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SENATE JURISPRUDENCE COMMITTEE  
JULY 7, 2003

COMMITTEE MEMBERS

Senator Robert Duncan, Chair  
Senator Mario Gallegos, Jr., Vice-Chair  
Senator Kip Averitt  
Senator Todd Staples

OTHER SENATORS PRESENT

Senator Jeff Wentworth  
Senator Leticia Van de Putte  
Senator Juan "Chuy" Hinojosa  
Senator Kyle Janek

\* \* \* \* \*

Hearing on Redistricting  
Solomon Ortiz Conference Center  
Corpus Christi, Texas  
3:05 p.m. - 10:20 p.m.

\* \* \* \* \*

On the 7th day of July 2003, the  
following hearing came on to be heard before the  
Senate Jurisprudence Committee, Senator Robert Duncan,  
Chairman, held in Corpus Christi, Nueces County, Texas.

Proceedings reported by Computerized  
Stenotype machine.

1 Thereupon, the following proceedings were held  
2 commencing at 3:05 p.m.:

3           SENATOR DUNCAN: The Senate Committee on  
4 Jurisprudence will come to order. The clerk  
5 will call role.

6           THE CLERK: Senator Duncan.

7           SENATOR DUNCAN: Here.

8           THE CLERK: Senator Gallegos.

9           SENATOR GALLEGOS: Here.

10          THE CLERK: Senator Averitt.

11          SENATOR AVERITT: Here.

12          THE CLERK: Senator Staples.

13          SENATOR STAPLES: Here.

14          SENATOR DUNCAN: The quorum is present.

15                 Members, first I would like to tell  
16 everyone how happy I am to be in Corpus Christi  
17 today. It's a beautiful day. This is an  
18 absolutely beautiful gorgeous center, and we're  
19 pleased to be here to be with you to hear your  
20 comments on redistricting.

21                 Senator Hinojosa is here and is our host  
22 senator today. And, Senator, would you like to  
23 say a few words?

24                 SENATOR HINOJOSA: Chairman Duncan and  
25 Senators, I'd like to welcome you to the jewel

1 of South Texas, Corpus Christi. The people  
2 here are very friendly, but they will fight for  
3 their rights. They're vocal. They're leaders,  
4 but they're also a very, very friendly  
5 community.

6 Let me tell you in the audience, that on  
7 the Senate side we do not have a hidden agenda.  
8 We don't have any secret maps. We haven't even  
9 looked at any maps on the Senate side, so we're  
10 here to listen to you. Our mind is not made  
11 up. We're here to listen to what you have to  
12 say.

13 And with your permission, Chairman  
14 Duncan, I would like to maybe have Chairman  
15 Bonilla come up to the podium and just give us  
16 a few remarks about Port Authority and welcome  
17 committee.

18 SENATOR DUNCAN: We would like to thank  
19 Mr. Bonilla as well for his arrangements that  
20 he's made here today and we really appreciate  
21 your accommodations, Mr. Bonilla.

22 MR. BONILLA: Thank you, Senator. It's  
23 good to have all of you in Corpus Christi. And  
24 I just want to take a couple of moments to  
25 welcome you into the City of Corpus Christi and

1 specifically into the facility that is owned  
2 and operated by the Port of Corpus Christi, the  
3 Solomon Ortiz Conference Center.

4 I wanted to give you just a little  
5 background on the Port of Corpus Christi  
6 because it is very much the economic  
7 foundation, the economic engine as we like to  
8 say, for the Coastal Bend.

9 This facility was a part of the original  
10 agricultural sector that formed really the base  
11 of the Port of Corpus Christi. When we rebuilt  
12 this facility about three years ago, we  
13 retained much of the architectural design and  
14 scheme. And as you tour the facility, you'll  
15 see some photographs taken of the era. So  
16 while we began as an agricultural port, we  
17 quickly developed into a major petrochemical  
18 base, which is now representing about 93  
19 percent of our total revenue. We operate on  
20 approximately \$30,000,000 annual budget but our  
21 cargo and our mission is greatly diversified.

22 Across the way we have a 100,000 square  
23 foot cold storage warehouse. And you'll see  
24 now a vessel that is unloading cargo today.  
25 You'll see some yachts on top of that vessel

1           that are earmarked for the East Coast. But  
2           that is part of the sea trade shipping line.

3                     And that sea trade, we envision, will  
4           someday be taking cargo to Cuba. We have a  
5           trade mission leaving for Cuba tomorrow  
6           morning. It's our second trip to Cuba. We  
7           hope to have allen port license or reach an  
8           agreement with the Port of Corpus Christi to  
9           begin shipping cargo into Cuba. As you may  
10          know, despite the embargo, we're able to send  
11          agricultural products and medicine products  
12          into Cuba provided it's paid on a cash basis.

13                    The cold storage warehouse now receives  
14          imported meats and apples from New Zealand and  
15          Australia. It's an example of a visionary plan  
16          the Port of Corpus Christi has in shaping the  
17          destiny of all Texans.

18                    Lastly, we are involved in major projects  
19          that will open up the port to thousands of  
20          acres of land for potential new development.  
21          We are appreciative to you and to your  
22          leadership team for supporting a number of  
23          those initiatives that we have taken to the  
24          Texas Senate. In particular this last session  
25          the Design Bill which will facilitate many of

1 the projects that we have underway, that also  
2 include neighboring San Patricio County.

3 So we are thinking in terms of acting as  
4 a regional economical catalyst and setting out  
5 the same theme that you do as members of our  
6 prestigious State Senate, and that is serving  
7 as an economic bastion for all of Texas.

8 So once again, we thank you for being  
9 here and we look forward to working with you in  
10 the days and years ahead, Senator.

11 SENATOR DUNCAN: Thank you, Mr. Bonilla.  
12 Members, any questions?

13 Thank you very much.

14 Members, before we begin I need to do a  
15 little housekeeping and read basically our  
16 introductory statement into the record and for  
17 the audience.

18 First, I would like for our translator to  
19 announce and explain in Spanish and English her  
20 procedure for translation services. If we  
21 could have her -- Our translator is -- he --  
22 Our translator is H. Eliot Chenaux,  
23 Mr. Chenaux.

24 MR. CHENAUX: (Speaking in Spanish.)

25 (In English.) My name is Eliot Chenaux.

1 I'm the vice president for student affairs at  
2 Texas A&M University at Corpus Christi. I'm  
3 also a professor of Spanish. And I am here to  
4 do translations from either English to Spanish  
5 or Spanish to English. So I'm here to serve  
6 you.

7 I will be sitting at the end table over  
8 here, and if you come up to testify and need  
9 translations from one language or the other,  
10 I'll be glad to offer that for you.

11 SENATOR DUNCAN: Thank you, Mr. Chenaux.

12 On behalf of the Senate Jurisprudence  
13 Committee, I want to thank all of you for  
14 taking the time to come here today to share  
15 your views with us.

16 Governor Perry has called the Texas  
17 Legislature into special session to consider  
18 congressional redistricting. This is not a  
19 simple or casual task, and it is one that we  
20 know people have strong feelings about.

21 We want to hear what your views on this  
22 important topic. These proceedings are being  
23 transcribed so that we can make them a part of  
24 the legislative record and can share them with  
25 the persons who are not here today.

1           As we consider this issue, we are  
2           constrained by various legal requirements that  
3           you should be aware of. First, any plan we  
4           adopt must comply with the Federal  
5           constitutional requirement of one person, one  
6           vote. If the 32 Congressional Districts, Texas  
7           Congressional Districts are to be equal in  
8           size, they would need to have 651,619 persons  
9           each. We will need to draw the districts that  
10          will be at or very near that size.

11           Second, the State of Texas is covered by  
12          Section 5 of the Federal Voting Rights Act. As  
13          a result, we are obligated to be sure that any  
14          changes we make do not result in a  
15          retrogression in minority voting streams. In  
16          other words, any plan drawn by the legislature  
17          may not have the purpose or effect of worsening  
18          the position of minority voters when compared  
19          to the current plan which was drawn in 2001 by  
20          the Federal Courts.

21           Third, we need to be sure that any plan  
22          the legislature adopts ensures that minority  
23          voters do not have less opportunity than other  
24          members of the electorate to participate in the  
25          political process and elect candidates of their

1 choice.

2 Finally, we to conform to the Supreme  
3 Court's repeated direction over the past ten  
4 years that redistricting not result in racial  
5 gerrymandering. In particular, we need to be  
6 sure that race is not the predominant force in  
7 the redistricting process to the subordination  
8 of traditional districting principles.

9 Members of -- and I think as the audience  
10 many of you may know, we've conducted these  
11 hearings around the State of Texas. Our first  
12 hearing was in Laredo. Our second hearing was  
13 in San Angelo. Our third hearing was in  
14 McAllen. Our fourth hearing was in Houston,  
15 Texas. Today, of course, we're here in Corpus  
16 Christi. Tomorrow we'll be in Dallas, and  
17 finally we'll close out our regional hearings  
18 in Waco on Wednesday.

19 We have found that in each of our prior  
20 hearings that, not only the members but I think  
21 mostly the audience, appreciates a time limit  
22 on those who speak. We have found that in  
23 redistricting people can speak for long periods  
24 of time. And what we have found also, that  
25 many of you have come here today to be heard

1 and so we want to make sure that you are heard.

2 We have found that a five-minute time  
3 limit on all persons, elected officials and  
4 everyone else, serves everyone's purpose of  
5 being able to be heard, as well as I think it  
6 speeds the meeting up so that we hear from more  
7 people.

8 So with that I will entertain a motion to  
9 limit the time of testimony to five minutes.

10 Senator Staples moves that the testimony  
11 at the Corpus Christi regional hearing be  
12 limited to five minutes. The Clerk will call  
13 the roll.

14 THE CLERK: Senator Duncan.

15 SENATOR DUNCAN: Aye.

16 THE CLERK: Senator Gallegos.

17 SENATOR GALLEGOS: Aye.

18 THE CLERK: Sen Averitt.

19 SENATOR AVERITT: Aye.

20 THE CLERK: Senator Staples.

21 SENATOR STAPLES: Aye.

22 SENATOR DUNCAN: Senator Gallegos  
23 suggested we have two minutes for former Deans,  
24 is that ...

25 Let me kind of explain how the time

1 limits work. We have a timer here, and it  
2 is -- we'll set it when you approach, when you  
3 get to the podium and you will hear it go off  
4 and at that point in time you are to conclude  
5 your remarks. And I'm pretty good at first  
6 kind of letting people conclude, but after a  
7 while we get a little cranky, or I get a little  
8 cranky, because I do know that there are others  
9 that want to talk and that's why we're doing  
10 this so that we make sure that all persons have  
11 an opportunity to speak.

12 The other thing that we need to do is,  
13 kind of housekeeping, if you will see right  
14 here I have a telephone and I'm going to turn  
15 mine off. There is nothing, I think, more  
16 intrusive and disturbing if you're talking and  
17 someone's phone is going off. So if we'll all  
18 turn our telephones off, we'll be, I think, in  
19 great shape. Also, any beepers and things like  
20 that.

21 I would also ask that you be courteous to  
22 other members. Even if you disagree with their  
23 point of view, if you would allow them to be  
24 able to express their point of view, this is  
25 what this is all about.

1                   Members, opening statements. We have  
2                   Senator Gallegos.

3                   SENATOR GALLEGOS: Thank you,  
4                   Mr. Chairman.

5                   Let me first say that I am too glad to be  
6                   here in Corpus Christi. (Speaking in Spanish.)

7                   (In English.) Let me just say that it is  
8                   a pleasure and honor for me to be here in  
9                   Corpus. I have a lot of family here. As part,  
10                  my aunt and uncle just had a fiftieth wedding  
11                  anniversary here in Corpus, Danielle and  
12                  Guillma Gallegos. They live in French Street  
13                  on what was former Senator -- what was the Dean  
14                  of the Texas Senate Carlos Truan, now Senator  
15                  Hinojosa's district and several families here  
16                  in the Corpus area.

17                  And I grew up right at the turning basin  
18                  in the Port of Houston, a little barrio called  
19                  Magnolia Park, right there where the Port of  
20                  Houston is. I can assure you that  
21                  representation to us in Houston has meant a  
22                  lot. I am the first --

23                  Let me assure you, as these hearings  
24                  continue, as the Chairman told you that we  
25                  started in Laredo, but I am the first Hispanic

1           ever elected to the Texas Senate from Harris  
2           County, so I can assure you we appreciate  
3           representation and we understand the purpose  
4           and the meaning and the passion behind these  
5           hearings. And I can assure you that I will be  
6           listening to each and every one of you that  
7           decides to testify.

8                     But for that I just want, Mr. Chairman --  
9           I also want to put into the record and let me  
10          make sure it is clear to the people here from  
11          Corpus, this is not the House. This is the  
12          Senate. Whatever happens to the House is their  
13          business over there, hopefully that does not  
14          reflect -- only I'm afraid part of what they've  
15          done in the House as far as their proceedings  
16          might hurt us in Court cases. That part of any  
17          ruling and any violation to the Voting Rights  
18          Act on the House, I can assure you it has not  
19          happened over in the Senate hearings. But any  
20          violation of the Voting Rights Act in the House  
21          does not reflect the Texas Senate.

22                    And I do want to -- what I've been adding  
23          into the record are hearings that we've had in  
24          the past, transcripts that have been placed  
25          into the record from the legislative

1           redistricting port dealing with certain  
2           districts. And, Mr. Chairman, I would also  
3           like add to that record is the new ruling  
4           Georgia versus Ashcroft, which I believe this  
5           new method has come out in Georgia versus  
6           Ashcroft protects Texas rural and other  
7           minority influenced districts that I believe  
8           that the new map in the House, that I have not  
9           seen yet but been told about, that definitely  
10          violates the spirit of the decision in Georgia  
11          v. Ashcroft. Mr. Chairman, I did want to add  
12          that for the record.

13                     And like I said, I'm glad and honored to  
14                     be here in Corpus here today. Thank you,  
15                     Mr. Chairman.

16                     SENATOR DUNCAN: Thank you, Mr. Vice  
17                     Chairman.

18                     Senator Staples.

19                     SENATOR STAPLES: Thank you,  
20                     Mr. Chairman. It's an honor to be here in  
21                     Corpus Christi today here with Senator  
22                     Hinojosa, and it's certainly good to see  
23                     Senator Truan as well, who I had the privilege  
24                     of sitting next to my first term as a member of  
25                     the Texas Senate.

1           My name is Todd Staples. I'm from East  
2 Texas. I'd like to say I was here today to  
3 check on my interests in Corpus Christi at  
4 Staples Mall and Staples Boulevard, but  
5 unfortunately that's the side of the family  
6 that never made it back to East Texas I guess.

7           But it is good to be here today. I've  
8 always enjoyed the hospitality and the  
9 wonderful life that you have here in Corpus  
10 Christi and thank you for being a part of  
11 Texas. Thank you for being here today to make  
12 certain that the Texas Senate hears your voice  
13 in this redistricting process.

14           This is government working at its best  
15 when the people are out making certain that  
16 their voices are heard and that your elected  
17 representatives from all across Texas take your  
18 input.

19           We are delighted to be here today. We  
20 appreciate the hospitality, and we look forward  
21 to hearing your voice in this process.

22           SENATOR DUNCAN: Thank you, Senator  
23 Staples.

24           Senator Averitt.

25           SENATOR AVERITT: Thank you. I'm, of

1 course, delighted to be here in this beautiful  
2 part of Texas. I'm extremely proud that you're  
3 here too. I can see that Corpus Christi is a  
4 community that has a great deal of public  
5 spirit and enthusiasm, and it's important that  
6 you're here because your voices will be heard  
7 in this process.

8 We don't have a map. We won't start  
9 drawing a map until we've heard from all the  
10 folks that want to have their voices heard, and  
11 I think that's the appropriate way to address  
12 this issue. We're anxious to hear what you  
13 have to say, constructive comments, criticisms.  
14 We know that you have vital interests here.

15 We know that you have important issues  
16 that need to be considered, and I'm looking  
17 forward to hearing those. I'm looking forward  
18 to working with the good people of Corpus  
19 Christi and with Senator Hinojosa.

20 Thank you, Mr. Chairman.

21 SENATOR DUNCAN: Thank you, Senator.

22 And we're also fortunate to have not only  
23 members of the committee, but also other  
24 members of the Senate who have an interest in  
25 redistricting and an interest in your region of

1 the State join us to today. And by order, I'll  
2 call by seniority, Senator Wentworth.

3 MS. LUNA-SALDANA: Excuse me,  
4 Mr. Chairman. I hate to be rude, but one of  
5 the reasons that I'm up here is to talk  
6 concerning Senator Wentworth.

7 SENATOR DUNCAN: Would you state your  
8 name please?

9 MS. LUNA-SALDANA: My name is Susie  
10 Luna-Saldana.

11 SENATOR DUNCAN: Ms. Saldana, we have a  
12 card for you?

13 MS. LUNA-SALDANA: Yes.

14 SENATOR DUNCAN: Your card is probably  
15 near the front. We'll recognize you at the  
16 appropriate time.

17 MS. LUNA-SALDANA: I know you're here  
18 because we asked you to be here, and I know  
19 you're here because of the protest. But I also  
20 want you to know as American GI Forum we take  
21 great offense to Senator Wentworth sitting up  
22 there with you.

23 And let me tell you why, we recognize  
24 that the members of this committee are  
25 honorable people --

1           SENATOR DUNCAN: Ma'am, you're out of  
2 order. The Committee will stand in recess.

3           (Recess from 3:29 p.m. to 3:38 p.m.)

4           SENATOR DUNCAN: Committee will come back  
5 to order.

6           When we recessed a while ago I was  
7 introducing to you Senator Wentworth, senator  
8 from San Antonio who last session was the  
9 chairman of the redistricting committee in the  
10 Senate. And Senator Wentworth has traveled to  
11 be here with us today, as at other meetings.  
12 Senator Wentworth, do you have an opening  
13 statement?

14           SENATOR WENTWORTH: Thank you,  
15 Mr. Chairman.

16           Mr. Chairman, I want to say I am glad to  
17 be here in spite of the brief interruption.

18           As you know, even though I'm not a member  
19 of this committee, I have an abiding interest  
20 in the work of this committee. Most of the  
21 people in the audience may not know that I've  
22 been introducing a bill since 1993 that would,  
23 in fact, take this responsibility and turn it  
24 over to a bipartisan independent citizen's  
25 commission to draw lines for congressional

1 districts in State Senate and State House  
2 districts.

3 I've been to San Angelo and listened to  
4 some four hours of hearings. I've been to  
5 McAllen where we had about six hours of  
6 hearings. We went to Houston last Wednesday or  
7 Thursday, where we had another seven plus hours  
8 of hearings. I just drove over two hours from  
9 San Antonio specifically to listen respectfully  
10 to whatever you have to tell us.

11 And I'm glad to be here, and I welcome  
12 listening to what you have to say. Thank you.

13 SENATOR DUNCAN: Thank you, Senator.

14 And then also from San Antonio it's been  
15 our pleasure to have with us, who attended most  
16 of our meetings, Senator Leticia Van de Putte.  
17 Senator Van de Putte.

18 SENATOR VAN DE PUTTE: Thank you,  
19 Chairman Duncan. Thank you. Leticia Van de  
20 Putte, and I'm from San Antonio. And let me  
21 tell you that we consider, in our family,  
22 Corpus Christi and this beautiful part of Texas  
23 our second home. It's always our getaway. The  
24 hospitality that the people in Nueces County  
25 and the coastal areas have always shown all the

1 other citizens of Texas is second to none.

2 I also come from a community that prides  
3 itself as Military City USA, with a great  
4 number of bases in San Antonio and also a great  
5 number of veterans. Let me also tell you that  
6 I am very proud to be here today because of the  
7 tremendous patriotic community of Corpus  
8 Christi and the hundreds and the thousands of  
9 veterans who have served our country so well,  
10 we owe you a debt of respect and of our sheer  
11 gratitude.

12 Because of your sacrifice in serving our  
13 country, we are able to sit here today and even  
14 if we disagree and even if there are opposing  
15 views, we can do so in the public light and  
16 with a wonderful process that takes seriously  
17 everyone's input.

18 (Speaking in Spanish.)

19 (In English.) We're glad to be here. We  
20 come here with an open heart, an open mind,  
21 with much respect for the people of Corpus  
22 Christi.

23 SENATOR DUNCAN: Thank you, Senator Van  
24 de Putte.

25 Again, we have several protocol in the

1 Senate and we learned our protocol from the  
2 Senate from your own Dean Carlos Truan. Dean  
3 Truan was the Dean of the Senate for as long as  
4 I served and have been around, until I guess  
5 this last year when he retired. And we'll hear  
6 from Dean Truan and other elected officials as  
7 part of our protocol.

8 I will also remind each of you though who  
9 are here, who are testifying, in protocol order  
10 that you are limited to five minutes like  
11 everybody else. Every once in a while we've  
12 got elected officials that can't hear that  
13 little beeper go off. I don't know what it is,  
14 but we'll remind elected officials and protocol  
15 speakers as well as all other members that we  
16 have five minutes.

17 First witness we'll call is Carlos Truan,  
18 the former Dean of the Texas Senate, an  
19 esteemed senator from the Corpus Christi area,  
20 someone we all love and miss. Dean Truan,  
21 thank you for being here today.

22 SENATOR TRUAN: Thank you very much.  
23 Senator Duncan, Senator Hinojosa, other members  
24 of the Senate that are here, it is my pleasure  
25 to be here as a resident, as citizen of this

1 area. And I come to give you my personal views  
2 on senate redistricting.

3 In my opinion, any discussion on  
4 congressional redistricting must begin with two  
5 important issues that I would like to call your  
6 attention: The first is the constitutional  
7 basis for congressional redistricting which is  
8 laid out for us in Section 2 of the Fourteenth  
9 Amendment to the U.S. Constitution, whose  
10 opening sentence reads as follows:

11 "Representatives shall be apportioned  
12 among the several states according to their  
13 respective numbers counting the whole number of  
14 persons in each state." End of quote.

15 So those who view themselves as strict  
16 constructionists of the constitution will  
17 immediately recognize that there is no validity  
18 to the argument made by some people that  
19 because Texas has not elected a statewide  
20 Democratic candidate since 1994, that the Texas  
21 congressional delegation is therefore compelled  
22 to have a majority of Republicans.

23 The Federal constitution says that the  
24 U.S. House of Representatives is to be  
25 apportioned by "counting the whole number of

1 persons in each state." It does not say that  
2 it is to be apportioned by tabulating the votes  
3 for Governor, U.S. Senator and other offices in  
4 past elections. On the contrary, the  
5 constitution command is that all we do to  
6 apportion the House is count the whole number  
7 of persons in each state.

8 Those who argue that the composition of  
9 the congressional delegation should reflect the  
10 outcome of elections in the recent past for  
11 other Texas offices, need to return to a  
12 reliance on First principles. They need to  
13 look at the 14th Amendment Section 2, and they  
14 need to try to reconcile their argument with  
15 the plain language of the U.S. constitution.  
16 If they can't do so -- and they cannot -- then  
17 they need to stop thinking of themselves as  
18 strict constructionists. In fact, they aren't  
19 even believers in the rule of law. They are  
20 mere seekers of a political advantage who are  
21 trying to game the system because they have the  
22 political power to do so.

23 Mr. Chairman, if the applause is taking  
24 part of my time, I would like to respectfully  
25 ask if they would wait until the end, if you

1 don't mind.

2 Intellectually and philosophically that  
3 argument does not square with conservatism,  
4 Mr. Chairman and members, and it borders on  
5 contempt for the plain language of the  
6 constitution.

7 Since you have all been elected to  
8 office, one assumes that you are cognizance of  
9 the elementary fact that the higher you get on  
10 the socioeconomic scale, the higher the voting  
11 turnout. Said another way, poor people do not  
12 vote as much as those higher up on the scale of  
13 income and educational levels. Another plain  
14 fact is that the average family income among  
15 Hispanics and African-Americans is  
16 substantially lower than it is for the rest of  
17 the population.

18 Furthermore, anyone who looks at the  
19 districts which are predominantly minority,  
20 will see that their turnout in every election  
21 is significantly lower than it is for the  
22 average suburban district, and even for rural  
23 districts Mr. Chairman and members, which have  
24 few minorities. This very unfortunate set of  
25 facts is redressed by the constitutional

1           command that congress is to be apportioned by,  
2           quote, "the whole number of persons in each  
3           state."

4                    Had the constitution intended that  
5           Congress be apportioned by counting only those  
6           people who actually voted in past elections, it  
7           would have said so. It does not. But it looks  
8           like those in charge of the process intend to  
9           rewrite the constitution to make congressional  
10          districts be apportioned by something other  
11          than what the constitution calls for.

12                   In fact, those who want these changes  
13          want to circumvent the will of the voters. In  
14          six of the current congressional districts  
15          where Republicans are in the majority, they  
16          have 52.2%, 56.4%, 58.1%, 62.8%, 67.2% and  
17          68.1%, the voters elected democratic  
18          congressmen in those districts even though  
19          Republicans are in the majority. And in one  
20          district where the Democratic voters are in the  
21          majority, 52.5%, they have elected a  
22          Republican.

23                    The second aspect of the congressional  
24          redistricting that I would like to touch on is  
25          one that has been floated around in the media.

1           That is the proposition that somehow if new  
2           Hispanic or African-American congressional  
3           districts are created in Texas, that alone will  
4           validate the whole enterprise, and it will  
5           preclude the other important factors under the  
6           Voting Rights Act and the Supreme Court cases  
7           interpreting that act.

8           The fundamental error in that argument,  
9           Mr. Chairman, is that it assumes that minority  
10          groups can be persuaded they will make net  
11          gains by electing members who look like us,  
12          even though we stand to lose valuable long-time  
13          Anglo allies in Congress. And many of these  
14          allies have a great deal of seniority and have  
15          consistently supported the interests of the two  
16          largest minority groups, Hispanics and  
17          Mexican-Americans -- I mean, African-Americans.  
18          To that proposition we say, "Thanks, but no  
19          thanks."

20          No serious person that has the best  
21          interests of the Hispanic and African-American  
22          community of Texas at heart will say those  
23          groups stand to gain more if they pick up a few  
24          more black or Hispanic faces but in the process  
25          give up the support that we have enjoyed on

1 issue after issue, year after year, roll call  
2 after roll call from Congressman Gene Green,  
3 Congressman Martin Frost and Congressman Lloyd  
4 Doggett, among others.

5 Minority groups are critically  
6 influential constituents of those three Texas  
7 members of congress. And I can tell you from  
8 my 34 years of experience in both the House and  
9 the Senate and 68 years experience as a Mexican  
10 American, that it is not in our best interests  
11 to have their districts reconfigured so that  
12 they have no chance of being re-elected.

13 Minority groups are sophisticated enough  
14 to realize that we need our Anglo allies who  
15 have demonstrated over the years that they are  
16 responsive to their constituents and have  
17 supported our position on the important issues  
18 that are meaningful to us. To argue that we  
19 sacrifice those senior allies for new members  
20 who share our skin color or ethnicity is a form  
21 of racism and it insults our intelligence.

22 Freshman House members, regardless of  
23 ethnic or racial background, cannot help us  
24 raise the minimum wage or increase funding for  
25 Medicare or go to bat for us with the influence

1           and the prestige and the seniority now enjoyed  
2           by those members of the Texas congressional  
3           delegation who have carried by very substantial  
4           percentages the votes in their districts of  
5           their minority constituents. And I include all  
6           such members of the Texas delegation  
7           Mr. Chairman and members in that category.

8                        Replacing any one of them is not in the  
9           best interests of the minority group in this  
10          state. There is no political calculus that can  
11          alter that fact. Somehow, we will manage to  
12          survive quite well, thank you, with the  
13          congressional districts that were drawn for us  
14          by the Federal Court.

15                      One parting thought, I find it very  
16          amusing, Mr. Chairman, members, that among the  
17          most vocal opponents of affirmative action are  
18          some of the very strongest supporters of  
19          congressional redistricting. They proclaim the  
20          urgent need for more black and Hispanic faces  
21          in the U.S. House of Representatives.

22                      These folks tell us in order to create  
23          those new black and Hispanics congressional  
24          districts, they will have to wipe out a number  
25          of our staunchest allies in Congress. Well, we

1           have not stupid, we are not ethnocentric, and  
2           we see no merit in that argument. It is not  
3           only deceptive, it is venal. And it is so  
4           transparently illogical and hypocritical that I  
5           urge you to defeat it.

6                     We don't need congressional  
7           redistricting. We had a chance last session  
8           and the majority, in fact all of the  
9           Republicans were against redistricting, so you  
10          have only yourselves to blame for not having  
11          redistricted during the session last year.

12                    I ask you to look at what I turned into  
13          you, including the list of congressman who have  
14          a majority of Republicans in their district and  
15          yet the voters elected them as Democrats to the  
16          U.S. Congress.

17                    Thank you very much.

18                    SENATOR DUNCAN: Thank you, Senator and  
19          Dean. We appreciate you were able to get that  
20          done in five minutes.

21                    SENATOR TRUAN: I appreciate that.

22                    SENATOR DUNCAN: In your usual eloquence.

23                    SENATOR TRUAN: Thank you, sir.

24          Mr. Chairman, thank you for your comments.

25          I'll be happy to yield to any member for any

1 questions.

2 SENATOR DUNCAN: Members, any questions  
3 of the Senator?

4 We appreciate very much your being here.

5 SENATOR TRUAN: Thank you very much, and  
6 thank you for having this hearing here.

7 I didn't want to use my first five  
8 minutes to go into all of that, but I want to  
9 tell the members of the audience if I may also,  
10 in the Senate there is a courtesy, every member  
11 of the Senate can attend any committee hearing.  
12 In fact, we have invited even members of the  
13 House of Representatives to sit in on our  
14 hearings. It is a courtesy that is extended to  
15 every member of the Senate. And we must always  
16 remember, every member has a vote and every  
17 member has an opportunity to learn more by  
18 attending our hearings.

19 SENATOR DUNCAN: Thank you, Senator.  
20 Dean, Senator Gallegos.

21 SENATOR GALLEGOS: Senator Truan, let me  
22 ask you on your testimony in your exhibit that  
23 you've turned in, looking at what you referred  
24 to as Republican index districts, and yet even  
25 though they voted Republican in the last

1 election, basically voting for President Bush  
2 and statewide officer holders which the  
3 majority is Republican, that these constituents  
4 or these Texans however they voted, primarily  
5 Republican. I'm looking at Chet Edwards  
6 district which voted almost 63 percent  
7 Republican, yet those same people that voted 63  
8 percent Republican, chose to vote for a  
9 Democrat as their congressional representative;  
10 is that the point that you're trying to get  
11 here?

12 SENATOR TRUAN: Yes, sir. The people  
13 have a right to vote for whoever they want.

14 SENATOR GALLEGOS: And I'm looking at  
15 Ralph Hall's district which voted almost 70  
16 percent for President Bush and 70 percent on  
17 the index have voted for statewide Republican  
18 elected officials, yet those same people, those  
19 same 70 percent people, almost 70 percent  
20 people chose to vote for a Democrat as their  
21 congressional representative; was that your  
22 testimony and the point you were trying to put  
23 across?

24 SENATOR TRUAN: That's correct, Senator.  
25 And along with Congressman Stenholm who has

1           67.2 percent Republicans in his district, and  
2           yet he runs as a Democrat and gets elected.

3                   SENATOR GALLEGOS: So I guess the point  
4           I'm trying to get is, whether if you draw it  
5           square or round or anyway you want to draw it,  
6           if those people in that district decide to vote  
7           for either Republican or Democrat or  
8           Independent, it's their right as an American to  
9           do so with whatever party they chose to vote  
10          so?

11                   SENATOR TRUAN: That's correct. And,  
12          Senator, we allowed a three judge panel,  
13          Federal Judge Panel to draw the congressional  
14          districts. And historically in Texas,  
15          minorities have had to depend on the Federal  
16          Courts. And I don't see any reason why we  
17          should begin changing what the three judges  
18          decided for Texas. We had a chance to  
19          redistrict and we did not accept that change  
20          and that's history.

21                   But now I think we ought to call it as we  
22          see it. I think we have an opportunity in the  
23          Senate by refusing to suspend the rules which  
24          require 21 votes to bring up a bill, I think it  
25          will do the Senate, in my humble opinion, a

1 great deal of justice and proud for the people  
2 to be able to understand that you're standing  
3 up for the people of this state. I don't have  
4 much hope in the House of Representatives.

5 SENATOR GALLEGOS: Thank you.

6 SENATOR DUNCAN: Thank you, Senator. Any  
7 other questions?

8 Thank you, Dean Truan.

9 The Chair calls H.C. Chuck Cazalas,  
10 County Commissioner.

11 MR. CAZALAS: Thank you very much,  
12 Mr. Chairman and Senators, and welcome to  
13 Corpus Christi. Senator Gallegos, I'm glad  
14 that you grew up around the Port of Houston  
15 because this port here in Corpus Christi is  
16 very important to us.

17 My name is Chuck Cazalas and I reside at  
18 7805 Etienne in Corpus Christi. And I'm  
19 particular pleased with having the plan that  
20 adds San Patricio County to District 27 as  
21 described in the House plan proposed by  
22 Representative Phil King and as modified by  
23 Representative Kent Grusendorf and known as  
24 Plan 01268C.

25 I'm a County Commissioner in Nueces

1 County and work closely with San Patricio  
2 County officials in matters involving the Port  
3 and the Port Authority as one important  
4 "community of interest". Located just on the  
5 other side of this meeting room is our port.  
6 And immediately contiguous and adjacent to the  
7 Port of Corpus Christi is Nueces County's  
8 friendly neighbor, San Patricio County. The  
9 Port of Corpus Christi joins both Nueces County  
10 and San Patricio County in sharing the giant  
11 economic engine in South Texas otherwise known  
12 as the Port Authority.

