth Wetmore
- William Wheeler
- Cezar Mcknight
- William Bailey
- Bruce Bryant
- Russell Fry
- Max Hyde
- Jeffrey Johnson
- Mandy Kimmons
- John Mccravy
- Brandon Newton
- Seth Rose

1 Ivory Thigpen  
2 Micajah Caskey  
3 Bobby Cox  
4 Sylleste Davis

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6 Staff Present:

7 Emma Dean

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EXHIBITS

There were no exhibits marked during these hearings.

Court Reporter's Legend:

dashes [--] Intentional or purposeful]

interruption

[ph] Denotes phonetically written

[sic] Written as said

1 P-R-O-C-E-E-D-I-N-G-S

2 REPRESENTATIVE NEWTON: Ladies and gentlemen, if I  
3 can call this meeting to order. Good afternoon  
4 and thank you for joining us today. I have a  
5 letter here from Chairman Murphy designating me  
6 to serve as chairman during these extraordinary  
7 circumstances in accordance with our House  
8 Judiciary Committee rules. Thanks again for  
9 all being here this afternoon. First on our  
10 agenda, we have the report from the Redistricting  
11 Ad Hoc Committee on S-865. Representative  
12 Jordan.

13 REPRESENTATIVE JORDAN: Thank you, Representative  
14 Newton. As y'all know, I've had the pleasure of  
15 chairing the Redistricting Ad-Hoc Committee. I  
16 want to thank my colleagues on that committee for  
17 their hard work over these last several months.  
18 As the Judiciary Committee has recently been  
19 through this same process with the proposed South  
20 Carolina House district lines, I will keep my  
21 comments specific to the Congressional District  
22 plan, and hopefully be fairly brief. Earlier  
23 this afternoon, the Ad-Hoc --

24 REPRESENTATIVE NEWTON: Yes, sir. Representative  
25 King.

1 REPRESENTATIVE KING: Yes. Just a point of order.

2 Can you please show me in the rules where the  
3 First Vice-Chair is not the Chair when the Chair  
4 is not here.

5 REPRESENTATIVE NEWTON: If you will, Mr. King, I'll be  
6 happy to get that for you. It's pursuant to Rule  
7 14 of the House Judiciary Rules that Chairman  
8 Murphy designated alternative meeting  
9 arrangements and procedures for the full  
10 Judiciary Committee meeting on January 10th, at 3  
11 p.m.

12 REPRESENTATIVE KING: So we -- can we have that  
13 clarified before we start with the meeting, have  
14 a copy of the rules, so that that can be  
15 disbursed to the members to read over.

16 REPRESENTATIVE NEWTON: I'd be happy to have that --  
17 absolutely. Yes, sir. Just hold tight if you  
18 will, Mr. Jordan.

19 REPRESENTATIVE KING: Thank you, Mr. Chair. I have a  
20 question. According to our rules, during the  
21 organization session, at the beginning of each  
22 two-year session, the Committee shall elect a  
23 First Vice-Chairman and Second Vice-Chairman.  
24 The First Vice-Chair shall preside over Committee  
25 meetings in the absence of the Chair. The Second

1 Vice-Chair shall preside over the Committee  
2 meetings in the absence of a Chair and First  
3 Vice-Chair. Can you show me in the Rules where  
4 it says that the Chair can designate who he would  
5 like to be presiding over this meeting? I don't  
6 read and I read what you sent over to me --

7 REPRESENTATIVE NEWTON: Representative King, I'm happy  
8 to give you a copy of Mr. Murphy's letter that  
9 was handed to me when I walked in the room, and  
10 it says, again, that (as read): "Due to  
11 extraordinary circumstances, under Rule 14 of the  
12 House Judiciary Committee Rules, I am designating  
13 alternative meeting arrangements and procedures  
14 for the full Judiciary Committee meeting on  
15 January 10, 2022, at 3 p.m. I am designating  
16 that you serve as Chairman to conduct this  
17 meeting."

18 REPRESENTATIVE KING: Well ---

19 REPRESENTATIVE NEWTON: "These extraordinary  
20 circumstances based alternative meeting  
21 arrangements and procedures will expire upon the  
22 adjournment of the full Judiciary meeting on  
23 January 10."

24 REPRESENTATIVE KING: With all due respect, Mr. Chair,  
25 that is not the way I take the rules of the House

1           Judiciary Committee to be read; however, if we  
2           proceed in this manner, I would say that this  
3           meeting is not in order. It is not following the  
4           rules of the House or this Committee. It states  
5           in Rule No. 1 in our organization setting how the  
6           procedure should be if the Chair is not here.

7           I'm just making it --

8   REPRESENTATIVE NEWTON: No, I understand --

9   REPRESENTATIVE KING: Be placed on the record --

10   REPRESENTATIVE NEWTON: -- Mr. King, and I -- and I'm  
11           delighted for you to make whatever objection that  
12           you want to make on the record, and obviously Mr.  
13           Murphy's letter is going to be entered into the  
14           record. And when you're finished, we're going to  
15           proceed with the meeting.

16   REPRESENTATIVE KING: No -- yeah. No problem.

17   REPRESENTATIVE NEWTON: Okay.

18   REPRESENTATIVE KING: And by no means am I  
19           questioning, you know, anyone's ability to chair  
20           this meeting. I just want to make sure that if  
21           we're going to have rules here at the House and  
22           in this Committee, that we follow the rules and  
23           not try to circumvent those rules. And so that is  
24           -- I think the rules are being circumvented, I  
25           don't believe that we're following the rules of

1           this Committee, and I put that in the record that  
2           I believe that this meeting is not in fact  
3           properly being handled according to the rules.

4 REPRESENTATIVE NEWTON: Got it. Thank you,  
5           Representative King, and obviously your objection  
6           is so noted. Thank you. Mr. Jordan, we're going  
7           to come back to you and if you will, probably  
8           need to start back over with your discussion and  
9           we were on S-865.

10 REPRESENTATIVE JORDAN: That's correct. So earlier  
11           this afternoon, the Ad Hoc Committee voted to  
12           amend Senate Bill 865 as well as House Bill 4492  
13           with our Staff Alternative Plan No. 1, which  
14           redistricts South Carolina's US Congressional  
15           Districts. Of course, as we all know, this is  
16           the result of population changes revealed by the  
17           2020 Census; and of course I offer this report on  
18           the Ad Hoc Committee's recommendation. The  
19           redistricting of the Congressional Districts of  
20           course has been a component of the larger  
21           redistricting activities that started back in  
22           August. As of September 8, 2021, we began the  
23           public hearings, per -- we personally traveled  
24           throughout the state to receive public input from  
25           constituents on both the State House as well as

1 the Congressional District lines. These hearings  
2 were held in 10 cities across the state with  
3 several additional hearings here in Columbia that  
4 also accommodated for virtual testimony. We also  
5 received public input from -- in the form of  
6 hundreds of pages of written testimony as well as  
7 four proposed plans submitted by the public  
8 through the House Redistricting website. To  
9 update you on the activities and process of the  
10 Ad Hoc Committee since the full Judiciary  
11 Committee last met to discuss redistricting, I'll  
12 just give you a brief time line. On Monday,  
13 December 13th, the Ad Hoc Committee posted the  
14 initial Staff Plan for Congressional Districts  
15 along with the Senate's Staff Plan as a point of  
16 comparison as well as so that we could receive  
17 input on those plans. On December 16th, the Ad  
18 Hoc Committee held a hearing to receive feedback  
19 and testimony regarding those plans, and  
20 continued to solicit further input by website as  
21 well as hard copy submissions. Then, on December  
22 22nd, the Ad Hoc Committee posted what is now  
23 being called "Staff Alternative Plan No. 1,"  
24 which attempts to address public concerns raised  
25 to us, such as in Beaufort County, and also

