
Commission Meeting

of

APPORTIONMENT COMMISSION

"Testimony from the public on the establishment of legislative districts in New Jersey that will be in effect for the next 10 years"

LOCATION: Committee Room 4
State House Annex
Trenton, New Jersey

DATE: March 10, 2011
2:00 p.m.

MEMBERS OF COMMISSION PRESENT:

Assemblyman John S. Wisniewski, Co-Chair
Assemblyman Jay Webber, Co-Chair
Nilsa Cruz-Perez, Co-Vice Chair
Irene Kim Asbury, Co-Vice Chair
Senator Paul A. Sarlo
Senator Kevin J. O'Toole
Assemblyman Joseph Cryan
Assemblywoman Sheila Y. Oliver
George Gilmore
Bill Palatucci
Alan Rosenthal



ALSO PRESENT:

Frank J. Parisi
Secretary

Hearing Recorded and Transcribed by
The Office of Legislative Services, Public Information Office,
Hearing Unit, State House Annex, PO 068, Trenton, New Jersey

TABLE OF CONTENTS

	<u>Page</u>
Senator Shirley K. Turner District 15	15
Assemblywoman Bonnie Watson Coleman District 15	18
Senator Ronald L. Rice District 28	23
Nora Craig Private Citizen	27
Brian G. Gallagher Mayor Borough of Somerville	30
Assemblyman Upendra J. Chivukula District 17	32
Patrick Murray Director Monmouth University Polling Institute	35
Lyle Himmel Member Redistricting Committee Bayshore Tea Party Group	37
Larry Chatzidakis Former Assemblyman New Jersey General Assembly	39
Don Cox Private Citizen	41
Maria Bua Chair Mercer County Republican Committee	44

TABLE OF CONTENTS (continued)

	<u>Page</u>
Russell Cote Co-Chair Redistricting Committee Bayshore Tea Party Group	45
Ronald G. Rios Freeholder and Deputy Director Board of Chosen Freeholders County of Middlesex	47
Assemblywoman Nellie Pou District 35	49
Mark Caliguire Mayor Montgomery Township	52
Aubrey Fenton Private Citizen	56
William Eames Representing Morris Patriots	58
José F. Sosa Former Assemblyman New Jersey General Assembly	61
Dudley Sipprelle Chair Princeton Borough Republican Committee	64
Rich Gibbons Representing Tea Party of Middlesex County	65
Chrissy Buteas Vice President Womens Political Caucus of New Jersey	66

TABLE OF CONTENTS (continued)

	<u>Page</u>
George B. Gore Chair Political Action/Civil Engagement Committee New Jersey State Conference National Association for the Advancement of Colored People	69
Adam Liebttag Private Citizen	71
Rhoda Chodosh Private Citizen	73
Joe Schilp Private Citizen	75
David Harrison Private Citizen	78
Kathleen Bjcka Private Citizen	82
Moly K. Hung, Esq. Private Citizen	83
Jeff Tittel Director New Jersey Chapter Sierra Club	86
Jose R. Bello National Director Dominican American Redistricting Project Dominican American National Roundtable	88
Bill Holland Executive Director New Jersey Working Families Alliance	90

TABLE OF CONTENTS (continued)

	<u>Page</u>
Edward Correa Co-Founder and President New Jersey Latino Foundation, and Founder Latino Action Network, and Member Morris County Chapter National Association for the Advancement of Colored People	91
Jerome C. Harris Chair New Jersey Black Issues Convention, and Representing New Jersey Legislative Redistricting Coalition	98
Keith Hamilton Private Citizen	100
Gloria Dittman Private Citizen	102
Lucille Panos Council Member Ward 6 Old Bridge Township	103
APPENDIX:	
Testimony submitted by Senator Ronald L. Rice	1x
Testimony submitted by Assemblyman Upendra J. Chivukula	4x
Testimony submitted by Rhoda Chodosh	9x

TABLE OF CONTENTS (continued)

APPENDIX (continued):

	<u>Page</u>
Map, plus attachments submitted by David Harrison	10x
Testimony submitted by Bill Holland	16x
rs:1-105	

ASSEMBLYMAN JOHN S. WISNIEWSKI (Co-Chair):

Good afternoon, everyone.

I'd like to call this meeting of the Legislative Apportionment Commission to order.

Mr. Parisi, would you please call the roll.

MR. PARISI (Secretary): Certainly, Mr. Chairman.

Senator Sarlo.

SENATOR SARLO: Here.

MR. PARISI: Bill Palatucci.

MR. PALATUCCI: Here.

MR. PARISI: Senator O'Toole.

SENATOR O'TOOLE: Here.

MR. PARISI: Speaker Oliver. (no response)

George Gilmore. (no response)

Assemblyman Cryan.

ASSEMBLYMAN CRYAN: Here.

MR. PARISI: Vice Chair Nilsa Cruz-Perez.

MS. CRUZ-PEREZ: Present.

MR. PARISI: Vice Chair Kim -- Irene Kim Asbury.

MS. KIM-ASBURY: Here.

MR. PARISI: Chairman Wisniewski.

ASSEMBLYMAN WISNIEWSKI: Here.

MR. PARISI: Chairman Webber.

ASSEMBLYMAN JAY WEBBER (Co-Chair): Here.

MR. PARISI: You have a quorum.

ASSEMBLYMAN WISNIEWSKI: We have a quorum. Thank you.

I note for the record that Co-Chair Webber has been in contact with Commissioner Gilmore, who is on his way. And I know Speaker Oliver had a family funeral that she is in the midst of concluding, and is on her way down as soon as that concludes. They will join us shortly.

We will be taking testimony today. If you are interested in testifying before the Commission, there are white slips on the table by the door. We'd ask that you fill them out. Mr. Parisi, seated to my right, will be taking those slips. It's important that you get them to him, as well as any prepared remarks that you wish to submit for the record of the Commission.

We are, today, 11 members as a Commission because we are joined by Dr. Alan Rosenthal. Under our Constitution, 30 days after receipt of our Census data if a map is not agreed to the Chief Justice appoints an 11th member. Dr. Rosenthal was a suggestion on lists submitted by both the Democratic and Republican caucuses of this Commission. And we are glad to have him join us this morning. He would like to make some opening remarks.

Dr. Rosenthal.

DR. ROSENTHAL: Thank you, Mr. Chairman.

I'm honored to have been selected to be the 11th member of the Commission. I have a lot of catching up to do. I'm the new boy on the block. Maybe *boy* is not accurate, but I am new on the block, that's for sure. (laughter)

I regard this as a most important process. Once a decade it happens, and it's designed to redraw district lines of the State Legislature in order to recognize the population shifts within the State of New Jersey.

Now, in most states, redistricting both for Congress and for the legislature is done by the state legislature. In 12 or so states, including New Jersey, it's done by a commission, and the practices of these commissions vary. I think the process has generally worked well in New Jersey, as I look around the country. It's worked well both at the congressional and at the State legislative levels.

None of the four legislative nor two congressional maps have been overturned by State or Federal courts on constitutional or legal grounds. None of these maps were perfect from everyone's point of view. We have different ideas as to where lines should be drawn. For example -- and this may come as a big surprise -- Republicans seem to want a map that advantages Republicans, and Democrats seem to want a map that advantages Democrats. Well, we have, in the United States and in New Jersey, a competitive, two-party system. And it's understandable that the two parties compete in the processes of redistricting and apportionment, as well as in elections and in the making of public policy. Disagreement is to be expected. In fact, it's to be welcomed. It's healthy in a diverse society such as ours. Dealing with disagreement is what representative democracy is all about. And that's the challenge before this Commission.

I want to set forth the standards that I will -- that will guide me, as the 11th member, in the process. On the basis of discussion with other members of the Commission, I believe that there is general agreement

on these standards, but I can't hold the other Commissioners exactly to that agreement. But I think there is general agreement.

Some of these standards are specified in the New Jersey Constitution, Article IV, Paragraph II. Others are in Section 2 of the Federal Voting Rights Act and decisions of the United States Supreme Court. A few are not legally specified but make sense from the standpoint of what I think the public interest is.

And the first standard is population equality: one person, one vote; as the United States Supreme Court decisions laid out in the 1960s. And that requires that every district be equal in population or as equal as possible in view of other constitutional requirements. And we will strive -- or I will strive for districts that are as equal as possible, perhaps a 5 percent deviation -- 2.5 percent above and 2.5 percent below the average district, if we can make it. No single district, I would hope, would deviate more than 10 percent from the norm.

Secondly, the New Jersey Constitution requires that there be no division of municipalities, that they -- municipalities reside in one district or another, and that Newark and Jersey City -- which are larger in population than a single legislative district -- be divided no more than once -- that is, in two parts. And that, too, I think we are generally agreed on.

The third standard is contiguity: that each district not be scattered in separate pieces, that it be connected with itself, allowing for an occasional body of water that separates a district, like Long Beach Island. The districts we come up with will be -- will meet this standard and be contiguous.

The fourth standard is compactness: as compact like a square, a circle, or a rectangle as possible. Although the whole town requirement of the Constitution makes perfect compactness from district to district impossible, we will strive for as much compactness as we can reasonably get.