13 I support the redistricting plan by  
14 Representative King as it permits the community  
15 of interests in this Coastal Region to join  
16 together and prosper economically for the  
17 benefit of its citizenry.

18 Thank you very much.

19 SENATOR DUNCAN: Thank you, Commissioner.

20 Members, any questions of the  
21 Commissioner?

22 SENATOR GALLEGOS: I have a question.

23 SENATOR DUNCAN: Senator Gallegos.

24 SENATOR GALLEGOS: Commissioner, I can  
25 respect your -- on your testimony here the

1 importance of community of interests. I would  
2 like to tell that you when I won my Senate  
3 district that President Bush was in my district  
4 but he asked on the redistricting process there  
5 be an amendment he made so another State  
6 Senator could represent him and not me and I  
7 granted that because he felt that that was more  
8 of a community of interest than my district and  
9 you can look that up in the books.

10 Now, what's the difference between that  
11 and us putting San Patricio County in a  
12 community of interests under this proposal of  
13 Representative King?

14 MR. CAZALAS: Well, Representative King's  
15 proposal does include San Patricio County and  
16 the Chairman of the Port, Ruben Bonilla who  
17 addressed this body earlier explained, I think,  
18 the economic progress that we see going forward  
19 that takes into account San Patricio County and  
20 the several thousands acres in San Patricio  
21 County that we are hoping to develop that will  
22 help South Texas prosper.

23 We think that having one representative  
24 for both counties as outlined in that plan is  
25 the way to go. It doesn't change up the

1 boundaries significantly, other than add San  
2 Patricio County.

3 SENATOR GALLEGOS: But you can do that on  
4 amendment, you don't have to change the whole  
5 plan, as I did for President Bush at the time  
6 that he wanted another senator representing him  
7 than me. All you have to do is add --

8 MR. CAZALAS: Senator, I'm not President  
9 Bush. I represent Nueces County and the  
10 constituents here and I simply request that you  
11 consider the community of interest that I  
12 described.

13 SENATOR GALLEGOS: No, no, no. To me, to  
14 me, you're a citizen of Texas has just as much  
15 power as President Bush does. If you chose to  
16 place a district or a precinct or a voting  
17 precinct, then I'm here to hear, I'm here to  
18 hear you, just as I would hear President Bush.

19 But I think you can do that in a friendly  
20 amendment as we do on the Senate floor and  
21 that's what we did. You don't have to change  
22 the entire state just because one voting  
23 precinct wants to be changed by a certain Texan  
24 whether it be you or anybody in this crowd or  
25 myself. All you have to do is change a certain

1 precinct and that's done with. If that's what  
2 they chose or what that voting precinct chooses  
3 to do, whether it's community of interests for  
4 a certain person or contiguous district or  
5 compactness.

6 MR. CAZALAS: Senator, you are arguing  
7 for the State of Texas. I am arguing for this  
8 area here. And if I were arguing for the State  
9 of Texas, I'd run for Senator. So I beg your  
10 consideration of the community of interest that  
11 I outlined.

12 SENATOR GALLEGOS: But what you're asking  
13 for does involve the whole State of Texas  
14 because if we accept this plan it effects the  
15 whole state. That's what I'm trying to tell  
16 you. If we accept the plan, it effects the  
17 whole state, Commissioner.

18 MR. CAZALAS: Yes, sir. Well, I'm okay  
19 with that.

20 SENATOR GALLEGOS: You're okay if it  
21 effects the whole state.

22 MR. CAZALAS: Yes, sir, I am.

23 SENATOR GALLEGOS: That's not what you  
24 just said a while ago.

25 MR. CAZALAS: I am okay with that.

1           SENATOR GALLEGOS: Okay. Thank you,  
2 Mr. Chairman.

3           SENATOR DUNCAN: Thank you, Commissioner.  
4 Any other questions?

5           Thank you for your appearance today.  
6 Your testimony will be noted.

7           The Chair calls Rodrigo Ramon, Jr., the  
8 mayor of the City of Robstown. Mayor.

9           MR. RAMON: Thank you, sir. Senators,  
10 Committee Chair, I'm here today to give a  
11 prepared statement for the record and as I  
12 complete that I will give some statements.

13           I appreciate the opportunity to testify  
14 before the Texas Redistricting Committee  
15 concerning the proposed redistricting plan.  
16 This testimony will explain the disadvantages  
17 of the proposed redistricting plan.

18           I cannot believe that this committee is  
19 even considering a plan that will obviously be  
20 damaging to all areas of Texas especially rural  
21 areas. The harmful consequences that  
22 redistricting will bring to the rural areas are  
23 being overlooked by this committee. The  
24 proposed plan has trampled small towns and  
25 communities without giving it a second thought.

1           Small towns and communities are the heart of  
2           Texas and there is no second consideration  
3           being given with respect to their interests and  
4           welfare. And this committee -- Is this  
5           committee turning its back on Texas  
6           communities?

7                     It has always been a struggle for rural  
8           areas to voice their opinions due to the small  
9           population of voters in such areas. If Tom  
10          Delay's redistricting plan is implemented, it  
11          will group urban areas with rural areas. As a  
12          result of this mismatched grouping, the urban  
13          voice will drown out the rural communities.  
14          The voices of small towns will be sacrificed in  
15          order to insure political power of Republicans.  
16          It is not permissible to ignore the needs of  
17          small communities in the name of politics.  
18          This has to stop.

19                    The interests of urban and rural  
20          communities cannot be served simultaneously if  
21          both are incorporated into one district. The  
22          needs of rural areas will be neglected in order  
23          to meet the needs of more dominant urban areas.  
24          Rural communities are imperative to this state  
25          and this state cannot afford to have these

1 communities broken up and thrown in the back of  
2 urban society.

3 That's for the record.

4 Also I want to add, I represent the small  
5 towns. My neighbor here, the Commissioner, has  
6 a different opinion to that. I congratulate  
7 Senator Truan for his voice, very strong voice,  
8 very strong supporter. I respect the man  
9 dearly.

10 At I sit here before you and talk, we  
11 have our own support team that is concerned  
12 about this. When you live in a small rural  
13 area and you're competing for dollars, as the  
14 dollars dwindle, sometimes you feel like  
15 there's no chance of getting any funds for  
16 infrastructure, for roads.

17 And I'm here in a basic way to talk about  
18 our human nature things that are being and  
19 might be elected. We talk about numbers, we  
20 talk about articles and I'm not here to discuss  
21 those. Some of the more experienced  
22 politicians, public officials can testify to  
23 that.

24 I'm here to cover the same simple human  
25 nature things that I deal with every day. When

1 my people come to me in our community, the  
2 communities around Alice, Kingsville, different  
3 communities we talk to on a daily basis about  
4 our problems and this is what it's about today  
5 because you serve on different districts on the  
6 Senate and you basically represent the small  
7 cities.

8 As the funds dwindle I sit here and talk  
9 to my counsel on different boards, how are we  
10 going to fund our basic needs? We talk to the  
11 county judges and commissioners, how are we  
12 going to work together on the issues at hand?  
13 If we break up the few resources we have at  
14 this time, who do we look to? These are basic  
15 things that we deal with on a daily basis.

16 When decisions are made on a higher  
17 level, we deal with these things every day.  
18 Some of you may have served as councilmen and  
19 mayors and I think you understand what I'm  
20 talking about. When I became councilman and  
21 now mayor, you begin to learn the needs and the  
22 human factor in your city, things that you  
23 might not be aware of. But these people depend  
24 on the things that we build and relationships  
25 that we nurture. It's important that we

1 maintain this.

2 So today I ask you for consideration. I  
3 am opposed, against it. Thank you.

4 SENATOR DUNCAN: Thank you, Mayor.  
5 Members, any questions of Mayor Ramon?

6 Thank you. I appreciate you being here  
7 today and expressing the concerns of your  
8 community.

9 The Chair calls Abel Herrera, City  
10 Council Member for the City of Robstown.  
11 Councilman Herrera.

12 Did somebody out there say this was your  
13 birthday?

14 MR. HERRERA: No, but if there are any  
15 gifts I'll say that it's my birthday.

16 SENATOR DUNCAN: Only if you tell your  
17 age.

18 MR. HERRERA: I'm 33-years-old. My  
19 birthday is on October 29th and I'll give you  
20 my address in a little bit. No, but thank you,  
21 Chairman. With your permission.

22 Thank you, Mr. Chairman and other members  
23 of the committee. Thank you for giving me the  
24 opportunity.

25 As you stated I am an elected official.

1 I am City Council Member of Place 3 in  
2 Robstown, Texas. You heard from our esteemed  
3 Mayor Ramon and I'm here to echo his sentiments  
4 about redistricting.

5 I am opposed to redistricting for various  
6 reasons, but I stand here before you as an  
7 elected officials. And the reason I say that  
8 is because you as elected officials took the  
9 Oath of Office. And in that Oath of Office you  
10 said, as I did, stated that you would preserve  
11 protect and defend the Constitution and the  
12 laws of the United States and of this state,  
13 and we all know that we are in the great State  
14 of Texas.

15 And the reason I say that is because the  
16 emphasis here is on the United States  
17 Constitution and it's interpretation. And why  
18 is that? Because the U.S. Constitution lays  
19 how you elect or chose or how the U.S. House of  
20 Representatives will be chosen.

21 The Constitution under Article 1, Section  
22 2 -- and I know that you know what it says but  
23 I read it for the purposes of reminding you  
24 what it says and what it doesn't include.

25 It says Article 1, Section 2 of the

1 United States Constitution, "the House of  
2 Representatives shall be composed of members  
3 chosen every second year by the people of the  
4 several states. And the electors in each state  
5 shall have the qualifications requisite for  
6 electors of the most numerous branch of the  
7 State legislature. No person shall be a  
8 representative who shall not have attained the  
9 age of 25 years and been seven years a citizen  
10 of the United States and who shall not, when  
11 elected, be an inhabitant of the state in which  
12 he shall be chosen."

13 As many time as I've read the  
14 constitution, I've failed to see where it says  
15 that you must be a Republican or that you must  
16 be Democrat or that you must be a member of the  
17 political party in control of that state.

18 And the emphasis here is that the  
19 constitution was not framed by our founders for  
20 the purposes of promoting a specific agenda  
21 formed by a political party. Because as you  
22 know we are not a country of parties but of  
23 people and of rights. And I stand here because  
24 of those people that are defending this  
25 country.

1           The redistricting -- the purposes being  
2           posed for redistricting are so that the Texas  
3           elected U.S. representatives reflect that Texas  
4           as a whole is Republican dominated or  
5           controlled. Use whatever term you have but the  
6           fact is that that is not supported by anything  
7           in the constitution.

8           The other reason that I oppose the  
9           redistricting is because it is needless  
10          legislation. And I must say that I am  
11          extremely disappointed that this issue has even  
12          made it to the floor of the Texas Legislature.  
13          All this does is merely doing the bidding of a  
14          particular person, their own personal or  
15          party's interpretation of the constitution that  
16          is not supported by any language in the  
17          constitution.

18          This is also needless legislation  
19          because, as it was stated by Senator Carlos  
20          Truan, this is something that has already been  
21          addressed and resolved by the U.S. Courts.

22          Another reason is because there are more  
23          pressing issues facing the Texas Legislation  
24          such as the children's health and education,  
25          more pressing important issues, not only to the

1 State but to this area specifically.

2 And even more so why, because of budget  
3 problems that we face. This past legislature  
4 the Texas legislature cut funding on very  
5 important issues. One in particular that  
6 affected this area was the CHIPS program.  
7 Despite the fact that you cut the funding on  
8 health programs for children across the State,  
9 those people promoting this redistricting have  
10 the audacity to present redistricting to this  
11 legislature while it's costing an estimated 1.7  
12 million dollars.

13 Now, other issues have been joined on the  
14 agenda for the special session, but I say to  
15 you that these other issues are merely placed  
16 for purposes of covering to serve the purpose  
17 of a thick blanket so that it's not seen what  
18 redistricting is really doing. And I here to  
19 say that, all that that is, the other issues  
20 are merely a veil, a veil that you can see  
21 right through the strong arm tactics that are  
22 being used to promote the redistricting  
23 program.

24 As I stated before, I am opposed to  
25 redistricting completely. And I stand here

1           because of individuals such as my brother Ira  
2           Herrera who is currently in the army serving in  
3           Iraq because they are doing a duty for their  
4           country to preserve and protect us to have the  
5           freedom and rights that I have to stand here  
6           before you to give my issue to you. And they  
7           are doing it because they love thee country,  
8           they will do whatever it takes, including  
9           giving their lives, to protect country, the  
10          laws and the Constitution of the United States,  
11          not a particular party.

12                 And until the oath of office or the  
13          Constitution of the United States are changed  
14          to ensure that a particular party in control  
15          remains in power, this type of political  
16          redistricting should cease immediately to be  
17          funded by the money that we, as Texans worked  
18          so hard to earn. Thank you.

19                 SENATOR DUNCAN: Thank you, Councilman.  
20          I appreciate your remarks.

21                 Members, any questions?

22                 Senator Wentworth.

23                 SENATOR WENTWORTH: I appreciate what  
24          you're saying but because you are 33 and I'm  
25          62, I'm not quite as old as Dean Truan, I'm

1 getting close, but you're probably unfamiliar  
2 with the history of redistricting.

3 I truly believe that we need take  
4 partisanship as best we can out of  
5 redistricting. I agree with the sentiments  
6 that you've expressed. But I hope you'll  
7 understand the historical perspective in which  
8 we're now considering redistricting.

9 When you were one-year-old in 1971, the  
10 legislature was dominated by Democrats. There  
11 were only were only three Republican members of  
12 congress from this state and the Democratic  
13 majority decided that was too many. So in  
14 order to eliminate one third of the Republicans  
15 from the Texas Congressional Delegation, they  
16 paired an incumbent Republican congressman  
17 against and incumbent chairman of the committee  
18 in order to defeat him.

19 Ten years later when you were 11, based  
20 on your age, the legislature in the middle of a  
21 districting decade, not in 1981 but two years  
22 later, with no court order in place, decided in  
23 order to protect an incumbent Democratic  
24 congressman, they came back -- no Court Order  
25 or anything -- and changed the boundry lines

1           between Congressional District 21 and 23 to  
2           protect a Democratic incumbent. That was done  
3           by a Democratic majority.

4                     Just so you'll understand that -- I see a  
5           number of the signs that indicate that  
6           apparently Republicans are evil people and  
7           we're public enemy number one. We're really  
8           not any more than Democrats were when they were  
9           in the majority and they drew lines that we  
10          Republicans felt discriminated against us.

11                    I just share that with you to give you a  
12          little historical background.

13                   MR. HERRERA: And that's fine. May I  
14          respond, Chairman?

15                    SENATOR DUNCAN: Certainly.

16                   MR. HERRERA: Let me just start by  
17          responding to your comments, Senator, that two  
18          wrongs do not make a right.

19                    I was born in '69. I would have been at  
20          least two-years-old in '71.

21                    The third point is that as you and I, as  
22          elected officials and politicians, try to undo  
23          or do unto others without considering what it  
24          does to our constituents, the money that we  
25          earn and what we do, this state, as I learned

1 as a council member, you will not lead it  
2 anywhere except down.

3 The last and the most important point, I  
4 understand that age matters and I've commented  
5 to people, in my opinion only matters in a  
6 boxing ring where your speed and skill may not  
7 be as quick as the other one. But age is  
8 something that we learn that in school it's  
9 history that we're taught.

10 You nor or I were there when the founders  
11 established and wrote the Constitution, yet we  
12 will do what we can to preserve and protect the  
13 laws of the state and the Constitution of the  
14 United States.

15 And lastly, until you ask the 18-,  
16 19-years-old men and women that serve the  
17 United States that they do not understand what  
18 they are standing for and protecting, the  
19 people that lost their lives in Vietnam, Ruben  
20 Chavez from Robstown, First Sergeant Joe Garza  
21 from Robstown, that is not an issue.

22 The issue that is here is needless  
23 legislation on redistricting. Politics that  
24 you commented, about undoing or doing is not  
25 the fact of the matter. What we should be

1 concerned about is how do we promote, move this  
2 state while still protecting the rights  
3 preserved by the United States Constitution.

4 SENATOR DUNCAN: Thank you, Councilman.  
5 Members, any other questions?

6 Thank you for your testimony here today.

7 The Chair would like to recognize Senator  
8 Kyle ^Janek from the City of Houston who's with  
9 us today. Senator Janek has also been one  
10 who's shown an intense interest in  
11 redistricting and has been with us in most of  
12 our hearings and we appreciate his presence  
13 here today. I think you drove down from  
14 Houston. Thank you very much for being here.

15 The Chair calls Susie Luna-Saldana.

16 MS. LUNA-SALDANA: Mr. Chairman and  
17 Members of the Committee, thank you for coming  
18 to Corpus Christi. I'm aware that you agreed  
19 to come to Corpus Christi after many citizens,  
20 including many from Corpus Christi, went to  
21 McAllen to exercise our right to protest the  
22 fact that the legislature is taking up  
23 congressional redistricting and proceeding  
24 without meaningful input from all of the areas  
25 across the state.

1           Those who protested and raised this issue  
2           in McAllen agreed to let the McAllen meeting go  
3           forward peacefully after the committee agreed  
4           to come to Corpus Christi and we were assured  
5           that the Senators really cared about what  
6           people said at the hearing.

7           We recognize that the members of this  
8           committee are honorable people and believe that  
9           it is your intent to hear from us with an open  
10          mind. However, I want to bring your attention  
11          a very serious matter that I tried to bring up  
12          earlier regarding Senator Wentworth, who  
13          attended the McAllen meeting even though he is  
14          not a committee member. You have explained to  
15          me why you have done that.

16          When Senator Wentworth returned to Austin  
17          late at night after the McAllen hearing ended,  
18          the House Redistricting Committee was  
19          conducting a hearing that lasted until  
20          4:15 a.m. Senator Wentworth went to the  
21          meeting when he returned to the Capitol and  
22          made comments to several Republicans there. I  
23          want you to know I have spoken directly to the  
24          person who heard this.

25          Unknown to the Senator, his conversation

1 in the House meeting was overheard by a witness  
2 who reported two things that are outrageous and  
3 show a complete lack of respect to Texans like  
4 us who are assured that the things we have to  
5 say would be heard and really matter.

6 First, Senator Wentworth was overheard  
7 saying the only reason you agreed to hold a  
8 meeting in Corpus Christi was to get the crowd  
9 in McAllen to be quiet. He then expressed  
10 displeasure at our protest in McAllen and the  
11 fact that the hearing would be held in Corpus  
12 Christi and that he accepted the offer to hold  
13 a hearing in Corpus Christi -- we accepted the  
14 offer to hold a hearing in Corpus in good  
15 faith. Senator Wentworth's remark indicate bad  
16 faith and a complete lack of respect for us,  
17 the people.

18 We believed the Senate agreed to hold a  
19 hearing because they want to hear from us, not  
20 just to shut us up. Our voices matter, Senator  
21 Wentworth. I want you to know they really do.  
22 The fact that Senator Wentworth passed notes to  
23 the Republican County Chair during the meeting  
24 in McAllen in order to help him with his  
25 testimony to build a record for Republicans to

1 use in Court, made it clear that Senator  
2 Wentworth is acting as an advocate instead of  
3 listening to us and that, Senator, is  
4 hypocritical.

5 Most importantly, the same eyewitnesses  
6 heard the Senator ask House Republican  
7 map-drawers if they knew King-Delay map that  
8 had just been released killed off Congressmen  
9 Frost, Edwards, Turner, Sandlin, Stenholm and  
10 Lampson. When it was told it did, he responded  
11 gleefully, saying "good". He then asked for  
12 copies of the maps and took several of them  
13 with him to use in the Senate.

14 We had been told by reliable sources that  
15 Senator Wentworth -- and those working with  
16 him -- have been drawing maps for some time.  
17 And I have heard from you, Senators, that you  
18 have no maps. I heard from every one of you  
19 saying you have no maps. This hardly sounds  
20 like a senator who's interested in the views of  
21 the people.

22 How can a Senator draw districts when the  
23 Senate hearings have not been held in at least  
24 three cities? You're now in Corpus, you have  
25 left Dallas and Waco? In fact, how can any

1 proposed map take the views of the public into  
2 account when 90 percent of Texans, those who  
3 have attended these hearings, have spoken out  
4 against redistricting?

5 In view of the facts, our demands are  
6 very simple, we ask the Chairman to ask Senator  
7 Wentworth to step down. We have been told that  
8 it's a matter of courtesy and you allow him to  
9 sit in this committee.

10 I can accept that because, like they said  
11 in McAllen, you're in our house. We certainly  
12 want to be respectful to you, but we also want  
13 you to know how much the things that are  
14 happening in redistrict hurt us.

15 And speaking from the point of view of  
16 teachers and school employees, let me tell you  
17 something, when you upset balance of congress,  
18 you accept bills that are already there. And,  
19 Senators, teachers and schools employees have  
20 been hurt. The thousand dollars that was given  
21 to us for insurance has been taken away and it  
22 has been cut down.

23 You have cut down CHIPS which gives to  
24 our children that we educate as teachers. The  
25 difference in the power of the congress when

1           you upset it, we have what we call the Social  
2           Security Act -- Fairness Act in there that  
3           hurts widows, that hurts me because I can't  
4           claim my husband's Social Security if I claim  
5           teacher retirement. That hurts a lot of school  
6           employees and yet you're willing to upset that  
7           balance by redistricting.

8                     Please, Senators, I'm asking you, when  
9           you come, please listen to us. I realize that  
10          the House and the Senate are two different  
11          entities. The Senate voted to move this bill  
12          to the floor and ignored every person, 90  
13          percent of the people that spoke at the  
14          redistricting meeting at the House were against  
15          redistricting, yet their calls and their  
16          testimony were ignored. Please don't ignore  
17          ours. Ours is a very simple thing, no new map,  
18          no redistricting.

19                    The governor had a chance to do this is  
20          in 2001, and you have heard all of the  
21          arguments across the state, now we're asking  
22          you, please be respectful to us, hear what we  
23          have to say. And when you take the vote and  
24          you will, sign against redistricting, forget  
25          the partisans.

1           In the Felix Longoria Chapter, we have  
2           the Republicans and we have Democrats. We do  
3           not have all Democrats so we're not speaking on  
4           a party's behalf, we're speaking on the  
5           people's the behalf and we are the people.

6           SENATOR DUNCAN: Thank you, Ms. Saldana.

7           I will note that the Senate Committee on  
8           Jurisprudence and it's my understanding from  
9           each of the members of this committee that  
10          there have been no maps drawn by the members of  
11          the committee. Now if other members of the  
12          Senate have drawn maps, then that's certainly  
13          within their prerogative to do so.

14          Our representation to the people of this  
15          state and that we've gone around and talked is  
16          that we do not have a map. The only map that  
17          we're looking at, the only map that we're  
18          dealing with is the map that's the current  
19          congressional map, and we're asking each of the  
20          regions that we go to comment on that map and  
21          any other proposal that they might have, like  
22          or dislike.

23          And that's the way we intend to conduct  
24          the meetings, that's the way we will conduct  
25          the meetings. I think you'll find, as in

1 McAllen, San Angelo and Houston, and in each of  
2 these areas that we have gone, we have listened  
3 and we have heard every person who wanted to  
4 testify. And we have been very -- I think each  
5 one of the members of this committee and those  
6 who have attended who are not on the committee  
7 have been, I think, affected and have listened  
8 and heard the testimony.

9 And I appreciate your being here today.  
10 I appreciate your agreement with us to have an  
11 orderly hearing here today and I appreciate  
12 your allowing us to hear the people of Corpus  
13 Christi today.

14 MS. LUNA-SALDANA: Mr. Chairman, it has  
15 always been our intent that you hear us, but  
16 sometimes, you know, we can listen and not take  
17 it to heart. My only hope is that when you  
18 compare testimony that have been brought, you  
19 take into account the number of people that  
20 have told you they didn't want redistricting  
21 and the number of people that have told you  
22 they do want it.

23 And that you make a vote, not for Corpus  
24 Christi, because if you take a look at Corpus  
25 Christi on your new map, they leave us alone.

1           The gentleman that said he was speaking for  
2           Nueces County, I'm speaking for Texas as a  
3           whole.

4                    We have veterans across this whole state.  
5           And let me tell you I have the age, Senator. I  
6           am a great grandmother. I have a grandson in  
7           Iraq that is fighting for this country. I have  
8           a disabled father as a veteran, so I know what  
9           it is that I'm speaking for in trying to come  
10          across to you.

11                   When you listen to us and you say, 90  
12          percent of the people are against redistricting  
13          and 10 percent are for it, what is your vote  
14          going to be, Mr. Chairman? If the voice is  
15          there, that's what I want to know, what is it  
16          going to be?

17                    Because my grandson is out there fighting  
18          for this country and I have the age to remember  
19          a lot of things. I also can tell you, that  
20          without a doubt, having worked with children  
21          all my life, that I can tell you that what is  
22          happening is not a good example for them.  
23          Things should be done --

24                    And I have been told time and time again,  
25          that the legislation should decide, not the

1 Court. Mr. Chairman, the Courts decided on the  
2 President of the United States, not voters.  
3 They decided.

4 We're asking that you take into  
5 consideration what we want. The Courts made a  
6 decision. If President Bush can live with it,  
7 so can we. No redistricting, Mr. Chairman.

8 SENATOR DUNCAN: Thank you, Ms. Saldana.  
9 Questions from Members?

10 Thank you very much for your testimony  
11 here today.

12 The Chair calls the Honorable Loyd Neal,  
13 the Mayor of the City of Corpus Christi.  
14 Mr. Neal, would you approach please?

15 SENATOR WENTWORTH: Mr. Chairman, I think  
16 she's entitled to some answers that I think  
17 she'd find acceptable.

18 MR. NEAL: Mr. Chairman, thank you very  
19 much. Distinguished members, first let me on  
20 behalf of the City of Corpus Christi welcome  
21 you and thank you for being here today. We  
22 know that it is very important to this area  
23 that you have this hearing here and we're  
24 pleased that you would take time from your  
25 schedule to allow this hearing to take place in

1 Corpus Christi.

2 First, let me tell you, I'm standing here  
3 before you as the Mayor of Corpus but I'm  
4 standing here also as an individual. Our City  
5 Council has not passed a resolution one way or  
6 the other, so I'm speaking strictly for myself  
7 today and for what I believe to be the best  
8 interests of the City of Corpus Christi and the  
9 27th Congressional District.

10 I think it is important that we recognize  
11 that if there is to be redistricting that the  
12 community of interest in this area be  
13 protected. And I consider the community of  
14 interest in this area to be from San Patricio  
15 County to Cameron County. And I consider this  
16 to be an important district from the standpoint  
17 of the Ports of Brownsville, the Port of Corpus  
18 Christi, and particularly the military  
19 installations located in San Patricio County,  
20 Nueces County and Kleberg County.

21 We have been very fortunate over the last  
22 20 years to build seniority in the House and  
23 particularly in the most important House, Armed  
24 Services Committee. It is important to this  
25 area that as we look at base closure in 2005

1           that we keep together the community of  
2           interest, and that community of interest in my  
3           opinion should be something that we protect  
4           well into the future.

5                        So I would ask you that if there is to be  
6           redistricting, that you look at this by adding  
7           San Patricio County to this 27th Congressional  
8           District and leaving the district almost intact  
9           all the way down the coast of Corpus -- Texas  
10          down to Brownsville.

11                       And if this can happen, I think we'll  
12          find that we can move this area forward. We  
13          have great needs in this area from the  
14          standpoint of jobs and from the standpoint of  
15          protecting those valuable assets we have in  
16          South Texas. So I come before you today asking  
17          you, that as you consider this in the Senate  
18          that you look very carefully at the district  
19          that now exists the 27th Congressional District  
20          and that you look very carefully at adding San  
21          Patricio to that. And if any adjustments have  
22          to be made to that district I'm sure you'll  
23          find a way to do that by allowing the community  
24          of interest to remain solid. That's what I'm  
25          here today to ask you to do. Thank you.

1           SENATOR DUNCAN: Thank you, Mayor Neal.

2           Any questions of Mayor Neal?

3           San Patricio County is -- Explain just  
4 briefly for us that community of interest.

5           MR. NEAL: The community of interest  
6 there is the Port of Corpus Christi as  
7 extending into San Patricio County. Senator  
8 Hinojosa sponsored in the Senate a bill to  
9 allow San Patricio County to join in to the  
10 Port of Corpus Christi and receive  
11 representation on the Port of Corpus Christi  
12 should they chose to do so with an election.

13           But more importantly, Naval Station  
14 Ingleside is jointly in San Patricio County and  
15 Nueces County. The pier and wharves of Naval  
16 Station Ingleside are in Nueces County in  
17 Solomon Ortiz's district, and the land side is  
18 in Ruben Hinojosa's district.

19           SENATOR DUNCAN: So your economic as well  
20 as governmental interests are intertwined?

21           MR. NEAL: Yes, sir. And as the port  
22 grows and expands into San Patricio County and  
23 as we look down the road to 2005 base closure,  
24 we have always considered these military bases  
25 to be one military complex, Naval Station

1           Ingleside, the Army Depot, NAS Corpus Christi  
2           and Kingsville.

3                   SENATOR DUNCAN: Prior to 2001 and the  
4           Court redrawn plan, was San Patricio and Nueces  
5           County together?

6                   MR. NEAL: No, sir.

7                   SENATOR DUNCAN: They were not.

8                   MR. NEAL: No, sir, was not.

9                   SENATOR DUNCAN: Have they ever been  
10          joined together?

11                  MR. NEAL: I believe they were at one  
12          time, yes, sir.

13                  SENATOR DUNCAN: All right. Thank you.

14                  Members, any other questions?

15                  Senator Hinojosa.

16                  SENATOR HINOJOSA: I think that by taking  
17          San Patricio, there will be too much population  
18          and you would have to cut Cameron County in  
19          half or at least slice a part of that.

20                  MR. NEAL: I would leave that to the  
21          wisdom of the Senate, sir. But there is a  
22          proposal, I think to remove a portion, a small  
23          portion of Cameron County and place it into  
24          another congressional district, but leaving  
25          intact most of Cameron County and the Port of

1           Brownsville in the 27th Congressional District.

2                   SENATOR HINOJOSA: That's out of the  
3           House? The map you're talking about is out of  
4           the House?

5                   MR. NEAL: I only know what I read in the  
6           paper this morning, sir.

7                   SENATOR HINOJOSA: Okay. Thank you,  
8           Mayor, I appreciate your testimony.

9                   SENATOR DUNCAN: Thank you, Senator  
10          Hinojosa.

11                   Any other questions?

12                   MR. NEAL: Thank you all very much, and  
13          again, thank you for coming to Corpus Christi.

14                   SENATOR DUNCAN: All right. Thank you,  
15          Mayor.

16                   Carolyn Moon.

17                   MS. MOON: Honorable Senators, my name is  
18          Carolyn Moon. I'm the precinct chairman of  
19          Nueces County 48, and I'm a special education  
20          teacher and an over the road truck driver. I'm  
21          delighted that you deigned to have hearings  
22          here in Corpus Christi. And I also wish to  
23          express my joy in the hearings for the special  
24          session paid for by salary cuts from everyone  
25          in education and by the children thrown out of

1 the CHIPS program.

2 As for redistricting, this is not the  
3 playground. There are no do-overs. The Courts  
4 laid out our current map. I don't like it, but  
5 tough, live with it. The Court elected Bush  
6 president. I don't like it, but tough, live  
7 with it. Or do we get a do-over?

8 Thank you.

9 SENATOR DUNCAN: Thank you, Ms. Moon.

10 Any questions of Ms. Moon?

11 How's our court reporter doing? We've  
12 been going about an hour and 45 minutes. We  
13 typically -- We'll try to take a break every 45  
14 minutes. I like to keep the court reporter  
15 fresh, and plus the members. And I notice many  
16 of the members of the audience have had to go  
17 freshen a little bit. So why don't we take  
18 about a 15 minute break and we'll come back and  
19 resume testimony at that time.

20 The Committee will stand in recess until  
21 4:55.

22 (Recess from 4:40 p.m. to 5:00 p.m.)

23 SENATOR DUNCAN: The Committee on  
24 Jurisprudence will return to order, and we'll  
25 call our next witness.

1           Witnesses, please remember that you have  
2           a five-minute time limit and we will try to  
3           take a break every hour and a half, so our next  
4           break just for those of you who are wondering  
5           and watching, will be at about 6:30.

6           Let's go ahead and the Chair recognizing  
7           Abel Alonzo. Mr. Alonzo, please approach,  
8           state your name and who you represent. Recall  
9           your five-minute limit.

10           MR. ALONZO: Yes, sir. My name is Abel  
11           Alonzo and I live at 1701 Thames.

12           First of all, regardless if you're  
13           Democrat or Republican, I like to welcome you  
14           to our beautiful city.

15           SENATOR DUNCAN: Thank you.

16           MR. ALONZO: I want to mention things  
17           because I'm a person who believes in telling  
18           the way I feel. A lot of my friends are  
19           probably going to be upset with me, they'll  
20           probably throw rocks at me, but that's the  
21           beauty of living in a Democracy, don't you  
22           think?

23           I'm a Democrat. I'm a member of LULAC.  
24           I'm a member of the GI Forum, but as a  
25           concerned citizen of this beautiful city, I am

1           appalled. I am appalled the way my brothers  
2           and sisters have acted in attacking peoples  
3           character and credibility. Whether I agree or  
4           disagree with you is insignificant. As an  
5           elected officials, we have to show you respect  
6           that you deserve, regardless of what you are.

7                        What are we teaching our young children?  
8           I was watching TV yesterday with my  
9           six-year-old niece. And she said to me, why  
10          are those people so angry? Why are they doing  
11          what they are doing? I said because it's very  
12          obvious that they have not learned to deal with  
13          the issues.

14                      When people cannot deal with the issues,  
15          you know what they do? They attack your  
16          character and credibility. I'm sorry that that  
17          had to happen.