1 shared some features with the Senate's Draft  
2 Plan, including more closely aligning with the  
3 configuration of the Congressional Districts as  
4 of course were approved in the 2011 Plan. On  
5 December 29th, the Ad Hoc Committee held a second  
6 hearing dedicated to the Congressional Plans in  
7 order to received further public input,  
8 particularly on the alternative plan. The Ad Hoc  
9 Committee also received additional written  
10 testimony through yesterday. Today, the Ad Hoc  
11 Committee convened for a third time regarding the  
12 Congressional Districts and voted to amend the  
13 Senate's bill, which of course is what we're on  
14 S-865, with the Staff Alternative Plan No. 1, and  
15 give a favorable report to Judiciary on House  
16 4492. I know all of you can appreciate the task  
17 of redistricting the Congressional Districts is  
18 an extremely difficult one, especially those of  
19 you who served on the Ad Hoc Committee; and of  
20 course, there is no one change that doesn't  
21 ripple across the map and impact any number of  
22 other lines. An important distinction I want to  
23 mention about redistricting for Congressional  
24 Districts as -- is that every effort must be made  
25 to achieve strict equality in the seven

1 Congressional Districts. Based on the 2020  
2 Census, the ideal population size for each  
3 Congressional District is 731,204. The  
4 Congressional Districts proposed in 4492 as  
5 amended are within the deviation of one person  
6 from that ideal. This is not like the prior  
7 versions that we're all familiar with that  
8 allowed for a two-and-a-half-percent deviation on  
9 either side. We believe that the plan the Ad Hoc  
10 Committee has put forward to you is a necessary  
11 next step to achieve the fundamental  
12 constitutional goal of equality in voting and is  
13 in accordance with the guidelines and criteria  
14 adopted for this redistricting cycle, and  
15 complies with the United States Constitution, the  
16 South Carolina Constitution, as well as Federal  
17 and State law. The proposed Congressional  
18 districts generally adhere to the previous  
19 boundaries that were sufficiently contiguous and  
20 compact to be approved -- enough to be approved  
21 so that they would approved by the Department of  
22 Justice and passed Judicial scrutiny in 2011; and  
23 we believe improvements have been made such as  
24 unifying previously split counties -- and just an  
25 example of that would be Newberry and Orangeburg

1 -- and of course we worked, as everyone knows, to  
2 incorporate concerns from citizen -- citizens as  
3 well as interest groups throughout the state in  
4 an effort to fairly and reasonably consider  
5 communities of interest. Finally, we considered  
6 incumbency as the voters in those areas have an  
7 interest in reelecting, if they so choose, the  
8 candidate with whom they have placed their trust  
9 -- within whom they've placed their trust. While  
10 there may be changes proposed by members to this  
11 plan, the Judiciary Committee needs a starting  
12 place, and I believe the Ad Hoc Committee has  
13 provided such a position for us to consider.  
14 Thank you, Mr. Chairman.

15 REPRESENTATIVE NEWTON: Thank you, Chairman Jordan.  
16 Ladies first and gentleman first, we have the Ad  
17 Hoc Committee report which is a strike-all and  
18 insert before us. All in favor of the Ad Hoc  
19 Committee report, a strike-all and insert, say  
20 aye.

21 MULTIPLE VOICES: Aye.

22 REPRESENTATIVE NEWTON: Those opposed.

23 MULTIPLE VOICES: No.

24 REPRESENTATIVE NEWTON: The ayes have it. Further  
25 discussion. Yes, sir, Representative King.

1 REPRESENTATIVE KING: Thank you, Mr. Chair. I have a  
2 couple of questions for you. I was in your  
3 earlier meeting, Mr. Jordan, and Representative  
4 Bernstein asked a question in reference to  
5 keeping counties whole; and she asked, in  
6 reference to Beaufort County and Charleston  
7 County being kept whole together. And it was  
8 told to her that the population would exceed what  
9 a Congressional seat would be. So I immediately  
10 wanted to find out what that population was. If  
11 you kept both of them whole, the population would  
12 be 595,352. When you think about communities of  
13 interest, those two communities would be of  
14 interest. Can you tell me why we did not keep  
15 Charleston and Beaufort County as a whole county  
16 when you think about the conversations that you  
17 all have had with both of those -- well, with  
18 Beaufort County saying they wanted to stay whole  
19 and to stay in a particular district. So I have  
20 several other questions that I would like  
21 answered, and as we look at, you know, keeping  
22 those counties whole, why could we not have kept  
23 those counties whole because it does not exceed  
24 the population that we're looking for, 731,204.  
25 REPRESENTATIVE NEWTON: Chairman Jordan?

1 REPRESENTATIVE JORDAN: Representative King, thank you  
2 for asking that question because I think it's a  
3 good one for us to talk about. You know, I gave  
4 you that number of 700,000 people, 700 and --  
5 I'll give you the exact again, 731,204 people.  
6 That's one of the hardest things to do is to come  
7 up with that specific number to hit that number  
8 on the head. Remember, this isn't like I talked  
9 about a second ago with a deviation allowing us  
10 wiggle room or latitude to work in that. So  
11 finding proposed districts that comply with that  
12 is a very difficult task and as -- and when you  
13 put those communities in interest in conjunction  
14 with that -- so I give you an example: The  
15 coastal regions of Charleston and Beaufort have a  
16 lot in common. Not necessarily does the -- the  
17 more inland you go, you might be in a same  
18 county, but you might not necessarily have that  
19 community of interest. That's just one of many  
20 factors we discuss when you try to comply with  
21 the law, but at the same time hit those numbers  
22 as precisely as we were trying or required to  
23 hit. Does that make sense?

24 REPRESENTATIVE KING: It doesn't. I understand what  
25 you're saying, but it doesn't make sense in the

1 sense of if we are trying to draw a map that  
2 keeps communities of interest together,  
3 Charleston, which is a coastal county, Beaufort,  
4 which is a coastal county, and as Representative  
5 Newman mentioned earlier, have the same interest  
6 in reference to, you know, their counties. But  
7 what strikes me odd is the packing and cracking  
8 that you all did in Charleston County, which is  
9 insulting when -- at least -- at minimum because  
10 when you look at the opportunity for African  
11 Americans, which make up 26.8 percent of South  
12 Carolina, to have a voice in the Congressional  
13 districts, we have been cracked so much and  
14 packed so much 'til we don't have a voice but in  
15 one particular Congressional district. And it  
16 seems to me if we're looking at the percentage of  
17 African Americans or minorities in this state,  
18 that we would at least have an opportunity to  
19 have a voice in more than just one particular  
20 Congressional district. I think that politics at  
21 its best has played into the drawing of this map  
22 to ensure that for the next 10 years, black folk  
23 only have a voice in one particular district, and  
24 while people may say, "Well, John, you're in  
25 Congressional District 5, you have a voice

1 there," but my impact as an African American is  
2 not as strong as someone who has a voice in  
3 Congressional District 6. And so there was ways  
4 that this map could have been drawn that would  
5 have given the voice of people who normally don't  
6 have a voice to really have a voice, and it would  
7 make the districts resemble South Carolina. You  
8 -- we have seven districts and when you look at  
9 Congressional District 1, it's only about 14  
10 percent from -- let me get my numbers right --  
11 about 15 percent black, Congressional District 2  
12 is about 23 percent, 17 percent in 3, 18 percent  
13 in 4, 24 in 5, 47 in 6, and 24 in 7. Why  
14 wouldn't the ones that are in the teens not be  
15 brought up to at least 20-some percent?  
16 There's ways to do that where you all are packing  
17 Congressional District 5 and cracking to make it  
18 happen. It could have -- the map could have been  
19 drawn differently to give voice to more people  
20 cross this state. So I don't understand when you  
21 tell me that you -- if you look at the map and  
22 you look down into Charleston County and you  
23 strategically pull out the heavily African  
24 American areas and put them in Congressional 6,  
25 but you gonna tell me that people in Richland