The fifth standard, although not specified in the New Jersey Constitution, applies to communities of interest. That's also a standard that I will be guided by. Insofar as possible in drawing district lines, we'll try to recognize social, cultural, ethnic, and economic communities of interest.

The sixth standard, also not specified in the New Jersey Constitution, is the standard of continuity of representation. That means that a substantial proportion of a district's population from the old district continues in the new one. Again, if it does not conflict with more important standards, it is useful to foster as little disruption as is necessary.

Seven: Competitiveness is another standard that is not constitutionally or legally prescribed, yet there is agreement on the Commission, I believe, that the apportionment should attempt to establish a number of competitive districts, recognizing that most districts, because of where partisans tend to reside, will not be competitive. My own view is that we should absolutely not reduce the number of competitive districts and, perhaps, increase the number a bit.

The eighth standard relates to Section 2 of the U.S. Voting Rights Act, which requires that minority communities be afforded an equal opportunity to participate in the political process. The Voting Rights Act, as interpreted by the Federal courts, spells out prohibitions. States have discretion as to just how they apportion, as long as they do not violate the

standards laid down by the Federal law and its interpretation. Just how minorities -- African-Americans, Hispanics, and Asians -- are represented in this apportionment is a most important and challenging task for the Commission. Commissioners of the two parties appear to have somewhat different views on the preferred ways of ensuring minority opportunities. It would be our job to try to resolve these differences or to try to settle on something that is constitutional, legal, and seems to be decent public policy.

Eighth (*sic*): the last standard, and one that is mainly the responsibility of the 11th member, is partisan fairness. Given the constitutional provision in New Jersey that establishes the Apportionment Commission in the process, it is clear that a major, if not *the* major role of the 11th member is to help resolve differences between the Republican and Democratic Commissioners and arrive at a settlement that is fair to both sides. My objective is to help the Democrats and Republicans, the Commissioners, reach agreement on a single map -- I hope -- that meets the standards just specified. If they reach agreement, we can assume that it is fair in partisan terms. That objective may not be achieved, but then I would like to see two maps that meet the standards just specified, two maps that are not far from one another -- and that both are fair in partisan terms and meet the constitutional and legal requirements. In that circumstance, I want it to be very difficult for me to decide which map I'm going to vote for.

Either way, we will all be striving to produce a plan that is constitutional, that fairly represents the populations in New Jersey, and that makes sense as public policy. I'll have the special job of ensuring partisan

fairness that neither party comes out ahead of the other party in this enterprise.

Thank you, Mr. Chairman.

ASSEMBLYMAN WISNIEWSKI: Thank you, Dr. Rosenthal.

I know that our tradition has been for members to make opening statements, and I will entertain that for members.

I will go first. And I just, again, would like to repeat my thanks to Dr. Rosenthal for agreeing to accept the appointment from Chief Justice Rabner. New Jersey is fortunate to have what many would consider the nation's top expert in state legislatures participate in this process. It is a fact and testament to his good character and his reputation that both parties submitted his name to Chief Justice Rabner as a candidate for the 11th member.

However, that he accepted the Chief Justice's invitation probably calls into question some of his judgement (laughter); but we are extremely lucky that notwithstanding that he chose to spend a month of quality time with the 10 of us. His lifetime of accomplishments do not need this, but his commitment to his state dictates that he take this assignment.

The Apportionment Commission, as Dr. Rosenthal has said, is charged with the mission of adopting a map that is going to reflect New Jersey's legislative districts for the next 10 years. It's more than just an exercise in drawing political boundaries, it will reflect the ability of the Legislature to enact policies that shape our state for the next 10 years. And so it is more than just an exercise on a political map, it is an exercise in shaping the future of the State of New Jersey.

Our deadline for crafting this map is roughly 23 days from today. As hard as it is to seem when we first started discussing this several months ago, we are now down to 23 days. And this is the most compressed timeframe of any commission putting together a legislative map anywhere in the United States. The fact that we even have an 11th member on a bipartisan commission favorably separates New Jersey in a positive way from the 37 states that assign the legislature, exclusively, the responsibility of drafting a map.

Just like other states, in putting our map together -- as Dr. Rosenthal has announced -- there are legal parameters and criteria that we must abide by. We must comply with the one person, one vote standard for a legislative map. The law allows a deviation of up to 10 percent, but we, as Dr. Rosenthal has said, must do better than that. The districts we create must be compact and must be contiguous. We can't split municipalities other than our most two populous communities, and we must consider continuity from the existing map to communities of interest throughout this process. It must be a fair map and, of course, it must comply with the Voting Rights Act. It cannot be discriminatory in any way, shape, or form. The map we adopt must be fair; and it must be constitutional; and it must look forward, not backwards.

We have conducted an unprecedented number of public hearings: four to date. This will be number five. In addition to the public hearings, we have set up a website: www.apportionmentcommission.org. And so for those who are not able to participate, or for those who do participate today but would like to revise and extend their remarks, and for those who just simply want to provide us with more information, when the

lights go off and the microphones are silenced, this hearing will continue in a virtual sense on the internet. The site also allows for documents to be submitted. So those mapmakers out there who have suggestions on how this map should look, feel free to submit those maps to us.

Let me conclude by saying that the ultimate map must emerge from us as fair; as forward-looking; address the needs of our state, our diversity, and the political views of our state for the next decade. We are charged with meeting the Constitution's mandate that every person be given an equal voice. We must allow for a meaningful opportunity to elect a Legislature which reflects the faces of our neighborhoods and our neighbors, and encourage emerging communities to participate in our representative government. A map that fails to do so fails our citizens.

With that, I will ask Co-Chair Webber if he has any opening remarks.

ASSEMBLYMAN WEBBER: Thank you very much, Chairman.

And to Dr. Rosenthal, welcome. It does call into question your sanity for volunteering for the gig. But we do appreciate having you on and I look forward to working with you.

We look forward, as far as the Republican Commissioners, to some interesting testimony today, tomorrow, and next Wednesday as we conclude our public hearings in this process. We've had four productive sessions so far, and we look forward to three more, in addition to comments over the website.

Whatever map comes out of this process, it is our commitment, as Republican members of the delegation, that the map be fair and

constitutional. Fair in the sense that it is both proportional -- in other words, the party that wins the most votes in an election has the most seats in the Legislature -- and reciprocal, that both parties have an opportunity, when they win the most votes in the Legislature, to have control of either House of the Legislature.

We want a map that is constitutional and legal. Both Dr. Rosenthal and Chairman Wisniewski described some of those parameters. We don't take issue with the laws that we're operating under. We might take some issue with how they're applied, but that's a story for another day. The maps that we propose and the map that results from this Commission's work must obey the United States Constitution's requirements regarding one person, one vote; and our State constitutional requirements regarding the splitting of towns; and also must respect the Federal Voting Rights Act law.

Unfortunately, the map that we are operating under today is neither fair nor constitutional. It is not fair in the sense that it's not proportional. Three times in the last decade -- three of eight elections in the decade that just past -- Republicans won more votes than the Democratic party in State legislative elections. In none of those instances did Republicans get the majority of the seats in the Legislature. That needs to change. And the map, as we currently have it, is not reciprocal. In other words, when Democrats get more votes, they seem to increase their seats. When Republicans get more votes, the Democrats seem to increase their seats. Perhaps the most egregious example is the 2003 State Senate election in which both parties went into the election tied 20-20. Republicans gained 51 percent of the votes for State Senate that year, and

Democrats increased their representation in the State Senate by two seats. This is the definition of a map where heads, they win; tails, we lose. And that is why the current map needs to change.

The current map is also unconstitutional. In 2001, the Commission drew a map that splits Newark and Jersey City twice, not once, and did it on a justification that has been overturned or rejected by the United States Supreme Court. Whatever map this committee produces should address the issues in and around Newark and Jersey City, and also must balance the overpopulation of some of our districts, as our demographics have changed and shifted throughout the state.

The good news is, I think the map that we produce from this Commission will be very different from the map that we are currently living under, and it should be a dramatic change. It will change because, as I mentioned, the law has changed. The United States Supreme Court has opined on both the Federal Voting Rights Act law and what the one person, one vote doctrine in the United States Constitution means. And this Commission will respect those precedents. The map will change because New Jersey's population has changed. Not only has our population moved South and West, but our demographics are very different than they were 10 years ago. I notice especially the sharp increase in our Latino population, as well as our Asian population, in New Jersey.

And so the maps that Republican Commissioners will propose will obey our legal obligations and respect them, but it will also be fair. When Democrats do well in an election and get more votes than Republicans, the Democrats should control the Legislature. When Republicans do well in elections and get more votes than the Democrats,

the Republicans should have an opportunity to control the Legislature. No more heads, they win; tails, we lose.

And one issue I want to point out -- and I think it's important to say. Chairman Wisniewski alluded to it, and other Commissioners from the Democratic side have alluded to it throughout this process. There is a lot of talk about how this map will affect the policies that will be enacted by future legislatures -- what this means in terms of anything from tax policy, to gun control, to whatever policy you're interested in. Respectfully, I think that's the tail wagging the dog. The people of the State of New Jersey are the ones who determine what policies should be implemented, and they have that say by going to the ballot box every other November to elect their representatives who serve in Trenton. We should not be drawing a map that tries to gerrymander particular policy results into the next decade. What we should be doing is drawing a map that is both fair and constitutional, proportional and reciprocal, letting the people of New Jersey have their say at the ballot box, letting the map then express those preferences in the Legislature, and then letting the Legislature vote on those policies. This Commission should not be attempting to set those policies for the next 10 years.