18                      I have the right to speak on any issue;  
19          right, sir?

20                      SENATOR DUNCAN: Yes, sir.

21                      MR. ALONZO: So let me finish.

22                      You know, they come before us and they  
23          say you took over, the Republicans took over.  
24          Well, let me tell you something, in this city,  
25          in this county, in this beautiful state, the

1           Hispanic community is not only the minority,  
2           they are the majority. And if this is what it  
3           takes for them to get upset and take the  
4           initiative and the responsibility to go out and  
5           vote, I hope that it is, but to blame the  
6           Republicans because we as Hispanics have failed  
7           to motivate the masses is wrong. I don't agree  
8           with you because you have done some harm with  
9           many parties concerned just to survive, but we  
10          have elected what we deserve because we cannot  
11          motivate our own. We cannot motivate our own.

12                 You know, we live in a beautiful country  
13          where people are dying every day. They're  
14          dying every day because people will not even  
15          take time to go vote at the malls or go  
16          anywhere because you don't have to vote on  
17          election day. You can vote any time, any  
18          place.

19                 Senator is right, but if people will not  
20          go out and vote, they want to come to you and  
21          blame you for what's happening with our  
22          misfortune.

23                 We control this country, this state, this  
24          county and this city for over 30 years; we, the  
25          Democrats. And now that we have finally lost

1 power, we don't know how to deal with it. We  
2 blame you for everything that happens. It's  
3 very unfortunate.

4 If people where happier they'd rush to go  
5 out and vote. The majority of our people they  
6 are restless every year. But you know what,  
7 they don't go out and vote. Why they waste  
8 their time, I have no idea. I have no idea.

9 I am tired, sick and tired of people  
10 labeling me as a minority. I am not a  
11 minority, we are the majority.

12 Some people say to me, well, who do you  
13 think you are? Let me tell you who I think I  
14 am. I'm an American who happens to be Hispanic  
15 who happens to be disabled. That's who I am.

16 And if my brothers and sisters don't  
17 like, well they've got problems because they  
18 say they believe in democracy, but as soon as  
19 one of us disagrees, you know what they label  
20 us? Coconuts, coconuts.

21 If I'm a coconut, then I'm proud to be  
22 one because I will educate the other side. No  
23 longer will no one controls us, not the  
24 Democrats, not the Republicans. We live in a  
25 democracy. Maybe for this to happen than more

1 people need to be more independence so this  
2 mafia that we call the democracy party stop  
3 abusing us.

4 They said that you were -- the  
5 Republicans abused us. In this county, in this  
6 city, do you know who abused us? The  
7 Democratic. They're the ones that abuse the  
8 masses and yet they follow them blindly and  
9 then they want to blame you. What a shame.

10 Thank you.

11 SENATOR DUNCAN: Thank you, Mr. Alonzo.  
12 We appreciate your appearance here today.

13 The Chair calls Buck Sosa. Please state  
14 your name and who you represent.

15 MR. SOSA: My name is Buck Sosa. I live  
16 at 3801 Devonshire in Corpus Christi. I'm  
17 proud to say that I know Juan "Chuy" Hinojosa.  
18 He's our own senator to the 20th Senatorial  
19 District. I also know Mario Gallegos who's an  
20 ex-firefighter, retired firefighter like I am.  
21 I've served this community for 32 years and I  
22 think I've earned the right and respect to have  
23 the say so for this community.

24 I'm here for the purpose of telling you  
25 that I disagree in its entirety as far as

1           redistricting. I think we could probable use  
2           the money somewhere else other than what we're  
3           using it for.

4                     There's a concern of mine in this area  
5           that over 73 Hispanics drop out before they  
6           graduate. That's money that could be very well  
7           used by us.

8                     Also in the last legislature you denied  
9           the insurance for teachers from \$1,000 to \$500.  
10          That's money that they really need. Also the  
11          Pre-K kids, that program was also cutout. Also  
12          the CHIPS program was also reduced. You need  
13          to get it back to what -- I don't care where  
14          you get the money, but those kids need it, you  
15          know.

16                    I want to read something to you that's in  
17          the constitution. The constitution is the  
18          supreme law of the land. It says in Article 1,  
19          Section 2, Clause 3 that states, legislatures  
20          determine the numeration within every  
21          subsequent terms of ten years. Not every year  
22          until it suits the majority party.

23                    I'm afraid you allow this to happen, you  
24          would open the doors and every two years  
25          whatever legislature is in there will change

1 the law to allow that to happen. Please do not  
2 allow that to happen. We beg you.

3 This area would lose one of the biggest  
4 congressmen we ever had for the 27th Senatorial  
5 representative, that's Solomon Ortiz. He's  
6 done a tremendous job for this area as far as  
7 the bases and in other areas.

8 We would like for you to keep him. In  
9 order for you to keep him, you would have to  
10 maintain the status quo. To change it would be  
11 unconstitutional, you'd be violating the law.

12 Please look at this thing real carefully  
13 because it has very bad ramifications for us in  
14 this area. Thank you very much for your time.  
15 If you have any questions --

16 SENATOR DUNCAN: Thank you, Mr. Sosa.

17 Members, any questions for Mr. Sosa?

18 Thank you for your testimony today,  
19 Mr. Sosa.

20 Before I recognize any other cards, I  
21 would like to recognize that you do have  
22 several House members from this area and it has  
23 been usual for House members to appear at our  
24 hearings as well, but unfortunately for your  
25 House members in the region here today, they

1           are now on the House floor, at least the last  
2           time we heard, debating a redistricting bill  
3           and they could not be here because of their  
4           obligations and commitments to be on the House  
5           floor debating a redistricting bill.

6           I do have a letter from Jamie Capello  
7           expressing his opinions on redistricting and we  
8           will put that in the record, as well as make it  
9           a part of our record today.

10           And then I also want to recognize Vilma  
11           Luna as well as Gene Seaman, Junior -- or Gene  
12           Seaman who are also on the floor and I wanted  
13           to recognize them, and we certainly appreciate  
14           and look forward to hearing from them when we  
15           get back to Austin on this issue.

16           The Chair recognize Joe Ortiz.  
17           Mr. Ortiz, will you approach, state your name  
18           and who you respect.

19           MR. ORTIZ: Mr. Chairman, members of the  
20           Senatorial Redistricting Committee, thank you  
21           for allowing us to speak out on what we think  
22           should be in the redistricting issue.

23           I heard from Senator Wentworth, why he  
24           thought we should have redistricting. Well,  
25           I'm opposed to his theory why we should have

1       redistricting. As a civil rights advocate for  
2       the American GI Forum, we have not allowed the  
3       people to speak, for them make up their mind.  
4       We have violated their right to vote by not  
5       letting them chose their plan. Three judges  
6       made their mind up, yet on a special called  
7       session from the Governor, because of congress  
8       delay, we're having this redistricting again.

9               We are opposed to it, not because it's a  
10       Democratic or Republican issue, but because  
11       it's human rights issue to vote. We should all  
12       have the opportunity to vote on this  
13       redistricting issue.

14              Another community leaders think or say  
15       that, yeah, let's have San Patricio and Nueces  
16       County brought in and that's okay. Well, the  
17       American GI Forum are humanistic people.  
18       They're concerned for every Texas, every  
19       individual. What's going on in Waco, what's  
20       going on in Austin, San Antonio, it all affects  
21       us. And it affects us in many ways, it affects  
22       us in the amount of money that's given to our  
23       senior citizens and the way of the amount of  
24       money that's given to us by the CHIPS program,  
25       Head Start. Those are all humanistic issues

1           that we care about.

2                   I'm not saying the Republicans don't  
3           care, yes, they do care. But the fact of the  
4           matter is, is how they're trying to cram this  
5           issue down our throats. That's what I'm  
6           against.

7                   Is it the right thing to do? Well, let  
8           your conscience be your guide. I've got a  
9           conscience. American GI's got a conscience.  
10          That's why we're here, so we can speak up in  
11          our kids behalf, in our future in the State of  
12          Texas.

13                   To say, by other individuals, that we  
14          don't vote, that's neither here nor there, you  
15          haven't brought this up to us. We want to have  
16          the right to chose our own plan.

17                   As intelligent individuals as you are, I  
18          think that you will do the right thing. And  
19          the right thing is to let us vote, not to  
20          have -- force this redistricting, cram it down  
21          our throat. Let it go the next ten years.  
22          Let's do the right thing. Remember every ten  
23          years after the census is done, that's when we  
24          should have the redistricting, not now.

25                   This is an obvious maneuvering by

1           somebody to get more Republican votes in the  
2           state. Even if this was a Democratic issue,  
3           we'd be saying no, against redistricting. Let  
4           us decide. Again, this is not a Democratic  
5           issue; this is not a Republican issue; it's a  
6           humanistic issue. And I pray to God that you  
7           have the wisdom to do the right thing. And yes  
8           we would like to keep Congressman Ortiz in  
9           place. Thank you.

10                    SENATOR DUNCAN: Thank you, Mr. Ortiz.

11                    Members, any questions for Mr. Ortiz?

12                    The Chair calls Agnes Horn. Ms. Horn,  
13           please approach, state your name and who you  
14           represent.

15                    MS. HORN: Good afternoon, Senators.  
16           Welcome to Corpus Christi, sparkling city by  
17           the sea. My name is Agnes Horn. I reside at  
18           1525 Clodah Drive.

19                    I'm here with a very heavy heart because  
20           why do we want to fix something that doesn't  
21           need any fixing? I am against redistricting.  
22           By trying to do the redistricting, you are  
23           hurting a lot of people. We are happy the way  
24           it is right now, and there's nothing --  
25           anything -- everybody said everything.

1           All I want to tell you is that we're here  
2           at your mercy. As human beings, as people,  
3           take it in your hearts, in your souls and see  
4           the damage that this is going to do to the  
5           people of Texas.

6           As of right now the Ingleside Naval Base,  
7           it's already on the list for closure. There is  
8           a lot of things that are going to go wrong,  
9           only because one senator wants to have more  
10          votes, seats in Washington. He needs to gain  
11          five seats, and he doesn't stop to think of the  
12          people that he is hurting. He is a greedy  
13          person. He's only thinking about having seats  
14          and controlling Washington.

15          So this is a very sad thing. So I'm  
16          asking you to please think about this harm that  
17          is going to be done. And you, as our senators  
18          can help us. We are at your mercy. If you  
19          think about it, see all the harm that is going  
20          to be done to Texas, not only Nueces County, to  
21          Texas. So please help us. We need you to stay  
22          with us and leave redistricting as it is. It  
23          doesn't need anything. Everybody's happy with  
24          it.

25          It only takes one person that's only

1 thinking of having so many votes in Washington.  
2 So please, I beg you, think about this and use  
3 your common sense, use your heart and think and  
4 help us because we are at your mercy. Thank  
5 you.

6 SENATOR DUNCAN: Thank you, Ms. Horn.  
7 Members, any questions?

8 The Chair hears none. Thank you,  
9 Ms. Horn.

10 The Chair calls Esther Gonzalez.  
11 Ms. Gonzalez, would you state your name and who  
12 you respect.

13 MS. GONZALES: Yes, sir, I'm Esther  
14 Gonzalez and i reside in Robstown, Texas.

15 Senator, Honorable Members of this  
16 Committee, I appear before you as past chairman  
17 of the American GI Forum for Texas.

18 Let me tell you, this is a great  
19 organization, a great veteran's organization.  
20 The doctor worked so hard for this  
21 organization. Only Agnes probably, is one of  
22 the oldest members here, that will tell you how  
23 much he sacrificed for the poor and the less  
24 fortunate. And I can say for sure that she  
25 worked longer than me with the doctor because

1 she worked to the very last day until he died  
2 with her.

3 And somebody that used the role model of  
4 Dr. Hector P. Garcia is Ran Chavez. He is a  
5 great leader. He means only well for all of  
6 our people.

7 And for some of you, it's not the  
8 Republicans that are conniving against us as a  
9 Democratic, it's Democrats against Democrats.  
10 Right now it's a very sad, very dark period,  
11 not only for representative Jamie Capello, but  
12 for all of us.

13 And I stand here before you to ask you,  
14 because we see from the very beginning not  
15 being legal minded, we can see that the lines  
16 were zigzag and divided counties. There's  
17 another map, I understand that, but even  
18 correcting that, it seems like this  
19 redistricting bill does not contain all of the  
20 elements that would pass the Voting Rights Act.  
21 That's why we ask that you reset or set aside  
22 this redistricting bill until next spring.

23 Until next spring you might say, well,  
24 it's just several months from now. And we ask  
25 you so that the great minds can get together



1 Are there questions for Ms. Gonzales?

2 The Chair has a card for Mark Scott, city  
3 councilman for the City of Corpus Christi. He  
4 does not wish to testify, but would like to  
5 indicate his presence and also offer to answer  
6 any questions that any of you may have in  
7 regard to redistricting in this area. Any  
8 questions of Councilman Scott?

9 Councilman, thank you for your presence  
10 here. You might hang around and during the  
11 break or whatever somebody might want to talk  
12 as well. Unless you want to testify, and  
13 you're welcome to.

14 MR. SCOTT: I do. I mischecked.

15 SENATOR DUNCAN: Oh, okay. All right.  
16 Would you approach and state your name and who  
17 you represent and I'll change that on your  
18 card.

19 MR. SCOTT: I tell my friends I'm from  
20 Kingsville so I'm prone to make mistakes from  
21 time to time.

22 Members, Senators, my name is Mark Scott  
23 I'm a city councilman here in Corpus Christi  
24 and many people think my claim to fame is that  
25 I'm a city councilman. And I'm here to tell

1           you that, in fact, my claim to fame is that I  
2           took Senator Gallegos fishing a number of years  
3           ago and lived to tell the tale. So that should  
4           allow me some respect amongst the crowd.

5                     I'm deeply indebted to the fact that his  
6           son began to get ill because I was right behind  
7           his son in getting ill. I was able to come  
8           back in because his son decided it was time  
9           come back.

10                    I just wanted to kind of finish a couple  
11           of thoughts. I heard a couple of questions  
12           about the mayor's statement about our community  
13           of interest. We believe that we're a community  
14           of interest. We work well with San Patricio  
15           County. Our NPO includes San Patricio County.

16                    Our Economic Development Corporation is  
17           funded by entities including the City of Corpus  
18           Christi, Nueces County, the County of San  
19           Patricio actually puts money in our Economic  
20           Development Corporation. We spend a great deal  
21           of time and energy marketing the assets of San  
22           Patricio County.

23                    We believe at the end of the day, what's  
24           good for our friends across the bridge is good  
25           for Corpus. And they would, I think, say

1           what's good for Corpus and Nueces County is  
2           good for San Patricio County.

3                     Our Port Authority, thanks to the good  
4           work of you all, hopefully will be expanding to  
5           include representation of San Patricio County  
6           and we believe our military presence includes  
7           San Patricio County.

8                     So our sense all along, at least mine  
9           was -- like I said I'm from Kingsville and I  
10          get paid a little bit of money to be a  
11          councilman and every minute of my time is  
12          committed to Corpus Christi. And if this  
13          proceeds forward with redistricting efforts, we  
14          would simply ask or I would simply ask that you  
15          maintain a sense of community of interest of  
16          Corpus Christi and if you include San Patricio  
17          County, I would submit to you that's a good  
18          thing.

19                    I've seen the plan as it stands now. I  
20          guess on the House plan it has San Patricio  
21          County in this district and I think that's a  
22          good thing. My fear though is that if you do  
23          move forward the plan may go through 15 or 20  
24          iterations and I would hope that you would  
25          include keeping Corpus Christi and Nueces

1 County with San Patricio County in those plans.

2 In closing, I do want to submit to you  
3 that if you come back in two years you're going  
4 to see a Double A baseball stadium next door.  
5 Nolan Ryan has seen the light, and he's  
6 bringing his Double A baseball team to Corpus  
7 Christi. And then if you should come back in  
8 the fall a couple years from now you can be  
9 hosted in our brand new 12,000 seat arena which  
10 we're in the midst of construction.

11 So we're glad you're here. Great things  
12 are happening in Corpus Christi. We do require  
13 anybody that comes to town to leave all their  
14 cash in one of our restaurants or hotels, so we  
15 would ask you to spend all that you can. Thank  
16 you, sir.

17 SENATOR DUNCAN: Thank you, councilman.  
18 Members, any questions of Councilman Scott?

19 Senator Van de Putte.

20 SENATOR VAN DE PUTTE: Thank you,  
21 Councilman. My question deals with the  
22 economic development that the base brings in.  
23 So I want to ask you just a quick question,  
24 since you're familiar with it. How much is the  
25 economic development from the military

1 community on the base?

2 MR. SCOTT: Probably our second. The  
3 military community is probably our second  
4 largest economic engine, second only to the  
5 port industries. The Chairman was kind enough  
6 to tell you, we're the fifth largest port in  
7 the country. Our refining strength is really  
8 phenomenal.

9 But the military presence is absolutely  
10 vital to the growth of Corpus Christi, and we  
11 of course expended a great deal of local funds  
12 and all were kind enough to put some money from  
13 the state to try to help out the cause or at  
14 least put a fund together. But we spend a lot  
15 of money and a lot of time. I was with  
16 Congressman Ortiz who does a wonderful job of  
17 putting together meetings with us and allows us  
18 to come and tell our story in Washington, D.C.  
19 So we think it's extremely vital to the future  
20 of our city.

21 SENATOR VAN DE PUTTE: Would you be in  
22 support of a line that removed the base from  
23 any of the other activities of the areas of  
24 Nueces County?

25 MR. SCOTT: You know, I saw handout being

1 passed out about that and I frankly don't know  
2 enough to have a comment. I don't know what  
3 the purpose would be. I just don't understand  
4 it. I guess it's always been in the district.

5 I'll be honest, I don't know enough to be  
6 able to comment on it. I'm sorry.

7 SENATOR VAN DE PUTTE: Thank you very  
8 much. Thank you, Mr. Chairman.

9 SENATOR DUNCAN: Thank you. Any other  
10 questions?

11 Thanks for your presence.

12 The Chair recognizes Dorothy Spam.

13 Ms. Spam.

14 MS. SPAM: I am Dorothy Spam. I reside  
15 at 502 Del Mar, Corpus Christi, Texas. I've  
16 been here since before the seawall, and I'm  
17 older than Senator Wentworth. I don't recall  
18 San Pat and Nueces County ever being contiguous  
19 in the district, and I have been active all my  
20 life in the politics of this area. So when we  
21 speak for that combination or are neutral about  
22 it or see value in it. I don't recall it ever  
23 having happened before, but I'll research that.

24 I would like to speak to each of you,  
25 Mr. Chairman and each of the Members and our

1 own Senator Chuy Hinojosa -- who's up here more  
2 than he's at home, I see, and we appreciate  
3 that -- about the expanded session topics, as  
4 well as redistricting.

5 And among the expanded sessions topics  
6 that I just want to comment on because I'm  
7 hoping I can read my comments to you in line  
8 with these objectives. One of them is  
9 permitting our education coordinating board to  
10 meet by teleconference, which means as I was  
11 reading that legislation during the session, I  
12 believe there had to be at least a quorum  
13 somewhere. But that's always a worry and I  
14 always wondered why people who accept board  
15 positions are not careful enough to apportion  
16 their time so that they can address this very,  
17 very, very most important committee and I would  
18 hope that you would look carefully at that  
19 because it's been reintroduced.

20 Along with that are several things like  
21 reintroducing a May election date. What could  
22 possibly be wrong with a May election date?  
23 Except that historically our group around here  
24 doesn't vote in May very well. We vote  
25 beautifully in November and we vote early in

1 the spring in March and April. But May as an  
2 election date, we just don't cater to that  
3 date, so I'd hope that you'd look at more than  
4 just what's on that piece of paper, look at the  
5 election results over time and see what the  
6 turnout is.

7 There are various ways to influence who  
8 comes and who enters your lives and makes your  
9 life comfortable or supports your own beliefs  
10 and issues, so I'd hope you'd like at those two  
11 situations.

12 And also, there is some legislation  
13 coming back to the Texas Veterans Commission on  
14 the qualifications. I hope you'd look at that  
15 because we've worked long and hard here. My  
16 husband is a World War II fighter ace.  
17 Certainly we want those veteran's issues to be  
18 addressed in every way and with much thought.  
19 So those qualifications should be broad,  
20 comprehension and they should embrace everyone,  
21 everyone, all of us, each of us, women, because  
22 we gals are over there and doing a pretty good  
23 job also.

24 Oh, it's the Legislative Budget Board  
25 that's meeting by teleconference. I can't even

1 find those people. You know, one year they met  
2 out in El Paso and I tried my best to get an  
3 airplane out there. But should we have the  
4 Legislative Budget Board meet by  
5 teleconference? It's such an important  
6 committee, so I'd ask you carefully to look at  
7 that.

8 And that more or less talks about what  
9 I -- Chairman Duncan, when you were speaking,  
10 you talked about it not affecting adversely any  
11 group of citizens, I think that was number 5  
12 and I've lost that number in many head.

13 But enrollment in the community colleges  
14 of Texas is going to be growing and growing.  
15 In the year 2015 Hispanics will be that group  
16 that will be in majority, not only in the  
17 community colleges but in the population. And  
18 it's always difficult for me to address that.

19 What is different about the State of  
20 Texas, what's different about the State of  
21 Texas in 2015? Well, according to Steve  
22 Murdoch who writes that very marvelous volume  
23 on the demographics of the State of Texas  
24 calling it Demographic Challenges for the Next  
25 Century. If you haven't read it, I'm got some

1 synopsis varying thicknesses, including the  
2 whole book. It's going to be a Hispanic state.  
3 That's what will be different.

4 And when I see the changes taking place  
5 in these maps, and they're not just maps, those  
6 are people down there on those maps, those are  
7 the people and their lifestyles. And we're  
8 making a lot of progress. That's what I see  
9 that's different, that the change affects the  
10 change.

11 And not only if we don't vote in May and  
12 I can't seem to teach my precinct how and I've  
13 been at it a long time. They don't like to  
14 vote in May. And then if we continuously  
15 change, Senator Gallegos, who represents us,  
16 that makes our representative even more  
17 anonymous, then what's changing in 2015 with  
18 the Hispanic population expansion, means we  
19 won't be voting then either.

20 And so what else is happening to this  
21 group? And the Presidential Panel calls for  
22 improvements at all levels and he wants to do  
23 it by 2010. I'd like to do it by then. And  
24 that means addressing the Hispanic needs.  
25 That's what we do at our community colleges.

1           There may be 51 now. Are there 51,  
2           Senator, with your new college in the Valley?  
3           Is that still 50, are you a branch?

4           SENATOR DUNCAN: Ms. Spam, your time has  
5           expired, so you'll need to kind of wrap it up.

6           MS. SPAM: All right, sir.

7           So let me show you how those changes  
8           continue to silence the change in population.  
9           Cuts could kill decades progress in education.  
10          The silent killer of minority enrollments, this  
11          is a national paper. The search for nurses.

12          We just did some work on redistricting in  
13          Colorado. Colorado needs 57,000 nurses in the  
14          year 2020, and community colleges are the ones  
15          who can do that.

16          The northwest vista boom leaves no --  
17          They're going to have to turn away students in  
18          San Antonio, Senator Wentworth -- this is your  
19          paper, the San Antonio News and Express --  
20          because of the population explosion and because  
21          it is Hispanic that may well have to turn you  
22          away.

23          SENATOR DUNCAN: Ms. Spam, once again,  
24          your time has expired.

25          MS. SPAM: Yes, I shall.

1           SENATOR DUNCAN: Thank you.

2           MS. SPAM: So if I may have 30 seconds.

3           Let me say this: That what you do here  
4 today is going to effect the job seekers, the  
5 6.4 percent, the stocks tumbling overseas, and  
6 all those things that we continue to count when  
7 we're not counting the population that's going  
8 to exist in 2015.

9           And I ask you this, think long and hard  
10 about what's going to happen to Senator  
11 Wentworth's district and he needs to think  
12 about that. And I ask each of you to apply  
13 yourselves to apportioning the money in such a  
14 way that all of us, all of us, can take  
15 advantage of 2015. And until each one of us  
16 does as well as we can do, then we make very  
17 little progress. You can't buy a new car if  
18 you have a less than the minimum wage job, sir.  
19 I thank you.

20           SENATOR DUNCAN: Thank you, Ms. Spam.

21           Members, any questions?

22           Thank you.

23           The Chair calls Olga Gonzalez.

24           Ms. Gonzales, state your name and who you  
25 represent please.

1 MS. O. GONZALES: Good afternoon,  
2 beautiful people. I'm Olga Gonzales and I  
3 reside at 1809 Rio Street in Corpus Christi,  
4 Texas and I am the President of the Board of  
5 Del Mar College. I'm not speaking for the  
6 board. And I am the precinct chair for  
7 precinct 74 Nueces County. I'm on the  
8 executive committee for the Democratic Party.

9 I am saying that we need to look at  
10 redistricting that is not needed. We were  
11 always told that Federal law supersedes local,  
12 state and district laws. And I hope that Texas  
13 is not going to be one that's going to be  
14 saying, no, we're going to do what we want. We  
15 don't want to set a bad example. We have  
16 enough negatives in the State of Texas without  
17 going in that direction.

18 We need to think of the community of  
19 interest that Major Neal was talking about, and  
20 we need to take into consideration the  
21 statistics that were presented to you by  
22 Senator Carlos Truan and Mr. Herrera from  
23 Robstown.

24 And we in Corpus Christi have worked hard  
25 to get our bases to stay here. My family is a

1 military family and also a government family.  
2 I worked as an independent subcontractor for  
3 federal agencies for many years in the Coastal  
4 Bend which covers 11 counties in the State of  
5 Texas.

6 And we worked very hard in Corpus Christi  
7 to establish a marine warfare base at  
8 Ingleside, even though that's San Patricio  
9 County. We figured that that's part of our  
10 district and we cared about that.

11 And we support all the efforts that  
12 Congressman Solomon Ortiz has made throughout  
13 the district, and now that we have Chuy  
14 Hinojosa, we are very fortunate in that. And  
15 we feel that we do not need any redistricting  
16 at this point because it is not called for.

17 And we need realize that we're spending  
18 so much money in this special session. Our  
19 community college has been greatly reduced in  
20 funding, so that we had to go work very hard.  
21 And the people of Corpus Christi, Texas were  
22 the ones who supported in 108 million dollar  
23 bond issue that we just had approved by the  
24 citizens of Corpus Christi only in April to  
25 help us build some of our new facilities that

1 we desperately need for our college. They are  
2 50-year-old buildings and we cannot have modern  
3 technology installed there.

4 And the service area, House Bill 15 that  
5 Chuy Hinojosa and Vilma Luna introduced for us  
6 at the House of Representatives was defeated  
7 because Governor Perry did not sign it in. So  
8 Corpus Christi Del Mar College is carrying all  
9 the burden on the service area to provide  
10 education for the workforces we need.

11 Because we a lot of skilled people in  
12 this area, that we do not have. We have the  
13 largest number of unskilled, untrained people,  
14 and we have a very large number of needs for  
15 community health programs.

16 Redistricting for you would mean -- if  
17 you do that, it would mean that it would hurt  
18 this area, the community of interest that we  
19 have from here to the Valley would be badly  
20 damaged. I do not mind if you intend to put  
21 San Patricio County in our area because it used  
22 to be ours way back when, but we are against it  
23 because of the damage that it would do to our  
24 bases that we have here. And all the people  
25 that work here, they travel within a very small

1 area. And we need that work base here.

2 And thank you so much, we would  
3 appreciate the consideration against  
4 redistricting at this point because it is not  
5 needed. Thank you.

6 SENATOR DUNCAN: Thank you, Ms. Gonzales.  
7 Members, any questions for Ms. Gonzales?  
8 Thank you for your testimony.

9 The Chair calls Joel Yowell. Mr. Yowell,  
10 would you please approach, state your name and  
11 who you represent.

12 MR. YOWELL: Good evening, Senators. I'm  
13 Joel Yowell. I live at 7314 Candy Ridge here  
14 in Corpus Christi 78413. You're to be  
15 commended for your special service to Texas in  
16 this special session. Additionally you deserve  
17 thanks for coming to Corpus Christi to hear us.

18 I go on record as being in favor of this  
19 House Plan 01268C, voted out last Saturday by  
20 the House Committee that is beginning debate  
21 this afternoon in the full House of  
22 Representatives. This plan is excellent as far  
23 as Nueces County is concerned. The county is  
24 all together, not divided, as some have said  
25 would happen. It remains in District 27, which

1 is the same as now.

2 As a matter of fact, this new plan is  
3 even better, as the current district has around  
4 21,000 people in Calallen area over in District  
5 15, not District 27. The district runs south  
6 to Cameron County as it now does, with around  
7 70,000 people in the western portion of that  
8 county being moved over to Hildago County in  
9 District 15. That then allows San Patricio  
10 County, here in the north, which is just over  
11 the Bay, to be moved from 15 to 27.

12 Again, this results in considerable  
13 improvement in community of interests as Nueces  
14 and San Patricio Counties together circle our  
15 Bays with the port interest. The naval base in  
16 Ingleside is now joined to Naval Air Station  
17 Corpus Christi in Nueces County on down to  
18 Kingsville Naval Air Station in Kleberg County.

19 The neighboring District 15 runs from  
20 Hildago County up to Golliad County, as it now  
21 does. It's not reaching into Austin, as some  
22 have said would happen.

23 Districts 28, 23 and 16 reach over the  
24 southern and southwestern portions of the  
25 state. While No. 20, with Congressman Gonzalez

1 in San Antonio are all about the same on this  
2 map. These six Hispanic districts remain.  
3 Hispanics rights are good in plan 01268C.

4 I have not seen a map of the areas in  
5 North Texas around the metroplex, but in Harris  
6 County, the Republican plan 01268C seems to  
7 help minorities.

8 The Houston Chronicle in yesterday's --  
9 that's Sunday's edition had a description of  
10 some of the districts in Harris County as  
11 follows: The 18th District, Afro-American  
12 incumbent -- quote "18th District Afro-American  
13 Sheila Jackson Lee would represent a certain  
14 area similar to her existing district," end of  
15 quote.

16 The paper then continues, "25th District  
17 Democrat Chris Bell probably would be able to  
18 win re-election, but he might be challenge by a  
19 black candidate in the Democratic primary."

20 Also this report in the Chronical said of  
21 the 29th District, "Gene Green no longer would  
22 live in the district but could move back and  
23 have a good chance at re-election by the  
24 heavily Hispanic constituency that has elected  
25 him for a decade."

1           This seems to say that at least three  
2           minority districts are in Harris County in plan  
3           01268C. I would certainly think that District  
4           30, Congresswoman Bernice Johnson in Dallas  
5           would be about the same. These four seats,  
6           plus the six Hispanic districts in South Texas  
7           would then result in ten minority districts in  
8           Texas. All of these affords Minority Election  
9           Opportunities, which is the design that is  
10          called for in the Civil Rights Act of 1965. I  
11          urge you to consider this.

12           Now, Senators, in 2000 I attended a  
13          redistricting seminar held at Del Mar College,  
14          a very interesting meeting. I received this  
15          booklet, "The impact of redistricting in your  
16          community, a guide to redistricting." This was  
17          published by the Mexican American Legal Defense  
18          and Educational Fund, NAACP Legal Defense and  
19          Educational Fund, Inc., and the National Asian  
20          Pacific American Legal Consortium.

21           On page 26 of this booklet under the  
22          heading, new redistricting standards, the  
23          following statement is included, quote, "States  
24          and local jurisdictions are permitted to  
25          express and meet political goals, even if the

1 result is the creation of a majority minority  
2 district. It is clear that a state may draw  
3 districts for political reasons such as to  
4 ensure the success of one political party over  
5 another and include in that district the most  
6 loyal voters of the particular part." End of  
7 quote. So says NAACP, the National Asian  
8 Pacific American Legal Consortium and MALDEF.

9 Therefore, the legislature may draw a  
10 plan such as 01268C even if the result is  
11 election of additional Republican congressman  
12 as well as additional minority representatives  
13 most likely to be Democrat congressmen.

14 I urge the Texas Senate to adopt plan  
15 01268C or your own plan that is very similar.

16 Again, thank you so much for coming to  
17 Corpus Christi and I must say I remember when  
18 Joe Wyatt represented San Patricio and Nueces  
19 County down from Victoria, some of your  
20 remember Congressman Wyatt. Thank you very  
21 much, Mr. Chairman and Senators. Have a safe  
22 trip back to Austin.

23 SENATOR DUNCAN: Thank you, Mr. Yowell.  
24 Do you wish to submit that to the Committee for  
25 record?

1 MR. YOWELL: Yes.

2 SENATOR DUNCAN: Members, any questions  
3 for Mr. Yowell?

4 Senator Gallegos has a question.

5 SENATOR GALLEGOS: Mr. Yowell, the three  
6 districts that you were talking about that  
7 pertained to Harris County.

8 MR. YOWELL: Yes.

9 SENATOR GALLEGOS: Gene Green's district,  
10 Sheila Jackson's district and Chris Bell's  
11 district, those are all minority impacted now  
12 even before the maps -- or the map that you're  
13 quoting. We have those now, why do we have to  
14 change them?

15 MR. YOWELL: Well, all I'm doing is  
16 stating the position here that there's going to  
17 be a lot of minority districts in the State of  
18 Texas. I'm not that familiar with Harris  
19 County, quite frankly, Senator.

20 SENATOR GALLEGOS: Well, I am. Well, I  
21 am.

22 MR. YOWELL: Well, I know you are.  
23 You're from there. And I have to concede that  
24 you have the right information.

25 SENATOR GALLEGOS: But your statement was

1           that we're going to get more, we have those  
2           three now, even though the 29th Congressional  
3           District chose Gene Green, an Anglo.

4                     MR. YOWELL: I don't know the  
5           circumstances.

6                     SENATOR GALLEGOS: Well, I'm telling you.  
7           We have those three districts now, why would we  
8           have to change them?