1 County and in Fairfield County -- I mean,  
2 Richland County, I'm sorry, have the same needs  
3 and the same conversations that people in  
4 Charleston County has, unheard of, unheard of.  
5 So to tell me that the interests -- that was not  
6 taken in to an account 'cause you cannot tell me  
7 that a hundred miles you go from Richland County  
8 to Charleston County, those people gonna have the  
9 same interests in reference to their community of  
10 interest. So I believe that we could have kept  
11 Charleston whole. I believe we could have kept  
12 Beaufort whole. They have the same interests. I  
13 believe that the communities of -- in this area,  
14 such as Richland County and maybe Fairfield  
15 County and some of the other ones, Sumter, would  
16 have something more in common than someone in  
17 Charleston County. So I don't agree that that  
18 was the -- it may have been the goal, but it was  
19 not accomplished in this map.

20 REPRESENTATIVE JORDAN: Can I respond to just a couple  
21 of things?

22 REPRESENTATIVE NEWTON: Absolutely. Yes, sir.

23 REPRESENTATIVE JORDAN: So just a couple of things and  
24 let me -- maybe the easiest thing is to walk back  
25 through that time line one more time so that we

1 have a full understanding. So December 13th, the  
2 initial staff draft comes out. December 16th, we  
3 hold a hearing to take testimony and hear from  
4 the public as to the concerns with that, and we  
5 had a tremendous outpouring of concerns  
6 specifically from the Beaufort area. I would  
7 argue that the process worked how the process is  
8 supposed to work, that based on the many  
9 different submissions we heard, we went back and  
10 went back to the drawing board. Now, I would  
11 take exception with this concept of, you know, by  
12 shear numbers, you can do certain things; but  
13 remember, as I said earlier, when you move people  
14 from one area to the other, it creates ripple  
15 effects that roll out into the rest of the state.  
16 And remember, we have to hit the nail on the head  
17 population wise, not just in one district, but in  
18 every single district. I would also -- if you  
19 look at the percentages that you were talking  
20 about, I think they did increase in a -- I think  
21 in the original House plan -- I'll just point to  
22 District No. 2 -- it was a 19.5, it went to a  
23 23.96. In District 4, it was 18.2, it went to  
24 24.8. So we're not talking about apples and  
25 apples, I guess, to some degree. I don't think

1           you can just completely -- going back to my  
2           bigger point of this is a state-wide soup you  
3           have to create and connect the dots on -- you  
4           have to see it from the entire picture is I guess  
5           what I'd say, not just as two districts connect  
6           to each other.

7 REPRESENTATIVE KING: I just -- my last question ---

8 REPRESENTATIVE NEWTON: Yes, sir.

9 REPRESENTATIVE KING: --- Representative -- Chairman  
10           Jordan. Can you just answer this question for  
11           me: The pieces that you all carved out to put in  
12           Congressional 6, what are the interests that  
13           those folk down in Charleston have with the  
14           people in interest of folk in Richland County?

15 REPRESENTATIVE JORDAN: Well, again, I don't think you  
16           can say one county is exactly -- I think that's  
17           too broad of a way to say it.

18 REPRESENTATIVE KING: Well, I'm going off of what you  
19           said earlier in reference to communities of ---

20 REPRESENTATIVE JORDAN: Correct.

21 REPRESENTATIVE KING: --- interest.

22 REPRESENTATIVE JORDAN: Correct.

23 REPRESENTATIVE KING: So I'm trying to understand what  
24           would be the interest of the folk in Richland  
25           County with the same interests with the coastal

1 region down in Charleston? The inland part of  
2 South Carolina, what would be the interest --  
3 what would be the actual interest of folk in --  
4 that you -- the black folk that you carved out,  
5 that you all carved out to put in Congressman  
6 Clyburn's district, what interest -- I don't --  
7 I'm black, but I don't have the same interest as  
8 the folk in Charleston County that are black.  
9 What are the interest of the black folk that you  
10 carved out in Charleston County to give to Jim  
11 Clyburn, Congressman Clyburn, for the people in  
12 Richland County? What is the interest of -- you  
13 -- the same thing that you all did for the folk  
14 in Beaufort and went over and put them in the  
15 Congressional district that they wanted to be in  
16 because they said they had the same interests as  
17 the folk in Charleston, I want to understand what  
18 is the interest of the people that you all carved  
19 out in Charleston County that they have the same  
20 interests of the folk up here in Richland County?  
21 That's the only question I'm asking.

22 REPRESENTATIVE JORDAN: I don't think -- and again, I  
23 think that's a bit overly broad. So when you  
24 connect -- it's the same argument in a different  
25 way. So Beaufort doesn't have a whole lot in

1 common necessarily with -- you could argue  
2 Lexington or Aiken. All right. That was the  
3 original plan. It has more in common with  
4 Charleston, coastal region so to speak, and so  
5 that was one of the things we considered. Again,  
6 I just cited that community of interest as one of  
7 among many factors that the Committee looked at  
8 across the discussion over a five month period as  
9 we heard testimony across the state, and that was  
10 in that one particular area. Now, Charleston I  
11 would tell you is a little bit different than  
12 Beaufort in that it's essentially -- as you see,  
13 the version of it is essentially what it was 10  
14 years ago. So Beaufort -- you're saying to  
15 Beaufort, "You were in with the Aiken-Lexington,  
16 and then we're gonna put you in with Charleston  
17 and now we're gonna pull you back into the  
18 Lexington-Aiken area." We're just keeping it  
19 more of what it is currently -- what it has been  
20 is a better way to say over the last 10 years, as  
21 opposed to dramatically changing it by way of the  
22 original plan.

23 REPRESENTATIVE KING: I -- I don't --

24 REPRESENTATIVE JORDAN: And again, I think that's --  
25 before we move on from that, I think that's a key

1 ingredient to this process. Remember, that in  
2 2011, that was a plan, the one we've been living  
3 under now for these last 10 years, that was  
4 approved through the court system, it was DOJ  
5 approved, and I think that's a major component.  
6 If it was -- again, population has changed  
7 things, and I'm not saying it hasn't, but at  
8 least it's something of a go-by for us to  
9 consider in going down this process.

10 REPRESENTATIVE KING: Well, I just want to note it for  
11 the record that the maps, in my opinion, do not  
12 reflect South Carolina in reference to making  
13 sure that each district is competitive. The  
14 districts are drawn to where it is one-sided to a  
15 particular party, the party that is in control,  
16 which is the Republican Party; and I think that  
17 these maps could -- these districts could have  
18 been drawn so that we had competitive districts;  
19 gave more South Carolinian's voices to be heard,  
20 and what do I mean by that? It will make the  
21 Congressional people, as well as when we drew our  
22 districts, it make us have to listen to segments  
23 of the community that we may not want to listen  
24 to. This map does not reflect that. In this map,  
25 what you all have done is taken Congressional 6,

1 plopped all the black folk in Congressional 6,  
2 made it a 47 percent African American district,  
3 which we did not have to do. We could have  
4 spread some of that out to make these districts  
5 competitive so that more people would have an  
6 opportunity to vote and have representation that  
7 reflects their community, and I believe that it's  
8 a slap in the face of South Carolinians if you  
9 think that they're slow, dumb, and stupid, and  
10 don't realize what is happening here today. So I  
11 just say that these maps that we're -- this map  
12 that we are voting on today has a lot of packing  
13 and cracking to accomplish your goal, but I  
14 appreciate the work that you all have done. I  
15 would not be myself or I would not be doing my  
16 constituents any -- I would not speak up for them  
17 if should stay quiet and said that this map is a  
18 map that reflects South Carolina because it does  
19 not. Thank you.