And with that, Chairman, I give it back to you. Thank you.

ASSEMBLYMAN WISNIEWSKI: Thank you. Chairman Webber, any other of your Commissioners have opening statements?

ASSEMBLYMAN WEBBER: I think we do.

Vice Chair Irene Kim Asbury.

ASSEMBLYMAN WISNIEWSKI: Commissioner.

MS. KIM ASBURY: Thank you, Chairman.

Thank you, Dr. Rosenthal. Welcome, and thank you for giving everybody some guidance and giving us all something to consider as we head into this process.

We've discussed the geographic migration of New Jersey's population over the last 10 years. However, New Jersey's demographic shifts have not only been to the south and the west of the state. There have also been significant changes in its minority communities. While the racial and ethnic diversity of the state continues to grow by at least 5.5 percent, different minority groups have experienced a similar growth over the last decade. The Hispanic and Asian-American populations have increased considerably. The Asian -- I'm sorry, the African-American and the nonminority populations have slowed in growth. All these demographic changes mean that, first, minorities are almost 40 percent of New Jersey now and thus must be given the opportunity to represent their communities at public hearings before this full Commission begins deliberations; and second, the old map based on the 2000 Census is no longer viable and changes must be made to reflect the changing face of the state.

Speaking as someone who lives in one of the most ethnically diverse areas in the country, I'm looking forward to the open process and hearing from the public. I encourage all people to bring their personal views of their communities to the attention of this Commission, at this and future public hearings, so that we can keep it in mind as we draw this map. Back in Hudson County, I'm very committed to improving minority communities' access to government services. And this Commission is no exception. Given these new challenges, we should also keep in mind that we cannot have an illegal map. We must redistrict in a manner compliant

with State and Federal laws; and that is fair, equitable, and constitutional. All New Jersey residents deserve the right to be treated fairly, equitably, and constitutionally.

That being said, I can't wait to hear from the public. We look forward to your input, and all the Commissioner's look forward to working with the many faces of New Jersey.

Thank you.

ASSEMBLYMAN WISNIEWSKI: Thank you.

And finally, Vice Chair Nilsa Cruz-Perez.

MS. CRUZ-PEREZ: Thank you, Mr. Chairman.

I'm going to take this opportunity to welcome Dr. Rosenthal to the Commission. I'm looking forward to working together.

Thank you to the members of the public who have come here today to testify and express your opinion in this important process. One of the key issues of the Commission is how to address a significant growth of Hispanic and minorities in New Jersey. I represented the 5th Legislative District from 1995 until last year. I'm very proud to say that the district elected the first Hispanic woman in the history of the New Jersey Legislature. Looking at the numbers alone, I would never have predicted that the 5th District -- with 17 percent Hispanic, and the African-American population with 26 percent -- would yet elect, every two years for 16 years, an African-American and a Hispanic.

We're making progress on the minority representation in the Legislature, but much work needs to be done. We cannot afford to turn the clock back and concentrate minority citizens in a few districts, a practice known as *packing*. That would only decrease minority influence in Trenton,

and we cannot afford to do that. We cannot, certainly, pit one racial group against the other either. New Jersey has grown, and we must grow together, not grow apart.

Mr. Chairman, I look forward to working with the 11 members of the Commission to draw a fair, constitutional, and a forward-looking map.

Thank you.

ASSEMBLYMAN WISNIEWSKI: Thank you very much for your remarks.

Just a housekeeping note: If you have a cell phone, if you'd kindly put it on vibrate or silent that would help not disturb those giving testimony. There are two microphones at the table. One is for amplification. You have to press the button so the red light is illuminated so that we can hear you. The other is for the purpose of keeping a record of the proceedings. So you need to speak into them both.

I'm going to call the individuals in an order determined by Mr. Parisi of the Office of Legislative Services. I'm going to call three names. The first person is the person up to speak, the other two are on deck -- just so in case they're out of the room, someone can find them.

With that being said, I'd like to call Senator Shirley Turner. Following her will be Assemblywoman Bonnie Watson Coleman, and then Senator Ronald Rice.

SENATOR SHIRLEY K. TURNER: Good afternoon, Commission members and Dr. Rosenthal. I want to, first of all, thank all of you for all of the time and the hard work that you have been putting in to come up with what I believe will be a fair and equitable map.

First, though, let me begin by welcoming you here to our historic State House building; but also to our great State capitol, the City of Trenton. As you know, I represent this district. I've had the privilege of doing so for many years now. As you know, we're sitting in the 15th Legislative District, and although Trenton is the urban population center in this district, when you look at the rest of the communities that make up the 15th, it becomes, in fact, the exception and not the rule. Yes, the 15th District includes Trenton, but it also includes the suburban districts of Ewing, Lawrence, and Princeton Townships; and the almost rural district of Hopewell Township. And we also -- we're also the home to small-town Main Streets: Hopewell Borough, Pennington Borough, and Princeton Borough. We are home to the College of New Jersey, one of our state's premiere public institutions; and the world-renown Princeton University. We are bisected by Route 1, a bustling commercial district; but we are also home to small farms. The residents of the 15th District span every socioeconomic, every race, and every ethnicity. The challenges that face New Jersey at large are felt in every community in this district.

Many legislators claim that their areas look much like New Jersey in microcosm. But I do not believe that any of them comes as close as the 15th District. This diversity is what I love very much about this district that I'm representing. For every person who contacts my office regarding an issue, their viewpoint may be one way, but there are others, I can guarantee you, who will call and have the exact opposite point of view. And that's as it should be. How sad and boring it would be if a district were drawn so tightly that an elected official would find themselves tied down as

merely representing a specific ethnic group rather than the voice of a dynamic, varied district.

I would also note the diversity of our district's delegation with myself, Assemblywoman Bonnie Watson Coleman, and Assemblyman Reed Gusciora. Obviously, the residents of this district have seen past the physical person and placed their vote in whom they believe would best represent their interests. And that is what public service is all about: the interest of the people, all of the people.

Yes, redistricting is ultimately the answer to a political question, but that does not mean that politics must be the only variable in the equation. What about the breath of experience that an official will have in office? Surely you won't find a broad scope in a narrowly drawn, packed district. What about long-term vision? Surely representatives won't be as keen to look further down the road at ramifications for their votes if their only consideration is the immediate wants of a narrow constituency. I know my voice, and those of Assemblywoman Watson Coleman and Assemblyman Gusciora, have strength, and power, and meaning in debates because it is the voice that represents a diverse constituency. It is not a voice that has been diluted by legislative packing. I hope that the voices of all legislators would carry that same weight.

I urge you to do what is right not just for New Jersey, but for our democratic process. I urge you to approve a map that does not pigeon-hole legislators or residents. I urge you to produce a map that ensures every districts looks like our great diverse State of New Jersey.

Thank you very much.

ASSEMBLYMAN WISNIEWSKI: Thank you very much,
Senator.

Assemblywoman Watson Coleman.

ASSEMBLYWOMAN BONNIE WATSON COLEMAN:
Thank you very much.

Good afternoon, Chairman Webber, Chairman Wisniewski,
and Dr. Rosenthal, and all of the members of the Commission. Good
afternoon.

As a member of the Legislative Apportionment Commission in
2001, I come to this year's process with advice born out of personal
experience. The arguments that are being advanced today by Republican
members of this Commission are eerily identical to the ones we heard 10
years ago. The message that I am hearing from Republicans is this: Even
though the Democrats are the only political party consistently nominating
and electing minority legislators, they want to tell this Commission how
Democrats are wrongly going about achieving this diversity in the
Legislature.

And their method hasn't changed either. Last time, they tried
to pack as many African-Americans into as few districts as possible, arguing
that this was the only way to get more African-Americans elected to the
Legislature. This time, they are saying the exact same thing, but only about
Latinos. Except there is one thing -- one very significant thing that is
different now from 10 years ago. We now have evidence with the map that
rejected the cynical and self-interested strategy. And what does it tell us?
First, as an African-American who has been elected consistently in a district
that is less than 30 percent African-American, it tells us that they were and

are wrong. And not just about the 15th Legislative District that I represent, but about all of them. We've got an African-American and a Latino representing the 5th Legislative District, which is 25 percent African-American and 22 percent Hispanic. We've got an African-American representing the 7th Legislative District, which is 26.5 percent African-American. My district, the 15th, is 29.2 percent African-American, and it is represented by my Senator, an African-American, and me. The 20th District is 42 percent Hispanic. It is now represented by a Latina Assemblywoman. And the 27th District is 30 percent African-American, and it too has an African-American Assemblywoman representing it. And the list goes on, and on, and on into Hudson, Essex, Passaic, and Bergen counties.