9                     MR. YOWELL: Well, the bottom line is  
10          that it looks like there's going to be at least  
11          ten minority districts, that's the real bottom  
12          line, counting the ones in South Texas. I  
13          don't know about the one in Dallas County,  
14          quite frankly. I would think that Denise  
15          Johnson's district would still continue to be  
16          an Afro-American district, I guess. I don't  
17          know that now, Senator. I can't speak that.

18                    But I'm sure that this thing is worked  
19          out so that those things will be cover and  
20          they'll pass muster with the United States  
21          Department of Justice. And I understand the  
22          retrogression problem that has to be achieved.  
23          You can't have fewer, we know that.

24                    And I'm sure -- And whatever you senators  
25          do. I'm just saying that this plan looks like

1 a good plan, so therefore you go for this plan  
2 or one like this. You know, I'm not saying  
3 that you're tied to this plan, the House plan.  
4 You Senators can be independent people.

5 SENATOR GALLEGOS: We are.

6 MR. YOWELL: I think. I think you are.  
7 And I'm glad you, are. That's why we have two  
8 Houses.

9 SENATOR GALLEGOS: Well, that may be true  
10 but in the Court of Law I think a panel, a  
11 Federal Panel or wherever this ends up looks at  
12 the legislature as a whole, not just the House  
13 and the Senate and what happens in each.

14 MR. YOWELL: I'm sure that's correct.

15 SENATOR GALLEGOS: And what happened in  
16 each hearing.

17 MR. YOWELL: Because isn't it true,  
18 Senator, you might come up with A plan, X plan,  
19 whatever it is, and that's what goes forward to  
20 the Justice Department and that's what would go  
21 forward to the courts.

22 SENATOR GALLEGOS: Well, let me just get  
23 to the chase. Your perception in Harris County  
24 is wrong. We already have those. So I would  
25 hate for your perception -- as testimony in

1 front of me especially --

2 MR. YOWELL: I'm not going to argue with  
3 you, Senator. You're from Harris County. I'm  
4 just quoting what I saw in the Chronical.

5 SENATOR GALLEGOS: Well, the Chronical's  
6 never endorsed me and I sit on this table, so  
7 that's perception.

8 MR. YOWELL: Well, that sounds like,  
9 Corpus Christi, the Corpus Christi Caller  
10 Times. We Republicans doubt it, so I'm in  
11 sympathy with you, sir.

12 SENATOR GALLEGOS: Thank you.

13 SENATOR DUNCAN: All right. Members, any  
14 other questions for Mr. Yowell?

15 MR. YOWELL: Thank you, Mr. Chairman,  
16 Senators.

17 SENATOR DUNCAN: Senator Van de Putte.  
18 Mr. Yowell, one more question.

19 MR. YOWELL: Oh, I'm sorry.

20 SENATOR VAN DE PUTTE: Mr. Yowell, Thank  
21 you for being here. I just have one question.

22 I know that your testimony indicated that  
23 you were in favor of the redistricting plan  
24 because it would increase minority seats from  
25 seven congressional seats to ten, as I

1 understand your testimony. If the  
2 redistricting plan that we have that comes  
3 before us shows no increase in minority seats  
4 would you still be in favor of redistricting?

5 MR. YOWELL: Oh, no. I would like for it  
6 to be a minority seat, Senator. I really  
7 would.

8 SENATOR VAN DE PUTTE: My question is:  
9 If there is no increase in minority seats --

10 MR. YOWELL: I would have serious  
11 reservations about it, Senator.

12 SENATOR VAN DE PUTTE: So if there were  
13 no creation of new minority seats, you would  
14 not be in favor?

15 MR. YOWELL: We're talking statewide, of  
16 course?

17 SENATOR VAN DE PUTTE: That's correct.

18 MR. YOWELL: Yeah. Well, I just think  
19 it's just like I think there should be more  
20 Republican seats, so I think there should be  
21 more minority seats that are likely to be  
22 Democrat, we understand that.

23 SENATOR VAN DE PUTTE: I just wanted to  
24 clarify: If we have no new creation of new  
25 minority seats would you --

1           MR. YOWELL: Yeah, you could say -- I  
2 think I would probably go with you on that,  
3 Senator.

4           SENATOR VAN DE PUTTE: Thank you so much.

5           MR. YOWELL: Okay. Glad you're down here  
6 from San Antonio. Come back and spend money.

7           SENATOR DUNCAN: Thank you, Mr. Yowell.

8           The Chair recognizes Ken Hawkins. Ken  
9 Hawkins.

10           Following Mr. Hawkins, just so you'll be  
11 on the deck, if you want to move up, will be  
12 Paul Trijillo.

13           MR. HAWKINS: Good afternoon, Senators.  
14 I'm happy to be here this afternoon to speak to  
15 y'all.

16           SENATOR DUNCAN: You need to state your  
17 name, Mr. Hawkins and --

18           MR. HAWKINS: My name is Kenneth Hawkins.  
19 I live here at 502 Breckenridge in Corpus  
20 Christi, Texas. I'm a lifelong Democrat.  
21 Native of Texas. I lived in this area most all  
22 my life. I'm retired at this time.

23           I represent mainly myself. I'm active in  
24 all kinds of organizations during my life, but  
25 basically I am completely against this

1           redistricting at this time.

2                   I felt like the system worked as it did  
3           already. That the legislature was not able to  
4           redistrict in 2001. It went to a Federal judge  
5           panel that did redistricting. It was okayed by  
6           the Supreme Court of the United States, so I  
7           feel like that will suffice to the next census.

8                   If we redistrict at this time, the census  
9           will be farther in the past. We will not know  
10          exactly how many people have increased in each  
11          district in the last three years. It changes  
12          as time goes on. We're increasing our  
13          population all the time. So that's one reason.

14                   Basically, we're a country of laws, not  
15          men. So I think that we should follow the laws  
16          that are written now, and if we want to change  
17          the law, change it. But I think redistricting  
18          as it is right now is fine.

19                   Basically that's my point of view. I  
20          thank you, sir.

21                   SENATOR GALLEGOS: Thank you,  
22          Mr. Hawkins. Is there any questions of  
23          Mr. Hawkins?

24                   Thank you, Mr. Hawkins.

25                   The Chair calls Paul Trijillo.

1 Mr. Trijillo.

2 Let the record reflect Mr. Trijillo was  
3 called and we'll leave his -- He's from Sinton  
4 and I'd like him to testify if he's here. He's  
5 not. We'll leave this.

6 The Chair calls Juan Zaragoza. State  
7 your name and who you represent.

8 MR. ZARAGOZA: Good afternoon, Chairman  
9 and Senator Juan Hinojosa and Senators  
10 Gallegos.

11 My name is Juan Zaragoza. I was born and  
12 raised over here South Texas and I worked real  
13 hard to make my living, and here we are.  
14 Schools don't have any books because the state  
15 can't help with them and still we're trying to  
16 redistrict.

17 You know what, it's a shame. It's  
18 already been done by the Federal Court. So who  
19 has more power, Mr. Delay or the people of  
20 Texas or the Federal Court? So I urge you not  
21 to redistrict because if we get part, we're  
22 going to keep on too because we worked real  
23 hard.

24 They're cutting a lot of programs in the  
25 State of Texas, tell me how money this is



1 identify yourself?

2 MR. ZEPEDA: Thank you. I'm sorry. You  
3 recognized me, so I thought that everybody  
4 recognized me.

5 My name is Mike Zepeda. I live at 4533  
6 Townsend in Corpus Christi. I have been a  
7 citizen of Corpus Christi since I got out of  
8 the service many years ago, more years than I  
9 want to remember.

10 I want to welcome you to Corpus Christi.  
11 And I want to go on record, first of all, that  
12 I'm against redistricting. I don't think it's  
13 necessary. This entire effort, to suddenly  
14 change the congressional district lines  
15 throughout our state when there is no  
16 compelling reason or Court Order to do so, it's  
17 a vicious assault on Texas communities of  
18 interest and minority voting strength in the  
19 state.

20 This Republican dominated committee have  
21 always shown their hands with comments in Texas  
22 by splitting without reason. Rural communities  
23 are pushing through suburban districts while  
24 minority voters lose influence by being packed  
25 into Republican districts.

1           You need to understand that Hispanic  
2           opportunity districts were created to give  
3           populations of Hispanics an opportunity to  
4           elect a member of congress of their choice.  
5           Make no mistake, if you continue your course of  
6           violating the Voting Rights Act, you will  
7           answer to the courts.

8           It is a shame to waste our tax monies on  
9           a special session just because you can, when  
10          these monies are needed to protect our  
11          children's health and provide the necessary  
12          help to our elderly community to live out their  
13          years in dignity.

14          When you all in the Senate go back to  
15          Austin, please help us to keep what we already  
16          have. We don't need to any more help. I think  
17          that, first of all, we have been able to live  
18          with the redistricting that was done years  
19          back, and I think that this is the way it ought  
20          to be kept. Thank you very much and, again,  
21          welcome to Corpus Christi.

22                 SENATOR GALLEGOS: Thank you, Mike.

23                 Any questions of Mr. Zepeda?

24                 Thank you, Mike.

25                 The Chair calls Genevieve Gonzalez. Is

1 Ms. Gonzalez here? Ms. Gonzalez, please state  
2 your name and who you represent for the record.

3 MS. GONZALEZ: Good afternoon and welcome  
4 to Corpus Christi. My name is Genevieve  
5 Gonzalez and I reside at 3402 Santa Fe here in  
6 Corpus Christi.

7 First of all, I want to thank the  
8 Chairman Duncan, the Members of the Committee  
9 and Senator Hinojosa.

10 I am the Nueces County chairman for the  
11 Republican National Hispanic Assembly. We have  
12 19 chapters in Texas. Of those 19 chapters, we  
13 have 900 members. I am going to read a press  
14 release to you that Ms. Rummell sent to us.  
15 Our president Marisa Olivares Rummell on the  
16 Governor's call for a special session of the  
17 Texas Legislature, said the following: The  
18 Republican National Hispanic Assembly of Texas  
19 supports Governor Perry in his decision to call  
20 a special session of the Texas legislature for  
21 the express purpose of addressing congressional  
22 redistricting. We believe that he has served  
23 notice on all legislators and the  
24 responsibilities for which they were elected  
25 have not been fulfilled, and that he will not

1 allow them to avoid these responsibilities.

2 RNHA Texas certainly believes that it is  
3 the responsibility of the legislature, and not  
4 of the Federal Judges, to draw congressional  
5 districts that fairly represent the will of  
6 Texas voters. The interim redistricting map  
7 approved by Court in no way represented  
8 population and ethnicity changes through the  
9 since the last census. The Court even stated  
10 in its ruling that this is a legislative and  
11 not a judicial decision. We believe Governor  
12 Perry is correct in requiring legislators to  
13 accept and fulfill these responsibilities in a  
14 special session, which is happening right now.

15 Partisan politics by the Democrats have  
16 prevented a fair plan from being implemented  
17 during the last two sessions of the  
18 legislature. By running away to Oklahoma  
19 during this last session, they only  
20 demonstrated one thing, their irresponsibility  
21 and unwillingness to perform their  
22 constitutional duties as elected  
23 representatives of the people. Instead of  
24 working together with the majority, they chose  
25 to leave their assigned posts to send a message

1           that the majority wouldn't rule. That cost  
2           money also. We're talking about money all the  
3           time. They, in essence, refused to do anything  
4           to represent the constituents who sent them to  
5           Austin -- like all of you here -- and for that  
6           sole purpose.

7                     It is now time for the Texas Legislature  
8           to develop and enact a fair redistricting plan  
9           to ensure that no Texas voter will be  
10          disenfranchised and that every vote will count.  
11          It is with great pleasure that we commend the  
12          Governor and encourage the Legislature to  
13          complete this task. It is very, very  
14          important. We are certain, based on the fine  
15          job that they have already done, and you have  
16          already done and the countless hours that you  
17          have worked, I commend you for that and I also  
18          commend Lieutenant Governor Dewhurst and Speak  
19          of the House Craddick, that will really  
20          accomplish this big, tremendous task and the  
21          represent Texas to the nation as a state that  
22          is more than capable of fulfilling its  
23          responsibilities to its citizens despite their  
24          political differences.

25                     And, again, today I want to thank you for

1 coming to Corpus Christi and addressing the  
2 needs of our community. And I am for  
3 redistricting and for redistricting. Am a  
4 retired teacher. I'm a native Corpus  
5 Christian. And I have, like the old oak tree,  
6 I have deep roots here in Corpus, and I feel  
7 that we all want the best for Corpus Christi.  
8 And thank you again.

9 SENATOR DUNCAN: Thank you, Ms. Gonzalez,  
10 for your testimony and appearing here today.  
11 Before you leave, any questions, Members?

12 All right. Senator Gallegos has a  
13 question.

14 SENATOR GALLEGOS: Ms. Gonzalez, you're  
15 reading this for -- This is not your testimony,  
16 this is just a statement from the Chairman of  
17 the Republican National Hispanic Assembly?

18 MS. GONZALEZ: That's right, sir. Again,  
19 like I said, it was a press release, was sent  
20 to Governor's Perry's office. And I'm here to  
21 relay the message of our 900 members that  
22 are -- like I said 19 chapters and we have 900  
23 members and this is the consensus of our RNHA  
24 organization Texas.

25 SENATOR GALLEGOS: This is a question

1           just for me as a member of the committee and  
2           you can relay this message to Ms. Rummell.  
3           That number one, her statement on the second  
4           page is, by the running away to Oklahoma during  
5           this last session they only demonstrated their  
6           irresponsibility and unwillingness to perform  
7           their constitutional duties as the elected  
8           representatives of the people.

9                    I guess since this is a statement by  
10           Ms. Rummell this -- what I'm fixing to tell you  
11           goes to Ms. Rummell and a response is that,  
12           number one, the House chose to break a quorum  
13           because that's part of a procedure rule in the  
14           House that's afforded them. They break a  
15           quorum if they chose to by the House rules,  
16           just like we have 11 Senators -- if we have 11  
17           Senators that's a rule that we have on the  
18           Senate floor, that choses to block any issue or  
19           any legislation from coming on the Senate floor  
20           and they were just using that tool that's  
21           afforded them under the House rules, that's  
22           afforded them, not by running away and  
23           unwillingness to perform their constitutional  
24           duties.

25                    And I would also like to remind

1 Ms. Rummell that Abraham Lincoln jumped out of  
2 a second floor window to break a quorum because  
3 he felt strong about an issue and I wonder what  
4 happened to him?

5 MS. GONZALEZ: Well, again, like I said  
6 and I quoted earlier, that I feel that there's  
7 a certain amount of accountability when it  
8 comes to running our government. And I feel  
9 that it's always not to the best interests of  
10 your party, my party, the Libertarian, the  
11 independent, it's not many times to the  
12 advantage. I am just per se saying this, for  
13 135 years the Democrats were able to  
14 gerrymander and to change districts and do all  
15 of these maps and we stood in the guidelines  
16 and we listened.

17 SENATOR GALLEGOS: I understand that.

18 MS. GONZALEZ: And I cannot see why now,  
19 and especially here in Corpus Christi, where  
20 the only change that's taking place right now  
21 is adding San Patricio to our district which I  
22 feel is an advantage. And as far as the navy  
23 bases are concerned, I mean, we have worked for  
24 Phil Graham, Kay Bailey Hutchinson have worked  
25 very hard to keep this base. It hasn't just

1           been Solomon Ortiz. They have had a great part  
2           in doing that. And I hear all the time that  
3           just Solomon Ortiz, Solomon Ortiz, no, there's  
4           been others in the committees that have done  
5           it.

6                     SENATOR GALLEGOS: Thank you.

7                     SENATOR DUNCAN: Thank you, Ms. Gonzalez.  
8           Thank you for your testimony here today.

9                     And thank you for your participation as  
10          an audience. I think, though, always be  
11          courteous and be courteous to those testifying  
12          whether you agree with them or not. That's why  
13          this country is great is we can disagree but we  
14          can express our opinions in open public.

15                    The Chair recognizing Gill Loa, I believe  
16          L-o-a. I said him correctly the first time.  
17          Mr. Loa, please state your name and who you  
18          represent please, and then you have five  
19          minutes. Thank you.

20                    MR. LOA: First of all, I'm a very proud  
21          American. My name is Gill Loa. I'm a marine  
22          veteran and brother of five other brothers that  
23          were in the front lines during World War II.  
24          I'm a -- By the grace of God we all came home.  
25          I'm a retiree of Reynolds Aluminum

1 International, and I live here in Corpus.

2 As a nation, we've come a long, long,  
3 long ways under the two party system. We have  
4 eliminated slavery. We have eliminated  
5 lynching. We have eliminated the pistoleros,  
6 the gun slingers that went out and killed  
7 families to conquer hundreds of thousands of  
8 acres in South Texas. We have fought wars and  
9 won. We have overcome depressions, recessions  
10 and all the ups and downs that a nation might  
11 have. We are the wealthiest nation in the  
12 world and strongest on the face of the world.

13 And all because by the blessings of the  
14 Almighty. It's not that we're the smartest  
15 people on the face of the earth, it's because  
16 first by the blessings of God. Second, because  
17 of the two-party system of our government.  
18 Where they can collectively sit down and settle  
19 their differences, the Democrats and  
20 Republicans. And I'm so proud that we have two  
21 strong parties here in the United States to  
22 keep each other in line, okay?

23 The two-party system is the best in the  
24 world. To draw new congressional boundaries  
25 would mean that we are the way to a one-party

1 system that has never, ever worked out right in  
2 any other nation of the world. That there's  
3 only two class of people, the very rich and the  
4 very poor, like we have other nations of this  
5 earth.

6 Yes, we have come a long ways. We have  
7 what we call the middle class people. We are  
8 the strong back of the economy, the middle  
9 class people, like all these people here. We  
10 are the strong back of the economy of this  
11 nation. We're the big wheel, we're the big  
12 wheel of the economy. We're the ones that buy  
13 trucks, cars, houses, furniture, appliances by  
14 the millions. We are the ones that pay more  
15 taxes.

16 It's a shame that sometimes it's  
17 misspent. It's a shame that we -- that our  
18 government sometimes spends our hard earned  
19 taxes just to leave a trail of destruction and  
20 blood behind. So much that Mr. Bush and the  
21 Republican Party have decided to give it back  
22 to the millionaires so they can give it back to  
23 him for the political campaign next year.

24 Despite all of that gentlemen, despite  
25 all of that, we're the land of the free, the

1 home of brave and one nation under God. What  
2 the Republican party wants to do is to  
3 completely take over and destroy the Democratic  
4 party. I say it's evil and you are instruments  
5 of satan. May God have mercy on you.

6 You might say we're not evil. Brothers  
7 and sisters, with all respect to you, we all  
8 have a little bit of evil in us. And with a  
9 little bit of evil, when you have a whole bunch  
10 of people in the United States Senate and in  
11 the Congress, if every one of those Republicans  
12 have just a little bit of evil, it's very  
13 destructive.

14 We all have a little bit of evil in us.  
15 Even me. I consider myself an angel, if it  
16 wouldn't have been for all those wars I'd  
17 probably ascend to heaven.

18 Any way, May God have mercy on each and  
19 every one of the people that have voted against  
20 minimum wage increase, that have voted against  
21 many other things that concern -- that help the  
22 people of this nation. Thank you very much.

23 SENATOR DUNCAN: Thank you, Mr. Loa. I  
24 appreciate your testimony today.

25 Members, are there any questions for

1 Mr. Loa?

2 The Chair hears none. Thank you for your  
3 appearance here today, Mr. Loa, appreciate your  
4 presentation.

5 The Chair recognizes Rojelio Morales. Is  
6 Mr. Morales present? Here he comes. And after  
7 Mr. Morales we'll have Rachel Gonzalez, if you  
8 could move forward and be ready to testify.

9 Mr. Morales, state your name please and  
10 who you represent.

11 MR. MORALES: Good afternoon, Chairman  
12 Duncan and all Honorable Senators. Welcome to  
13 the sparkling city by the sea. My name is  
14 Rojelio, that's spelled R-o-j-e-l-i-o, Morales.  
15 If you can't pronounce that. Roj will be fine.

16 I'm a proud America. I was born and  
17 raised here in Corpus Christi and I'm veteran  
18 with four honorable discharges. I am also a  
19 single parent. I'm here today to testify that  
20 I'm against what's going on.

21 Why? Well, I believe that there's better  
22 issues in Austin that needs to be taken care of  
23 than redistricting at this time. One, there's  
24 that saying, leave no child behind. Let's get  
25 the education on the go.

1           Our children's CHIPS program needs  
2           attending to. Our senior citizens need  
3           attention also. And also, of course, our  
4           veterans need attending to. These are issues  
5           that need to be applied, not what y'all are  
6           doing right now, spending this money.

7           I won't take too much time. I'm also  
8           with the Nueces County Tejano Democrats. I'm  
9           the sergeant at arms with that party.

10           Finally, you have the saying, Don't Mess  
11           with Texas, so please Don't Mess with Texas,  
12           it's fine like it is as far as this issue is  
13           going. Thank you very much.

14           SENATOR DUNCAN: Thank you, Mr. Morales.

15           Members, any questions for Mr. Morales?

16           The Chair hears none. Thanks for your  
17           presence and your presentation.

18           MR. MORALES: Thank you. And again,  
19           welcome to the sparkling city by the sea.

20           SENATOR DUNCAN: We're happy to be here.  
21           We love this view as well. This doesn't look  
22           like anything I see in Lubbock very much.

23           The Chair recognizes Rachel Gonzalez.  
24           Ms. Gonzalez. Is Ms. Gonzalez present?

25           All right. Apparently she's not here but

1 the Chair recognizes that she has registered a  
2 position against redistricting.

3 The Chair recognizes Phil Rosenstein.  
4 Mr. Rosenstein, would you approach please. And  
5 on deck after Mr. Rosenstein would be Danny  
6 Noyola. Mr. Noyola, would you please approach  
7 the front so you can be ready.

8 Mr. Rosenstein, thank you. State your  
9 name and who you represent.

10 MR. ROSESTEIN: Phil Rosenstein, 949  
11 Bobalo. And I'm very active in the senior  
12 community here in Corpus Christi.

13 First before I give my comments, I'm  
14 asking that the remarks made by Senator  
15 Wentworth be stricken from the record. He's  
16 not a member of the panel. This is a hearing.  
17 It's not a debate. It's a hearing to get input  
18 from the public, not input from Senator  
19 Wentworth. If he wants to ask a question,  
20 that's one thing. He was giving his opinion  
21 and cross-examining people that spoke.

22 SENATOR DUNCAN: Mr. Rosenstein, as we  
23 spoke earlier, and I tell you that I will stand  
24 and defend any member of the Texas Senates'  
25 right to express their opinion and I will also

1 defend your right to express your opinion as  
2 well. And I will do that, so go ahead and  
3 speak.

4 MR. ROSESTEIN: Okay. I'll repeat again.  
5 I'll repeat again that this is a hearing to get  
6 input from the public, not input from somebody  
7 that's not a member of the panel.

8 Now, my comments: What part of no don't  
9 you understand? The public does not want --  
10 the public does not want the redistricting done  
11 without the proper figures from the census  
12 bureau which will be in 2010.

13 Three federal judges of the Supreme Court  
14 gave their ruling. This redistricting plan  
15 that's in effect right now was passed  
16 because -- by the three federal judges and the  
17 Supreme Court and it should stay that way until  
18 the year 2010.

19 Now, I want to add some more. I've lived  
20 here 45 years in Corpus Christi. I know every  
21 one of you on this panel knows that if you  
22 redistrict it will destroy the economy of  
23 Nueces County and maybe Texas too, we don't  
24 know. But it will hurt the minorities too.

25 So I'm saying again, I'm asking you

1 please, no redistricting. Redistricting will  
2 be a disaster. Thank you.

3 SENATOR DUNCAN: Thank you,  
4 Mr. Rosenstein.

5 Any questions, Members?

6 The Chair hears none. Thank you.

7 The Chair calls Danny Noyola.

8 Mr. Noyola, would you please approach, state  
9 your name and who you represent. Is Mr. Noyola  
10 present in the audience? Danny Noyola?

11 Okay. We'll call him later at the end.

12 The Chair calls Irene Martinez.

13 Ms. Martinez, would you approach? Irene  
14 Martinez. Is Ms. Martinez present in the  
15 audience?

16 Let the record reflect that Ms. Martinez  
17 is not here but has registered a position in  
18 favor of redistricting.

19 The Chair recognizes Michael Bergsma. Is  
20 Mr. Bergsma in the audience?

21 Okay. Let the record reflect that  
22 Mr. Bergsma is not in the audience but has  
23 registered a position in favor of  
24 redistricting.

25 The Chair recognizes Manuel Mel

1 Ynostroza. Mr. Ynostroza, are you presented?  
2 Would you please approach, state your name and  
3 who you represent.

4 And after Mr. Ynostroza we'll have  
5 Barbara Hall.

6 MR. YNOSTROZA: My name is Manuel  
7 Ynostroza, Mel they call me.

8 I'd like to talk on base closure because  
9 that's where I have some experience in when  
10 they closed this one sometime ago, in '59 if I  
11 remember well. And a lot of people had to be  
12 relocated and it's really very disappointing  
13 and it makes a lot of hardship for a lot of  
14 people and also some do not want to get  
15 relocated and some do and it all depends on  
16 what the family decides.

17 And then as far as getting transferred,  
18 it's no problem because you get paid for  
19 everything, the government pays for your  
20 furniture, yourself and your family. But it's  
21 kind of hard because you have to be relocated  
22 wherever there's work. Sometimes, it's usually  
23 far away. Like I had to go to Alameda,  
24 California. That's two thousand miles one way.

25 And it's -- Then we have to -- the

1 wages -- I remember at that time we were making  
2 here, oh -- the mechanics were making 3.08 an  
3 hour, that was way back in '59. And Alameda we  
4 went up there and lost about a dime, eight  
5 cents.

6 And I was a W-10. I was an aircraft  
7 engine parts welder, so in that kind of work  
8 there's always openings because there's a lot  
9 of work on the engines and welding and all  
10 that, so it's -- but others were a little more  
11 unfortunate because they have to take whatever  
12 they offer. Like, if they were mechanics they  
13 would take, they call them intermediates or so  
14 on, general helpers or helper.

15 But it takes a long time, it takes time  
16 to close a base, especially a large facility  
17 like this one here. I remember in '59 in the  
18 summer we got the notice that we're going to be  
19 shut down in December. So we start shutting it  
20 down in July, like now, during the summer. It  
21 was hot.

22 By that time there's no more work, no  
23 more work, it's for production. All you do  
24 then is -- In other words, when a facility  
25 closes down all that's left nothing but the

1 floor, the ceilings and the walls, everything  
2 goes. You have to pack them up and send them  
3 where they have room for them and so on.

4 And then when December came around, we --  
5 well, most people that wanted to get relocated,  
6 got relocated. I did. I was lucky, I guess.  
7 Lucky I said because I had just gotten married.  
8 It was just me and my wife, we didn't have any  
9 family, so that was one good thing about it.

10 But it's really a hardship because people  
11 who have families, some of them don't want to  
12 leave, some of them their kids don't want to  
13 leave, especially if they're in the middle  
14 school age, high school and so on. And then  
15 some of them when they go to a big city, you  
16 know, there's a lot of -- well, the bay area  
17 over there is very large populated area, some  
18 of them don't -- they can't adjust themselves  
19 so some of them come back. Some of them --  
20 mostly would come back to Corpus Christi or  
21 another place close by here or in Texas.

22 That's the reason I mentioned it because  
23 when you close bases, facilities, it's  
24 really -- well, kind of bad and ugly you might  
25 call it because a lot of people suffer in that

1 manner that -- like some of them don't want to  
2 get relocated and some of them go and they have  
3 to come back because they don't like it and  
4 things like that.

5 And it's nothing that really that you  
6 might call an adventure or anything like that  
7 because it just takes -- a decision like that  
8 you have to be -- well, kind of firm really  
9 whether you're going to go or not or whatever  
10 you know.

11 SENATOR DUNCAN: Mr. Ynostroza, your time  
12 is expired you might want to conclude your  
13 remarks?

14 MR. YNOSTROZA: Huh?

15 SENATOR DUNCAN: Your time is expired and  
16 you need to conclude your remarks.

17 MR. YNOSTROZA: Okay. I'm done.

18 SENATOR DUNCAN: I'll let you wrap up if  
19 you would like.

20 MR. YNOSTROZA: I'm finish.

21 The point I wanted to make on bases  
22 closure, that's what happens and it's -- I was  
23 lucky I came -- I got that job in Alameda with  
24 the carrier and there was a lot of work up  
25 there. Thank you.

1                   SENATOR DUNCAN: Any questions for  
2 Mr. Ynostroza?

3                   Thank you, Mr. Ynostroza for sharing that  
4 with us. We appreciate it very much.

5                   The Chair recognizes Ms. Barbara Hall.  
6 Barbara Hall, would you please approach? Is  
7 Ms. Hall in the audience?

8                   Let the record reflect that Ms. Hall is  
9 not present but has registered a position in  
10 favor of redistricting and also has submitted  
11 written testimony.

12                  The Chair recognizes Cynthia Trevino  
13 Eisenberg. Ms. Eisenberg, please approach and  
14 state your name.

15                  MS. EISENBERG: My name is Cynthia  
16 Trevino Eisenberg. I live at 1309 Sandpiper  
17 Drive, and I can see why you guys don't want to  
18 be in session but once every two years.

19                  A lot of noise has been made about  
20 redistricting that it'll be unfair to  
21 minorities. And I'm one of several minorities,  
22 I am Mexican American, I am German, I am  
23 Indian, I am female, I am a military wife for  
24 29 years, so I know what the military have put  
25 up with, take your pick.

1           But the only injustice that I see is that  
2           the districts as they now stand don't reflect  
3           the shift in voting patterns that have occurred  
4           in the last ten years. There is no apology to  
5           be made for voters choosing to elect more  
6           Republican candidates. The only apology to be  
7           offered will be to the voters whose state  
8           officials are not reflective of their votes.

9           And there is only one thing to do and  
10          that is to do what the law requires and that  
11          the Department of Justice has already given a  
12          stamp of approval too, and that is to enact  
13          redistricting plan that I'm sure you all have  
14          seen, so that the citizens of the great State  
15          of Texas can get back to business. Thank you.

16                 SENATOR DUNCAN: Thank you, Ms.  
17                 Eisenberg. Are there any questions for  
18                 Ms. Eisenberg?

19                 Appreciate your presence and your  
20                 presentation today.

21                 MS. EISENBERG: Thank you.

22                 SENATOR DUNCAN: Members, it's 6:30 and I  
23                 promised a break at 6:30. We'll take a  
24                 15-minute break. We'll return promptly at  
25                 6:45.

1           The Committee will stand in recess until  
2           6:45, at which time we will have on deck and  
3           you might listen so you can hear your name so  
4           you can be sure and be here. Arturo Melve,  
5           Marie Speer, and Claude D'Unger, will be the  
6           next three witnesses up.

7           The Committee will stand in recess until  
8           6:45.

9           (Recess from 6:31 p.m. to 7:00 p.m.)

10          SENATOR DUNCAN: The Committee will come  
11          back to order, and we will hear from our next  
12          witness, Mr. Arturo Melve. State your name and  
13          who you represent.

14          MR. MELVE: Thank you, Mr. Chairman, the  
15          rest of the Committee. My name is Arturo  
16          Melve, lifelong resident of Corpus Christi.

17          First of all, I would like to let this  
18          Committee know that I'm absolutely against  
19          redistricting. And let's be -- Another thing,  
20          in all honesty, this special session has  
21          nothing to do with CHIPS, nothing to do with  
22          unemployment, nothing to do with any business  
23          in the State of Texas except what we're doing  
24          right now, talking about redistricting. We  
25          have a Governor that is doing Tom Delay's dirty

1 work, that's the bottom line. And we shouldn't  
2 even have to be here.

3 There's a lot of things that I want to  
4 say but I would only be echoing what other  
5 people said. I would like to go through some  
6 of them. As a matter of fact, it was said it  
7 wouldn't effect here I was told. I just see  
8 here where, according to this, just submitted  
9 an amendment that would exclude all military  
10 bases from Congressman Ortiz's 27th District,  
11 why? We're right here in Corpus.

12 There was a lady here early that said  
13 it's not the job of the courts to do  
14 redistricting, it's the legislature. Well,  
15 then I'd like to remind that lady that it's not  
16 the job of the courts to appoint a president of  
17 the United States. I think the person that got  
18 the majority of votes should be here.

19 I'd like to talk about the CHIPS. I'd  
20 like to talk about teacher's pay. I'd like to  
21 talk about a lot of things, but right now I'm  
22 trying just to be as honest as I can about what  
23 I fell. And I'm going to make it short. I  
24 don't have to stand here ten minutes and take  
25 your time. What you're going to do, you're

1 going to do.

2 I'm asking the Senators to stop this,  
3 stop this. It can't go on, it will be  
4 challenged in the court. I'm a disabled  
5 American veteran, and I love that flag behind  
6 you. I served that flag. That flag, when I  
7 served for that flag, it represented the  
8 government of the people, by the people and for  
9 the people, not a government of Tom Delay, by  
10 Tom Delay for Tom Delay. With this I conclude.  
11 Thank you very much.

12 SENATOR DUNCAN: Thank you, Mr. Melve.

13 Members, any questions?

14 The Chair hears none. We appreciate your  
15 being here with us today.

16 The Chair recognizes Marie Speer. Is  
17 Ms. Speer in the audience?

18 Let the record reflect that Ms. Speer is  
19 not present. She has not indicated a position  
20 for or against or on. We will note that she  
21 attended and if she could supplement the  
22 record, we would appreciate it.

23 The Chair recognizes, Claude D'Unger.

24 Mr. D'Unger.

25 MR. D'UNGER: Good afternoon. My name is

1 Claude D'Unger. Chairman Duncan, Senator  
2 Hinojosa, ladies and gentlemen of the  
3 Committee, thank you for coming to Corpus  
4 Christi and thank you for giving this time to  
5 make comments to the Committee about  
6 redistricting.