20 REPRESENTATIVE JORDAN: I'll just say, I won't belabor  
21 the point, I fundamentally disagree, but  
22 certainly recognize the point. Thank you.

23 REPRESENTATIVE NEWTON: Thank you, Representative  
24 King. Representative Bernstein, I think you were  
25 next.

1 REPRESENTATIVE BERNSTEIN: Thank you, Mr. Chairman.

2 So members of the Committee, I hope -- I think  
3 you're all aware that I served on the Ad Hoc  
4 Committee, and I appreciate Chairman Jordan's  
5 hard work and also all of the other members on  
6 the Committee who were under this hard task to  
7 draw these maps. I -- in our last couple of  
8 meetings, I have voiced some concern over these  
9 particular maps or more specifically, the  
10 alternative map No. 1 that's on the screen right  
11 now. And I think it's important for the  
12 Committee members, since we're all voting, that  
13 we understand or I voice some of my concerns. And  
14 first and foremost, we came together, this  
15 Committee, with the pledge to try to make fair,  
16 competitive maps. The staff map that was first  
17 presented, which we had public testimony, was not  
18 perfect, but it was much, much better than the  
19 map -- admittedly -- than the map that we're  
20 doing right now. When I say admittedly, is  
21 because this map, the alternative map, is very  
22 similar to the Senate map, and if you remember,  
23 if anybody looked at any of the Senate  
24 redistricting Committee hearings or read articles  
25 or just had any conversations about the process

1 over in the Senate, it was highly criticized as  
2 being super partisan, not taking into account the  
3 changes that have happened across the state; and  
4 in that criticism of the Senate map, the House  
5 came up with the -- with a pretty good map, the  
6 map No. 1. Took some public testimony, as we  
7 have done throughout the state, and there was  
8 concern that Beaufort County was not in the First  
9 Congressional District. It was placed back into  
10 the Second, which is my Congressional District  
11 right now, which it had been 10 years prior. And  
12 whether or not the issues of Lexington County and  
13 Beaufort County -- not whether or not, I think we  
14 can probably agree those probably aren't as  
15 similar as maybe Charleston County and Beaufort  
16 County; but I think what Mr. King has pointed out  
17 -- Representative King has pointed out is that  
18 Beaufort and Charleston can remain whole, but  
19 that would take maybe some of the other -- split  
20 some of the other counties, like Berkeley or  
21 Dorchester County. But if we really wanted to  
22 keep Beaufort whole, we could accomplish that  
23 without making the map that we've done here --  
24 the map that is similar to a Senate map that this  
25 Committee -- or the Ad Hoc Committee had some

1 vocal opposition to, and we recognize that our  
2 first map was much better than the Senate map.  
3 After hearing the concerns of some of the  
4 Beaufort County residents, we could have had a  
5 discussion, worked on maybe looking at the  
6 numbers; but instead, a staff plan alternative  
7 map very similar to the controversial Senate map  
8 was proposed and presented to the Committee at  
9 the same time that it was presented to public and  
10 then we took some testimony on that and we heard  
11 some likewise criticism on this alternative map.  
12 So I just want us to really be honest here and  
13 question why do we need a second map. We could  
14 have taken the first map; had, in the Committee  
15 process, added amendments; but it's second whole  
16 map that would usurp this first map was proposed  
17 and presented; and I want to make sure that I  
18 vocalized these concerns. The first map was not  
19 perfect, but at least it did make some of the  
20 districts more competitive, and I think as  
21 members, we want to be able to draw and have  
22 input on fair and competitive districts. It  
23 makes the process better, that's how the process  
24 is supposed to be, and I think we'll probably be  
25 -- the people who are opposed to this map will

1 probably be outnumbered; and I think it's  
2 incumbent upon me to echo some of the concerns  
3 that Mr. -- Representative King had some other  
4 colleagues and let y'all know that I'm opposed to  
5 this plan alternative Map 1, and maybe you will  
6 recognize some of the error that was used in  
7 drawing some of the districts as well when you  
8 make your vote. Thank you.

9 REPRESENTATIVE NEWTON: Thank you, Representative  
10 Bernstein. Representative Collins?

11 REPRESENTATIVE COLLINS: Thank you, Chairman. And I  
12 just wanted to point out I was on the  
13 subcommittee and I'm sensitive to the racial  
14 aspect and I've been kind of pinpointing on that  
15 through our whole how ever many months we've been  
16 going through this. And I would say it's actually  
17 kind of opposite. I love you, Representative  
18 King, but in our alternative plan here, in CD 6,  
19 we have 47.57 percent, and that's the lowest  
20 compared to the League of Women Voters or the  
21 NAACP. In fact they -- if you wanted to use that  
22 language, they packed CD 6 more than we did.  
23 League of Women Voters has a 47.65 percent and  
24 NAACP, in their two plans, one was 51.62 percent  
25 and the other plan was 49.17 percent. So I have

1 a -- just a general philosophical issue with some  
2 of our legal issues going on about keeping  
3 majority/minority districts, whether they be  
4 above 50 or 40 percent; but the point is if we're  
5 going to make -- and I hope the news doesn't say  
6 that this plan is racially packing because what  
7 we have is actually the least packed out of the  
8 plans. A second point I wanted to bring out is  
9 during -- in this alternative plan, we have  
10 actually four districts that have 25 percent or  
11 close to it; and what that tells me -- and I'm  
12 not a consultant or anything like that, but in  
13 reality, anybody or a candidate would need not  
14 only those votes, but two of the three white  
15 votes going from there which I assume -- and I  
16 don't know again consulting business, but I  
17 assume 25 percent starts to get close to that  
18 competitive range in that we have four of those  
19 districts. And in fact, CD 2 is at 23.96; CD 4  
20 is at 24.84, which had a 6 percent increase from  
21 what it is currently; CD 5 is at 23.05; and CD 7  
22 is 24.84. And then the last thing that I would  
23 point out, I know everybody's focused on CD 1.  
24 In our original plan, it was only at 20 percent.  
25 So if we're saying that that is what makes

1 competition and that's the number we're striving  
2 for, then I would say we did so in four of the  
3 districts and we're focused -- we're hyper-  
4 focused on CD 1. But I just wanted to point out  
5 those statistics so that I hope this doesn't  
6 become a -- any sort of race argument.

7 REPRESENTATIVE NEWTON: Thank you, Representative  
8 Collins. Dr. Thigpen.

9 REPRESENTATIVE THIGPEN: Thank you so much, Mr. Chair,  
10 for recognizing me. I just want to get a little  
11 bit of clarity. We have pictured here the  
12 alternative map that was drawn by the House  
13 staff. Do we have here listed the original one  
14 that was drawn by staff?

15 REPRESENTATIVE NEWTON: In your left column ---

16 REPRESENTATIVE THIGPEN: Yes.

17 REPRESENTATIVE NEWTON: --- on your screen, I think is  
18 where you can get to it and pull it up.

19 REPRESENTATIVE THIGPEN: Okay. Now, so help me to  
20 understand, when we had the original one drawn,  
21 what was the catalyst or rationale for drawing an  
22 alternative one?