And the degree to which the Republicans were wrong doesn't stop there. The empowerment of minorities in New Jersey politics did not end with simply getting more elected to the Legislature. Indeed, that was only the beginning. During the last decade, we've elected the first Cuban-American Speaker and the first African-American woman Speaker of the General Assembly. And Bob Menendez rose to the U.S. Senate after serving on the Union City School Board, in the Assembly, in the Senate, and as a member of Congress. And all of this happened because Senator Menendez and, in fact, all of us received votes from whites as well as minority voters. New Jersey celebrates its diversity not by practicing segregation and polarization, but by electing representatives of our choosing, no matter what the color of their skin.

So maps have a consequence and so do elections. The last 15 months have made that painfully clear. We have a Governor elected by less

than 50 percent of New Jersey's voters whose policies are doing untold damage to the poor and the middle class; cutting aid to public schools; eliminating the earned income credit; cutting Planned Parenthood; cutting aid for home energy assistance; cutting Medicaid; declining to renominate an African-American Justice to the Supreme Court; cutting health insurance for children; and causing the layoff of thousands of police, and fire fighters, and teachers while, at the same time, giving millionaires a tax break. In fact, the only thing standing between my constituents and this Governor's Administration doing even more damage to them is a Legislature where 23 of the 24 minority legislators are Democrats; a Legislature where 56 percent of the committees are either chaired or vice chaired by minority legislators.

However, if the argument that is being advanced by the Republican members of this Commission prevail, there will probably be no more than one minority member occupying a leadership position in the Legislature, and that is not only because all of us are Democrats, it's also because Republicans have not even bothered to nominate minority candidates to run for the Legislature in competitive districts.

So when we hear Republicans again espousing this same misguided, unsubstantiated claim that district packing serves to promote opportunity and diversity, we just need to remember the evidence proves otherwise. Clearly, this claim represents a gospel of self-interest and not of public interest. I respectfully request that every member of this Commission recognizes the significant increase in minority representation in the Legislature is due to the principles that guided us in our current district configuration; and again, based on this empirical evidence, seek to preserve and protect the equal value of everyone's vote.

ASSEMBLYMAN WISNIEWSKI: Assemblywoman, thank you very much for your testimony.

ASSEMBLYMAN WEBBER: Chairman, may I?

ASSEMBLYMAN WISNIEWSKI: Assemblyman Webber.

ASSEMBLYMAN WEBBER: My colleague from the Assembly, thank you for coming.

We agree that maps have consequences. Obviously, I take issue with your conclusion and your argument that the last map has increased minority representation. I was elected recently in 2007. I think you were here for the 2001 cycle. But you would agree with me that there were 15 African-American legislators in 2001 before this current map was put into place. Right? Do you recall?

ASSEMBLYWOMAN WATSON COLEMAN: No.

ASSEMBLYMAN WEBBER: There were 15 African-American legislators in the Legislature, Senate, and Assembly in 2001. We put this new map into place, which you argue has increased opportunities for minority communities, and today we have 15 African-American legislators in the Senate and the Assembly. It's just not true that the current map has done what you've argued it did.

We appreciate your testimony, but when you talk about empirical evidence, please come to the committee with some empirical evidence. The facts are: There has been no increase in African-American representation in the Senate or the Assembly under this map.

ASSEMBLYMAN WISNIEWSKI: Assemblywoman.

ASSEMBLYWOMAN WATSON COLEMAN: Thank you, Assemblyman.

There may have been an erosion of African-American representation over the last 10 years. But the evidence does speak to the fact that there have been more minorities -- and I was clearly stating minorities -- in the Legislature as a result of those efforts 10 years ago.

ASSEMBLYMAN WEBBER: Chairman, if I might.

ASSEMBLYMAN WISNIEWSKI: Yes, but I just want to say that if, with every witness, we engage in a point and counterpoint-- I thought the point today was to listen to viewpoints being expressed to us as members of a redistricting commission. We may not agree with them all, and certainly we're all entitled to our comments, but I would just suggest that if we continue to go back and forth we'll be here until 10:00 or 11:00.

ASSEMBLYMAN WEBBER: I appreciate that. There are important points that the Assemblywoman was trying to make, and I think there are important facts to bring out. So I do appreciate the Chairman continuing to allow a short dialogue before we get to the next witness.

Your point on minority representation fails the other task, because we had six Hispanics in the Senate and the Assembly in 2001, and today we have seven. This map just has not produced what you claim it's produced, which is an increase in minority representation.

ASSEMBLYMAN WISNIEWSKI: Assemblywoman.

ASSEMBLYWOMAN WATSON COLEMAN: If it is appropriate, through you, Commissioner, the elections yielded an increase in minority representation in the legislative houses. The politics subsequent to that may yield other outcomes.

ASSEMBLYMAN WISNIEWSKI: Thank you, Assemblywoman.

Assemblywoman.

MS. CRUZ-PEREZ: I just want to say that I was here in 1995, and we didn't have any minorities whatsoever in leadership positions.

Assemblywoman, can you tell me how many minorities are in leadership positions right now?

ASSEMBLYWOMAN WATSON COLEMAN: This very day?

MS. CRUZ-PEREZ: Yes.

ASSEMBLYWOMAN WATSON COLEMAN: Well, the Speaker of the House is an African-American woman, the Speaker Pro Tempore is an African-American man; in the two Houses, 56 percent, I believe, of all the leadership in committee chair and vice chair positions are held by minorities.

MS. CRUZ-PEREZ: Thank you.

ASSEMBLYMAN WISNIEWSKI: All right.

Assemblywoman, thank you for your testimony.

We will next have Senator Rice.

Following Senator Rice will be Nora Craig, and following Nora Craig will be Brian Gallagher.

Senator.

SENATOR RONALD L. RICE: Thank you very much to the Co-Chairs and the Commissioners.

And I want to welcome Dr. Rosenthal too. Dr. Rosenthal, I want to speak really to you, because the members of the Commission have heard me speak before. And that testimony should be recorded -- even though I was reading it, they added words. But it should be basically recorded here as it relates to the substantive issues and concerns.

I also want to preface my remarks by saying that I am Chairman of the New Jersey Legislative Black Caucus. We have 15 African-American members. We used to have 16.

I also want to say that the politics, when we cut these districts, are often disenfranchising to minorities throughout the state. And I think if you go back and look at court cases, you will see that. Because if the districts aren't cut in such a way where there are some equitable opportunities, as per the 1965 Voting Rights Act, Section 2; but the amendments that were made in 1992 that said the practices of what takes place-- And I've been a victim of practices.

If you live three blocks from my house-- I'm the last house in the City of Newark. I touch the border of Irvington. If you live three blocks from my house, you can no longer vote for me. For the last 10 years you could not vote for me, although you voted for a candidate of choice, a community of interest, for 16 years prior to that. That cannot happen this time around.

And we're going to look at the situation that was mentioned by Co-Chairman Webber. Let me say this: We don't need to, in the African-American leadership community and the Latino leadership community -- from my looking and analyzing the data -- to do a lot of shifting. The majority of the shifting of districts is really in the southern part of the state. When you mention Newark and Jersey City, let me speak on that. I concur that you're going to have basically two Senators at the most in those districts. But I can assure you that the numbers in Senator Cunningham's district -- who is African-American -- which is District 31, does not need to

change. The numbers right now meet the 5 percent deviation one way or the other.

If you come back into the 27th District, those numbers do not need to be changed. I've heard people say that they're going to send them all up into Morris County, which is not even necessary at all if you move the lines and not the districts.

I can identify an area where I think there was tacking. No one ever used the word *tacking*. But I think, Dr. Rosenthal, you understand the word *tacking*. It's another form of gerrymandering, where you just take a candidate and make the district come to the candidate rather than dealing with it another way. That cannot happen because it has an impact on minority representation within this state.

I also want to indicate that, for the record, I agree with the standards you are setting, because the Federal laws are very clear. And I am working with a coalition of civil rights groups -- NAACP, New Jersey Black Issues, black clergy members throughout the state, the Garden State Bar Association, the Association of Black Women Lawyers. And I'm working very hard on behalf of minorities in this Legislature who are incumbents to make sure that there is fairness in the process. And we'll draw our own map. And I want the record to reflect that we intend to present a map, hopefully to this Commission real soon, for review by this Commission, since we've never seen the maps that were disagreed upon.

And while I'm on that statement, I would like to suggest to the Co-Chairs and to the Commission that the maps that you disagreed with should become a matter of public record so we could see what your thinking is as we proceed to make sure the 1965 Voting Rights Act -- all aspects of

that Act -- are not, in fact, violated. Because if, in fact, that is the case, I can say again for the record, as I said before, we intend to challenge in court. I think with the 11th member on board we can avoid that based on the standards that were just articulated.

I'm going to close by saying this for the record, which was already mentioned -- but I want-- I think it's very important for people to understand that the hue and cry of the African-American community and communities of color in general is that the 1965 Voting Rights Act, Section 2 -- which, among other things, prohibits laws and/or practices that deny minority voters an equal opportunity to participate in the political process and to elect representatives of their choice. (timer rings) The basic principles and rules of redistricting, such as communities of interest, contiguity, and compactness-- Let me just say, the map needs to be fair and just. And we need to pay attention to the language in Section 2 that's amended. The word *practice*-- And I think that that's important.

I will end, because I heard the bell. You have my testimony, and you'll probably see me again on behalf of our constituency base. We do represent the most diverse community in the State of New Jersey. The members of the African-American -- legislators -- and Latinos represent the most diverse community districts in this state.