7 My family has been in Texas since Texas  
8 was a republic and had its own president and  
9 its congress and I'm very closes to this state.  
10 Also, politically I'm an independent. I follow  
11 no party line, neither liberal or conservative,  
12 Republican or Democrat and refuse to really get  
13 pushed into a corner.

14 It's my personal belief that if the  
15 Governor of the State of Texas, Rick Perry,  
16 Speaker of House Craddick and each member of  
17 the legislature has a distinct duty to the  
18 people of the State of Texas. They have a  
19 primary duty to Texas first and foremost. In  
20 all the discussions, in all the readings about  
21 redistricting, I have yet to hear one benefit  
22 the State of Texas would derive from  
23 redistricting.

24 This leads me to believe that there are  
25 issues other than the well being of the State

1 of Texas at hand here, maybe the benefit of a  
2 political party. If that's the case, the  
3 Governor, the leadership of this state is  
4 abdicating its duty to the people, to the  
5 people for whose benefit they would work.

6 The idea of redistricting simply is not a  
7 Texas idea. In fact, I've heard that if the  
8 redistricting plan takes place, I think the  
9 idea is to create more Republican seats than  
10 Democrat seats. And that in and of itself  
11 isn't a big deal until you look at the current  
12 point in time. We're jumping eight years ahead  
13 of our traditional time of doing redistricting.  
14 And we could have an election come up in a  
15 couple of years, we'd have possibly some rub  
16 increases in Texas Republican Congressional  
17 seats. And the long-term effect would be we  
18 may well lose Democratic members with  
19 seniority, and I think that is not to the  
20 benefit of Texas. It may be to the benefit of  
21 another political party, but it's certainly not  
22 in the best interests of Texas.

23 The second point that's a matter of  
24 concern, Texans have always prided themselves  
25 on being independent thinkers and not afraid

1 stand up against popular will or public  
2 pressure. And if you look in the national  
3 media -- (ship passing) maybe if we can get the  
4 redistricting plans on there and let it go.

5 But one of the things, being proud of  
6 being a Texan and being proud of the  
7 independence that Texans like to speak of and  
8 hold themselves how we're independent and we're  
9 not going to be kowtowed by anybody, if you  
10 look in the national media, look in the New  
11 York Times, the Washington Post, whatever you  
12 see on television the network news and the  
13 cable channel news.

14 The Texas leadership appears to be doing  
15 nothing more than doing the bidding for Tom  
16 Delay, who's made it clear what he wants. He  
17 wants more seats. At least he says he wants.  
18 Tom Delay's going to benefit, but not  
19 necessarily Texas. I think we have Carl Rogue  
20 in there who very discretely says, yeah, we  
21 want this if we can get more power, they'll get  
22 this power for the benefit of the citizens of  
23 Texas. This is my belief.

24 I could encourage this Committee to do  
25 whatever they can within their power to kill



1 wanted to wanted make a statement today about  
2 the redistricting process and tell you that we  
3 are encouraging the Senate and the House to  
4 consider the common communities of interest for  
5 the Corpus Christi area.

6 As the mayor of Corpus Christi stated  
7 earlier, we are very -- our prime concern is  
8 that Nueces County stay whole and in addition  
9 to that Corpus Christi MSA can be maintained  
10 and some of the draft plans that we have seen  
11 include San Patricio County with Nueces County.  
12 That is our first and foremost priority.

13 The congressional district is obviously  
14 very important to the city, to the individual  
15 interests here, as well as to the business  
16 interests here because of the military bases,  
17 transportation issues, health and human  
18 services funding all across the board you know  
19 how important these issues are to local  
20 communities.

21 And our first and foremost preference is  
22 for the communities of interest in the Nueces  
23 County and San Patricio area to stay together.

24 I do have a resolution from our board of  
25 directors that so states that. I would like to

1 submit that for the record. And that concludes  
2 my remarks, Senator.

3 SENATOR DUNCAN: Thank you. Senator  
4 Gallegos has a question.

5 SENATOR GALLEGOS: Ms. Scott, you  
6 represent the Chamber of Commerce?

7 MS. SCOTT: Yes.

8 SENATOR GALLEGOS: I guess, and I'm  
9 trying to get down to exactly what the Chamber  
10 wants. If you had a choice between keeping  
11 Nueces whole and maybe adding one -- if you had  
12 one of the two, what is y'all's prime purpose,  
13 keeping Nueces whole?

14 MS. SCOTT: Our primary preference would  
15 be to keep Nueces County whole. And in  
16 addition to that --

17 SENATOR GALLEGOS: That's in your  
18 resolution.

19 MS. SCOTT: Yes. Actually, our  
20 resolution refers to the Corpus Christi  
21 metropolitan statistical area, which is Nueces  
22 and San Patricio Counties.

23 SENATOR DUNCAN: Any other questions?

24 Thank you, Ms. Scott.

25 MS. SCOTT: Thank you very much.

1           SENATOR DUNCAN: We appreciate it.

2           The Chair recognizes Ray Chavez,  
3 Mr. Chavez. And on deck after Mr. Chavez we'll  
4 have Marty Evans.

5           MR. CHAVEZ: Thank you, Senator. The  
6 reason I'm at this time is because in McAllen  
7 you asked the American GI Forum -- First, let  
8 me identify myself, Ray Chaves. I have the  
9 honor of representing the Dr. Hector P. Garcia  
10 Founders Chapter where it all started over 55  
11 years ago. And I'm also the duly elected state  
12 commander of the American GI Forum of Texas.

13           And I have just been talking to  
14 Mr. Robert Narine from Lubbock, the commander  
15 and he was there at the House hearing.

16           But right now the reason I'm speaking now  
17 is because in McAllen you asked us to have a  
18 peaceful hearing, and we gave you our word.  
19 And I wanted to sit here and watch this word  
20 kept because that's very important. We also  
21 asked you to bring a full committee and you did  
22 and we thank you for that.

23           But the beat of the drum is there, and if  
24 it is needed to march on to Austin, we will.  
25 So I want to make sure that there's no question

1 about that.

2 SENATOR DUNCAN: I want to find out where  
3 I can get that -- I want to buy that drum and  
4 give that to Congressmen Hinojosa. I think  
5 that's what we decided we wanted to do is  
6 present it to him as a special momento and gift  
7 and honor.

8 MR. CHAVEZ: We can discuss that later,  
9 but I know my wife man is pleased.

10 SENATOR DUNCAN: That drum probably has  
11 more value at this time in the market than at  
12 any other time it will have.

13 MR. CHAVEZ: The drummer only follows my  
14 direction, but we will give you a manual for  
15 drum, no problem. Thank you, Mr. Chairman.

16 But everything has been said -- has been  
17 said with senior citizens, has been said by  
18 educators, community leaders, people just  
19 concerned, veterans, teachers, union people,  
20 everything has been said.

21 I'm on record as going against  
22 redistricting. And this is why, it's very  
23 simple. Everyone has asked you to listen. I'm  
24 going to ask you to listen and to watch what's  
25 happening to Texas. Texas is divided. I want

1           you to see the faces of the people that  
2           testified throughout the state. They're  
3           concerned, they're worried, they're depressed,  
4           they're down. That's what we need to see also,  
5           not only listen. And that's a very simple  
6           lesson.

7                     This is a land of laws, the Constitution  
8           states that a census will take place every ten  
9           years; it did. The law says the legislatures  
10          will work out the district lines; they tried.  
11          The law says it will go to court; it did. The  
12          law says it will be submitted to the Justice  
13          Department for certification; it was. It was  
14          submitted to the Supreme Court, the Supreme  
15          Court said it was constitutional. We didn't  
16          like it, but we respect it because that is the  
17          law. And now one man, Tom Delay, wants it  
18          redone. That is wrong.

19                    For that I'm asking you to listen to the  
20          hundreds and hundreds of voices that are saying  
21          no and see the faces of the people that are  
22          testifying before you. See the people as they  
23          come up. These are the simple people,  
24          concerned people, teachers, men and women from  
25          all walks of life.

1           If you would just look at their faces and  
2           listen to what we have to say. There are more  
3           voices saying no. Again, I'm not going to  
4           repeat any statistics that has already been  
5           stated, everything has been said. Now the  
6           decision is yours to vote. When you place that  
7           vote make sure you vote for Texas and not for  
8           Tom Delay. I'm asking you that.

9           I represent close to 8,000 American GI  
10          Forum members in good standing and they're very  
11          simple people, they come from middle classes,  
12          professionals, from all walks of life and  
13          they're very concerned. Right now as we speak  
14          the maps from the House keep changing.

15          This past weekend everybody was happy  
16          because all the bases were together, San  
17          Patricio County, Ingleside Home Port and also  
18          Naval Air Station Kingsville, Naval Air Station  
19          Corpus Christi, the Army Depot, which has 48  
20          missions in the base of Corpus Christi.

21          This afternoon one hour before you  
22          started, an hour and a half before you started  
23          the hearing the map changed again and it took  
24          them out again. So Things are changing, that's  
25          the perception that these people are listening

1 to and they're not happy.

2 Once again, I want you to ask you to  
3 listen to Texas but most important look at the  
4 faces that are speaking before you because  
5 those are the faces of Texas and right now  
6 Texas is divided and that's not the Texas that  
7 none of us want.

8 So thank you for your time. Welcome to  
9 Corpus Christi and please enjoy the oysters.

10 SENATOR DUNCAN: Thank you, Mr. Chavez.  
11 I appreciate your being here today and I  
12 appreciate your inviting us. You have a  
13 interesting way of extending an invitation. We  
14 appreciate it very much and appreciate your  
15 patience with us here today.

16 Members, are there any questions of  
17 Mr. Chavez?

18 The Chair hears none.

19 The Chair recognizes Marty Evans.  
20 Mr. Evans, please approach, state your name and  
21 who you represent.

22 MR. EVANS: My name is Marty Evans. I'm  
23 a citizen of Corpus Christi. Perhaps we should  
24 take a recess until this boat gets turned  
25 around so I can have your undivided attention.

1           SENATOR DUNCAN: You've got it.

2           MR. EVANS: Well, maybe not. I don't  
3 know. I want to start by thanking you  
4 gentlemen, ladies and gentlemen for being here  
5 tonight and giving us an opportunity to speak.  
6 This is hard work. Democracy is always hard  
7 work and this is the way it works. And I can  
8 tell you from personal observation and limited  
9 personal experience that the alternative isn't  
10 much fun.

11           I'm not a native Texan. My parents moved  
12 here when I was one-year-old. But with the  
13 exception of the last 20 years in the U.S.  
14 Army, I have spent my entire conscious life in  
15 Texas. Okay. I know first hand about Texas  
16 politics and Texas history, more of it than I  
17 like to admit sometimes. I have always voted  
18 in Texas and I have voted for candidates of all  
19 political parties and all ethnic groups.

20           I was nine-years-old in 1960 when the  
21 presidential election was John Kennedy, the  
22 Democrat, versus Richard Nixon, the Republican.  
23 That year I remember my parents commenting that  
24 there were only two Republicans on the entire  
25 ballot in Alice, Texas. They had moved here

1 from Kansas so they were a little more  
2 accustomed to having a few more choices in  
3 their elections.

4 Back in those days Democrats ruled  
5 politics and government in Texas. They didn't  
6 have to worry much about Republicans.  
7 Democrats did redistricting pretty much  
8 unopposed and unchallenged until year 2000  
9 census came along.

10 Prior to 1960 it was Texas Democrats who  
11 used redistricting authority to make sure that  
12 minorities in Texas didn't much political  
13 power. That's a historical fact, anybody can  
14 check it. In fact, you can start by check to  
15 see that the Voting Rights Act of 1960 which  
16 started the process of changing all that, was a  
17 Republican introduced and sponsored piece of  
18 legislation signed into law by a Republican  
19 president, Dwight Eisenhower.

20 For the last 40 years the Democrats have  
21 refocused their redistricting efforts to make  
22 it difficult for Republicans to be elected to  
23 congress in Texas. It was with their power --  
24 correction. It was within their power and it  
25 was legal. In spite of that, Republicans have

1           become the dominant political party in this  
2           State.

3                     Redrawing the congressional boundaries  
4           after each census is a constitutional band-aid  
5           that is intended among other things to ensure  
6           equal representation. Our elected leaders at  
7           the State level, that would be you, are  
8           required to redraw the congressional district  
9           boundaries every ten years. I want to stress  
10          that it is our elected leaders who are supposed  
11          to do this.

12                    It has always been political and the  
13          party in power has always had their way, not  
14          only in Texas but also in every other state  
15          throughout this country.

16                    In the 2001 legislative session our  
17          elected representatives failed to get it done.  
18          There was an unbreakable deadlock and they  
19          could not agree. So three unelected and  
20          unaccountable federal judges drew our current  
21          congressional district boundaries.

22                    As a result, the people of Texas have  
23          been prevented from having their will heard on  
24          this issue. We are in effect being governed by  
25          an unelected dictatorship of the judiciary



1 is in order for our community. When it comes  
2 to our locally elected representatives, there  
3 is one exception. Vilma Luna has shown great  
4 courage and exceptional political foresight.  
5 Ms. Luna is a Democrat who understands what it  
6 means to be a member of a loyal opposition.  
7 She has managed to stand on principle without  
8 burning bridges. She is the only elected  
9 representative who is serving the best  
10 interests of Corpus Christi and her  
11 constituents above the interests of her  
12 political party. For that, Ms. Luna, if you're  
13 here, I salute you.

14 Finally, I want to say to the Democrats  
15 who ran to Oklahoma and to others who are  
16 considering extra legislative blocks to this  
17 redistricting, ladies and gentlemen, you are  
18 playing with fire. Do not deny Texans their  
19 right to be heard. Do not destroy our  
20 representative form of government.

21 SENATOR DUNCAN: Thank you, Mr. Evans.  
22 Members, any questions for Mr. Evans?

23 The Chair hears none. I appreciate your  
24 testimony. Thank you.

25 The Chair calls Benito Barrera. Benito

1 Barrera. On deck will be Becky Mueller.

2 MR. BARRERA: Mr. Chairman Duncan,  
3 Members of the Committee of the Texas Senate, I  
4 would like to remind you that when I was in the  
5 first grade and I looked out the window, not  
6 paying attention to the teacher, I got a  
7 spanking.

8 SENATOR DUNCAN: Yeah, but did you have a  
9 ship to look at?

10 MR. BARRERA: On, it was a wagon.

11 My name is Benito Barrera, Benito Palcios  
12 Barrera. I live on 4221 Beard in Corpus  
13 Christi, Texas, and I am here to oppose the  
14 redistricting plan because it is not a  
15 priority. It is not necessary to spend all  
16 this money on this session. The present plan  
17 was approved by the Federal Judges and we  
18 should wait until the next census, the year  
19 2010.

20 And we trust the Federal Courts. We are  
21 law-abiding citizens and sometimes we have to  
22 go by what the Courts say when the Senators and  
23 Representatives don't agree.

24 I think we -- We learn a lot of things  
25 from reading the paper and I read the paper and

1 I saw the map and the next day I read the  
2 article where the map had been withdrawn so we  
3 don't know what actually is out there, but the  
4 thing is that we don't need this to be changed.

5 We can spend this money for the insurance  
6 on the children, and it's very important that  
7 they get this healthcare. It is ironic that  
8 the people without any vision will not provide  
9 for the children. And yet these children are  
10 going to grow up and join the military,  
11 sometimes they don't have any other option, we  
12 have to volunteer and join the military. And  
13 we go and fight for our country, we fight for  
14 our freedom, for our values and then we come  
15 back and we don't have those freedoms and  
16 values because of this system.

17 But we are making progress, and you can  
18 see here that we were able to have this hearing  
19 in Corpus Christi and that's the democratic  
20 process.

21 We need to be treated like human beings.  
22 Like when I was in the army I was a human being  
23 just like everybody else. And in Texas  
24 sometimes people forget, they treat people  
25 different, and we need to be treated like human

1 beings. Thank you.

2 SENATOR DUNCAN: Thank you, Mr. Barrera.

3 Any questions for Mr. Barrera?

4 Thank you for your testimony,  
5 Mr. Barrera.

6 The Chair recognizes Becky Mueller.  
7 Ms. Mueller, please state your name and who you  
8 represent.

9 MS. MUELLER: My name is Becky Mueller.  
10 I reside in Corpus Christi. Today I am  
11 representing the Texas AFLCIO. I'm the vice  
12 president for District 5 of this area of the  
13 AFLCIO.

14 I am opposed to the redistricting plan.  
15 I urge the senators to stop it, stop it in its  
16 tracks. We don't need to do it right now.

17 Our federal government spends millions of  
18 dollars on the census. We use that for any  
19 number of things like grants, deciding where to  
20 spend money, where not to spend money. We also  
21 use it for districting, redistricting.

22 We don't need to do it right now. We  
23 need to wait until the next census. Let's use  
24 the data we have now, let's use the intelligent  
25 data that we have right now and not redistrict

1           today.

2                       Someone said earlier that because we  
3           elect Republicans at the top that I guess the  
4           rest of us shouldn't have a voice at the bottom  
5           of the ticket. Well, I wouldn't go to my folks  
6           in San Antonio who have a Democratic district  
7           but they continue to elect Henry Bonilla and  
8           tell them they shouldn't have a right to elect  
9           who they want to elect. I wish we could beat  
10          him last time. I thought we had a good  
11          candidate. However, the San Antonio folks vote  
12          and Henry Bonilla is their Republican  
13          representative in a Democratic district. The  
14          same goes with Republican districts where the  
15          voters, with their hearts and their passions,  
16          elect Democrats.

17                      We don't need to redistrict right now.  
18          We need listen to what the voters have said.  
19          They have elected these folks. If they don't  
20          want them next term, they can un-elect them.  
21          That is democracy. The vote system is a  
22          democracy, not just the elected bodies to make  
23          rules for us.

24                      I think that the governor has vacated his  
25          responsibility by even calling this special

1 session.

2 We've all talked about CHIPS. You know,  
3 when you come to these hearings you start out  
4 with some brilliant remarks and it all gets  
5 said, so I'm going to shorten this.

6 We don't have folks with insurance. Our  
7 economy is bad. We've had folks lose their  
8 jobs and laid off. They've lost their health  
9 insurance and now they've lost their CHIPS as  
10 well. We have folks that have lost their jobs  
11 and were paying a pittance for CHIPS and now  
12 they're cut off from that.

13 We have folks on Medicaid, kids who have  
14 lost the tools they need to survive if they  
15 have a handicap. We've gutted all that.  
16 That's what it should be about, not the power  
17 grab from Tom Delay in Houston, Texas telling  
18 Texas that what Houston wants the whole state  
19 must have.

20 When I testified at the House hearing in  
21 San Antonio the other day, I was not  
22 representing anyone but myself that day. That  
23 map that was passed out that particular day  
24 showed one district going from Austin to  
25 Mercedes, Texas. Well, that particular day I

1           traveled from Corpus Christi to San Antonio for  
2           the hearings, that's 150 miles. But just think  
3           if you were in Mercedes, Texas and that map  
4           became the district, having to go all the way  
5           Austin to go see your congressmen.

6                    I understand you're telling us, you don't  
7           have a map but there are numerous maps out  
8           there surfacing. I ask you, when your map is  
9           developed, let's have new hearings on the map  
10          that's got to be considered.

11                   I think every time the map surfaces, we  
12          need to have hearings on that particular map  
13          because that's when we'll talk about the  
14          environmental concerns, that's where we'll talk  
15          about the diversity of the district from one  
16          end to the other, that's where we'll talk about  
17          the compactness of the district that is a  
18          standard that has been set up.

19                   So when your map is developed, I urge  
20          you. Well, first I urge you to stop it, don't  
21          develop a map. Short of that, if there is a  
22          map, please let's have new hearings when the  
23          map is developed.

24                   SENATOR DUNCAN: May I ask you a  
25          question, ma'am? Just hypothetically, and I

1 heard testimony today which was the first time  
2 I'd heard this but seemed to be to the effect  
3 that if you were to, through this redistricting  
4 process, combine Nueces with San Patricio  
5 County and increase the strength of the  
6 community of interest to protect the different  
7 military installations in this region and you  
8 could do that through redistricting, would that  
9 be a good thing.

10 MS. MUELLER: I think at this point  
11 that's a premature question. We have had the  
12 27th Senatorial District go up to Ganado and  
13 down and I supported a candidate in that race.  
14 Then we've had it go south.

15 I think at this point it's premature to  
16 talk about any kind of jurisdictional changes.  
17 The district is what the district is today and  
18 it should stay there until the next normal time  
19 for redistricting.

20 We've had San Patricio in our district  
21 before. If in 2010 that's where it ends up  
22 again, that'll be great. But that's the time  
23 to do it.

24 SENATOR DUNCAN: Well, let me ask you  
25 again then in a more direct way: If there was

1 a notion to accomplish that, would you be  
2 opposed to that?

3 MS. MUELLER: I would be opposed to any  
4 redistricting at this time, period.

5 SENATOR DUNCAN: No matter whether it  
6 increases or improves the ability of this  
7 community to maintain jobs?

8 MS. MUELLER: I care about all of Texas.  
9 I'm not simply territorial for my little piece  
10 of the pie. I have interests in several  
11 congressional races in districts across the  
12 State. And to say that just because my little  
13 piece of the pie is protected, that's good for  
14 Texas, that'd be shortsighted on my part.

15 SENATOR DUNCAN: Well, are you here then  
16 to testify -- Is your testimony on behalf of a  
17 particular party or is it based upon your  
18 regional connection here?

19 MS. MUELLER: My testimony is based on  
20 years of working in the political arena. I am  
21 a yellow dog Democrat. I will admit that. I'm  
22 a yellow Democrat. I've worked for Republicans  
23 in nonpartisan races.

24 But my opinion is based on, we have  
25 issues in this state that we need to be

1           addressing, such as CHIPS, such as economic  
2           development, such as getting more of those  
3           ships coming in there, such as getting  
4           longshoreman working, such as getting more of  
5           the Toyota plants built in Texas. That's what  
6           we need to be working on.

7                    SENATOR DUNCAN: And I agree those are  
8           all important things. I'm just trying to  
9           understand that -- and there's nothing wrong  
10          with this, I'm just trying to understand if the  
11          core of your testimony is partisan as opposed  
12          to regional.

13                   MS. MUELLER: The core of my testimony is  
14          that I think we have other things to be  
15          addressing at this point. I think we need to  
16          leave it -- I feel very strongly every ten  
17          years I will take what you --

18                    SENATOR DUNCAN: I'm trying to get an  
19          answer here. Let me pin you down just a little  
20          bit.

21                    Wait a minute.

22                    The Chair and the Members have the right  
23          to ask questions and I'm being polite and she's  
24          being polite and we're both into politics and  
25          we understand.

1 MS. MUELLER: I like this part.

2 SENATOR DUNCAN: We're not sparring,  
3 we're just answering questions.

4 Is your question -- I mean, is your core  
5 of your belief here partisan or is it regional?  
6 Are you speaking of behalf of the people of  
7 this region or from a partisan perspective  
8 statewide?

9 MS. MUELLER: I'm speaking -- Well, I  
10 have several hats. I represent members who  
11 work in Congressional District 14 and 15 and in  
12 27th. I care about all of those.

13 My employer that I represent folks who  
14 work for, is all over the State. They're all  
15 over the nation. So we deal with congressmen  
16 in Washington at all levels.

17 So it's not just regional. It's not just  
18 state. It is that I care about my country. I  
19 care about the politics of my country. I take  
20 my politics very seriously, and I just don't  
21 think we need to be messing with this at this  
22 time. In 2010 if you give me all Republican  
23 districts, that's what we deserve.

24 SENATOR DUNCAN: Would that be your  
25 testimony even if a redistricting plan for

1           today increased or enhanced the congressional  
2           influence of this region in Washington?

3           MS. MUELLER: From my perspective, Becky  
4           Mueller's perspective as an individual?

5           SENATOR DUNCAN: Yes, ma'am.

6           MS. MUELLER: My testimony will be the  
7           same even if we increased the power in this  
8           particular congressional district.

9           SENATOR DUNCAN: And why would that be  
10          the case?

11          MS. MUELLER: It's bigger than this  
12          congressional district. It's bigger than my  
13          thoughts. It's bigger than this region. If we  
14          as -- for both parties work together for  
15          sincere economic development and had jobs in  
16          this state, we'd be better off. I think we're  
17          wasting our resources by trying to divide and  
18          conquer.

19          We have bigger things to do. We need to  
20          get folks to work. We need to get folks off  
21          welfare. We need to get folks on CHIPS that  
22          have been kicked off. We need to get folks  
23          jobs that have benefits and health insurance  
24          where they can take care of their families.

25          SENATOR DUNCAN: Okay. Thank you. Any

1 other questions? Senator Gallegos.

2 SENATOR GALLEGOS: Ms. Mueller, part of  
3 your comments that I heard was that whatever  
4 Houston wants and Tom Delay wants, please there  
5 was a perception on my part that -- don't hold  
6 it against me because I'm from Houston and Tom  
7 Delay's from Houston.

8 MS. MUELLER: I apologize for that. I  
9 misspoke. I'm so sorry.

10 SENATOR GALLEGOS: There's some of us  
11 that think alike and Tom Delay doesn't  
12 represent me.

13 MS. MUELLER: Thank you.

14 SENATOR DUNCAN: Members, any other  
15 questions?

16 Thank you for sparring with me,  
17 Ms. Mueller. I enjoyed it. You did a good  
18 job.

19 The Chair calls Willie Vaden. Mr. Vaden.

20 MR. VADEN: Good afternoon. My name is  
21 Willie Vaden. I'm at Ingleside, Texas, and I'm  
22 the current residing second term mayor of the  
23 City of Ingleside.

24 Much as I didn't take the forefront as  
25 other elected officials, I believe should be

1 the same as me, sit back and wait our turn  
2 because none of us are any better or any  
3 greater than the other.

4 But on my part of the district, I just as  
5 soon that give what I was trying to think of  
6 down in Brownsville and I wasn't allowed to  
7 speak. There's a compressed congressional  
8 district on our side. We have never been  
9 represented.

10 I sat here and listened to Solomon Ortiz,  
11 you know, represents Corpus. You know, the  
12 piers and the wharfs go out into Nueces Bay.  
13 He represents Ingleside already. But they  
14 tried to use it as a political tool and I don't  
15 think that's right.

16 I've served the City of Ingleside for  
17 almost six years now. I'm not Hispanic, and  
18 I'm not white. So I don't have any of the  
19 glorious credentials that other people have.  
20 Much as Chuy Hinojosa, I served in Southeast  
21 Asia in '67/'68. I'm a lifetime member of VA,  
22 the VFW, VAD. I could go on and on about those  
23 type of credentials whatever.

24 But I stand here and I'm in the 15th  
25 Congressional. We've never been represented.

1           We brought the second largest employer in this  
2           entire area to the State, my constituents, my  
3           citizens on their backs in abatements and  
4           grants and stuff from the city. Our  
5           congressman didn't even know it was there.  
6           Solomon Ortiz didn't know it was there. They  
7           just saw this great big giant building.

8                     And I will tell anyone here that says --  
9           especially the young lady who was speaking on  
10          behalf of union because that's what she was  
11          speaking on. You couldn't get it out of her.  
12          I can tell you San Patricio County is a  
13          non-union locale over here.

14                    We have jobs. Anybody in Corpus Christi  
15          that don't have a job, you come to Ingleside.  
16          We've got them. Somewhere between 600 and 800.  
17          Not only will we train them and pay them while  
18          we're training them, we will give them 12 to 15  
19          to 18 dollars an hour after they become  
20          certified welders and fitters.

21                    Our area is growing immensely. I believe  
22          that if you're going to redistrict, I don't  
23          want Solomon to come into our district but if  
24          it does, he's a great guy. I've known him ever  
25          since I was knee high to nothing down on Agnes

1 Street.

2 But we in this northern entity of this  
3 district, the young lady was talking about the  
4 district of Ruben Hinojosa would go all the way  
5 up to Austin and they'd have to drive down to  
6 Mercedes. Well, guess what? Ingleside,  
7 Yoakum, Yorktown, Golliad, Refugio, Mathis, we  
8 have to drive all the way down to Edinburg. I  
9 mean, gee, it's all right for somebody else but  
10 it's not all right for us.

11 I mean, and we're forgotten over there.  
12 I've heard everybody sit here and speak about  
13 Corpus Christi, I want to tell you what the  
14 driving force of South Texas is today, that  
15 little community over there. Everybody wants a  
16 piece of that pie. We have the jobs, we have  
17 the land, we have the infrastructure.

18 I heard somebody stand up here and say we  
19 put 25 million into the Naval Station  
20 Ingleside. They didn't know it was going  
21 there. They thought it was going here.

22 You take 25 million dollars divide it by  
23 250,000 people that \$100 per capita. You take  
24 my citizens that pumped nine million dollars  
25 into infrastructure to support the base and it

1 comes to almost \$3,000 per capita and these  
2 were people in an economically distressed area.  
3 But on backs of good citizens without having  
4 political parties, we worked together, brought  
5 industry, brought jobs and we don't play  
6 Republican and Democrat. We play jobs,  
7 economic development, growth.

8 And you know what when I got elected --  
9 I've listened to all these people elected  
10 officials. When I got elected, I didn't get  
11 elected to look after my people, I got elected  
12 to look after all the people whether they be  
13 white, green, yellow, gold, orange or purple it  
14 makes no difference.

15 When I became mayor I considered  
16 Ingleside a racist society, it is no longer  
17 that today. It has been expunged from my  
18 community. And what I've been subjected to  
19 since I tried -- this is the first time -- I  
20 was in Brownsville when I was jumped by 300 of  
21 these fine folks back who kept me from  
22 speaking.

23 And this is what I wanted to say, I  
24 believe in what they say. But you know what, I  
25 fought for my rights to free speech just like

1           they did, you know. And, you know, Congressman  
2           Gallegos -- I mean, Senator Gallegos, when you  
3           spoke and you said it reminds me of a  
4           representative down there that said, you know,  
5           a white man can't represent Hispanics. Then  
6           that means if you take the same frame of  
7           thought because when you said Delay is not my  
8           congressman, if he's in your district, sir, he  
9           is your congressman, just like President Bush  
10          is our president.

11                 But when people start thinking that  
12           because your ethnicity, the color of your skin  
13           or your last surname that you can't represent  
14           them, they're wrong.

15                 What are we going to do, divide up into  
16           Hispanic communities, black communities, white  
17           communities, Asians, African Americans? We're  
18           not going to. What y'all need to do is come  
19           over to where we live and see how we run our  
20           county and we don't run it this way. We're a  
21           common people with a common goal, put a roof  
22           over the head, put clothes on the kids back and  
23           food in your belly. And we have three things  
24           to say, God, family and country and that's all  
25           that matters to us. Thank y'all.

1           SENATOR DUNCAN: Thank you, Mr. Vaden.

2           Wait a minute, Mr. Vaden. Senator Gallegos.

3           SENATOR GALLEGOS: Mr. Vaden, first of  
4           all, that's not what I said. I don't know  
5           where you got that from. My congressman just  
6           happens to be Gene Green and the last time I  
7           looked at him, he's an Anglo Democrat and I'm  
8           proud.

9           MR. VADEN: There's still congressmen in  
10          the state -- representing the State of Texas in  
11          the House.

12          SENATOR GALLEGOS: Gene Green is my  
13          congressman. It's my understanding that that's  
14          what the lady from the AFLCIO was referring to  
15          is congress folks from Houston.

16          He does not represent me, Gene Green is  
17          my congressman, an Anglo Democrat which  
18          represents my community with honor and i vote  
19          for him all the time.

20          MR. VADEN: Well, I'm sorry. I don't  
21          look at the color of a man's skin.

22          SENATOR GALLEGOS: But you were saying  
23          that I said that. That's not what I said.

24          MR. VADEN: What I said is you took a  
25          straight hard line Democratic line --

1           SENATOR GALLEGOS: No. I said Tom Delay  
2 does not represent me. He's not my  
3 congressman.

4           MR. VADEN: You should be sitting up here  
5 trying to figure out what we're going to do  
6 about this redistricting.

7           SENATOR GALLEGOS: I just wanted to set  
8 the record straight. Tom Delay is not my  
9 congressman. Gene Green, an Anglo Democrat is  
10 my congressman.

11          MR. VADEN: That's great, but he's still  
12 a congressman for your state. Thank you.

13          SENATOR DUNCAN: Any other questions?

14          The Chair recognizes Nancy Perez. State  
15 your name and who you represent. I think we  
16 can hear you.

17          MS. VERA: You can? Okay.

18          My name is Nancy Vera and I'm president  
19 of the local chapter of League of United Latin  
20 American Citizens No. 4444. Can everyone hear  
21 me?

22          It is sometimes difficult to understand  
23 the logic surrounding decisions made by our  
24 elected officials. As voters and constituents  
25 we trust that whatever our elected officials

1 do, Ms. Van de Putte is in the best interests  
2 of our children, our community, our state, our  
3 nation and now more than ever, the world.

4 We are on the brink of a new era, one in  
5 which truth is defined relative to beliefs and  
6 lifestyle, Senator Gallegos. Throughout the  
7 history of the United States, truth has always  
8 been defined by the dominant culture. As a  
9 result the oppressed and the marginalized have  
10 had to suppress or lose part of their  
11 tradition, a part of their culture, a part of  
12 who they are in order have a chance to succeed  
13 in the dominant culture's world.

14 Likewise, this past legislative session  
15 has been peppered with concessions by some of  
16 our most valued elected officials in order for  
17 us to sustain our benefits or to minimize  
18 losses.

19 As president of the League of United  
20 Latin American Citizens, Council No. 4444 in  
21 Corpus Christi, I am charged by my members with  
22 communicating to you that the actions by some  
23 of our senators and by some of your colleagues  
24 in the House of Representatives constitutes a  
25 betrayal of public trust.