23 REPRESENTATIVE NEWTON: Mr. Jordan.

24 REPRESENTATIVE JORDAN: Thank you, Mr. Chairman.

25 Representative Thigpen, kind of like I described

1 a second ago: Original staff plan took testimony  
2 in a public hearing, received many, many emails,  
3 correspondence on the plan as a result of that,  
4 took those things into consideration, and then  
5 created an alternative which I do slightly  
6 disagree with what was said earlier that's  
7 alternative plan, while it was the one that  
8 advanced from the Ad Hoc Committee, it did not  
9 usurp the prior plan in any way, shape, or form.  
10 It essentially stood on equal footing with that  
11 prior plan, and then when the Ad Hoc Committee  
12 met again -- or excuse me. Then we took more  
13 testimony from the public, and then when the Ad  
14 Hoc Committee finally met again today, in theory,  
15 it could have chosen either plan, chose the plan  
16 before you by way of alternative 1.

17 REPRESENTATIVE THIGPEN: And the reason I ask is there  
18 are two things that I'm primarily concerned with  
19 and that is the vocal minority. Although we  
20 characterize the complaints and the response and  
21 the feedback as "many," I think we set a  
22 dangerous precedent when we do not specifically  
23 say in percentage wise how many, in regards to  
24 the state as whole, were -- had displeasure or  
25 desired a different map because I am of the clear

1 opinion that you cannot please everyone. And so  
2 criteria then becomes, I believe, the rule of the  
3 day in helping us determine the map. And so when  
4 we have one county out of many, 46, that says  
5 that they want to remain whole or whatever the  
6 other complaints may be, equally any county can  
7 make that concern or present that complaint. And  
8 then if we get into the business of every time  
9 one county or one group of individuals become  
10 very vocal and express displeasure in the work  
11 that we've done, I truly believe we begin to  
12 waste the time as well as the money of tax payers  
13 in taking all the work that we've done and  
14 putting it aside. And so that's why not only  
15 being ultimately concerned about the vocal  
16 minority taking hostage the process, but also the  
17 precedent that we set moving forward when we have  
18 individuals who just may not like it for whatever  
19 the reason may be, whether it's a justified  
20 reason or not, whether or not it's a verified and  
21 logical reason or not. I think we have to be  
22 careful to guard against being highjacked or  
23 taken hostage. So when we look at Beaufort and  
24 the complaints that may have come forward, some -  
25 - one of the things I heard that I believe was a

1 contradictory statement in the explanations, was  
2 on one hand we wanted to keep a county whole, and  
3 on the other hand we were looking at previously  
4 what was done in 2010/2011 and taking it as a  
5 standard particularly in the role that the DOJ  
6 played in it. So as I understand, and please  
7 correct me if I'm wrong, the original version  
8 that was presented adheres closer to that which  
9 we were looking to as a standard, whereas this  
10 alternative version that we're now being  
11 presented with which will, for lack of a better  
12 word, supersede what was done originally,  
13 deviates even further away; and although I do  
14 head, if I understand correctly, that we do not  
15 deviate from a percentage away from it, we have  
16 to try to hit the number as specifically as  
17 possible, I still don't think that's an excuse or  
18 justification for abandoning the process that we  
19 originally had because I think the second one,  
20 although done by staff -- and I'm not making any  
21 accusations on the staff -- I think the process,  
22 in my opinion, is less clear, less vetted, took  
23 less time than much of the work that went to the  
24 first map. And so wisdom tells me, prudence  
25 tells me that if we had a tried and true method,

1 even though it was not perfect, to then knee-jerk  
2 react or respond in a shorter term with a  
3 different map to me seems less prudent, less wise  
4 than sticking with the process that we went  
5 through with -- from my understanding, it's much  
6 less objection, especially in comparison to what  
7 we have now received. I know that was a lot.

8 REPRESENTATIVE JORDAN: So let me go back and help me  
9 with this -- the question, I guess. So the first  
10 part is I think I agree with you that it's  
11 impossible to make everybody happy.

12 REPRESENTATIVE THIGPEN: Correct. That was a  
13 statement, yes.

14 REPRESENTATIVE JORDAN: Yeah. And I agree with that,  
15 and I think that's born out in this process. I  
16 would tell you in the end of the day, while we're  
17 dealing with a map and population, it's a lot  
18 like how we do a regular piece of legislation, a  
19 bill. You know, we have a subcommittee hearing,  
20 we take input, and many times as a result of  
21 that, that hearing and that input, we make  
22 changes to the proposed piece of legislation; and  
23 I could argue that that's kind of what happened  
24 here.

25 REPRESENTATIVE THIGPEN: May I talk along with you, if

1           you don't mind?

2 REPRESENTATIVE JORDAN: Sure.

3 REPRESENTATIVE THIGPEN: I think the difference though  
4           is I think when we hear something in committee,  
5           there are experts. There are policy and position  
6           experts who give, and I believe their input may  
7           weigh in a little more than others. There may  
8           even be a certain amount particularly for those  
9           who it's going to affect, but considering that  
10          we're looking at the entire state, one county,  
11          one area may weigh in on it. What makes their  
12          input more valuable than any of the other  
13          counties's input? What makes their displeasure  
14          rise to the level of causing us to provide an  
15          alternate map because -- and the reason I ask  
16          that is so we've had them come and say this and  
17          we've taken input and they very well may have  
18          given information and feedback, but who's to say  
19          that there aren't others who feel that way and  
20          who's to say that their input isn't more  
21          important or less important. I just don't -- I  
22          don't see where the bar is set to where the  
23          information feedback and input that is given  
24          should have -- has risen to the level to where we  
25          draw an additional map. And that's really the

1 first question: What about the information input  
2 feedback made it rise to the level that we would  
3 draw another map because I think to just -- to  
4 generally say we received input, we received  
5 feedback, some people were not pleased, in my  
6 opinion does not rise to the level of creating an  
7 entire new map. And so maybe there's some  
8 missing information, maybe there's some other  
9 persons that have weighed in. Maybe there's some  
10 distinction about the input and feedback that was  
11 given that made it rise to that level, and that's  
12 what I'm asking and searching for.

13 REPRESENTATIVE JORDAN: So I can -- in some sense I'm  
14 speaking for me as a member of the committee and  
15 not necessarily for the whole committee. So bear  
16 that in mind. It was important to me  
17 informational wise that as we looked at this  
18 process and realize we've given a lot of time to  
19 it, but we're still trying to get it done as soon  
20 as possible so that, bearing in mind we have  
21 elections coming up, you know, very soon upon us;  
22 and we're trying to get this done as quickly as  
23 possible. So it was important to me that the  
24 folks in Beaufort -- the point they made, I  
25 think, was well taken in that they were here and

1 now they're there and now we're putting them back  
2 here again. So the default in my mind was  
3 leaving it how it was. So Beaufort stayed with  
4 Charleston, connected to Charleston as opposed to  
5 reconnecting it as it had been 10 years prior to  
6 that, back to the Aiken/Lexington component. The  
7 other part of that was -- and again, it seems  
8 like you -- you can look at the numbers and say  
9 you can combine the two, but that doesn't tell  
10 the whole story, again like I said, because of  
11 the ripple affects that go out population wise  
12 into the rest of the state. So to me, as a  
13 member of the committee, it was important to  
14 consider we were essentially not changing it  
15 again. We were leaving it closer to what it was  
16 in theory wise connecting those counties -- or  
17 disconnecting those counties, if that makes  
18 sense. Again, it wasn't -- you can't just say  
19 it's any one particular thing. As a committee, I  
20 think, as we went through this process for  
21 months, we heard a lot of different information  
22 from across the state; not just in this. We're  
23 focusing on this particular area of the state  
24 today which is fine, but it's an across the state  
25 putting the puzzle -- pieces of the puzzle

1 together.