ASSEMBLYMAN WISNIEWSKI: Thank you, Senator.

Senator, Senator, Assemblywoman, thank you for your testimony.

SENATOR TURNER: Thank you.

ASSEMBLYWOMAN WATSON COLEMAN: Thank you.

ASSEMBLYMAN WISNIEWSKI: Next will be Nora Craig, followed by Brian Gallagher and Assemblyman Upendra Chivukula.

N O R A C R A I G: Hi, I'm Nora Craig.

I've seen you all before and came back to check on you to see how you're doing. (laughter)

ASSEMBLYMAN WISNIEWSKI: Thank you.

MS. CRAIG: I'd like to know: Is there a map that we can see to check on you to see how you're doing, or must we continue to guess what you are thinking?

ASSEMBLYMAN WISNIEWSKI: We're in the process of taking testimony at this point in time.

MS. CRAIG: I know, but do you have something that you could show? In other words, for me to sit here and tell you you're doing it wrong when I don't know what you're doing makes me look kind of stupid.

ASSEMBLYMAN WISNIEWSKI: Just the existing map.

MS. CRAIG: Okay. Then let me ask another question. Has anybody up there recommended, in your discussions and everything, that we have that South Jersey rural district that we have asked for, and that we detach the industrial sections of Gloucester County from Salem County so that Salem County can get a voice? Has that been recommended on this council -- that we change the map for that?

ASSEMBLYMAN WISNIEWSKI: Your testimony from, I think it was, the Camden hearing--

MS. CRAIG: Yes, sir.

ASSEMBLYMAN WISNIEWSKI: --is part of the record of the Commission. All the Commissioners are aware of that. I don't think we're at that stage, but we have your recommendation.

MS. CRAIG: Okay. So the answer is: No, nobody has recommended that in your discussions.

Mr. Rosenthal, I would like to appeal to you directly, and I would like you to know that I am not represented up there. We have asked -- and the way the map is currently set up is they take-- I'm a piney. I'm from the Pine Barrens, and I live in the woods. And what they do when they district is, they take all of us who live in the center of the state, and they attach us to the coastal districts -- either the shore districts along the ocean, where you've got a type of community that is either entertainment, retirement, or whatever it is; or they attach us to an industrial district along the coast.

And in either way, we are not represented. We don't have our own district, we don't have our own voice, we don't have anybody who speaks for the farmers. There is a lot of discussion that goes on here about minorities, and those minorities are based on skin color. Well, skin color doesn't matter. What matters is where we live and the type of societies that we live in. There are urban cultures, there are suburban cultures, there are rural farm cultures. And those are the voices that need to be represented. You shouldn't be represented because you're one color or the other color, but because of how we live and how our cultures are. My neighbors are black, my neighbors are white, my neighbors are Latino, my neighbors are me. But we have nothing whatsoever in common with Holt Cargo on the

Delaware River. We have nothing in common with the teamsters who run on the docks. But we're outnumbered continuously.

And you wonder why there is voter apathy. There is voter apathy because there is no way people like me can ever outnumber the people who are on the shore districts. So why should we bother to vote? Why should we bother to care when nobody hears our voice and you listen to skin color, and you don't just listen to people?

I'm in favor of packing, if that's the term for putting people who live in a like culture together in a like district so that each of us can have a voice. I know that's how I feel personally. I want to be with people like me. And it's not because I'm white, it's because I'm a farmer, and because I live in the Pine Barrens, and because I want a legislator who will stand up there and say, "No, these people don't have to put 800 houses in their little farm town where there is no public transportation, when there are no jobs for those people," because of some home thing that doesn't work anyway. Where is my voice?

Sir, I beg you. We want a district that is us farmers. Detach us from the coastlines.

One of the things you said was that things should stay kind of -- really as close as they are today. I forget the words you used for it but, you know, don't disrupt the status quo. Well, that's wrong, because if what we have today is wrong, staying close to what we have today is twice as wrong when we have the opportunity to fix it.

I would have been more than happy to devote a month of my time to work with you people. And what I would have done is I would have said, "Give me the data and take out race, and take out which district is

Republican and Democrat, and just give me the socioeconomic platforms for the towns.” And then I would have come up with a set of districts that was both color blind and politically blind.

And, Mr. Rosenthal, I believe that that is your task as well.

Thank you.

ASSEMBLYMAN WISNIEWSKI: Thank you for your testimony.

Next, we’ll have Brian Gallagher; followed by Assemblyman Upendra Chivukula; and then Patrick Murray, Monmouth University.

MAYOR BRIAN G. GALLAGHER: Good afternoon, and thank you for allowing me to come before you and present my comments on redistricting.

I’m the Mayor of the Borough of Somerville in Somerset County, and I have the wonderful responsibility of leading a community that is extremely diverse. Our demographics are exactly those of this country, and I represent all people regardless of skin color and creed.

I won my first mayoral election eight years ago by three votes. So I understand the value that every vote counts, and that’s why I’m here.

As elected and appointed officials, our role is to instill trust and confidence in those around us. And to me, this entire redistricting process is all about confidence: confidence in our elected and appointed officials, confidence in the process of redistricting, confidence in our citizens’ ability to be represented fairly, confidence in our laws, and confidence in Trenton’s ability to do what is right.

There is a lack of confidence in the fact that the individual vote does not matter anymore; that elections, especially in New Jersey, are over

before they start. The districts to be formed must be responsible and responsive to the shifting political moods of the public. There needs to be confidence that my vote will make a difference. There needs to be confidence that the individual, not the party, has a shot to win an election. The public is the boss in this process, and they are demanding better representation, better accountability, and better opportunity. A proper district can help ensure that.

There is a lack of confidence that the will of the public can be upheld in this process. We all understand that majority wins sometimes. So we need to ensure, through this redistricting process, that the will of the voting public is upheld; that if the majority voice of those who have voted is heard, it is reflected in the election results.

There is also a lack of confidence in the ability for this process to be fair to those who do vote. From outside looking in, it seems this process sometimes centers around the need to recognize the nonvoter over the active voter. I realize and agree with the need to ensure the opportunity for all to vote and be represented. However, you must not dilute the voice of the active voter and you must not inflate the value of the nonvoter.

You all have a tall and formidable task in front of you, and I thank you all for stepping up to be a part of this process. As you deliberate and make your final decisions, please be responsible, responsive, and respectful of the will of the public. They have found a new voice, and it is one demanding fairness and equity from their elected officials. You have an opportunity to earn that confidence. Please make your decisions with that in mind.

Thank you.

ASSEMBLYMAN WISNIEWSKI: Thank you for your testimony.

Assemblyman Chivukula.

ASSEMBLYMAN UPENDRA J. CHIVUKULA:

Good afternoon, everyone.

I want to start by thanking everyone on this Commission for taking the time to serve in this important effort to shape our state for the next decade to come.

I'd also like to thank everyone offering testimony at this public hearing for providing their valuable thoughts and ideas. This is truly an example of democracy at work.

I'm happy to be here today in Trenton, our historical capitol city. I have had the honor of working in this building as an Assemblyman for the 17th Legislative District since 2002. It has been an honor to work here as we strive to improve the lives of New Jersey residents, and it's been an honor to have served with such a diverse group of legislators from throughout New Jersey.

But it's also been an honor because I know I have filled a unique role in this Legislature. If you don't mind me taking a minute, let me tell you about myself. I was born in a town called Nellore, India. I grew up in India. I attended college there before coming to America to get a master's degree in electrical engineering from the City College of New York. But public policy has always been something of great interest to me. So in 1997, I was elected to the Franklin Township Council. That's in Somerset County. In 2001, I had the distinct privilege of becoming the first South

Asian-American elected to the New Jersey General Assembly, and the fourth Indian-American in the United States to be elected to office.

This was all made possible by the newly diverse legislative map that was drawn up that year -- 2001. Now serving my fifth term, I'm the Chairman of the Assembly Telecommunications and Utilities Committee. I am also a Deputy Speaker in the General Assembly.

It has been a great experience, and I have the people of the 17th Legislative District to thank for giving me this opportunity. And it's a district, by the way, that shows the importance of creating opportunities for all New Jerseyans. We must keep in mind that the Asian-American population is the fastest growing, at 51 percent; and is currently at 8.2 percent, growing from 5.7 percent in 2000. Also, Asian-American voters grew 54 percent since 2000, and now make up 8.1 percent of the total voting-age population versus 5.6 percent in 2000. In this global economy, Asian-Americans play a key role and need appropriate representation in the Legislature to promote international trade with New Jersey.

I am fortunate to represent the extremely diverse 17th Legislative District, with white residents making up about 37 percent of the district's voting-age population. Asian, 22 percent; Hispanic, 22 percent; African-American, 21 percent -- they make the total of 63 percent of the voting-age population.

Despite this diversity, the district has elected an Asian-American Assemblyman, me, consistently by a strong coalition of white voters voting with Asian, African-American, and Hispanic voters.

During the past decade, Democratic candidates for governor and the State Legislature have averaged above 63 percent of the vote in the

district, regardless of race. This underscores the success of drawing a racially diverse district, while not packing in voters of any one particular race. Any plan to pack African-Americans, Latinos, Asian-Americans, and other minorities into their own separate districts would give us a Legislature that does not reflect New Jersey's reality. It would give us a Legislature, in fact, built on an un-American foundation.