1           We applaud our neighbors from the GI  
2           Forum and others who are responsible for  
3           bringing the hearing to Corpus Christi. But  
4           sadly -- but sadly, we note that this has been  
5           a hollow victory. We know that the  
6           redistricting maps will be railroaded through  
7           the legislature and that we, the oppressed and  
8           the marginalized will have to mobilize and  
9           organize even more intensely with increased  
10          fervor and unyielding resolve in our advocacy  
11          of the poverty stricken, the elderly, the  
12          children, the people with disability and  
13          minorities.

14          The activism we -- all of you witnessed  
15          in Brownsville and McAllen will be dwarfed one  
16          hundred fold in comparison to the activism we  
17          will probably see in the years to come if this  
18          redistricting measure passes. We have, we are  
19          and we will be united in our cause to stop the  
20          greedy and the power hungry from dominating our  
21          communities.

22          So for the record LULAC Council No. 4444  
23          is opposed to redistricting for several  
24          reasons. Redistricting is wrong because it is  
25          unethical. It is a blatant betrayal of public

1 trust. It is a needless and irresponsible  
2 expenditure of tax money. It is the use of tax  
3 money to further partisan agendas. It will  
4 cost the taxpayers of the State of Texas even  
5 more than the 1.7 million dollars because of  
6 certain litigation costs that could run into  
7 the millions of dollars.

8 And finally, but most critically,  
9 redistricting is wrong because it will not be  
10 representative of the number of Latinos that  
11 make up the population of Texas, a violation of  
12 the Voting Rights Act. Let us instead of  
13 redistricting to reflect voter trends,  
14 redistrict to reflect the trend of Latino  
15 population growth in Texas, perhaps that would  
16 be a fairer measure.

17 We know that what we say here today may  
18 be dismissed as rhetoric but some, but for us  
19 it is important that our words be made part of  
20 the record. As you know, there is hardly  
21 anything more unforgiven than the hypocrisy and  
22 mendacity of elected officials.

23 It is our hope that you will do what is  
24 right and support the cause of the people, the  
25 oppressed and the marginalized. To do

1 otherwise would be a sin against yourselves and  
2 against the citizens of this great State of  
3 Texas.

4 Thank you for coming to Corpus Christi.

5 SENATOR DUNCAN: Thank you, Ms. Vera, I  
6 had a question.

7 MS. VERA: I hope I can answer it.

8 SENATOR DUNCAN: What if a redistricting  
9 plan actually increased the number of Hispanic  
10 congressional seats in the State of Texas?

11 MS. VERA: That's also a hollow promise,  
12 a hollow --

13 SENATOR DUNCAN: It's not a promise.  
14 It's a question.

15 MS. VERA: It's -- We are opposed to  
16 redistricting at this time because it is to  
17 partisan advantage and because it is taking  
18 monies away from our children and our poverty  
19 stricken and our educational system.

20 SENATOR DUNCAN: But hypothetically let  
21 me ask you this question. I'll ask it again in  
22 this way: What if a redistricting plan  
23 actually increased the number of Hispanic  
24 leaning or Hispanic congressional seats, what  
25 would your position be? Would you still be

1           opposed?

2                   MS. VERA: The needs of the Hispanics are  
3 clear. If we need redistricting according to  
4 population growth, then so be it, but not at  
5 this time.

6                   Secondly, we are also advocating for the  
7 poverty stricken and the marginalized and the  
8 oppressed.

9                   SENATOR DUNCAN: Let me understand what  
10 is with regard to you saying, not at this time.  
11 If you were able to add an additional Hispanic  
12 congressional seat, why would you be opposed to  
13 that today and not four years or five years  
14 from now?

15                   MS. VERA: Chairman Duncan, the  
16 Democratic party has carried the civil rights  
17 and the civil rights and the cause of the  
18 poverty stricken. To do this would be a farce  
19 at this time. We are spending too much money  
20 that should be going to education, to our  
21 children that don't have shoes to wear to  
22 school.

23                   SENATOR DUNCAN: So then the opposition  
24 would be partisan as opposed to --

25                   MS. VERA: The opposition would not

1 necessarily be partisan, it would not  
2 necessarily be Hispanic or racial, it would be  
3 for the good of this state, the good of this  
4 nation and because we know Texas effects  
5 whatever happens in world in terms of going  
6 through the nation it would effect the world.

7 SENATOR DUNCAN: Thank you. Any other  
8 questions, Members?

9 Thank you for your testimony, Ms. Vera.

10 The Chair calls Benny Benavides.

11 And after Mr. Benavides will be Raul  
12 Salazar. Mr. Benavides is card No. 39 out of  
13 72.

14 MR. BENAVIDES: (Through an interpreter.)  
15 First, I would like to thank --

16 SENATOR DUNCAN: Hold on a minute,  
17 Mr. Benavides.

18 MR. BENAVIDES: First, I would like to  
19 give you a welcome to Corpus Christi.

20 First, I would like to say we have the  
21 largest minority representation in the State of  
22 Texas, the Hispanics. This is what bothers me  
23 that is happening in the State of Texas. With  
24 respect to the 27th Congressional District  
25 where we find our Senator Solomon Ortiz. A man

1           who has stuck out, who has distinguished  
2           himself and has given us much benefit to our  
3           district, District 27. The district is made up  
4           of the following counties, Nueces, Kleberg,  
5           Kennedy, Willacy and Cameron.

6                     This congressman, the Honorable Solomon  
7           Ortiz, represents over 60,000 people in this  
8           district -- 660,000. One has to see the things  
9           as they are. Thanks to the efforts of Solomon  
10          Ortiz we can be thankful for the bases that we  
11          have in Corpus Christi, Kingsville, Ingleside  
12          and all the efforts he's done for these jobs.  
13          We also have a Port of Corpus Christi, we have  
14          industry, we have refineries. We have much to  
15          be very thankful and grateful on behalf of  
16          Senator Solomon Ortiz.

17                    This congressman, Solomon Ortiz, has  
18          distinguished himself in many ways. He works  
19          in harmony in Washington with all the  
20          congressmen, be they Democrats or Republicans.  
21          He has this harmony, it is a gift that God has  
22          given him.

23                    For this reason when he runs in his  
24          political races, these counties of the 27th  
25          District get organized in political centers, a

1 group of political people that get together,  
2 and they enter the political campaign so he can  
3 win and gain the political strength that he  
4 has.

5           Congressman Ortiz has run in political --  
6 he has been very effective representing his  
7 area but there have been people from the  
8 Republican party, people with PhDs, people with  
9 political clout, who have tried to undermine  
10 some of the political power that he has. And  
11 he is speaking about the strength that Solomon  
12 Ortiz has and how he has represented his 27th  
13 District.

14           He is a man who comes from a very small  
15 town called Robstown. He is a man who has  
16 suffered much in his life, and he is a man who  
17 represents and identifies himself with the  
18 people of the 27th District by his hard work.  
19 There is no doubt that people of Latin descent  
20 like Congressman Ortiz, they are few but they  
21 are people that can always defend the well  
22 being of our people especially in the Districts  
23 27, 15 and 28. It is gentlemen like him, with  
24 the harmony that they have, to be able to work  
25 with countries like Mexico and the districts in

1           that area.

2                   And I also want to add, that the people  
3           who back us are groups or association who help  
4           us in matters of civil rights, like the  
5           gentleman we have, Dr. Hector P. Garcia. He is  
6           the one who opened our eyes to what's happening  
7           politically across the nation. For that reason  
8           you find here present the GI Forum Dr. Hector  
9           P. Garcia Chapter, the Felix Longoria Chapter  
10          and the representative of LULAC.

11                   For me it is a pleasure, an honor of  
12          those present for those recognized, and I would  
13          wish that God would give me the ability to  
14          express what I feel in my heart, not only for  
15          these organizations but for all the Americans,  
16          for the American country.

17                   I had five sons who served in Iraq in  
18          1991 who were honored by the Arab Kings. They  
19          are young men who are well established and who  
20          believe in our country.

21                   And for this reason I say to you that may  
22          God give you the vision and the ability to  
23          analyze all the problems that you can find in  
24          South Texas. And that you might do what God  
25          asks you to do, what's in your hearts, justice,

1 equality for all American people.

2 As you know we have civil industry here,  
3 we have the military. Nobody here is  
4 discriminated. We give the welcome to  
5 everyone. And we realize that you have a very  
6 difficult task to do and we wish you the best.

7 May God bless you all, and please do not  
8 forget Hispanics. We need you. You will be  
9 the heros and the champions of the Hispanic  
10 peoples. Thank you.

11 SENATOR DUNCAN: Thank you,  
12 Mr. Benavides. Are there any questions for  
13 Mr. Benavides?

14 Thank you for your testimony. I've  
15 enjoyed visiting with you today.

16 MR. BENAVIDES: Thank you very much.

17 SENATOR DUNCAN: The Chair recognizes  
18 Mr. Raul Salazar. Mr. Salazar. Raul Salazar.  
19 Is Mr. Salazar present?

20 Let the record reflect that Mr. Salazar  
21 has registered a position. Is not present in  
22 the audience and has registered a position  
23 opposed to redistricting.

24 The Chair recognizes Jesus Molina. Jesus  
25 Molina. Is Mr. Molina present in the audience?

1 He's coming.

2 After Mr. Molina we'll have Rudy  
3 Gutierrez.

4 MR. MOLINA: Good evening. My name is  
5 Jesus Molina, and I reside at 4314 Bitters  
6 Drive, Corpus Christi. I am a member of LULAC  
7 Council 4444, and I am opposed to the  
8 redistricting.

9 The House had the opportunity to do it,  
10 and I agree that this is -- you know, I believe  
11 that this country is a democracy and a land of  
12 laws. I joined the United States Navy, and I  
13 believe in this country and the principles it  
14 was founded on.

15 What Tom Delay is trying to do is a  
16 betrayal of trust. And, you know, this land is  
17 supposed to be governed by the people, for the  
18 people and it's supposed to --

19 You know, one of the things that I try to  
20 instill in people that I work with, you know,  
21 at risk youth is to believe in something. How  
22 can I believe in this land of laws when the  
23 House of Rep. Tom Delay, Governor Rick Perry is  
24 forcing us to do this redistricting at this  
25 time. Traditionally we did it every time we do

1 the census.

2 What are we trying to teach our youth  
3 that this land of laws is worthless, it means  
4 nothing? It should mean something. People  
5 have died for what this country has been  
6 founded on. And to tell these kids, the people  
7 who are disenfranchised, who will not come out  
8 and vote because they say the politicians once  
9 they get in power, they will do what they what  
10 don't do anyway, my vote does not count.

11 Senators, I beg of you and I plead with  
12 you to vote against this. Restore faith in the  
13 system. Restore my faith in the system and in  
14 you the politicians. Because if this goes  
15 through, that just gives another excuse for the  
16 people do not go out and vote.

17 You know, I am strongly encouraged a  
18 friend of mine, a single mother too, to pursue  
19 charges against her abuser because it is not  
20 right that children live up in an environment  
21 of violence and substance abuse. And for her  
22 to be able to do this, she had to believe in  
23 the system that it works, and I strongly  
24 believe in the system. It does work.

25 It is very easy for somebody to go and

1 break the law. But to have faith in the law,  
2 it takes courage and perseverance. And how can  
3 I look my friend in the eye and tell her that  
4 the system does not work?

5 I am opposed to this redistricting, and  
6 one of the reasons being is the pure fact that  
7 the law is the law. You know Republicans  
8 whoever, Tom Delay cannot change -- just  
9 because he doesn't like the way the game is  
10 going, you cannot change the rules of life. We  
11 have to play it out.

12 He can change them again at the end of  
13 the census. You know, what exactly are we  
14 showing our youth. You know, I'm afraid the  
15 precedent this will set for the rest of the  
16 country.

17 I urge you to go, Senators -- you know, I  
18 went down to, I was in Brownsville and I was in  
19 McAllen. And when I was in Brownsville I was  
20 disappointed at some of the tactics that were  
21 pulled. The quorum was not there, however  
22 Mr. Crab insisted on being there all day long.  
23 He could have left when his counterpart, the  
24 gentleman from Round Rock left, but no, he  
25 insisted staying there and wasted more of my

1 tax dollars.

2 That's another reason I'm against this.  
3 We do not need spend the money that we're  
4 spending on this. There was always chance to  
5 do redistricting and it was not done. Thank  
6 you.

7 SENATOR DUNCAN: Thank you, Mr. Molina.  
8 Members, are there any questions for  
9 Mr. Molina?

10 Thank you, appreciate your testimony.  
11 Did you get to testify -- Did you testify in  
12 McAllen too? I can't remember. I thought you  
13 looked familiar.

14 MR. MOLINA: I was there in McAllen and  
15 Brownsville. I was not able to testify at both  
16 occasions. The first occasion because there  
17 was not a quorum, okay.

18 And in McAllen I wasn't because of --  
19 beyond my control. I wasn't there -- As a  
20 matter of fact, I was there with the American  
21 GI Forum. Whoever paid that trip, I was there  
22 and they chose to leave, so that was my ride,  
23 so I had to leave.

24 SENATOR DUNCAN: So you left with them?

25 MR. MOLINA: Yes, sir.

1           SENATOR DUNCAN: Okay. Well, I thought  
2 maybe I just remember seeing you there.

3           MR. MOLINA: I was there but I didn't  
4 testify.

5           SENATOR DUNCAN: Senator Gallegos.

6           SENATOR GALLEGOS: I mean, I want to  
7 point out that there is a quorum here, and it's  
8 a full quorum. That was the House -- You were  
9 referring to the House; right?

10          MR. MOLINA: Yes, sir.

11          SENATOR GALLEGOS: I just wanted to make  
12 sure.

13          MR. MOLINA: I'm sorry. It was not in  
14 McAllen, it was Brownsville.

15          SENATOR GALLEGOS: In Brownsville.

16          MR. MOLINA: Right.

17          SENATOR GALLEGOS: Brownsville, all  
18 right. Thank you.

19          MR. MOLINA: And you know, if nothing  
20 else, I ask the Senate to show the House how to  
21 do it.

22          SENATOR DUNCAN: We've been working on  
23 that. You just scored a point.

24          The Chair recognizes Mr. Rudy Gutierrez.  
25 Mr. Gutierrez.

1           MR. GUTIERREZ: Good evening,  
2           Mr. Chairman, Members of the Committee.

3           My name is Rudy Gutierrez. I resided at  
4           6110 Orange Wood here in Corpus Christi. I'm a  
5           federal employee of the Corpus Christi Army  
6           Depot. I've been a federal employee for the  
7           past 21 years. I'm also a vice president of  
8           one of the largest federal unions here in  
9           Texas, which is the American Federation of  
10          Government Union Employees, stationed at Corpus  
11          Christi Army Depot.

12          I was going to speak on behalf -- at the  
13          state level about opposing the redistricting,  
14          but I'm sure that by the voices of people  
15          you've heard a substantial amount of opposition  
16          towards redistricting. But what concerned me  
17          to most is this flyer that I received saying  
18          that the representative from Brownsville, I  
19          believe, had submitted an amendment that would  
20          exclude all military bases in Congressman  
21          Ortiz's district.

22          As a federal employee and as an officer  
23          of a federal union, when we hear news like this  
24          that effects the federal government, then we as  
25          federal unions, this is where we step in. Any

1 time where it is an impact of federal jobs,  
2 especially here in the Coastal Bend Area, it  
3 becomes the union's business because now we're  
4 talking about a federal issue now.

5 We've been very active in the past in our  
6 lobbying efforts in Washington. We've had  
7 somewhat of a partnership with the congressmen  
8 and Senators up in Washington, Democrats and  
9 Republicans, especially Republicans who have  
10 military installations in their states.  
11 They're just as worried as we are about the  
12 upcoming base closures.

13 But we as activist in representing our  
14 people, our federal employees here in the  
15 Coastal Bend area, we must speak out against  
16 any movement that will have an impact and  
17 possible reduction in our federal workforce  
18 here in the Coastal Bend area.

19 Our wages and our salaries that the  
20 Corpus Christi Army Depot puts out economically  
21 in the Coastal Bend area, I can tell you that  
22 just the wages itself will add up and possible  
23 is more than what the entire City budget puts  
24 out. We're talking about millions and millions  
25 of dollars.

1           Earlier Committee members were amazed as  
2           the ships were passing through. Well, I'll  
3           tell you what, you should have been here three  
4           months ago before we started the war in Iraq.  
5           This port played one big major role in the  
6           military because this turned into a military  
7           deployment center.

8           The ship channel here was used for  
9           military purposes. We had security all over  
10          the port. Corpus Christi within the spur of  
11          the moment changed categories. All right.  
12          We're on a high alert, everybody in your  
13          places, the port here turned from a commercial  
14          port to a military port.

15          We were deploying, we were sending  
16          military equipment, artillery. You name it,  
17          the port was there, available in a split second  
18          to support our men and women in uniform  
19          overseas and we'll continue to do so.

20          And speaking of that, any type of changes  
21          that we are here talking about redistricting  
22          and especially the flyer that an amendment was  
23          submitted to exclude the military bases from  
24          Congressman Ortiz's area, it's going to be  
25          very -- It's going to be detrimental to the

1 local economy, not only to the economy but  
2 national security. At this time we cannot be  
3 playing around with national security.

4 After 9/11, everybody's on high alert.  
5 To be changing the structure, the way it is  
6 right now and to possible have an effect on our  
7 military bases here: Ingleside, Corpus  
8 Christi, Kingsville, it could be dramatic. I  
9 hate to think of it. Not being ready for  
10 whatever happens overseas in the spur of the  
11 moment because we're too busy shuffling the  
12 cards around, it could be very, very drastic.

13 And I ask you to please consider our  
14 issues as federal employees, to think seriously  
15 about making any changes in this district.

16 SENATOR DUNCAN: Thank you,  
17 Mr. Gutierrez. Senator Gallegos.

18 SENATOR GALLEGOS: Mr. Gutierrez, let me  
19 assure you I had no idea that this -- this  
20 amendment evidently was done today. We're here  
21 today listening to you, and this is the first  
22 I've heard of this amendment. And, you know,  
23 please indulge us in that, you know. This is  
24 the first -- and some of the Members have also  
25 told me this is the first we've heard of this.

1           Second is, please be assured that I'm not  
2           amazed at the ships that you see out here  
3           because my district office is on the Port of  
4           Houston and I see these ships out of my window  
5           on a daily basis.

6           But understand, we -- This is the first  
7           I've heard of this and I don't think the  
8           Chairman knew or any of us knew things that  
9           happen in the House. While we're here  
10          listening to you, the good people of Corpus and  
11          the surrounding areas, they're debating an  
12          issue on the floor and we just hear it by  
13          either phone or through our computer. And this  
14          is first time I've seen this. I just wanted to  
15          assure you that we don't --

16          MR. GUTIERREZ: Yeah, it's fine. It  
17          caught me by surprise too.

18          But the fact is that the Congressman and  
19          the Senators up on Capital Hill, they know  
20          Corpus Christi. They know the sparkling city  
21          by the sea. They know we have military bases  
22          here, they're aware of that. And we go every  
23          year to lobby to secure our federal jobs here  
24          against the upcoming base closures.

25          Corpus Christi is on the maps. Texas is

1 on the maps up in Washington, you know, we're  
2 one -- we're the largest military state in the  
3 nation. We really need to protect our military  
4 installations and keep it the way it is.

5 SENATOR DUNCAN: Thank you,  
6 Mr. Gutierrez. Members, any other questions?

7 Thank you for your testimony.

8 The Chair recognizes Joe A. Gonzalez.  
9 Mr. Gonzalez.

10 MR. J. GONZALES: Joe A. Gonzalez. I  
11 reside in Corpus Christi, 7045 Laramie, 78414.

12 Mr. Chairman, I too echo what has been  
13 said by some of my fellow citizens here in  
14 Corpus Christi. I am against redistricting.  
15 As an individual, as a disabled veteran, as a  
16 federal worker and also as president of the  
17 American Federation of Government Employees out  
18 at the Corpus Christi Army Depot.

19 What Mr. Gutierrez has said, I cannot  
20 express to you all the concern that we have  
21 throughout the State of Texas concerning our  
22 military bases. We have done a tremendous  
23 amount of work in trying to protect, in trying  
24 to develop the relationships throughout the  
25 districts of this great state in order to

1 maintain our bases, whether it's in San,  
2 Antonio whether it's out in Fort Hood, whether  
3 it's out in Brownsville, throughout the area, I  
4 can't tell you the relationship that we've been  
5 able to develop with all different Senators,  
6 congressmen throughout this great state. It is  
7 a deep concern that we have.

8 I can tell you that the economic impact  
9 that a base like the Corpus Christi Army Depot  
10 can have on a community, such as what Kelly did  
11 in San Antonio, can be devastating. When you  
12 have an impact of that proportion, it  
13 definitely draws a lot of questions and answers  
14 that are being asked as to what we need to do  
15 in order to protect our bases.

16 Our union belongs to the South Texas  
17 Military Task Force. We work very closely with  
18 the mayor along with a lot of our constituents  
19 here in Corpus Christi and throughout the state  
20 to try to develop a good economic plan in order  
21 to make a good position about protecting our  
22 bases here.

23 And what redistricting does to us,  
24 completely puts us in harms way in order try to  
25 develop, still in a critical year, that

1 particular stand that will definitely carry us  
2 through 2005 under this base closure that's  
3 coming up.

4 Congressman Ortiz has done a tremendous  
5 amount of job throughout the South Texas area  
6 in protecting our bases. The Corpus Christi  
7 Army Depot has gone from a 60 million dollar a  
8 year operation to 2004, this coming year, will  
9 be almost 780 million dollars worth of work  
10 coming into this Army Depot.

11 I can only tell you that we like the way  
12 it is right now. We know what is right for  
13 Texas. I can tell you that the Courts knew  
14 what was right for Texas. We ask you all to do  
15 what's right for Texas and stop this  
16 redistricting process. Thank you.

17 SENATOR DUNCAN: Thank you, Mr. Gonzales.  
18 We appreciate your testimony.

19 Members, any questions?

20 Thanks for being with us this evening.

21 The Chair recognizes Susan Reeves.

22 MS. REEVES: Good evening, Senators. My  
23 name is Susan Reeves. I'm just a stay at home,  
24 middle class soccer mom, and I am only speaking  
25 for myself. I want to go on record as



1 Bush's nearest neighbor in the Crawford area.  
2 My other still owns the old family homestead  
3 there. My daddy is buried in the family plot  
4 at the Osage cemetery. It's an official state  
5 historical site and every one of my great great  
6 grandparents is buried in that same cemetery  
7 too. As I said, my roots in Texas run deep.

8 But you know, there are some Hispanics in  
9 Texas whose roots run even deeper because their  
10 relatives fought and died at the Alamo  
11 alongside the Texas patriots there. Their  
12 relatives celebrated our victory at San  
13 Jacinto. Anglos, Hispanics, other minorities  
14 groups worked together to win our independence.  
15 You see, their roots run deeper than mine  
16 because they were here first.

17 You know, almost 40 years after the Civil  
18 Rights Act was passed and the Voting Rights Act  
19 in '65, they were signed into law by another  
20 Texas president, I am appalled to see that Tom  
21 Delay has managed to hijack the Texas House of  
22 Representatives in order to "perrymander" one  
23 million Hispanics and African-Americans who  
24 live outside the major majority minority ares.  
25 They've been carved into Republican

1 Congressional District barrios and ghettos.

2 I am horrified to see the cavalier manner  
3 in which the House has ignored public input,  
4 has refused to hold full field hearings and has  
5 hidden away some mystery map which denies us  
6 all the opportunity to discuss the true  
7 district lines that they've drawn up in some  
8 smoke filled backroom.

9 The Republicans in the Texas House -- and  
10 this is what upsets me most of all -- have  
11 ensured that the State of Texas will continued  
12 to be covered under the full provisions of the  
13 Voting Rights Act for another century from what  
14 they pulled this year. And that, Senators, is  
15 a shame and it is a disgrace.

16 How can Tom Delay and Rick Perry say that  
17 it is wrong to have racial percentage quotas  
18 for colleges and universities and yet say it is  
19 right to have a political quota in place to  
20 ensure that 58 percent of U.S. Congressmen from  
21 Texas are Republicans? That is hypocrisy, pure  
22 and simple.

23 In closing, I hope -- the rooms clearing  
24 out now. I hope you got a chance to look  
25 around the room because I want you to see what

1 the future of Texas looks like. I want you to  
2 remember that Hispanics are Americans, just  
3 like you and me. They send their sons and  
4 daughters to fight and die defending our  
5 country. They proudly stand and recite the  
6 Pledge of Allegiance and they are every bit as  
7 deserving as Anglos to have fair and equal  
8 representation.

9 You know within the next five to ten  
10 years, Anglos are going to become a minority  
11 group in Texas. Within 30 years Hispanics are  
12 likely going to comprise an outright majority  
13 in this state. Make no mistake about it,  
14 whether it is with Anglos or in spite of  
15 Anglos, minorities are going to gain a place at  
16 legislative table here in Texas.

17 I would suggest that we all work together  
18 instead of against each other to make Texas one  
19 of the best states in which to live instead of  
20 one of the worse.

21 Now I believe the best way for the Texas  
22 Senate to demonstrate their willingness to  
23 cooperate with all ethnic groups in Texas is by  
24 voting not to even consider this ridiculous,  
25 illegal sham redistricting bill. And we're

1           begging you to lead us together into the 21st  
2           century. Thank you.

3                     SENATOR DUNCAN: Thank you, Ms. Reeves.  
4                     Members, any questions for Ms. Reeves?  
5           Thank you for your appearance here today.

6                     Members, we've been going an hour and a  
7           half. It's time for our break. We want to  
8           take a shorter break this time and if we could  
9           promptly return in ten minutes, that would make  
10          us return, by my clock at -- and by your time  
11          at 8:45 sharp. Let's start at 8:45.

12                    The next witness will be Margaret  
13          MacPhail, Billie Wilkerson and then Adelina  
14          Pena.

15                    (Recess from 8:32 p.m. to 8:43 p.m.)

16                    SENATOR DUNCAN: The Committee will come  
17          to order.

18                    Margaret MacPhail. Is Ms. MacPhail  
19          present?

20                    Let the record reflect that Ms. MacPhail  
21          is not present but has registered a position  
22          against redistricting.

23                    The Chair calls Billie B. Wilkerson.  
24          Ms. Wilkerson, please state your name and who  
25          you represent.

1           MS. WILKERSON: My name is Billie  
2           Wilkerson. I'm just a self-employed language  
3           interpreter. I used to work as Mr. Chenaux  
4           does, but for the courthouse. Thank you for  
5           receiving me and giving me the time to speak.

6           My testimony is, if you would mind  
7           indulging me, an appointed religious position  
8           carries the duty of sacred trust. To be  
9           elected to a position of representation that  
10          position comes with public trust, as well as  
11          responsibilities of being a good steward --  
12          good stewardship is very important -- with all  
13          the public infrastructures including money  
14          collected from taxes.

15          Your campaigns, past and recent, as well  
16          as some of the morality legislation your party  
17          may have passed or tried to pass, indicates to  
18          me clearly that you considered yourself members  
19          of the Christian faith. And I ask you, when  
20          you marginalize and try to usurp the voting  
21          power of other Christian brothers and sisters  
22          with different shades of brown skin, look  
23          around you, the question begs to be asked:  
24          Where is the Christ in you? Our God-given  
25          duties are (A) to love God and (B) love our

1 neighbor as ourself. These two commandments  
2 followed the ten commandments.

3 Also, in your campaigns you reached out  
4 with your appearances at political functions  
5 and in campaign commercials, seeking the  
6 Hispanic vote and the black vote currying  
7 favor. If you are looking to squelch minority  
8 voting power with your redistricting plan, and  
9 yet you attempt to curry favor, kowtow and  
10 appease minority voters during your  
11 campaigning, what is the purpose of this mixed  
12 message? Do you want the Hispanic and black  
13 vote or do you not?

14 Then to seek to disenfranchise or usurp  
15 the minority vote, both Hispanic and black, and  
16 to still collect taxes from these good  
17 citizens, like myself Mexican born and raised,  
18 what you are doing is the all-time classic,  
19 taxation without representation. Our pilgrim  
20 forefathers suffered this very thing, named it  
21 the same. If you succeed in doing this, would  
22 you please then, of course, issue a tax-exempt  
23 card to all of us Hispanics, blacks and other  
24 non-white races so that these unrepresented  
25 minorities won't have to be burdened with

1           paying taxes that may not benefit them.

2                    If you are indeed Christian, you know  
3           God's favorite most loved things are children.  
4           Why then, Christians, wasn't there a special  
5           session called when the federal government let  
6           out CHIPS program? Most all the other states  
7           in this nation did it immediately, like that.  
8           But Governor Perry waited a year to discuss  
9           CHIPS in a regular session. This from the  
10          party that wants to stop people at the abortion  
11          door.

12                   To blatantly ignore the well being of  
13          God's favorite things could be downright  
14          dangerous because our God is a just and angry  
15          God when he see iniquities like this. And yet,  
16          you have no qualms whatsoever about calling --  
17          and I mean you collectively, not you  
18          personally -- about calling a special session  
19          to rehash the existing plan approved by the  
20          federal court in 2001. This is dismaying and  
21          very puzzling.

22                   And the one thing that bothers me is  
23          according to the Corpus Christi Caller Times --  
24          and I have all my little papers researched here  
25          if you want to see them, 7/3/03 says, "Corpus

1 Christi has been omitted from the state's  
2 itenary for redistricting hearings." And it  
3 was so until we went down to McAllen and raised  
4 all sorts of fussing and cane and all that  
5 stuff, and then you said, okay, okay, y'all  
6 shut up and go home and we'll have you a  
7 hearing right here. Well, that's really kind  
8 of nice, but I wonder why in the first place  
9 you didn't have us scheduled to be there, for  
10 you all to be here? We were an afterthought.

11 Again, two percent, okay, two percent for  
12 keeping your weight down, two percent for  
13 consuming food, two percent is an excellent for  
14 milk to be fat free is excellent; but two  
15 percent representation of minorities just  
16 doesn't cut it, sirs.

17 And one more thing, in your housekeeping  
18 openers you stated that the law demands that  
19 redistricting not be made or decided by  
20 negative racial quotas, and yet the plan you've  
21 presented to counter the federal court's,  
22 distinctly marginalized Hispanics and blacks.  
23 Then are you violating the law?

24 And the other thing that I read but I  
25 couldn't find and I searched for hours in these

1 papers that you all supposedly -- this is what  
2 was written either in the Corpus or San Antonio  
3 or Houston paper -- that you have another plan  
4 set aside and when you open up those hearings  
5 you're going to slide this other plan in and  
6 that's when you're going to have to be really  
7 regretful that you opened Pandora's box, that  
8 you just cannot stuff all the little genies  
9 back into. Thank you.

10 SENATOR DUNCAN: Thank you,  
11 Ms. Wilkerson. I'll tell you that we do not  
12 have a plan, and there is -- at least from the  
13 Senate side, there certainly is no secret plan.

14 MS. WILKERSON: That's what they said  
15 that the Democrats suspected. I'm not saying  
16 that there is. I'm just saying that this was  
17 the source for it. But we'll find out, if it  
18 pops up then obviously it will be true.

19 SENATOR DUNCAN: Thank you,  
20 Ms. Wilkerson. Any questions?

21 Thank you for your testimony and your  
22 patience with us here today.

23 The Chair recognizes Adalina C. Pena. Is  
24 Ms. Pena with us?

25 Let the record reflect that Ms. Pena is

1 not present but would like to register a  
2 position in favor of redistricting.

3 The Chair recognizes the Reverend Bob  
4 Jones. After Mr. Jones, we'll have Stephanie  
5 Guerrero.

6 REVERAND JONES: I guess it's good  
7 evening now.

8 SENATOR DUNCAN: There's still a little  
9 daylight left. And by the way you have a  
10 beautiful sunset.

11 REVERAND JONES: Thank you. I think so.

12 Mr. Chairman, our own Senator Hinojosa in  
13 his absence and Members of Texas State Senate.  
14 My name is Bob Jones. I'm a resident of Corpus  
15 Christi, Nueces County Texas and I firmly  
16 believe that it is the right of Texans through  
17 their elected officials in both the State House  
18 and the Senate to decide the manner in which  
19 Texans are represented in Washington, D.C. I  
20 do not believe that this responsibility should  
21 be abdicated to any other entity.

22 In fact, as a long-term resident in  
23 Calallen I woke up one day to find that the  
24 federal judges had sliced Calallen, one of the  
25 largest, fastest growing, prosperous area in

1           this community was sliced out of District 27  
2           and placed, I believe, in District 15 without  
3           any hearing, any attempt of hearing or anything  
4           else on behalf of the people of that residence.  
5           In fact, the judges took a large section of  
6           Robstown, which is our own congressmen's own  
7           home district out. That's what happens when  
8           it's abdicated.

9                     Further, this representation should, in  
10           fact, represent the democratically decided will  
11           of the people of this great state inclusively.

12                    I've been honored by Governor Rick Perry  
13           and Senator Chuy Hinojosa as the Coastal  
14           Resident Representative to the Coastal  
15           Coordination Council that administers the  
16           coastal management plan. This involves 18  
17           counties throughout the 367 miles of the Texas  
18           coastline.

19                    All of the current congressional  
20           districts will remain somewhat intact along  
21           this coastline with Plan 01268C, with the  
22           exception of District 15 which would lose San  
23           Patricio County to District 27, but it would  
24           also restore Calallen and parts of Robstown.  
25           However, this move would appear to be an

1           excellent decision in light of the fact that  
2           San Patricio and Nueces County are making  
3           remarkable gains in our efforts to further  
4           unite our community of common interests in this  
5           area of the Costal Bend. And as you've heard  
6           before, an easy example is the most recent  
7           passing of legislation supported by both  
8           counties that would designate San Patricio a  
9           seat on the governing board of the port.