2 REPRESENTATIVE THIGPEN: One final question: Do you  
3 foresee or what would -- would there be anything  
4 that we will receive in input and feedback as we  
5 now consider this that would cause us to  
6 reconsider and offer another plan?

7 REPRESENTATIVE JORDAN: There's no stopping anyone who  
8 wishes to create an amendment and propose it.  
9 This is a plan that has been presented out or  
10 voted out favorably by the Ad Hoc Committee, but  
11 it's not -- you know, it goes through the process  
12 just like a regular piece of legislation would.

13 REPRESENTATIVE THIGPEN: Right. Well, specifically to  
14 staff crafting one alternate plan versus an  
15 additional alternate plan or third alternate  
16 plan, and it kind of piggy's back and asks the  
17 same first question in another way. Rather than  
18 focusing on what was done, it focuses on what  
19 would be required to cause staff to present  
20 another alternate plan if anything.

21 REPRESENTATIVE JORDAN: I don't understand the  
22 question.

23 REPRESENTATIVE THIGPEN: Right. So the first question  
24 was what changed, what was the impetus, what was  
25 the reason, the rationale for drawing an

1           alternate plan and you expressed that.

2 REPRESENTATIVE JORDAN: Yeah. We put out a plan --

3 REPRESENTATIVE THIGPEN: I got that.

4 REPRESENTATIVE JORDAN: Yeah. Right.

5 REPRESENTATIVE THIGPEN: You don't have to restate it.

6           Not to interrupt you, if you don't mind.

7 REPRESENTATIVE JORDAN: Yeah. Sure.

8 REPRESENTATIVE THIGPEN: I apologize. What I'm asking

9           additional is: Is there anything that would  
10          require or cause or encourage staff to create  
11          another plan behind this one?

12 REPRESENTATIVE JORDAN: So Staff Alternate No. 2?

13 REPRESENTATIVE THIGPEN: Yes. I'm asking what is the  
14          likelihood of that, if you would?

15 REPRESENTATIVE JORDAN: I'm not aware of any requests  
16          by anyone for a Staff Alternate No. 2. I didn't  
17          request one. I don't know if any other members  
18          of Committee did.

19 REPRESENTATIVE THIGPEN: Okay.

20 REPRESENTATIVE JORDAN: I'm not aware of it if it  
21          occurred.

22 REPRESENTATIVE THIGPEN: All right. Thank you.

23 REPRESENTATIVE JORDAN: Yes, sir.

24 REPRESENTATIVE NEWTON: Representative Caskey.

25 REPRESENTATIVE CASKEY: Thank you, Mr. Chairman. I

1 was just going to ask you, Mr. Chairman, I've  
2 been struck by the confidence and clairvoyance  
3 that many of our members have had in projecting  
4 what future results will look like based on these  
5 sorts of drawings, and for all the searching that  
6 I can do, I can't find any article or Op Ed from  
7 2011 or 2012 that would have suggested that the  
8 then drawn First Congressional District would  
9 actually be the district that swapped hands  
10 between parties on three different -- two  
11 different occasions. And so I was just wondering  
12 if you were aware of anything that provided this  
13 sort of insight that some of our colleagues have  
14 had as to what will happen in the future based on  
15 this map drawing?

16 REPRESENTATIVE JORDAN: I am not.

17 REPRESENTATIVE CASKEY: Okay. Thank you, sir.

18 REPRESENTATIVE NEWTON: Representative Wetmore.

19 REPRESENTATIVE WETMORE: I'm wondering, in terms of  
20 the public feedback that was received in  
21 subcommittee, was -- I know you mentioned an  
22 outcry from Berkeley County, but did you also  
23 receive feedback from residents of Charleston  
24 County? You know, this plan does, of course,  
25 split my district across two Congressional

1           Districts, and so I'm getting a lot of feedback  
2           about that; and I'm wondering what kind of  
3           feedback the subcommittee got and how that's  
4           weighed relative to the Berkeley -- I'm sorry --  
5           to the Beaufort --

6   REPRESENTATIVE JORDAN:   Beaufort.   Sure.

7   REPRESENTATIVE WETMORE:   -- feedback you're getting.

8   REPRESENTATIVE JORDAN:   Absolutely.   And that's a very  
9           fair question.   Once we proposed the alternate  
10          plan and took hear -- took testimony on it, we  
11          did hear from folks in Charleston that expressed  
12          displeasure with it.   I would say the -- it was  
13          not to the same number wise degree, not as -- the  
14          volume wasn't quite as high perhaps, but it did  
15          exist.   That is fair, yes.

16   REPRESENTATIVE NEWTON:   Other questions or comments?  
17          Representative Wheeler.

18   REPRESENTATIVE WHEELER:   Thank you, Mr. Jordan.   And  
19          piggybacking on what Representative Thigpen asked  
20          about a little bit, but are there -- is there  
21          still further opportunity to amend this beyond  
22          today, whether it's a staff plan or not?   There  
23          are always the opportunity to present amendments.

24   REPRESENTATIVE JORDAN:   Absolutely.   This is -- again,  
25          this is just like the traditional legislative

1 process in the sense of this is a bill that sits  
2 before you that if you have an amendment that you  
3 wish to put up and amend the plan, you can. I'd  
4 caution you though, this is a little different in  
5 that, back to my ripple effect, you pull one end,  
6 you tend to change the population in other  
7 spectrums. So it's not as simple as just putting  
8 Charleston and Beaufort, for example, together.  
9 It creates ripple effects into the rest of the  
10 state population wise. But yes is the answer to  
11 your question.

12 REPRESENTATIVE WHEELER: Certainly, and having said  
13 that, what -- is there a time line -- we're  
14 taking this up on this particular Monday  
15 afternoon before we start session tomorrow. Is  
16 this something we want -- is the goal to get it  
17 out this week or --

18 REPRESENTATIVE JORDAN: So I can tell you the  
19 Committee has been accused of moving too fast and  
20 has been accused of moving too slow.

21 REPRESENTATIVE WHEELER: And I'm not accusing, I'm  
22 just asking so we know what's going on.

23 REPRESENTATIVE JORDAN: So you know, in a traditional  
24 time period, this would have obviously been dealt  
25 with well before now. Unfortunately -- and

1 again, I'm not -- the situation is what it is.  
2 We received the census data very, very late. The  
3 Committee worked honestly as hard as it possibly  
4 could. I think Representative Collins is still  
5 mad at me because he had to buy a new set of  
6 tires for his truck that he blames on me for  
7 going all across the state and hearing from the  
8 public, but at the end of the day, we've gotten  
9 the plans into a position where we have to take  
10 action is the short answer to your question. We  
11 are starting session tomorrow. We're in the  
12 month of January. If we have any hope of staying  
13 on a -- what I would call a "normal calendar" for  
14 these Congressional elections in particular since  
15 that's what we're talking about, I would say, to  
16 use a legal term, time is of the essence to move  
17 the ball forward. And I say that, I believe  
18 we're prepared to do that. I believe we've taken  
19 all the necessary steps in the process to get us  
20 to a point where we're not premature in moving  
21 forward, but it's time to move forward.

22 REPRESENTATIVE WHEELER: And I'd say this week or next  
23 or by the end of this month it seems like we  
24 probably need to get it done. Lastly, I couldn't  
25 do any searching much on these and I hadn't been

1           able to pull up anything else, but can you speak  
2           at all, is there any contrasting or corresponding  
3           Senate plan and how does it look compared to  
4           this?