The experience of the last 10 years has vindicated the creation of districts that enable more opportunities for minority candidates. That has served New Jersey well. In the past decade, we have seen six Latinos, all Democrats, to the State Legislature; a Cuban-American Democrat as New Jersey's first Latino Assembly Speaker; the first African-American female Speaker, also a Democrat.

Is our work done? Of course not. But no one can deny the progress we have made, and no one can argue that packing minorities into their own districts would represent progress -- it would represent a step backwards. It would delete all the advancements we have made. Quite simply, this cannot happen.

So as you move toward completing your work, I would urge everyone to do so with this in mind: Our Legislature must reflect the great opportunities our great state offers. We need a fair map that reflects reality, not one that recalls the outdated thinking of the past.

Thank you very much.

ASSEMBLYMAN WISNIEWSKI: Thank you, Assemblyman.
Thank you for your testimony.

Next, we'll have Patrick Murray; and he'll be followed by Lyle Himmel, Bayshore Tea Party Group; and former Assemblyman Larry Chatzidakis.

PATRICK MURRAY: Thank you.

Thanks for the opportunity to speak in front of the Commission.

And thank you and welcome to Dr. Rosenthal.

I know the task ahead of you will be a thankless one, and I wish you all success with it.

And, in fact, I want to direct my comments mainly to you. I want to thank you for laying out your priorities for what standards you're going to use to judge this map. I am here, however, to encourage you to consider competitiveness as a much higher priority, in a much different way than you've laid out.

I speak here as an unaffiliated voter in the State of New Jersey. There are more than 2 million of us, and we don't have a seat at this table. We are the folks who, in a competitive situation, would decide the outcome of these districts and would have a stake in that outcome; where, as the map is currently drawn, we do not.

In terms of the competitiveness factor or standard here, you said in your opening remarks that absolutely not reduce -- your absolute value is to not reduce those standards, but perhaps increase them a bit. I would argue, although a bit facetiously, that it's impossible to decrease or to reduce the number of competitive districts unless we go into negative numbers.

I think we need a better standard than just perhaps to increase a bit. I have developed a map myself that meets your other standards -- the population equality though being about 7.5 percent rather than the 5 percent that you talk about. But 7.5 percent is similar to what the current map looked like in 2001, and is also well below the 10 percent Federal standard that looks at competitiveness, and retains a lot of the other factors that you maintain here.

Importantly, it shows that you can potentially draw a map that has one-quarter to one-third of the districts in the state be competitive. And I wouldn't argue that there should be any more than that, in fact -- but that one-quarter to one-third. The point of that would be that it would allow both parties the opportunity to have a majority in the Legislature -- not that both parties would have an equal opportunity, but both parties would have an opportunity to have a majority in the Legislature.

Importantly, competitive districts -- having more competitive districts, and maximizing that number -- would keep parties on their toes; would increase media coverage of elections; and hopefully would consequentially increase voter interest in legislative elections, which I think is severely lacking right now.

At the end of the day, I think a competitive map is a fair map in every sense of that word. And so that my plea to you is to consider a much more proactive definition of competitiveness, one that perhaps you set a certain number of districts that are competitive -- perhaps 6, or 8, or 10 districts, at a minimum, that should be competitive -- as one of the standards that you use in developing what you think is going to be a fair map.

And I will also leave copies and submit electronic copies, which have already been published in politickernj.com and njnewsroom.com, of the map that I developed that I think meets those standards.

Thank you.

ASSEMBLYMAN WISNIEWSKI: Thank you for your testimony.

I had next called Lyle Himmel -- second call for Lyle Himmel.

Mr. Himmel?

LYLE HIMMEL: Yes.

ASSEMBLYMAN WISNIEWSKI: Press the button so the red light is illuminated on the microphone.

MR. HIMMEL: I would like to thank the Commissioners for holding this public -- these important public hearings on this crucial matter for our democracy. And I would like to congratulate Dr. Rosenthal for being selected to the Commission as the Commission's 11th member. Good luck to you all in your quest to draw constitutionally fair and competitive legislative districts.

My name is Lyle Himmel. I'm a member of the Redistricting Committee of the Bayshore Tea Party Group, but I also come as a concerned citizen of the State of New Jersey.

I don't know if you had a chance to see it, but this past Monday in the *Asbury Park Press* there was a very important editorial that hit the nail on the head with regards to the legislative apportionment process. The *Asbury Park Press* urged the Apportionment committee to make elections matter again. The newspaper points out that during the past decade, only two legislative districts had election winners with margins

of victory of less than 10 percent. They observed that incumbents already have an advantage and therefore don't need the "creative cartography of gerrymandering to ensure the ballot box is stuffed in their favor." The paper went on to observe that, "When voters get the idea that their vote doesn't matter, that the game is somehow rigged, it depresses voter turnout and, overtime, promotes a real threat to democracy."

So, in a nutshell, there is an importance in the implications of the apportionment process that we're here today for. If the districts continue to be gerrymandered for partisan and incumbent advantage, the people will know this and this will further drive the people's cynicism about the political process in the government that is supposed to serve them, and will drive more people away from our democratic process.

So what should we do? How should we draw districts that will further the people's stake in democracy and strengthen our state and our republic? The answer is to reject partisan gerrymandering -- to reject gerrymandering that only serves to help incumbents stay in office -- and, instead, embrace the principles of competitive races and the principles embodied in our State's Constitution. Districts should be contiguous, compact, and roughly equal in population.

Dr. Rosenthal, I was very pleased to hear at the beginning of the hearing today the standards that you laid out by which you will be choosing your map. I was very pleased to hear that among your standards will be the constitutional principles of contiguity, compactness, and equal population in keeping from dividing municipalities. And I was also very glad to hear that competitiveness will be among your standards. These are very important standards to look at.

The New Jersey Constitution pretty clearly lays out the guidelines for how legislative districts should look. According to the Constitution, “The Assembly districts shall be composed of contiguous territory, as nearly compact and equal in the number of their inhabitants as possible. Furthermore, no county or municipality shall be divided among Assembly districts unless it shall contain more than one-fortieth of the total number of inhabitants of the state, which is approximately 220,000. And no county or municipality shall be divided among a number of Assembly districts larger than one plus the whole number obtained by dividing the number of inhabitants in the county or municipality by 220,000.”

So that’s your formula and your guidelines. We’re not supposed to provide legislative districts for one party or another, as one prominent State Senator recently wrote. Instead, we’re supposed to provide for districts that comply with our State’s Constitution, districts which are constitutionally fair and competitive.

Please keep this foremost in your minds as you do your important duties, and please make elections matter again.

Thank you.

ASSEMBLYMAN WISNIEWSKI: Lyle, thank you for your testimony. (timer rings) Perfectly timed. (laughter)

Next, former Assemblyman Larry Chatzidakis. And following him will be Don Cox, Maria Bua, and Russell Cote.

Larry.

FORMER ASSEMBLYMAN LARRY CHATZIDAKIS:
Thank you.

Good afternoon, Co-Chairs, members of the Commission, and to Dr. Rosenthal.

We are a representative democracy. Listening to a lot of the testimony we heard about voter apathy. Elections should matter. You know, the voter entrusts us with their -- voting on behalf of their best interests, at least most of the time anyway. And it's important that when these new maps are drawn that the districts should reflect flexibility, fairness, and an opportunity for initiatives. As we see on the national landscape, as well as state landscapes, and even local and county, every election cycle has different issues. An issue that was important in 2010 may not even be on the radar screen in 2011. So therefore I feel it's important that underscoring all -- obviously for constitutional purposes and for demographics to be reflected -- it's important that the voters' interest, which could change from election cycle to election cycle-- A majority this year could very well be a minority next year in a particular issue.

So when you're sitting down and reviewing the demographics, and looking at the voting records of the people in the district, hopefully you can include this type of an issue -- where we can see that the responsiveness of our democratic process and being a representative democracy would be taken into account. And it's a very good possibility that you would see -- and it happens many times on the local and county levels -- you see the political parties change back and forth -- two to four years. We've seen that on the national scale, where people got fed up with one party and elected another party. Then they got fed up with them, and they reelected some of the other party.

So I think that change is important in our democratic process. It's important to have people feel that their vote does matter, which is something we hear of many times. We look at the voter turnout and, frankly, the participation really is just a fraction of a fraction. So hopefully when you look through your maps, and you look at the demographics, and you look at the voting history, you can institute -- and remember that we are a representative democracy. And hopefully the changing winds and circumstances every year could be adequately reflected in the candidates and the campaigns.

Thank you.

ASSEMBLYMAN WISNIEWSKI: Thank you for your testimony.

Mr. Cox.

D O N C O X: Yes. I want to thank--

ASSEMBLYMAN WISNIEWSKI: Could you just please push the button so the red light is illuminated? (referring to PA microphone)

MR. COX: I want to thank you for the opportunity to speak today.

Thank you to the members of the Commission.

First, I'd like to ask a question: Are you dealing with just the legislative districts, or are you talking about the congressional districts as well?