10                 Additionally, minority districts  
11           throughout the southern and southwestern areas  
12           of our state would be maintained. In fact,  
13           under this plan, minority districts in reality  
14           could be increased by at least two additional  
15           congressional seats.

16                 As a bold footnote, let us remember that  
17           minorities as well as majorities often decide  
18           to elect individuals who do not look like them  
19           but do indeed understand them and can and will  
20           represent them quite well. And that is the  
21           beauty of America. I, for one, have always  
22           worked very well with our current long-time  
23           District 27 Representative on issues in  
24           Washington that matter to this community, and  
25           he has delivered for our district over these

1 many years.

2 Many of you don't know that Governor --  
3 then Governor George Bush in his re-election  
4 bid received 63 percent of the vote in Nueces  
5 County. Also when he ran for president he  
6 received a little more than 51 percent of the  
7 vote in this county. And Governor Rick Perry  
8 in the last election only lost to Mr. Sanchez  
9 by approximately 900 votes. So there are many  
10 in this county that are crossing over,  
11 splitting their ticket, switching voting.

12 It is a historical fact that President  
13 Lyndon Johnson, the Democratic Party, the press  
14 and all concerned gave credit for the passage  
15 of the sweeping 1964 Civil Rights Act in the  
16 United States Senate to Republican Senator  
17 Everett Dirksen's systematic and effective  
18 organization of the members of the Republican  
19 party to support it. And of the 19 Senators  
20 who were filibustering to block this Act, 18 of  
21 them were Democrats.

22 Since 1933, of 26 of the major pieces of  
23 civil rights legislation, the Democratic  
24 majority has voted against them 80 percent of  
25 the time and the Republican majority has

1 supported civil rights legislation 96 percent  
2 of the time. This too is historical fact.

3 In fact, the Republican party was form  
4 with some Whigs, Tories and some of the no  
5 nothing party and you can guess which party  
6 that might have been. They formed for the  
7 purpose of the abolition of slavery.

8 And I'm not really quite sure to the fear  
9 of some individuals. I don't fear the  
10 Republican Party. It appears to me today in  
11 Texas the Republican Party is the party of  
12 inclusion. In recent elections, as earlier as  
13 last November, four, five, six years ago,  
14 Michael Williams became the first black Texan  
15 to be elected to a full state position other  
16 than the judiciary position. And in November  
17 two individuals, one from Houston and Wallace  
18 Jefferson who was the great, great, great  
19 grandson of Cedric Willis, a Waco slave, was  
20 elected to the Texas Supreme Court, all three  
21 by the Republican Party of Texas.

22 Plan 01268C on its face appears to be a  
23 good plan. Maintaining and increasing minority  
24 representation is fundamentally important, but  
25 equally important is representing the

1 collective democratically decided will of the  
2 people of this state.

3 In our county, and I told you the numbers  
4 that George Bush got for governor re-election,  
5 that he got for president, the number of votes  
6 that Rick Perry got. But I watched our county  
7 gerrymandered and redistricted, JP precincts to  
8 deny individual seats. I watched them  
9 gerrymander county commission precincts, taking  
10 that same Calallen, the Republican whipping boy  
11 district in this county and reducing their  
12 population and increasing the population of  
13 others, denying them equal opportunity in order  
14 to maintain that seat among the Democratic  
15 Party. I watched them do that. And for me  
16 personally, to see that the face of oppression  
17 raises most often the Democratic Party for me  
18 personally.

19 I am here to let y'all know -- and I  
20 mean, I'm not just taking, I've worked with --  
21 Congressman Ortiz has been very effective in  
22 Washington. I know, I've gone there many  
23 times. I've gone to his office. I've worked  
24 for both sides of the aisle, Senator Graham and  
25 we've brought millions and millions and

1 millions of dollars into this community, into  
2 downtown Robstown, into the Westside, et  
3 cetera.

4 I'm here to tell you that I'm in favor of  
5 the current redistricting efforts in general  
6 and specifically urge the adoption of Plan  
7 01268C or a similar one should the Senate  
8 decide to draw up a plan of its own. Thank  
9 you.

10 SENATOR DUNCAN: Thank you, Reverend  
11 Jones. Members, any questions?

12 Senator Gallegos.

13 SENATOR GALLEGOS: Reverend, I'm looking  
14 at your card and your points are well --

15 REVERAND JONES: You can say Bob, that's  
16 fine.

17 SENATOR GALLEGOS: Bob, your points are  
18 well taken. And I'm looking -- Are you here as  
19 a governmental appointee?

20 REVERAND JONES: I'm here as a citizen of  
21 Nueces County.

22 SENATOR GALLEGOS: You're not here  
23 representing the government?

24 REVERAND JONES: No, sir. Well, the  
25 reason why said that is I spent particular time



1           that everyone, whether they're here or not,  
2           this county is not afraid of Republican  
3           candidates.

4                     SENATOR GALLEGOS: Thank you.

5                     REVERAND JONES: You're welcome.

6                     SENATOR DUNCAN: Any other questions,  
7           Members? Senator Van de Putte.

8                     SENATOR VAN DE PUTTE: Thank you,  
9           Reverend. My one question deals with your  
10          comments that you've worked very effectively  
11          with Congressman Ortiz.

12                    My question specifically is, if in a  
13          redistricting plan -- and I'm sorry, the Senate  
14          members haven't seen any of the different plans  
15          and I think you're alluding to the House plan  
16          numbers. But if we looked at District 27,  
17          would you be in favor of a district that  
18          excluded all of the military presence from  
19          District 27.

20                    REVERAND JONES: Of course not.

21                    SENATOR VAN DE PUTTE: And your rationale  
22          for that would be economic or that Congressman  
23          Ortiz has had a lot of experience on the base  
24          realignment and closure process, or what is the  
25          main rationale for keeping intact District 27

1 with a strong military?

2 REVERAND JONES: Because this community  
3 as supported those installations, those bases.  
4 It was a bust in the '80s because it was an  
5 agriculture, primary oil industry. When the  
6 bottom fell out of the oil market, this  
7 community moved to a four tier economy of  
8 tourism, of petrochemical, of the military and  
9 of our port. And that would be like taking a  
10 leg off of the stool of our very existence here  
11 in this community, so I could not support that.

12 SENATOR VAN DE PUTTE: So you would not  
13 be in favor of a plan that removed from  
14 District 27 any of the military installations?

15 REVERAND JONES: Let me see if I  
16 understand you. Would I be in favor of having  
17 a person with a dinner meal with meat and  
18 vegetables and bread, taking the meat off the  
19 plate? Yes, I would.

20 SENATOR VAN DE PUTTE: I just want to be  
21 clear because it looks like we will see some  
22 sort of plan and as Chairman of the Veteran  
23 Affairs and Military Installations, we worked  
24 very hard this past session to try to increase  
25 our chances of retaining all of our bases.

1           But if the lines for this community are  
2           redrawn for such that the military  
3           installations are no longer in District 27, you  
4           would not be in favor of that?

5           REVERAND JONES: I'll be on the street.  
6           I'll be on the radio. I'll be very loud.

7           SENATOR VAN DE PUTTE: Okay. Thank you.

8           REVERAND JONES: I want you to know --  
9           Let me just say this, if I can conclude: I  
10          would like to tell you I served on the U.S.O.  
11          Board of South Texas for about five years. We  
12          helped raise a quarter of million dollars to  
13          double the size of the U.S.O. installation in  
14          Ingleside.

15          I also flew with a delegation from this  
16          community to in Washington, D.C. in 1995,  
17          lobbied for the bases. Worked on the RTA board  
18          of directors that actually gave I think \$50,000  
19          to the effort. And I could go on and on, my  
20          involvement with the military, with the base.  
21          I'm a life member of the VFW. I am a Vietnam  
22          veteran. And, no, that is the lifeblood of our  
23          community. That's not the same issue. Okay.

24          SENATOR VAN DE PUTTE: Thank you.

25          SENATOR DUNCAN: Thank you for your

1 testimony.

2 The Chair recognizes Stephanie Guerrero.  
3 Please approach, state your name and who you  
4 represent.

5 MS. GUERRERO: My name is Stephanie  
6 Guerrero, and I am representing myself. I am  
7 an educator, teacher here in CCISD at Miller  
8 High School. I teach Spanish and I came  
9 tonight because I wanted to make sure that it  
10 was understood that I also am here in protest  
11 of redistricting for all the reasons mentioned  
12 here by the Honorable Senator Truan and my  
13 esteemed friends who've also come here tonight  
14 to speak against redistricting.

15 For all of those reasons and for one  
16 more: It just all appalls me and it sickens me  
17 that our governor would waste so much money, so  
18 much money on this. When it's just obvious  
19 that all he wants is to grab on to some more  
20 political power and for his party.

21 And I guess the reason why it's so  
22 appalling is because I hear our president  
23 talking about how we're so passionate here  
24 Texas and we in Texas get along apparently. I  
25 mean, you know he campaigned on the fact that

1 Democrats and Republicans got along here in  
2 Texas and I just don't see that happening any  
3 more.

4 I see Republicans just going out for more  
5 power and really not taking into consideration  
6 what that's going to do to our state. And I  
7 think that if you were going to go into a  
8 special session that it would be for something  
9 important, like education. I mean, I'm really  
10 wondering what's going to happen to our public  
11 schools.

12 And I can't believe what's going on with  
13 our higher education institutions. It really  
14 bothers me. The monies just disappearing and  
15 we're struggling and it is a tough struggle.

16 And you may not know Miller High School,  
17 but in Miller High School there are times when  
18 my students don't have money to eat. And there  
19 are times when they don't have money for  
20 glasses and there's times when they don't have  
21 money see a doctor. And so they just suffer  
22 through it.

23 So when the CHIPS program came around,  
24 I'm pushing it. And I'm telling them, you need  
25 to go and talk to your parents about this.

1           Because how can you learn if you're in a  
2           classroom with a migraine? How can you learn  
3           if you're in a classroom and you can't see the  
4           board?

5                     I mean, there a lot of things going on  
6           and I feel like -- I really feel like the  
7           Republicans in Texas don't give a damn. That's  
8           how I feel.

9                     You know, to me it doesn't matter if  
10          you're Democrat or Republican, I don't care. I  
11          really have looked at people and tried to vote  
12          on the person and who I felt that I could  
13          trust. And I was scared to death last  
14          legislative session. I was looking at those  
15          bills going through and the things that were  
16          proposed and I couldn't believe it. I thought,  
17          do you hate us? Do you hate educators? Do you  
18          hate our kids? It feels like you hate all of  
19          us and that you don't care.

20                    There is nothing more important going on  
21          right now than this. It's divisive and it's  
22          hateful.

23                    And what is going to happen when it goes  
24          through? What's going to happen when you  
25          redistrict? Does that mean in two years we'll

1 do it again? Let's take another grab. Then in  
2 two more years, let's do it again.

3 There is a reason why our laws were  
4 written the way they were written, and I think  
5 the people that did it did a really good job.

6 And ten years really -- ten years, every  
7 ten years, it seems like a long time to wait  
8 but ten years has gone by really fast for me  
9 and it's going to go by but we have another  
10 seven years to wait. It's going to go by  
11 pretty fast.

12 And if the state is turning Republican,  
13 well it's going to turn Republican and  
14 eventually those things will just happen  
15 naturally happen. I do not see why we need to  
16 spend so much money on forcing it now. Thank  
17 you.

18 SENATOR DUNCAN: Thank you, Ms. Guerrero.

19 Any questions for Ms. Guerrero?

20 Thank you for your testimony.

21 The Chair recognizes Judy Telge,  
22 T-e-l-g-e. Is Ms. Telge in the audience?

23 Letter the record reflect that she is not  
24 present, but wishes to register a position in  
25 opposition to redistricting.

1           The Chair recognizes Solomon Ortiz,  
2 Junior. Mr. Ortiz.

3           MR. ORTIZ: Thank you, Mr. Chairman and  
4 Senators. My name is Solomon Ortiz, Junior.  
5 I'm the Chair of the Nueces County Democratic  
6 Party. I want to thank you for your time  
7 today. I know it's getting late and I know the  
8 crowd's kind of dwindled and we appreciate you  
9 staying out late. Maybe Senator Hinojosa and  
10 his staff will treat you to a late night  
11 Whataburger or something after y'all leave  
12 here.

13           But on a more serious note, I want to  
14 thank the GI Forum and others who are still  
15 here and others in the crowd who are staying  
16 her at late night shows their dedication to the  
17 Democratic Party and shows that they obviously  
18 feel passionate about their view on  
19 redistricting.

20           So while the power that drew this map has  
21 tried mightily to trick people into believing  
22 that it serves the interests of Hispanics and  
23 of Texans, we're smart enough to figure out  
24 what is good and what is not for us.

25           Democrats see the fortunes of Hispanic's

1 community rooted in the policy decisions made  
2 that effect Hispanics around the nation,  
3 including policies affecting education, health  
4 services, border security, Medicare and Social  
5 Security, affirmative action and economic  
6 development. How lawmakers shape policies is  
7 how we decide if they are good or bad for  
8 Hispanics.

9           Republicans though, they see political  
10 fortunes of the Hispanic community rooted in  
11 the number of Hispanic Republicans that they  
12 can elect on gerrymandered map. So I hope  
13 y'all can see the difference. One philosophy  
14 looks at what is good for the entire community  
15 and the other philosophy looks at what's good  
16 for the number of Republicans that can be  
17 elected to congress.

18           The redistricting plan drawn after the --  
19 in the 1990 and 2000 census were drawn to  
20 comply with the Voting Rights Act. The  
21 districts were created that would provide  
22 minority voters with an opportunity to elect  
23 their preferred candidates to office, and at  
24 that same time would continue the Texas  
25 tradition of preserving the senior members who

1 had been elected by the voters. There was no  
2 reason for Texas to abandon that tradition then  
3 and there is no reason why we should abandon it  
4 now.

5 As many of you know we stand to lose five  
6 to seven senior members of the Texas  
7 delegation. And I heard -- I was watching, I  
8 believe it was Congressman Chet Edwards. I got  
9 on the Internet and I watched the testimony fro  
10 the House. And he brought up very good points.  
11 Some of our senior Texas members are right next  
12 in line, if not very senior members of very  
13 important committee and we stand to lose them.  
14 They'll be bumped up by another rep. who's not  
15 from Texas. So Texas stands to lose a lot of  
16 seniority and a lot of clout in congress and  
17 I'm sure nobody wants that.

18 So there's a number of districts in Texas  
19 where minority voters enjoy an opportunity to  
20 elect their preferred candidate and they've  
21 done so. These are called minority opportunity  
22 districts. Often these districts may be  
23 adjacent to other districts where minority  
24 voters have significant influence, but they're  
25 not the controlling majority. In such cases

1 minority voters have significant political  
2 clout in two districts, not just one. As the  
3 legislature "perrymanders" our current legal  
4 districts, you should protect the adjoining  
5 districts where minority voters have  
6 substantial influence and not pack in  
7 minorities into a few districts.

8           Districts in the congressional plans from  
9 the 1990s were either upheld as legal by the  
10 courts or redrawn by the courts and held legal  
11 and constitutional. The legislature tried to  
12 respect those lines to the greatest extent  
13 possible in redistricting in 2001, but when the  
14 legislature failed to draw a map in 2001,  
15 federal judges drew the current districts which  
16 are legal and valid.

17           So Senators, I urge you to please  
18 consider your actions ahead of you. I know  
19 many of us feel that many of -- the process  
20 that's gone along is a sham. I know due to the  
21 actions of the House -- I know that y'all were  
22 not aware of the new map that came out. The  
23 maps in the House, I wouldn't be surprised if  
24 another ones come out tonight. I think they're  
25 still debating on the floor in the House right

1 now.

2 I think everybody here -- I mean, the  
3 Texas House agreed to hear testimony from  
4 people. Before the testimony was even up,  
5 they're already spitting out three or four  
6 different maps. I don't see how you can take  
7 that into consideration, if you say you're  
8 going to listen to the citizens of Texas and  
9 then you come out with a map before the  
10 testimony is even out.

11 I really hope that you listen to  
12 everybody here. We appreciate your efforts and  
13 I hope that we can set a better example than  
14 the Texas House. I appreciate your time.  
15 Thank you.

16 SENATOR DUNCAN: Thank you, Mr. Ortiz.  
17 Members, any questions?

18 Senator Gallegos.

19 SENATOR GALLEGOS: Mr. Ortiz, it's your  
20 testimony on some of the -- on incumbency and  
21 seniority that if some of these congress  
22 persons were to lose then the areas -- some of  
23 the areas of these congress persons that you  
24 alluded to would be denied seniority and  
25 leverage in the area -- let's say in the area

1 of benefits to their areas?

2 MR. ORTIZ: Yes, sir. As you very well  
3 know Texas probably has the strongest  
4 congressional delegation, stronger than  
5 California and New York. And we stand to lose  
6 various members who've built up their seniority  
7 who speak loudly for all Texans, not just  
8 Democrats or Republicans, but they happen to be  
9 Democrats.

10 And I don't think that when you have  
11 senior members of congress on various important  
12 committees, I don't think they're speaking just  
13 for Democrats, I don't think they're speaking  
14 for a Republican, I think they're speaking for  
15 all Texas citizens and seeking what's in their  
16 best interests.

17 But there's another reason, I'm sure  
18 you've heard testimony from around the State.  
19 There's various issues. I mean, I could go on  
20 and on about why redistricting is wrong and  
21 that's one of many points. And I hope you  
22 agree with me on that point tonight.

23 I'll take any other questions if you have  
24 them.

25 SENATOR GALLEGOS: On that issue, on

1 seniority whether it be -- I gather that  
2 Mr. Ortiz is -- Congressman Ortiz is your  
3 father?

4 MR. ORTIZ: Yes, sir.

5 SENATOR GALLEGOS: I didn't know, you  
6 know, I just figured.

7 MR. ORTIZ: Yes, sir.

8 SENATOR GALLEGOS: Let's say if the liens  
9 are redrawn and somebody else wins, then his  
10 seniority wherever he -- I don't know what  
11 committee he sits on. But his seniority  
12 dilutes the power of the Nueces County area?

13 MR. ORTIZ: Well, of the Texas  
14 delegation.

15 SENATOR GALLEGOS: Well, of the Texas  
16 delegation, but the ranking member.

17 MR. ORTIZ: Not the actual ranking  
18 member, but he second in the Armed Services  
19 Committee. If you were to say not run again or  
20 someone else, the district would be drawn  
21 another way, well obviously if he's not in  
22 congress from being up here as a Texas  
23 representative he would be gone, obviously the  
24 next Democrat would be bumped up. That next  
25 representative could be from Tennessee or

1 Florida, and therefore the new Texas rep., say  
2 he's Republican or Democrat, would be a  
3 freshman to start up.

4 I'm sure that the committees the same way  
5 on the house, they've got the rows and, you  
6 know, when you're new you sit at the bottom and  
7 when you've been there a while, you sit at the  
8 top. And obviously, no one wants to see a  
9 bunch of Texas members sitting at the bottom of  
10 all the committees. I know I don't.

11 SENATOR GALLEGOS: So for a lack of  
12 better words, in the picking order so to speak.

13 MR. ORTIZ: Exactly.

14 SENATOR GALLEGOS: Then under that  
15 scenario, not only the other areas you talked  
16 about, but if your father got defeated under a  
17 reconfiguration of lines, then Nueces County  
18 would suffer as far as benefits and a seniority  
19 voice at the table, than a freshman voice; is  
20 that what your testimony is?

21 MR. ORTIZ: That's my opinion. Not just  
22 Nueces County but the State as a whole. I  
23 mean, I don't believe any -- Like I said, Texas  
24 members, obviously they look out for their  
25 districts but they're looking out for the state

1 as a whole. No one wants to see bases shut  
2 down. That's one of the driving forces in our  
3 economy.

4 SENATOR GALLEGOS: Thank you.

5 MR. ORTIZ: Thank you. I appreciate your  
6 time.

7 SENATOR DUNCAN: The Chair recognizes  
8 Ramiro Gamboa. Mr. Gamboa.

9 MR. GAMBOA: Good evening. My name is  
10 Ramiro Gamboa. I reside at 2630 Cloyde here in  
11 Corpus Christi, Texas 78404. I am the  
12 president of LULAC Council No. 1, the founding  
13 council of LULAC in Corpus Christi and the  
14 state.

15 I had a long speech but everyone has said  
16 a little bit of everything. The main thing I'm  
17 here to today as president of this council here  
18 in Corpus Christi, I am opposed, my council is  
19 opposed to redistricting.

20 We are like the rest of the State of  
21 Texas that you've gone at every city, every  
22 LULAC council in this state is opposed to  
23 redistricting.

24 We are going to wait and see what your  
25 plan is going to be. Again, thanks to the

1 Internet, thanks to cellar phones, thanks to  
2 email. We've been hearing that there's been 20  
3 changes in the House and there's been a lot of  
4 rumors from one of the other colleagues who  
5 have come up with different maps.

6 Again, we don't know who, where, what.  
7 We are probably wind up in the court systems.  
8 One, because of the Voting Act. Two, the  
9 system is not proper. Three, you're going to  
10 go against the Federal Supreme Court, the ones  
11 that have drawn the system the way it is.

12 Again, I want to thank Joe and Susie with  
13 GI Forum and everybody here. If it wasn't for  
14 them you would be here. I would probable never  
15 have met all of you here as Senators because we  
16 don't get out Austin that often.

17 Again, everybody that was here and is not  
18 here anymore. We're like pitbulls. I want to  
19 thank you for reigniting, refueling all our  
20 motors. Well, we're going to move some more,  
21 guys. We will be in Austin.

22 I haven't been that active in a lot of  
23 things, but all the things have come up:  
24 Whether Mr. Delay needs more votes so he can  
25 keep his seniority but we need more electoral

1 votes. How come they don't go to California or  
2 Indiana or somewhere else and do the same  
3 things they're doing here?

4 Who is actually running Texas? I didn't  
5 think that we would -- that Texas would let  
6 Washington tell us what to do.

7 Again, I would like you to know what  
8 whatever the outcome, if it's anything  
9 different than what we've got in here, I'm no  
10 stranger to being on lawsuits for civil rights  
11 or for redistricting. I was one of the  
12 plaintiffs for higher education for South  
13 Texas. What's good for Texas is going to be  
14 good for Corpus Christi.

15 Again, hear us out. Everybody around  
16 here says no. If you're going to change the  
17 redistricting in Dallas, what are you going to  
18 do with those 30,000 people you are going move?  
19 Are you going to shoot them because they won't  
20 be affecting numbers further south?

21 So again, I beg you, do not change the  
22 way the system is. If it's not broken, it  
23 doesn't need any change.

24 I hate to see y'all spending two million  
25 dollars on the federal court systems. I've

1           always had one question, you know. How much do  
2           we spend on sending a kid to school, \$3,200?  
3           Again, the State of Texas, do you know how much  
4           we spend to keep a child in a school system?  
5           How much do we spend on keeping a prisoner in  
6           the prison, \$68,000. Don't you think we need  
7           to change that. Why don't we put all our  
8           efforts in changing that into where we put more  
9           money into the education of our kids instead of  
10          keeping a prisoner in prison. Thank you.

11                     SENATOR DUNCAN: Thank you, Mr. Gamboa.

12                     Any questions?

13                     Thank you for your testimony.

14                     The Chair recognizes Paul Trijillo.

15           Mr. Trijillo, are you in the audience? Let the  
16           record reflect that Mr. Trijillo is not present  
17           but has registered a position against  
18           redistricting.

19                     The Chair recognizes Danny Noyola. Mr

20           Noyola, are you in the audience?

21                     MR. NOYOLA, JR.: Junior or senior?

22                     SENATOR DUNCAN: It does not say. On  
23           4410.

24                     MR. NOYOLA, JR.: Yeah, it's the same.

25                     SENATOR DUNCAN: Will you approach?

1 MR. NOYOLA, JR.: Messy handwriting?

2 SENATOR DUNCAN: We'll call you -- We  
3 haven't named a doctor for the day yet, you'll  
4 be our doctor for the day.

5 MR. NOYOLA, JR.: Danny Noyola, Junior.

6 4410 Acushnet, 78413, Corpus Christi.

7 First of all, thank you for allowing a  
8 young 20-year-old college student the  
9 opportunity to speak before all of you.

10 You know, many young people, including  
11 myself, have become a little disillusioned with  
12 our political process, especially with the  
13 double talk that seems to be coming out of the  
14 majority party in the legislature. I don't  
15 understand how Republicans are telling the  
16 people that the courts should not chose or  
17 create the congressional boundaries. But a few  
18 years ago the Republican party said that it was  
19 okay for the courts to have the final word in  
20 determining our president.

21 To me, and many young adults that are  
22 active in the community, it's hypocrisy at our  
23 highest level. The Supreme Court gave a  
24 decision in 2000 and this decision was final.  
25 The Federal Courts approved congressional

1 boundaries only when legislature failed to do  
2 their job. The courts have spoken and the  
3 decision should be final as well.

4 I could not go to the hearings in McAllen  
5 or Brownsville because I must work to offset  
6 the spiralling increases in college tuition.  
7 The Governor should have called special session  
8 on education and education only. That should  
9 be Texas's priority and not wasting hard earned  
10 taxpayer money on partisan politics.

11 People my age are not as partisan as  
12 previous generations and I don't think they'll  
13 look kindly at these types of power grabs. We  
14 will become the majority pretty soon and those  
15 only concerned today's political environment  
16 will pay an ultimate price.

17 Please send the message and kill this  
18 unnecessary, power abusive and I know not  
19 representative of Texas plan.

20 I had a friend who was from -- I was with  
21 him in elementary, middle school and high  
22 school and I went to a community college when  
23 we went to college and he went to Texas A & M  
24 Corpus Christi. And this year he could not  
25 continue at A&M Corpus because of the increases

1           in the tuition. His job just couldn't cover  
2           it. I was very fortunate that I can through  
3           family and my job that I can afford these  
4           college.

5                     But it's kind of sad that because of the  
6           increases in tuition because the legislature  
7           didn't act in helping us out, I think it's  
8           unfortunate to spend 1.7, 2 million dollars,  
9           whatever it is, it's too much money on this.

10                    You know, I'm 20-years-old and I've only  
11           known one congressman and that's Congressman  
12           Ortiz. And from all the things I've heard over  
13           the years about the Congressman, I don't think  
14           I'm ready as a 20-year-old to give the  
15           responsibilities to a rook to look over the  
16           military installations here.

17                    You know, I heard an argument earlier  
18           from Reverend Bob Jones. He's a nice man. And  
19           he was talking about how ticket splitting has  
20           occurred in Nueces County with 60 some odd  
21           percent for Governor Bush in '98 and they went  
22           for him 57 percent in 2000 in the presidential  
23           election and Rick Perry only lost Nueces by 900  
24           votes. He's talking about ticket splitting.

25                    Well isn't that why the Congressional

1 Democrats have won in those Republican  
2 Districts because of ticket splitting? It's  
3 very hypocritical that we can say, Nueces is  
4 not scared of Republican candidates. Well,  
5 those Republican districts aren't afraid of  
6 Democratic candidates either.

7 So this is very unfortunate, power  
8 abusive. And if you have any questions for  
9 this little 20-year-old, I wouldn't mind taking  
10 any. Thank you.

11 SENATOR DUNCAN: Thank you, Mr. Noyola.  
12 We appreciate you being here toady. Now, we'll  
13 call your dad, Danny Noyola, Senior.  
14 Mr. Noyola, Senior.

15 MR. NOYOLA, SR.: Thank you very much,  
16 Chairman Duncan, distinguished and honorable  
17 Texas Senators. Welcome to Corpus Christi,  
18 sparkling city by the sea. We just got a  
19 designation here as the All American City that  
20 we've all very proud off. Again, we also want  
21 to thank all those people that were responsible  
22 and played a role in bringing you here to this  
23 beautiful city of ours and we hope that you  
24 will come back and visit Corpus Christi, many,  
25 many more times.

1           I'm too am an educator. I'm starting my  
2           30th year here as an educator. I've been very  
3           fortunate to be in just two school district  
4           here in Corpus Christi, one for 26 years while  
5           I was a teacher and a coach and assistant  
6           principal, both at the high school level, a  
7           principal at the high school level and  
8           superintendent of schools here in West Oso ISD.  
9           And now I'm back in the classroom and I think  
10          I'm in heaven.

11          I'm there at the Moody High School. I'm  
12          the American Government teacher. And one of  
13          the things that we teach there is of course  
14          that we always want to hear both sides. And  
15          that's the beauty of this democracy and that's  
16          the beauty of these hearings.

17          And one of that things that I'm here  
18          representing today is myself and my personal  
19          views. And that I hope and I pray and I plead  
20          that you all do not take up redistricting  
21          again.

22          This is redistricting two, and as we well  
23          know there's many sequels out there. There was  
24          Rocky II, there's Legally Blond II. And  
25          sometimes, unfortunately, the sequels just

1 don't meet the expectations of the original and  
2 we think -- or in this case I also think we  
3 need to stick to just redistricting one.

4 As an American government teacher, I very  
5 much know what the constitution says about the  
6 state legislature after the census coming up  
7 with a redistricting plan. Unfortunately, that  
8 didn't happen in your session in 2001. And  
9 then when it went to the legislative  
10 redistricting board which is composed of course  
11 of four Republicans and one Democrat there was  
12 a three/two vote there and it just didn't pan  
13 out so it went to the federal judges. And the  
14 Supreme Court has been able to affirm this.

15 Let's get on with it, and we did in 2002  
16 elections, where those elections of course  
17 produced 17 Democrats and 15 Republicans. The  
18 people spoke. The redistricting plan was in.  
19 And I'm saying as loudly and as bluntly and  
20 hopefully as appropriately as I can, that we  
21 want you to stay as it is now. Please  
22 redistricting two, the sequel cannot replace  
23 and should not replace redistricting one.

24 And again, on behalf of everybody here in  
25 Corpus Christi, we appreciate you coming by.

1           It's really a treat and an honor to be able to  
2           speak before Senators.

3                     And if I was giving grades today as an  
4           American government teacher in a bipartisan  
5           fashion, Senator Truan, the Dean of the Texas  
6           Senate who's represented us tremendously  
7           throughout these many years, that was an A-plus  
8           presentation on the position and the  
9           information that he gave and testified here  
10          today.

11                    And I know that our current senator, Juan  
12          Chuy Hinojosa is not here but very we're proud  
13          of him and we wish him the best. Thank y'all  
14          very much.

15                    SENATOR DUNCAN: Thank you. And I note  
16          that Senator got that all in five minutes too.  
17          It's just amazing to me that he gave that whole  
18          testimony, his whole presentation in five  
19          minutes. I was real proud of him.

20                    MR. NOYOLA, SR.: Thank you, sir.

21                    SENATOR DUNCAN: The Chair recognizes  
22          Janice Swann. Ms. Swann, would you approach  
23          please? Is Ms. Swann in the audience?

24                    Let the record reflect that she's not  
25          present but she has registered a position

1           against redistricting.

2                   The Chair calls Benedicto Ramos.

3           Mr. Ramos.

4                   MR. RAMOS: Mr. Chairman and Senators on  
5           the Committee, my name is Ben Ramos and I  
6           reside at 1713 Nile here in Corpus Christi.

7                   I would like testify against the  
8           redistricting bill. Most of the points that I  
9           was going to say have already been said and in  
10          fact all of the points. But I think the main  
11          one is that there are so many issues facing  
12          Texas which are all, for most of us, more  
13          important than this issue.

14                   I think it reflects real bad on the  
15          Republican party and on Governor Perry that he  
16          chose to put this issue, a partisan political  
17          opportunism to the front, but he did that.

18                   One of the major issues as you all  
19          probably know for Texas is the school finance.  
20          The school financing, of course, we are in  
21          limbo and we're still in limbo because our  
22          Governor apparently doesn't realize that it's  
23          an issue, and it's just a sad state of affairs.

24                   We had a gentleman before that spoke here  
25          about how the Democrats and the Republican

1 party -- he said that the Republican Party was  
2 very strong on civil rights and he mentioned  
3 the Democrats that opposed civil rights.  
4 Apparently, he doesn't know his history real  
5 well, because those 19 Democrats that opposed  
6 the Civil Rights Bill was southern Democrats  
7 who are now represented by Republicans.

8 And the Republican Party right now is not  
9 the party of Lincoln. I'm sorry but times have  
10 changed and basically we know now that the  
11 Republican Party stands against affirmative  
12 action, civil rights and most other legislature  
13 that's important to our community.

14 And so, one of the issues here is that  
15 when the party -- when the governor is pushing  
16 for this and we certainly know that it's not an  
17 important issue, it is only politics, the  
18 hypocrisy is obvious.

19 So I was going to say some other things,  
20 but the only other thing I'll say is that I  
21 that we stop bringing in Tom Delay and other  
22 abusers like that, that I hope that you  
23 demonstrate your independence from the blatant  
24 political maneuvering that's going on in the  
25 House of Representatives and that you all act

1 for the interests of Texas. Thank you very  
2 much.

3 SENATOR DUNCAN: Thank you, Mr. Ramos.  
4 Members, are there any questions?

5 The Chair hears none. We appreciate your  
6 testimony tonight.

7 The Chair recognizes E.P. Sul, I believe,  
8 S-u-l. E.P. Sul. Is Mr. Sul present? Let the  
9 record reflect that Mr. Sul is not present  
10 but --

11 What about E.P. Suz, S-u-z?

12 Let the record reflect that the witness  
13 is not available but has registered a position  
14 against redistricting, witness No. 58.

15 The Chair recognizes Robert S. Shake.  
16 Mr. Shake, would you please approach, state  
17 your name and who you represent.

18 MR. SHAKE: My name is Robert Shake. I  
19 live at 3210 Bordeaux here in Corpus Christi  
20 and ultimately I represent myself.

21 I actually believe that anybody that  
22 lives in the United States and does not vote is  
23 not really an America. I believe by coming  
24 here tonight that I'm actually voting. And I  
25 find myself in the majority, I think ten to one

1           that the folks that was here tonight, at least  
2           ten to one is against redistricting.