5   REPRESENTATIVE JORDAN:   So there is a Senate plan.  I  
6           think Representative Bernstein referenced it.  
7           The Staff Alternate Plan No. 1 that you have in  
8           front of you, that the Ad Hoc Committee presented  
9           out today, is what I would call a better version  
10          of the Senate proposal, but it is akin to the  
11          Senate proposal and it is -- does look a lot like  
12          the 2011 map.  I would say all those are slightly  
13          connected in some way, shape, or form, not the  
14          same.  They're a different -- there are  
15          differences in all of them related to, obviously,  
16          population growth across the state and other  
17          factors, but they are kin.

18   REPRESENTATIVE WHEELER:  And just like any other  
19          legislation, would it be -- and this is the first  
20          time I've gone through this process, but ---

21   REPRESENTATIVE JORDAN:  Me, too.

22   REPRESENTATIVE WHEELER:  --- those two things will  
23          have to mesh up at the end of the day; is that  
24          correct?

25   REPRESENTATIVE JORDAN:  That is correct.  At the end

1 of the day, the map the House ultimately approves  
2 will have to be approved by the Senate or vice  
3 versa.

4 REPRESENTATIVE WHEELER: Thank you very much.

5 REPRESENTATIVE JORDAN: Yes, sir.

6 REPRESENTATIVE NEWTON: Other questions,  
7 Representative King.

8 REPRESENTATIVE KING: Thank you, Mr. Chairman. I have  
9 a couple of questions and I would like to submit  
10 something for the record. Representative Collins  
11 made some statements and I want to make sure I  
12 heard him correct in reference to not making this  
13 a race issue. Can you reiterate what you were  
14 saying because I want to make sure I heard you  
15 correctly, if you don't mind. And then I have a  
16 couple of questions.

17 REPRESENTATIVE NEWTON: Representative King, if I may,  
18 the entire proceedings are being recorded and  
19 will be transcribed verbatim.

20 REPRESENTATIVE KING: Okay.

21 REPRESENTATIVE NEWTON: So rather than ask him to try  
22 to repeat what he has said ---

23 REPRESENTATIVE KING: Well, he had mentioned my name  
24 and I wanted to make sure I addressed that so  
25 that it is on the record, so that I'm clear as to

1           what my statements are and my sentiments in  
2           reference to these proceedings on the  
3           Congressional map. That's the only reason I ask.

4 REPRESENTATIVE NEWTON: Okay. Representative Collins,  
5           you okay ---

6 REPRESENTATIVE COLLINS: I'm fine.

7 REPRESENTATIVE NEWTON: Okay.

8 REPRESENTATIVE COLLINS: First point was as to  
9           packing, we actually -- if you want to use the  
10          term "pack," we did not pack compared to League  
11          of Women Voters and the NAACP, both of their  
12          plans. We had the least packing. Second point  
13          was we actually have four districts that are at  
14          25 percent or above. Third point was we're  
15          focused on -- sorry, can't breathe in this.  
16          Third point was CD 1, we're focused on it. The  
17          original plan was only at 20 percent, which when  
18          you contrast that with we now have four districts  
19          at 25 percent. And then the fourth point, and I  
20          don't know if I made it or not, but CD 4 having a  
21          25 percent rate. As you know, I'm in Pickens  
22          County. I'm in that southwestern corner, and I  
23          currently have like a 5 percent rate. So the  
24          fact that we're able to get 25 percent in CD 4 is  
25          actually kind of impressive to me.

1 REPRESENTATIVE KING: Thank you, Mr. Collins, for  
2 clarifying that. Let me say that when you look  
3 at these Congressional maps, Congressional 6 is  
4 packed. It's packed to the point to where you  
5 even go down into Charleston and you actually  
6 grab a portion of the heavily African American  
7 areas and put them in District 6, versus making  
8 Charleston and Beaufort whole. So the  
9 Congressional District 6 is packed. That's a  
10 known fact. You went into Charleston and cracked  
11 it so that you could make it a less competitive  
12 district for whoever may want to run in  
13 Congressional 5 -- Congressional 1. So I'm on  
14 the record saying that I believe that the  
15 districts were packed, i.e. Congressional 6.  
16 Congressional 1 was cracked to pull out heavily  
17 African American areas and put them in District  
18 6, which makes Congressional 1 less competitive;  
19 and so I want to make sure that that's on the  
20 record. And that's what I stated earlier. But  
21 Mr. Chairman, when we started this meeting, I  
22 made it apparent and made you aware that this  
23 meeting was not conducted in the way the rules  
24 were voted on at the beginning of session in  
25 reference to if the Chair is absent and who would

1 lead the meeting. So for the record, as you say  
2 everything is in the record, I would like to  
3 present this letter that states the rules as well  
4 as my objection to the meeting and the procedures  
5 for this meeting and how it was held.

6 REPRESENTATIVE NEWTON: Thank you, Representative  
7 King. Dr. Thigpen.

8 REPRESENTATIVE THIGPEN: Thank you so much. I failed  
9 to mention previously and I wanted to definitely  
10 make mention thank you to not only the staff, but  
11 also the Ad Hoc Committee for the hard work, and  
12 I'm in no way discounting the work that was done  
13 nor trying to accuse or make intentions as to  
14 what anyone was trying to do. What I do want to  
15 say though and my concern, I specifically don't  
16 want to speak to the politics of it, but more to  
17 the process of it. You know, we went through a  
18 process that was agreed upon, a criteria was set,  
19 and we came out with an end product; and an end  
20 product that I would feel much more comfortable  
21 in supporting just because of the time and the  
22 process. When it came to the alternative, I have  
23 a concern from a process standpoint of what was  
24 the trigger, what -- because I want us to be  
25 consistent, not only now, 10 years from now, even

1 in the weeks and days and months to come that the  
2 criteria is the same that will be the trigger to  
3 cause us to draw an additional map because just  
4 in my assessment of what I've heard, I'm not  
5 quite sure we're clear on specifically what was  
6 the threshold that needed to be met to cause  
7 another plan to be drawn. I'm not quite sure  
8 that the objections and the concerns that were  
9 raised from a process standpoint were weighty  
10 enough, or in comparison to other complaints or  
11 concerns that were submitted, that it outweighed  
12 any other and should have triggered us to draw  
13 another map. And that's why I led to an  
14 additional question from add process standpoint,  
15 well, what will be the trigger next time? What  
16 will be the threshold for complaint and concern,  
17 particularly about this map that could  
18 potentially lead to another because I think we  
19 can -- that can become a very slippery slope. I  
20 think it can become a precedent that's difficult  
21 to keep up with, and otherwise would show  
22 favoritism or partiality in the process that I  
23 believe up to this point or before this point was  
24 one that was well vetted and produced I think a  
25 product that we all could understand how we got

1           there.       But with that being said, I do want to  
2           again thank the staff, thank the Committee for  
3           what they brought forward. My concerns were  
4           primarily if not principally from process. Thank  
5           you.

6 REPRESENTATIVE NEWTON: Thank you, Dr. Thigpen. Any  
7           other questions or comments? Okay. Now, we have  
8           before us S-865 as amended. Roll call is  
9           required and ordered.

10 CLERK: Representative Bailey.

11 REPRESENTATIVE BAILEY: Aye.

12 CLERK: Representative Bamberg.

13 (No audible answer.)