ASSEMBLYMAN WISNIEWSKI: The charge of this Commission is just the State legislative districts.

MR. COX: Okay. Well I do think that there is some need for some changes in the congressional districts as well. But I do think that

much of what has happened in the last several years-- And, believe me, I've been involved ever since the 1960 redistricting; and the 1960, 1970, and 1980 I thought should be replicated again. The redistricting that took place in 1990 and 2000 has changed our representation in Ewing Township. I have served as a councilperson in Ewing Township and have watched very closely with what has happened with the legislative district that we're in.

Our district has served -- has suffered from apathy because of the lack of competitiveness. We have no competitiveness. There is a repetition, and no one wants to run on the opposite side because of the fact that there is no competition. And I find this to be true in District 7, 15, 17, 19, 21, 27, 28, 29, 31, 33, and 37. All of these are noncompetitive districts. There is something wrong with the entire calendar for the State of New Jersey because of the lack of competitiveness.

My suggestion for this particular area would be to change the districts in this particular area -- that is the Trenton-Mercer County area -- so that we go back to the districts that we used to have. And at that time it was Ewing, Hopewell Township, Hunterdon County, and Warren County were one district. Lawrence, Princeton, West Windsor, and Somerset County were another district. And Hamilton, Robbinsville, Allentown -- that is in Monmouth County and parts of Burlington County -- were all in another district. And East Windsor was part of a district in Middlesex County. That would be more like representation that should be, because the communities are more similar than the map that stands at the present time.

I do think that the competitiveness is the most important issue that you have to deal with, and I think this is terribly wrong, because the

people in the State of New Jersey are very apathetic about the entire process of voting in this state. And the reason is because they see things rigged to benefit one particular party or the other. And I do think that that is wrong. They should be competitive districts in which there is an opportunity for members of both parties to be elected in a district. There are Republican districts that no Democrat could ever be elected in; there are districts that no Republican could be elected in. And that is wrong, because it means that we end up with a representation that is stale. We have representation that lasts for too long. And, quite frankly, like there is in Washington -- an effort to create term limits -- I think it would not be a bad idea for the Assembly and the Senate of New Jersey to do just that as well.

Thank you for your time.

ASSEMBLYMAN WISNIEWSKI: Mr. Cox, just a question: You gave a list of districts that you considered to be noncompetitive. Was District 7 one of those?

MR. COX: Yes. District 7 has too large a percentage of difference between the two parties.

ASSEMBLYMAN WISNIEWSKI: And you realize-- Do you know who the representatives are in District 7?

MR. COX: I understand that.

ASSEMBLYMAN WISNIEWSKI: You have a Republican Senator and Democratic Assemblymen.

MR. COX: I understand that. I'm saying they're noncompetitive.

ASSEMBLYMAN WISNIEWSKI: Okay. Thank you.

Any other questions? (no response)

Thank you for your testimony.

Maria Bua, followed by Russell Cote and Freeholder Ron Rios.

M A R I A B U A: Members of the Commission, thank you for allowing public testimony here this afternoon.

The New Jersey and Federal Constitutions require legislative districts to be redrawn to reflect current Census data. The reason behind the need for redistricting is the principle one person, one vote. I believe voter -- I believe current voter apathy and cynicism is a result of the failure of a representative democracy.

Competitive districts do, indeed, translate to a more responsive and accountable representative, and a more involved electorate. Redistricting can serve to bring to New Jersey more legislators who are going to work to solve problems rather than continue the partisan gridlock and dysfunction, if commonsense boundaries and the overall communities' interest foremost--

Stacked, packed, and cracked districts deny a true competition of ideas and safely entrench most incumbents. The party primaries usually determine the winner, and the November general election is too often meaningless, leaving the average voter disenchanting.

In Mercer County, we believe every member of the Legislature should routinely face a meaningful encounter with voters in districts which are competitive. For the good of the State of New Jersey, a different approach to redistricting -- one that encourages competition and limits accommodations -- is needed.

Thank you for your time and consideration.

ASSEMBLYMAN WISNIEWSKI: Thank you, Maria. Thank you for your testimony.

Russell Cote.

RUSSELL COTE: I'm sorry about that.

ASSEMBLYMAN WISNIEWSKI: If you could just press the button. (referring to PA microphone) Thank you.

MR. COTE: I'm sorry about that.

Well, it's a little bit more fun today, huh? A little testy there in the beginning. We need more of that. That was good.

Commission, it's nice to see you again. The last time we spoke was in Jersey City, and I almost fell asleep, so this is better. I appreciate it.

My name is Russell Cote. I'm also a member of the Bayshore Tea Party Group's Redistricting Commission in Middletown, New Jersey. I'm from Keyport.

And I'd just like to say, again, I've heard a lot of Republican this, and Democrat this, and me, and my, and a whole lot of that stuff now. We've been to five Commission meetings so far, and those labels get thrown around far too often. And I'd like to posit for everybody here that that bickering, that labeling is an inevitable consequence of taking into consideration anything outside of the text of the Constitution. I would defer to my colleague Lyle.

I agree it was encouraging to hear Mr. Rosenthal and his standards. In the first four, he's got all three. I would suggest, again, that those are paramount to everything else, including communities of interest -- which we personally believe there is only one, and that is the franchised voters of the State of New Jersey, irrespective of any other classification.

In drawing our maps at Bayshore, we came across something, and I just wanted to use it to illustrate where the maps are now and how out of compliance we believe they are with the Constitution. Of New Jersey's 21 counties, fully two-thirds of them are what we'll call *overcut* based on the population of the counties and using the number 220,000, which is the 8.7 million divided by 40. Fourteen out of 21 counties are overcut. They're cut more than they need to be, and a full third -- 7 out of the 21 counties -- are cut twice over or three times over. In other words-- For example, Essex County, based on population -- this is the new Census data -- that 783,969 people is now cut seven times. It's unconstitutional. You cannot do that. It should be cut a maximum of four times, that is 220,000 -- or, I'm sorry, it is the -- how many times 220,000 fits into the total population of Essex. And there are another, like I said, six counties in New Jersey that are cut two or more times. That has to change. And no other considerations that bump in -- that bump up to that should be taken into consideration, period. That's all that matters -- that along with population and contiguity, as Mr. Rosenthal noted.

Like I said, this is just an illustration. This goes on in every respect -- noncontiguous, noncompact. I'm not a big fan of the 10 percent deviation. We'd like to see it closer to 5 percent either way. I think that's too far.

But in any event, I'd like to just read into the record quickly a quote from a fellow Bayshore Tea Party Redistricting Committee member that I think sums this up very nicely. And I'm going to get to that really quickly. I apologize. I'm not sure whether the wireless is working in here today. We should get on that. In any event, I'll find that in a second.

Again, ladies and gentlemen, it is the position of the Bayshore Tea Party Group Committee that the future job prospects of any politician in the State of New Jersey is a completely invalid consideration, and that's where we get Republican this and Democrat that. And I would just like to say that it is our position at the Bayshore Tea Party Group that if you take the 8.7 million in the State of New Jersey, and you cut it up on population, on contiguity, and on compactness; and that map results in 120 Democrats, or 120 Republicans, or any other variation thereof, so be it. I told you last time in Jersey City, we welcome the fight, but the fight needs to happen in the marketplace of ideas. It doesn't need to happen as we further label ourselves as anything other than citizens of New Jersey and citizens of the United States of America.

Thanks for your time. We'll see you tomorrow. Cheers.

ASSEMBLYMAN WISNIEWSKI: Thank you, Russell.

Next, we have Freeholder Rios, followed by Assemblywoman Nellie Pou, followed by Mark Caliguire.

Please press the button. (referring to PA microphone) There you go.

FREEHOLDER RONALD G. RIOS: Good afternoon, Commissioners, Chairmen.

My name is Ronald Rios. I live in Carteret. I'm currently the Deputy Director for the Middlesex County Board of Chosen Freeholders -- as in the late, great Director Dave Crabel's words, "The greatest county in the land."

I would like to briefly share with you how I arrived at that chair. My father came to this country from Puerto Rico at the young age of

17 years old with \$18 in his pocket. He worked his way through the Great Depression and became a stationary engineer for the Reading Railroad. And with my mother, they raised a strong, close-knit family. He taught me as much through example as his words -- that you can succeed in this great country on the merits of your labor and your mind.

Soon after I married my wife, I moved to Carteret in 1974. Without boring you with all the details, I will tell you that some concerns in my neighborhood led me to the Carteret Borough Council for resolution. There I met then-Mayor John Tomchuk (phonetic spelling), who encouraged me to get involved with the local Democratic party, and I did. I soon became a Young Democrat of Carteret. And in 1981, I became the first Latino ever elected to the Borough Council. After one term, I decided not to seek reelection so I could spend more time with my young family.

In 2000, our current Mayor Dan Reiman asked if I would run for Council again. I did; I won. And in 2003, I became Council President, won reelection in 2003 and 2006. In 2008, there was a vacancy on the Middlesex County Board of -- Freeholder Board. I ran in the County Convention and won, becoming the first Latino male on the Board. Last year, I became Deputy Director.