3                       Now, I do know how to get along with  
4           folks. I know how to get along with  
5           Republicans and Democrats. I do know the  
6           political process. I am the business manager  
7           or the Local 278 International Brotherhood of  
8           Electrical Workers. That is an elected  
9           position. I'm also the president of the  
10          Coastal Bend Labor Council, that is an elected  
11          position and you do have to get along with  
12          everybody and everybody's views.

13                      I also serve on the regional board of the  
14          Texas Workforce Commission. There are 34  
15          people on that board and I don't know but about  
16          four people on there, exactly what their  
17          political preference is. I think there is a  
18          time when election comes and when the election  
19          is over, it's time to get down to the business  
20          of the people and what you're there for.

21                      And I don't believe that I've seen  
22          anything that convinces me that this process  
23          that we're going to go through about  
24          redistricting isn't just another type of an  
25          election to give one faction some credibility

1 over the other, some power over the other. I  
2 can't see it. I've looked at it and I just  
3 don't see it any other way as an individual.

4 I, by trade, am an electrician. I've  
5 been a member of the local union for 42 years  
6 and served a five years apprenticeship. I've  
7 worked on everything from a flashlight to a  
8 nuclear power house and I do know my trade.  
9 And I know in order to be proficient at a trade  
10 you have to know everything about it, you have  
11 to know why it works. And in looking at things  
12 that way, when you look at it that way and try  
13 to apply those principles to what's going on  
14 here, I'm sorry it just doesn't add up to  
15 anything except pure politics. It does not.

16 I am opposed to redistricting. I think  
17 you will find the people here in Corpus  
18 Christi -- I believe my count is in my own head  
19 is ten to one against it.

20 And the other thing I want to tell you  
21 is, I really do appreciate y'all coming here to  
22 Corpus Christi. So much, so many of us wanted  
23 to go down to the Valley, we couldn't do it, we  
24 had responsibilities here. We wanted to go  
25 over there to McAllen and couldn't do it.

1           So I want to tell you, I do appreciate  
2           you coming here and I do intend to stay as long  
3           as you do because if you can stay here and  
4           listen to me, then I want to be here so I can  
5           be listened to. Thanks again.

6           SENATOR DUNCAN: Thank you, Mr. Shake.  
7           Appreciate your testimony and being here  
8           tonight.

9           Members, are there any questions?

10          Chair hears none.

11          Chair calls Ana Olivarez. Ana Olivarez.  
12          Is Ms. Olivarez in the audience?

13          I let record reflect that Ms. Olivarez is  
14          not present but has registered a position in  
15          favor of redistricting.

16          The Chair recognizes Able Chapa as a  
17          resource witness. Mr. Chapa, would you like  
18          testify.

19          MR. CHAPA: Very much so.

20          SENATOR DUNCAN: Would you please state  
21          your name and who you represent.

22          MR. CHAPA: Thank you, Mr. Chairman.  
23          I've changed my little talk here in the last  
24          couple of minutes actually. I was figuring on  
25          being here earlier this afternoon, so I will

1 say good evening, ladies and gentlemen, Members  
2 of this important Texas Legislation Committee.

3 First thank you for allowing me to come  
4 before you at this time. I am Abel Chapa. I  
5 reside at 902 Brock here in Corpus Christi,  
6 Texas.

7 And you have heard the remark, mi casa su  
8 casa, my house your house, three conditions:  
9 You don't sell it or rent it or set fire to it  
10 because my family and I live in it.

11 But I do want to say that I come as a  
12 private citizen of our great State of Texas.  
13 Yours is a noble and honorable duty for our  
14 state, however I do not envy your task. A  
15 former Secretary of State and statesman John  
16 Foster Dules once explained, avoid controversy,  
17 controversy makes fools and wise men equal and  
18 the fools know it. All parties should look for  
19 areas of agreement and make every effort to  
20 build on those areas of agreement.

21 We here in the United States of America,  
22 especially here in Texas are the future. We  
23 are establishing precedent for others that --  
24 that others will emulate. We can be recognized  
25 as leaders of our own right, not only for our

1 State but also for all of our neighbors in  
2 North America, Central America and South  
3 America.

4 We can be instrumental instruments of  
5 peace and harmony for all the many freedoms  
6 we're all blessed with as a free people. We in  
7 this western hemisphere of our one world are  
8 the leaders that provide the positive example  
9 for living in harmony with our other neighbors.

10 Let us not say God bless America. Let us  
11 all say God bless all the Americas, North  
12 America, Central America and South America.

13 Thank you once again for this turn.

14 SENATOR DUNCAN: Mr. Chapa, thank you.

15 Are there any questions for Mr. Chapa?

16 Appreciate your presence and your  
17 testimony tonight, Mr. Chapa.

18 The Chair recognizes Kim Dees.

19 MS. K. DEES: My name is Kim Dees, and I  
20 am against redistricting. South Texans are  
21 proud people who cherish the diversity of our  
22 heritage. Many Hispanics, blacks and poor  
23 whites have payed a heavy price for our  
24 constitutional rights. They paid with their  
25 sweat, blood, limbs, some have forever lost any

1 chance of hope for peace of mind.

2 Many of our South Texans have paid with  
3 their lives for what our flag stands for, and  
4 today many of these heroic American who have  
5 already fought in wars for our rights and  
6 freedoms are here, as they continue to stand up  
7 for us and fight to protect our constitutional  
8 rights and civil rights. It has been an honor  
9 to stand up with them, the GI Forum in  
10 Brownsville, McAllen and here in Corpus  
11 Christi.

12 We are also standing with those who, as I  
13 speak, are risking life and limb on foreign  
14 soil fighting for the same constitutional  
15 rights that Tom Delay and Rick Perry are trying  
16 to destroy.

17 This act of redistricting costing 1.7  
18 million dollars. 1.7 million dollars, which  
19 our lawmakers could not find to fund the CHIPS  
20 program, Head Start, teachers' pay raises or  
21 improved health insurance for all Texans. This  
22 un-American Act of those in elected office who  
23 believe they have been given absolute power to  
24 overturn a Supreme Court ruling and use their  
25 official positions to oppress, disenfranchise

1 had strip American citizens of their  
2 constitutional rights will not succeed.

3 Districts were not created to represent  
4 those in office. Districts were created to  
5 represent the people of America fairly in each  
6 state. This is something Tom Delay and Rick  
7 Perry seem to be unaware of. Apparently they  
8 think it's just a coincidence that  
9 redistricting is done every ten years after the  
10 census is taken.

11 We, the people of South Texas, are not  
12 stupid and we will not be talked down to by  
13 anyone, as we were to by people in the House.  
14 We are very aware of what our rights are and  
15 what so many have died for. We are America.  
16 We are Texas. We are the people that our  
17 constitution was created for. And no one, not  
18 even another American will succeed in  
19 destroying what our flag stands for.

20 Not since Nazi Germany has someone used a  
21 Democracy to facilitate a dictatorship. This  
22 is legislative terrorism and the people of  
23 South Texas will use all legal means available  
24 to show these governmental Nazis what America  
25 and American justice is all about.

1           To redistrict now is wrong. The first  
2           map that the redistricting committee came up  
3           with was not only blatantly racist, it hurt  
4           everyone in South Texas. Now a third map has  
5           been submitted. No matter what it looks like,  
6           we know it could change again. Our districts  
7           are to represent the people and not of officer  
8           holders.

9           The Congress and Senate are not above the  
10          Supreme court or our constitutional rights.  
11          This redrawing of the district is wrong and we,  
12          the people, will hold every official supporting  
13          this assault of the very core of what makes us  
14          proud Americans individually accountable for  
15          the treasonous actions against the wonderful  
16          people of Texas.

17          And I want to thank you for showing up  
18          here. We really do appreciate you allowing us  
19          to be heard. Thank you. Do you have any  
20          questions?

21                 SENATOR DUNCAN: I was going to ask if  
22          anybody had any questions.

23                 SENATOR WENTWORTH: Chairman, I don't  
24          have any questions but I'd just like the record  
25          to reflect my serious exception to the

1 description of the legislature and the Governor  
2 of Texas as being Nazis and traitors.

3 MS. K. DEES: I appreciate that. And if  
4 they don't like to be compared to Nazis, then  
5 they shouldn't try to emulate Hitler or the  
6 manifesto that Tom Delay is aware about.

7 Dick Cheney and Donald Rumsfield, during  
8 the first presidency of the first George Bush,  
9 they had a conservative group that wrote a  
10 manifesto that followed Mindkim (phonetic)  
11 Hitler's book on how to take over the world.  
12 They have their own and they are following it.  
13 I left the Republican Party because of this.

14 And if they don't like to be compared to  
15 Hitler, then they better stop messing with  
16 Texas and America and the veterans who have  
17 given so much for what that flag stands for.  
18 We will not let it be trashed or spit on by  
19 anyone, even if they're in office.

20 SENATOR DUNCAN: Members, any further  
21 questions?

22 Thank you. I appreciate your testimony  
23 today.

24 The Chair recognizes Rene Saenz. I'm  
25 advised you're no a saint.

1           MR. SAENZ: Actually I'm the saint of  
2           saints since I'm a Democrat.

3           Let me tell you something and thank you  
4           for getting it correct, it's actually Saenz and  
5           we got a little town down in South Texas after  
6           my descendants called Hosaenz right next to  
7           Roma. But let me state something. There's a  
8           few things I wanted to state, but I do want to  
9           make a correction.

10          And first of all, let me compliment her.  
11          I've kind of been watching her over there and I  
12          have to say, man, y'all have put her through a  
13          lot, the least you could have done with the  
14          money that we don't is write her a hot check or  
15          something from the State of Texas. We'll go  
16          ahead and take that. She does a good job.

17          Let me make one correction on something  
18          because the Reverend Bob Jones did come up here  
19          and talk about the segregation if Democrats.  
20          It is quite interesting because, you know, I  
21          did study history and right now I'm a graduate  
22          student so I wanted to put it for the record  
23          that, in fact, he was correct that there was  
24          the segregationist Democrats, I might add, did  
25          in fact filibuster civil rights legislation.

1 But what he didn't talk about was the fact that  
2 those conservative Democrats are all  
3 Republicans now. You all are the direct  
4 descendants of those people.

5 And let me also tell you, you still are  
6 attempting to practice segregation. And let me  
7 explain to you how you're doing it, you're  
8 targeting every white conservative Democrat and  
9 moderate Democrat and a few liberals.

10 Why are you targeting them? Well, let's  
11 see, what would happen if you got rid of the  
12 white Democrats? What would you do? You would  
13 make the Republican Party that can't seem to  
14 attract minorities to your party, you wouldn't  
15 have them there but they would all be in the  
16 Democratic party. So you'd really have in  
17 essence achieving the goals of the  
18 segregationist Democrats which you all are the  
19 descendants of unfortunately.

20 I think that for that it needs to be  
21 corrected. And I think it is so sick and  
22 despicable that you continue to practice these  
23 policies and it is so sad that you do that.  
24 Why would you target white Democrats other than  
25 to practice segregation?

1           I am so opposed to this bill. You have  
2           better money to spend than to do what y'all are  
3           doing. You said you had no money, but yet you  
4           had money and I hope that your check doesn't  
5           bounce because I ain't going to be picking up  
6           that bill.

7           But, you know, one of the things I will  
8           say before I conclude: I said, you know, how  
9           can we retaliate against the Republican party.  
10          Well, we're going to be the minority party for  
11          a while, but you all have reaped the benefits  
12          of the massive growth of the Hispanic  
13          population which will come back to bite you in  
14          the near future.

15          But I will say this, I look, well, you  
16          know since you're setting a precedent here  
17          maybe we can go after the Nueces County  
18          Republican Party, but there's only like one or  
19          two elected Republicans. So we'll pack them  
20          like you all do.

21          But I did remember something, we've  
22          got -- our City Council is infested with  
23          Republicans -- and I will tell this to my  
24          fellow Democrats here, who I will go out to  
25          appeal to -- we've got one more government

1           entity to take care of which is our local city  
2           council which has done nothing and said nothing  
3           in regards to this issue. We'll take care of  
4           them and as soon as we take care of them and  
5           put them on endangered species list, we're  
6           going to come after you guys next.

7           So I tell you right now, enjoy your power  
8           because we are going to reap the benefits that  
9           we did not have before under the strong  
10          segregationist conservative Democrats.

11          Guys, go read your history books. Thank  
12          you.

13          SENATOR DUNCAN: Thank you, Mr. Saenz. I  
14          appreciate your testimony. Senator Gallegos.

15          SENATOR GALLEGOS: Mr. Saenz, I just want  
16          to make clear your points. My grandfather was  
17          born in La Chona (phonetic) and my other  
18          grandfather was born in San Diego. So my  
19          decedents were somewhere else. I want to make  
20          sure that point was crystal clear.

21          MR. SAENZ: Okay. Well, I'm not talking  
22          about the conservative former one time right  
23          wing Democrats.

24          But let me tell you I'm so thrilled that  
25          we literally got rid of them and y'all have to

1 deal with them and again y'all are them.

2 So not you, sir, you're a good man. I've  
3 actually watched you for a while. I graduated  
4 from the University of Texas and I actually  
5 went to see y'all in session and I have a great  
6 deal of admiration for you. But I'll tell you  
7 that, it's a good thing that you're from South  
8 Texas and you're representing the people of  
9 Texas because at one time those areas didn't  
10 know any better. Now actually do with a good  
11 men like you in there. Thank you.

12 SENATOR DUNCAN: Mr. Saenz, thank you for  
13 your testimony. I will say this, that I've  
14 listened to a lot of testimony in the last few  
15 weeks and I've heard a lot of Democratic  
16 bashing and I've heard a lot of Delay bashing  
17 and quite frankly, that gets nowhere with me.  
18 I want to hear what's important to a community  
19 and a region and I want to hear fundamentally  
20 what's an issue. And insults just never do get  
21 very far with me or I think with other members  
22 of the legislature.

23 The Chair recognizes Mr. Hilario  
24 Gonzales, Junior. Hilario Gonzales, Junior.  
25 Mr. Gonzales, are you present?

1           Let the record reflect that Mr. Gonzales  
2           is not present but has registered a position  
3           against redistricting.

4           Okay. We have another card for Mr. Rene  
5           Saenz with a different signature. Is this the  
6           same person? Do we get to hear from you again?

7           MR. SAENZ: Yeah, if you want to hear  
8           from me again.

9           SENATOR DUNCAN: I think about once a  
10          night is all I can handle. But thank you,  
11          Mr. Saenz, we appreciate your testimony again.

12          The Chair recognizes Delores Dees.  
13          Ms. Dees, would you approach, state your name  
14          and who you represent.

15          MS. D. DEES: Hello. My name is Delores  
16          Dees, and I represent myself but I also  
17          represent the Democratic women in this area.  
18          We have really come alive and you better watch  
19          out for us. We are going to be vocal. We're  
20          going to be after everybody that's in office.  
21          We're going to be pushing things. We have a  
22          real good club going and it's very new, we just  
23          began in February but we are doing great.

24          And I am here to say I am against  
25          redistricting. And I am against it because the

1 Supreme Court has already approved the  
2 districting in 2000. There is no reason to  
3 redo it, no reason whatsoever except that the  
4 Republican party wants to do it because they  
5 can. That's their idea of being politicians.

6 And I think what we're seeing here is  
7 some trickle down. I notice that President  
8 Bush, he's always pretending he's a cowboy.  
9 He's pretending that he's a flyer. He's  
10 pretending this, he's pretending that. He's  
11 even pretending he's president.

12 But actually if you studied a little bit  
13 you'd know, he's not a cowboy. You'd know also  
14 that he did not finish this Texas State Guard  
15 thing that he said he was in. He was washed  
16 out of the flying because he wouldn't take a  
17 physical because he was afraid of what it would  
18 show. So he was not really in that, the Texas  
19 National Guard. That's was one of the things  
20 that he's pushing that he was.

21 Also he can't decide whether he's Tom  
22 Cruise or John Wayne, he's neither but his  
23 fiscal responsibility is irresponsible. We  
24 don't have money in this country for anything  
25 and what does he do? He's put out a reward for



1 heard from him before. I've seen him before.

2 SENATOR DUNCAN: Mr. Hurt, did you  
3 testify in McAllen?

4 MR. HURT: Yes, sir.

5 SENATOR DUNCAN: We've heard from you  
6 once before. Thank you for being here again.  
7 If you have anything addition or --

8 MR. HURT: Actually, I've already  
9 deposited my two cents but if I can extend my  
10 remarks. First let me ask unanimous consent if  
11 I could to have my remarks off the record to  
12 give the stenographer a break, since you've  
13 already heard what I have to say and also to  
14 save the taxpayers \$4 per page, I believe it is.

15 SENATOR DUNCAN: Thanks for your  
16 consideration, but you won't be recognized for  
17 that motion.

18 MR. HURT: Okay. I promise not to say  
19 more than \$10.

20 SENATOR DUNCAN: Well, thank you.

21 MR. HURT: I'm not a big red team, blue  
22 team kind of guy. Let the best man win or  
23 woman. I just want the best people running,  
24 that's what's important. You know, I'm a  
25 little worried, I don't want the courts to be

1       picking our president, I don't want the courts  
2       picking our representatives. Otherwise, I  
3       think the next thing you know the judges will  
4       want to pick themselves.

5                But as I said in Houston -- I'm not going  
6       revise my remarks, but I would like to expand  
7       upon them. I would like to see us think of  
8       another option.

9                I mean, we have this exact same  
10       discussion every ten years, and actually I'm  
11       starting to enroll in school. Maybe we should  
12       send it before all our kindergarten classes  
13       every two years, give them a little picture of  
14       Texas and 32 different crayons, explain the  
15       rules to them, collect them, put them into a  
16       lottery and give it a turn or two and pick one  
17       out every two years.

18               But more seriously, I would like -- I  
19       think that maybe we should look at a different  
20       way of picking our districts, at large like  
21       seven other states do. We could do that.

22               With voter turnout being the way it is  
23       650,000 people would not sign up for any one  
24       district and Texas is one of the States where  
25       politics is much more practiced. In Texas we

1 appreciate our politics much more than other  
2 states.

3 SENATOR DUNCAN: Sir, thank you. I think  
4 we talked about this in McAllen.

5 MR. HURT: Houston. I'm from Houston,  
6 but I don't feel like I'm cheating too much  
7 because I am a landholder in this area.

8 SENATOR DUNCAN: Let me help you with  
9 that concept. That is a federal constitutional  
10 issue over which we would have no jurisdiction  
11 and you would have to --

12 MR. HURT: It is absolutely prohibited?

13 SENATOR DUNCAN: Yes. You would have to  
14 have a federal constitutional amendment to  
15 accomplish that, it's my understanding.

16 May I ask you a question?

17 MR. HURT: Sure, absolutely. I'm honored  
18 to earn one from you.

19 SENATOR DUNCAN: You've indicated once  
20 again that you are both for and against  
21 redistricting.

22 MR. HURT: Yes.

23 SENATOR DUNCAN: Do you have a position  
24 yet on that?

25 MR. HURT: If you do it properly, I'm for

1           it.  If you do it -- Like I said, I mean, it  
2           seems fair to me because there were issues on  
3           the courts redrawing it instead of the  
4           legislature.  And like I said, you know, I  
5           don't want the courts picking our  
6           representatives.  But then it does raise the  
7           issue of, we do it this time, are we going to  
8           do it again.

9                        Now the constitution says you have to do  
10           it every ten years and then right after that it  
11           says that you have to follow the rules of the  
12           state.  And if our state has no rules  
13           prohibiting it, therefore, if we want to, we  
14           can.  But, you know, that's going to cause a  
15           lot of partisan politics.

16                       SENATOR DUNCAN:  Thank you.

17                       MR. HURT:  Thank you very much.

18                       SENATOR DUNCAN:  The Chair recognizes  
19           Maria Barrera.

20                       MS. LANDERIS BARRERA:  Thank you very  
21           much.  My name is Maria Landeris Barrera.  I'd  
22           like to thank you all for being here today and  
23           for listening to us.  I'd like thank everybody  
24           else too that's here that stayed here to listen  
25           to us.

1           And Mr. Gallegos too and that lady also,  
2           y'all have been able to ask questions. We have  
3           not heard from anybody else.

4           First of all, my address 4938 Maple  
5           Street and I reside here in Corpus Christi.

6           I come here not as a Republican or  
7           Democrat, okay, I'm here as a member of the  
8           Felix Longoria GI Forum. I'm kind of tired  
9           right now. I've been here all this time.  
10          Sorry.

11          I've got a question for Senator  
12          Wentworth, I'd like to hear from you right now.  
13          You said you were currently drawing some maps  
14          right; right, they're in the works.

15          Have you shared them with our senators  
16          here on the table?

17          SENATOR WENTWORTH: No, ma'am, I have  
18          not. These are maps that I began drawing two  
19          years ago in 2001 when I was the chairman of  
20          the Senate Redistricting Committee. Nobody  
21          really has seen them. I haven't shared them  
22          with anybody at this table. It's been done  
23          completely in my office with my staff and  
24          Lieutenant Governor Dewhurst and his staff, but  
25          nobody else has seen them.

1 MS. LANDERIS BARRERA: Okay. So you have  
2 not been lobbying other Senators; right?

3 SENATOR WENTWORTH: No, ma'am, not at  
4 all.

5 MS. LANDERIS BARRERA: Okay. Senator  
6 Gallegos, right, you said there were no maps,  
7 right, that you know of?

8 SENATOR GALLEGOS: That I know of.

9 MS. LANDERIS BARRERA: Okay. Thank you.

10 SENATOR GALLEGOS: But let me -- In all  
11 fairness to Senator Wentworth, when this  
12 process was on the table, myself and several of  
13 my state reps in Houston drew, when were we in  
14 the regular process, during the census drew a  
15 29th Congressional in Houston. That's the only  
16 one we drew, but when this process was before  
17 us in the legislature, not now. Since then, no  
18 other maps that I know of.

19 MS. LANDERIS BARRERA: Thank you so much.

20 Also, you say that the Hispanics are the  
21 most decorated veterans and you like hear their  
22 voices and I hope you do. Like they said I've  
23 got -- my husband is also a veteran, I've got  
24 my son-in-law and I've also got my stepson. So  
25 all the veterans here I'd to like thank them

1           for being here too and hopefully y'all can all  
2           hear their voices too because I'm all for the  
3           veterans.

4                    SENATOR GALLEGOS: Let me say something,  
5           Ms. Barerra, before you go any further. Let me  
6           on the -- and I know the GI Forum is here and,  
7           first of all, I just want to say that the  
8           Senate and my colleagues, we have a lot of  
9           constituents, a lot of relatives that have  
10          served in the past, are serving now and --  
11          either in Iraq in all the wars.

12                   When I first -- When we started in  
13          January, I had sitting with me my cousin is who  
14          a full bird colonel and he's the commander of  
15          the first cav. at Fort Hood, of the first  
16          artillery unit at Fort Hood. And then at the  
17          end of the session we honored Captain Ogden a  
18          graduate of the Naval Academy, marine captain,  
19          that was serving during the time we were in  
20          session. His father is a State Senator  
21          Republican. He was serving in Iraq during the  
22          time under fire when we were in session.

23                   And we're talking about all my colleagues  
24          here at the table and those that are not here,  
25          we have veteran families too and we have

1 friends and families that have served, serving  
2 in Iraq.

3 And I am -- I signed on as a Senate  
4 legionnaire. My father was the American Legion  
5 Commander of Post 472 there in Magnolia Park in  
6 Houston. And my uncle who is Colonel Joe  
7 Ramirez out at Fort Hood, his father was a  
8 three and a half year prisoner of war in Korea.  
9 Plus the rest of my colleagues.

10 So I just wanted -- We're just not up  
11 here as titles, we do have friends and family  
12 in the service also, and I just want to let you  
13 know about that also.

14 MS. LANDERIS BARRERA: Okay. Well, also  
15 as citizens too, I'm glad you're here to listen  
16 to us. I really respect, with all due respect  
17 to all of y'all.

18 Also, of course, I'm against  
19 redistricting, that's what I'm here for too.  
20 So I just want you to hear our voices. We  
21 don't want it to happen now or ever. Thank  
22 you.

23 SENATOR DUNCAN: Any questions for  
24 Ms. Barerra?

25 Thank you, Ms. Barerra.

1           The Chair recognizes Moses Estrada.

2           MR. ESTRADA: Thank you, Mr. Chairman.

3           Just had a statement since it's kind of getting  
4           kind of late.

5           My name is Moses Estrada and I reside in  
6           Robstown, Texas. Presently I'm the chair of  
7           the Nueces County Tejano Democrats. Our  
8           organization has taken a vote against  
9           redistricting. To myself in doing the same  
10          thing here, that this redistricting is bad  
11          legislation for Texas.

12          As we know the Delay's goal is to  
13          disenfranchise voters and guarantee victory for  
14          the GOP candidates. So anything that the GOP  
15          could eliminate five to seven Democratic  
16          members of Congress whose seniority benefits  
17          Texas. We don't want to do the say thing that  
18          the past election as we did to Texas by putting  
19          GOP candidates that they didn't have the  
20          seniority, they didn't know what they were  
21          doing. So Perry is accused that they were new  
22          and they couldn't handle the economy.

23          So this Committee and Senators, whose  
24          vote will count, I urge them to vote against  
25          redistricting. Thank you.

1           SENATOR DUNCAN: Thank you, Mr. Estrada.

2           Members, any questions?

3           The Chair recognizes Ray Magdrigal.

4           MR. MAGDRIGAL: Mr. Chairman and  
5           Honorable Senators of the State of Texas. My  
6           name is Ray Magdrigal, and I live at 1113 18th  
7           Street. And I am just a citizen her in Corpus.

8           But I come in favor of redistricting and  
9           I'm going to tell you why. Because we have  
10          always heard from a lot of people here in  
11          Nueces County that we are under represented.

12          And I heard you ask the lady, how come  
13          you would be against having another  
14          representative? And I say that -- I think I  
15          heard or read somewhere that there was a map  
16          that it would divide Nueces County and there  
17          was a possibility of having two  
18          representatives, instead of just having one, we  
19          would have one hundred percent increase in our  
20          representation in Washington and that's what  
21          I'm for.

22          I went and looked and saw because I  
23          didn't know. I thought maybe there was one  
24          representative for each large city that we  
25          have. I went to San Antonio and I saw that we

1 had Cedro Rodriguez, Charlie Gonzales, Henry  
2 Bonilla and Lamar Smith all from the San  
3 Antonio area. In Corpus we only have the  
4 Honorable Solomon Ortiz.

5 I think it would be great if would  
6 increase it a hundred percent with a new  
7 district to include another representative to  
8 represent Corpus Chris, the naval base,  
9 Ingleside and all these areas.

10 So thank you, sir.

11 SENATOR DUNCAN: Members, any questions?

12 Thank you.

13 The Chair calls Tira L. Cruz, Tina.

14 MS. CRUZ: It's okay as long as you call  
15 me. My name is Tina Cruz.

16 SENATOR DUNCAN: It looks like an R.

17 MS. CRUZ: That's okay. And I reside at  
18 2902 Sarita, and I'm here today as a citizen, a  
19 taxpayer, a voter for this great nation of  
20 ours.

21 And I have a question for Senator  
22 Wentworth. Have you had any communication with  
23 a Mr. Ellis in Mr. Tom Delay's office?

24 SENATOR WENTWORTH: I don't know

25 Mr. Ellis. So far as I know, I've never met

1 him.

2 MS. CRUZ: So you've never had any  
3 communication with this Mr. Ellis?

4 SENATOR WENTWORTH: I can't totally  
5 promise because I meet hundreds of people, as  
6 you know. But not to my knowledge, I've never  
7 met or talked to him about redistricting.

8 MS. CRUZ: Okay. Well, I'm here to speak  
9 against the redirecting process simply because  
10 it is not the year 2010 as we do every ten  
11 years when we do the census. And in looking  
12 back and seeing what has occurred in this  
13 current administration, it feels like instead  
14 of this state moving forward, we are moving  
15 backwards and everything that our beloved  
16 founder Dr. Hector P. Garcia worked for and all  
17 of these veterans that are here today and many  
18 that are now in their grounds and that's good  
19 that they've been honored like Senator Gallegos  
20 said and stuff.

21 But the biggest honor we could give our  
22 veterans that here with us today and have gone  
23 on to be in a better place, is to respect the  
24 rights of the citizens because they fought for  
25 those rights and we're here standing today

1           because of them.

2                         And all the work that Dr. Hector and the  
3           GI Forum did, seems like it seems to be going  
4           backwards.

5                         And I was talking to my daughter about  
6           this the other day. And she's very confused  
7           because she says, well, mom, they're not  
8           supposed to do that and, mom, they're not  
9           supposed to do that. And here you are trying  
10          to explain what we have been brought up on and  
11          what the history books will say, and she says  
12          you know, mom -- and I have to agree with her,  
13          she's a 16-year-old student in Moody High  
14          School -- she says, it feels like we're in the  
15          times of the Klu Klux Klan.

16                        And I agree wholeheartedly because  
17          something is being shoved down our throats  
18          without the citizens being listened to.  
19          Because realistically we're here today, yes,  
20          and thank you all for being here and listening.  
21          But somewhere someone has already made a  
22          decision.

23                        Unfortunately our Governor, for whatever  
24          reason, is taking directions from Tom Delay and  
25          the citizens of Texas are going to suffer from

1           it. All of our representatives our Senatorial  
2           27 representative, Congressmen Ortiz, has done  
3           an excellent job in representing not only  
4           Nueces County -- and I couldn't care less if  
5           today you vowed to us that we could get  
6           additional Democratic chair positions in the  
7           congress, I wouldn't want them. Talk to me  
8           about it in 2010 and I would support it  
9           wholeheartedly, but not today because today is  
10          not time to redistrict.

11                 I ask you to please listen to what the  
12          people have said here today because it's like  
13          somebody else said, elections are going to come  
14          up and all you have done is you've stirred up a  
15          honest's nest and we're not going to stop until  
16          we sting a lot of people and remove the people  
17          that have effected the way that we live and our  
18          livelihood and our economic development.

19                 Thank you.

20                 SENATOR DUNCAN: Thank you, Ms. Cruz.

21                 Members, any questions?

22                 All right. Thank you.

23                 Is there anyone else in the audience who  
24          would like to testify for or against or on  
25          redistricting?

1           The Chair hears none. The public  
2 testimony will be closed.

3           Members, we have a number of cards from  
4 citizens who have registered a position either  
5 for or against or on redistricting but chose  
6 not to testify. The Chair would entertain a  
7 motion to enter those into the record.

8           Senate Gallegos moves that the position  
9 cards of those who chose not to testify be read  
10 into the record -- or be placed into the record  
11 without the necessity of reading each one of  
12 them. The Clerk will call the role.

13           THE CLERK: Senator Duncan.

14           SENATOR DUNCAN: Aye.

15           THE CLERK: Senator Gallegos.

16           SENATOR GALLEGOS: Aye.

17           THE CLERK: Senator Averitt.

18           SENATOR AVERITT: Aye.

19           THE CLERK: Senator Staples.

20           SENATOR STAPLES: Aye.

21           SENATOR DUNCAN: Being four ayes and no  
22 nays, the motion carries.

23           Members, it's been along a day. I  
24 appreciate your staying with us and those of  
25 you who are not on the Committee, I appreciate

1 your staying with us.

2 Senator Van de Putte.

3 SENATOR VAN DE PUTTE: Thank you,  
4 Mr. Chairman. Thank for are the way, manner in  
5 which you presided. I was just wondering,  
6 could you tell me just for the record, how many  
7 people testified today, approximately? Did we  
8 keep record?

9 SENATOR DUNCAN: About 73.

10 SENATOR VAN DE PUTTE: About 73. And how  
11 many witness affirmation cards were there?

12 SENATOR DUNCAN: I would say two or three  
13 hundred.

14 SENATOR VAN DE PUTTE: Between two and  
15 three hundred.

16 SENATOR DUNCAN: That's just a guess, but  
17 it looks about similar to where we've been.

18 SENATOR VAN DE PUTTE: Thank you,  
19 Mr. Chairman.

20 SENATOR DUNCAN: Thank you. It's been an  
21 excellent evening. I'm happy that we came to  
22 Corpus Christi and heard the people of Corpus  
23 Christi. I learned some things today.

24 I would like thank Dean Truan for being  
25 with us today and for his excellent testimony.

1           I will say that the Members of the Texas  
2           Senate, there's only 31 of us, and I'm proud of  
3           every one of them whether they're a Democrat or  
4           Republican. I respect their views. I respect  
5           the points that they come from and the areas  
6           and regions that they represent.

7           Our system works because of that respect  
8           and that respect is very important. Even if we  
9           disagree, that respect is the most important  
10          thing that keeps the institution going. So  
11          thank you for your being here today and the  
12          respect that you've shown the Committee.

13          Without any further -- Senator Gallegos.

14          SENATOR GALLEGOS: If you wouldn't mind,  
15          I'd like to notice this young lady's name up  
16          here that's been up here all day, the young  
17          lady in the white hair. Luz Benavides, okay.

18          SENATOR DUNCAN: She deserves a hand. 90  
19          years young.

20          SENATOR GALLEGOS: 90 years young. She  
21          don't look 90, she looks young.

22          SENATOR DUNCAN: I hope I'm doing that  
23          well at 90.

24          Members, there being no further business  
25          to come before the Committee, we will stand in

1 recess until further called on the Chair.

2 (Proceedings concluded at 10:20 p.m.)

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I, Kara Y. Dickinson, Registered

Professional Reporter, do hereby certify that the foregoing proceedings were taken before me at the time and place and in the presence of attendees as shown herein; that the foregoing pages contain a true and correct transcription of the proceedings on July 7, 2003.

I hereby certify that I am neither attorney for any party nor am I related to or employed by any party connected with the proceedings, nor am I financially interested in the proceedings.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

\_\_\_\_\_  
Kara Y. Dickinson

Registered Professional Reporter