14 CLERK: Not voting. Representative Bernstein.

15 REPRESENTATIVE BERNSTEIN: Nay.

16 CLERK: Representative Bryant.

17 REPRESENTATIVE BRYANT: Aye.

18 CLERK: Representative Caskey.

19 REPRESENTATIVE CASKEY: Aye.

20 CLERK: Representative Collins.

21 REPRESENTATIVE COLLINS: Aye.

22 CLERK: Representative Cox.

23 REPRESENTATIVE COX: Aye.

24 CLERK: Representative Davis.

25 REPRESENTATIVE DAVIS: Aye.

1 CLERK: Representative Elliott.  
2 (No audible answer.)  
3 CLERK: Not voting. Representative Fry.  
4 REPRESENTATIVE FRY: Aye.  
5 CLERK: Representative Henegan.  
6 (No audible answer.)  
7 CLERK: Not voting. Representative Hyde.  
8 REPRESENTATIVE HYDE: Aye.  
9 CLERK: Representative Johnson.  
10 REPRESENTATIVE JOHNSON: Aye.  
11 CLERK: Representative Jordan.  
12 REPRESENTATIVE JORDAN: Aye.  
13 CLERK: Representative King.  
14 REPRESENTATIVE KING: No.  
15 CLERK: Representative McCravy.  
16 REPRESENTATIVE MCCRAVY: Aye.  
17 CLERK: Representative McKnight.  
18 (No audible answer.)  
19 CLERK: Not voting. Representative Murphy.  
20 (No audible answer.)  
21 CLERK: Not voting. Representative Brandon Newton.  
22 REPRESENTATIVE BRANDON NEWTON: Aye  
23 CLERK: Representative Weston Newton.  
24 REPRESENTATIVE WESTON NEWTON: Aye.  
25 CLERK: Representative Rose.

1 (No audible answer.)

2 CLERK: Not voting. Dr. Thigpen.

3 REPRESENTATIVE THIGPEN: No.

4 CLERK: Representative Wetmore.

5 REPRESENTATIVE WETMORE: No.

6 CLERK: Representative Wheeler.

7 REPRESENTATIVE WHEELER: No.

8 CLERK: Representative McKnight. Sorry.

9 REPRESENTATIVE MCKNIGHT: No.

10 CLERK: Okay. Whoops.

11 REPRESENTATIVE NEWTON: By a vote of 13 to 6, S-865 as

12 amended passes. Next we have a report from the

13 Redistricting Ad Hoc Committee on H-4492.

14 Chairman Jordan, we'll now hear from you.

15 REPRESENTATIVE JORDAN: Thank you, Mr. Chairman. So

16 essentially, Members of the Committee, this is

17 the same tangible legislation. It's just put in

18 the form of a House bill. This is purely

19 procedural in order for us to have maximum

20 latitude when we deal with the Senate and get to

21 the floor. So again, while it's a House bill,

22 it's the same functional legislation. Thank you.

23 REPRESENTATIVE NEWTON: Thank you, Mr. Chairman.

24 Ladies and gentlemen, procedurally the same way.

25 We have an Ad Hoc Committee report before us

1           which is a strike all and insert. All in favor  
2           of the Ad Hoc Committee strike all and insert,  
3           please say aye.

4   MULTIPLE VOICES: Aye.

5   REPRESENTATIVE NEWTON: And any opposed.

6   Multiple VOICES. No.

7   REPRESENTATIVE NEWTON: Thank you. The Ad Hoc  
8           Committee report is approved. Any further  
9           discussion?

10   (No audible answer.)

11   REPRESENTATIVE NEWTON: Thank you. Ladies and  
12           gentlemen, before us we have H-4492 as amended.  
13           Roll call is required and ordered.

14   CLERK: Representative Bailey.

15   REPRESENTATIVE BAILEY: Aye.

16   CLERK: Representative Bamberg.

17   (No audible answer.)

18   CLERK: Not voting. Representative Bernstein.

19   REPRESENTATIVE BERNSTEIN: No.

20   CLERK: Representative Bryant.

21   REPRESENTATIVE BRYANT: Aye.

22   CLERK: Representative Caskey.

23   REPRESENTATIVE CASKEY: Aye.

24   CLERK: Representative Collins.

25   REPRESENTATIVE COLLINS: Aye.

1 CLERK: Representative Cox.  
2 REPRESENTATIVE COX: Aye.  
3 CLERK: Representative Davis.  
4 REPRESENTATIVE DAVIS: Aye.  
5 CLERK: Representative Elliott.  
6 (No audible answer.)  
7 CLERK: Not voting. Representative Fry.  
8 REPRESENTATIVE FRY: Aye.  
9 CLERK: Representative Henegan.  
10 (No audible answer.)  
11 CLERK: Not voting. Representative Hyde.  
12 REPRESENTATIVE HYDE: Aye.  
13 CLERK: Representative Johnson.  
14 REPRESENTATIVE JOHNSON: Aye.  
15 CLERK: Representative Jordan.  
16 REPRESENTATIVE JORDAN: Aye.  
17 CLERK: Representative King.  
18 REPRESENTATIVE KING: No.  
19 CLERK: Representative McCravy.  
20 REPRESENTATIVE MCCRAVY: Aye.  
21 CLERK: Representative McKnight.  
22 REPRESENTATIVE MCKNIGHT: No.  
23 CLERK: Representative Murphy.  
24 (No audible answer.)  
25 CLERK: Not voting. Representative Brandon Newton.

1 REPRESENTATIVE BRANDON NEWTON: Aye

2 CLERK: Representative Weston Newton.

3 REPRESENTATIVE WESTON NEWTON: Aye.

4 CLERK: Representative Rose.

5 (No audible answer.)

6 CLERK: Not voting. Represent -- Dr. Thigpen.

7 REPRESENTATIVE THIGPEN: No.

8 CLERK: Representative Wetmore.

9 REPRESENTATIVE WETMORE: No.

10 CLERK: Representative Wheeler.

11 REPRESENTATIVE WHEELER: No.

12 REPRESENTATIVE NEWTON: Ladies and gentlemen, by a  
13 vote of 13 to 6, H-4492 as amended passes. As  
14 that was our final bill on the agenda today, we  
15 are now adjourned. Thank you all for coming in a  
16 day early. Look forward to seeing you lunchtime  
17 tomorrow. Be careful on your drive home. Have a  
18 good night. Thank you.

19 (There being nothing further, the  
20 hearing concluded)

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CERTIFICATE OF REPORTER

I, KATHRYN BOSTROM, COURT REPORTER AND NOTARY PUBLIC IN AND FOR THE STATE OF SOUTH CAROLINA AT LARGE, HEREBY CERTIFY THAT I TRANSCRIBED THESE HEARINGS HELD ON MONDAY, THE 10TH DAY OF JANUARY 2022, THAT THE FOREGOING 55 PAGES CONSTITUTE A TRUE AND CORRECT, TO THE BEST OF MY ABILITY, TRANSCRIPTION OF THE PRE-RECORDED HEARING.

I FURTHER CERTIFY THAT I AM NEITHER ATTORNEY NOR COUNSEL FOR, NOR RELATED TO OR EMPLOYED BY ANY OF THE PARTIES CONNECTED WITH THIS ACTION, NOR AM I FINANCIALLY INTERESTED IN SAID CAUSE.

I FURTHER CERTIFY THAT THE ORIGINAL OF SAID TRANSCRIPT WAS THEREAFTER SEALED BY ME AND DELIVERED TO EMMA DEAN, 512 BLATT BUILDING, COLUMBIA, SOUTH CAROLINA, WHO WILL RETAIN THIS SEALED ORIGINAL TRANSCRIPT AND SHALL BE RESPONSIBLE FOR FILING SAME WITH THE COURT PRIOR TO TRIAL OR ANY HEARING WHICH MIGHT RESULT IN A FINAL ORDER ON ANY ISSUE.

IN WITNESS WHEREOF, I HAVE SET MY HAND AND SEAL THIS 7TH DAY OF FEBRUARY 2022.



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KATHRYN B. BOSTROM, COURT REPORTER

MY COMMISSION EXPIRES AUGUST 28, 2022

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