I tell you this not to bore you, but to tell you how one Latino became an officeholder in New Jersey. And I want to tell you, the fact that I am a Latino was neither a barrier nor an advantage as far as my dealings with the Democratic party. I won on the merits of my candidacy, my hard work, and my mind, and my friends and family.

And as you are keenly aware, this is a growing minority population in Middlesex County -- Hispanic and Asian. But I do not

consider myself an advocate of any particular group. My job is to represent all the people of Middlesex County. Some people question why there is currently no Latino elected from the 19th Legislative District in the State House. Please remember, there was a Latino Assemblyman in the 19th District, and I'm sure that there will be another one soon. The fact that we don't have a Latino legislator at the moment has nothing to do with the ethnic makeup of our district.

Listen, I am by no means an expert on redistricting. That's your job, and you have my deep respect and support in this very difficult process. But I guess the larger point I'm making here is that Latinos do not seek a guarantee of election, but we do seek the realistic opportunity of election. And that opportunity exists in our district just as that opportunity existed for me in the Borough of Carteret and the great County of Middlesex.

I appreciate your time and attention.

Thank you.

ASSEMBLYMAN WISNIEWSKI: Thank you for your testimony.

Next, Assemblywoman Nellie Pou, followed by Mark Caliguire, followed by Aubrey Fenton.

ASSEMBLYWOMAN NELLIE POU: Good afternoon.

Good afternoon, Co-Chairman Wisniewski, Co-Chair Webber, members of the Commission.

I also would like to take -- extend a welcome to the Commission's newest member, Dr. Alan Rosenthal.

My name is Nellie Pou, and I am here today as the Chairwoman of the Assembly Legislative Latino Caucus, which is comprised of seven legislative members: one Senator and six Assembly members of Hispanic descent.

I applaud every member of the public for taking the time today to join this open, public process.

The design of a new map will influence the course of elections for the next decade. As Latinos, we need to invest in this process to ensure that map reflects the diversity of our great state. The recent Census clearly attributes the growth in New Jersey's population to the increasing number of Latinos choosing New Jersey as their home. Between 2000 and 2010, the Latino population grew from 1.1 million to 1.6 million, going from 13.3 percent of New Jersey's population in 2000 to 17.7 percent in 2010. Nearly one in five of our residents are now Latinos. And while Latinos grew by 39.2 percent, the non-Latino population declined slightly by .8 percent. The Latino community increased its population in the traditional cities with the largest concentrations of Latinos.

We are pleased to see that in cities like Perth Amboy, with 78 percent; and Passaic, with 71 percent, Latinos now make up more than 70 percent of the population in those cities. In the case of Union City, as much as 85 percent of the city is Latino. And in Paterson, 58 percent of residents are Latino.

The Latino community has also reached beyond traditional urban areas to grow in suburban towns such as Red Bank, which experienced a 34 percent increase in Latino residents; in towns like Bridgeton, 43 percent, the population is equally of note; in Hightstown, 30

percent; Wrightstown, 28 percent. In Central Jersey, counties posted smaller gains, which still signals continued future growth. These growing Latino communities are contributing to the economic, social, and civic progress of our state. I believe these gains deserve to be recognized when redrawing our legislative map.

For two consecutive decades, the increase in the Latino community has fueled the growth of our state. While I am both proud and pleased that our progress is duly recognized, I'm eager to move beyond such an accomplishment to foster a broader dialogue that focuses on building electoral representation proportional to our population.

In order to engage that dialogue, we need to shift the focus from the increasing population of Latinos to considerations such as civic engagement and voting rights. We need to increase opportunities for Latinos to choose their elected leadership. The Latino community's potential to elect through coalition and crossover districts are definitely reasonable means to achieve effective opportunities for Latinos.

I am specifically raising this issue in order to address the concerns that I've read in the press that recent decisions could be used to dismantle the current map. While I am not pleased-- While I may not be pleased by the current representation of Latinos in the Legislature, I caution that recent court decisions are not an open invitation to dismantle any existing effective districts, whether the district is majority Latino crossover or a coalition district; and that there is nothing barring the Commission from creating Latinos in areas where Latinos are not the majority, either by creating crossovers or coalition districts.

This Commission is responsible for drawing legislative district lines that are equal in population and that respect traditional districting criteria. Under the Voting Act, it is also prohibited from relying on the process of dilution, whether by packing or cracking the Latino community.

I do not believe dismantling opportunities for Latinos and creating segregated districts will yield the best results. The experience of the last decade did not yield maximum opportunities for Latino candidates. However, the progress that has been achieved is largely attributed to the Democratic Party, which has sought to recognize the diversity of our communities.

Our work has just -- is only just underway. Today, our Latino elected representatives hold leadership positions in their respective Democratic caucuses and have a greater opportunity to enact legislation that meaningfully impacts the daily lives of our Latino constituency.

ASSEMBLYMAN WISNIEWSKI: Nellie, are you almost--

ASSEMBLYWOMAN POU: I'm done, sir.

It's only a good-- This is only a good start, but we need to do much more to create opportunities for participation to protect the voting rights of our community.

Thank you, Mr. Chairman, for your indulgence.

Thank you very much.

ASSEMBLYMAN WISNIEWSKI: Assemblywoman, thank you for your testimony.

ASSEMBLYWOMAN POU: Thank you.

ASSEMBLYMAN WISNIEWSKI: Next, Mark Caliguire.

MAYOR MARK CALIGUIRE: Thank you, Mr. Chairman.

My name is Mark Caliguire. I serve as Mayor of Montgomery Township. I've been a member of our governing body since 2003.

Two years before my election, Montgomery Democrats won the majority of seats on our Township Committee after years of Republican control. I spent five years on the Township Committee as the only Republican. But by 2010, as a result of local issues, statewide issues, and political trends, all five seats on the Montgomery Township Committee were held by Republicans.

Assemblyman Webber, like you said, we got more votes, we got more seats.

Residents had choices. They voted for change. And the system that I and my fellow local officials live by is responsive. That system works. Our local governing body is not, nor should it be, insulated from the voters' desire for change when the voters see fit.

The current legislative district map lacks the critical element of responsiveness that's only found when the opportunity for real competition exists. Simply put, the 2001 legislative map has produced one-party rule. It seems no political tide in New Jersey could overcome such a map.

During the last 10 years, control of the U.S. Congress has changed twice, yet we've seen little change in our Legislature. Even with a decisive victory by Governor Christie in 2009, the status quo remained in the Legislature in Trenton. Party control of the Executive Branch in Trenton shifted in response to voter discontent, but there was no change in the Legislature.

The map that you adopt for the next 10 years should correct that. Neither party is entitled to a permanent majority. The new map must

provide enough opportunity for either side to gain the majority. It has to include enough truly competitive districts to allow for a change of control when the circumstances present themselves. The current map hasn't achieved its stated purpose of being reflective of the general will of the electorate. The actual results in New Jersey are counterintuitive from an electoral perspective.

In 2009, Republicans actually won 52 percent of all the votes cast in races for the Assembly, and yet Democrats actually retained control by a comfortable margin. In 2003, Democrats won a lower percentage of the statewide tally than they had in the previous election cycle, and yet they actually gained seats in both the Assembly and the Senate.

I know it will be impossible to draw a map that guarantees that the composition of the Legislature accurately reflects the proportion of total votes cast statewide for the candidates from each party. But the next map has to be more reflexive (*sic*) of those votes. And in my opinion, that will come if we do have a greater number of truly competitive districts.

Some advocate that the current map is reflexive of the will of the voters, by inferring that the people who live in towns -- live in lower turnout districts and who just don't turn out to actually vote -- would, if they did show up at the polls, actually vote the same way as the majority of those who do vote in those districts, and so your Commission should just adjust for the turnout differences. In America, we hold elections where each vote counts. And those who don't exercise their right to vote don't get counted. The map you adopt should reflect that reality.

In New Jersey, it's easier to register to vote. And thanks to vote-by-mail, it's easier than ever to vote. It sends the wrong message to

embrace the argument that those who fail to exercise their right to vote should have intent inferred upon them other than they actually intended not to go to the polls. Our Constitution requires that every 10 years we conduct an actual enumeration of the population, not an inferred enumeration. In America, you only get credit if you show up.

I'm a Republican, so I do have a dog in this hunt. And obviously I want to see my party have a chance at winning control of the Assembly or the Senate, but that's all I want: the chance for my party to compete for control, not to be guaranteed control.

When we have competition, everyone wins, especially voters. And if, this November, voters give my party control of one or both chambers and we don't get the job done, well the voters can then respond by returning control to the other side. That's how it is supposed to work. That's fair. Because if, as a party, you can achieve 52 percent of all the votes cast for the Assembly statewide, you should at least have a shot -- just a shot -- at a majority.

A great deal of time is spent analyzing the question: Why don't more people vote? I'd like to suggest to this Commission that the vote -- that the map we have used for the last 10 years is one -- only one reason. How many times have each of you heard a skeptical citizen tell you, "Why bother voting? It won't matter." When the map is neither responsive nor reflexive, you can understand why a potential voter might conclude, "Why bother?"

Look, there's always a level of cynicism about politics, but we don't need to institutionalize that cynicism. This Commission has the opportunity to do something that might help change the trend, get more

people to participate in the electoral process. Actually adopt a map that fosters real competition. This system, this map, can be responsive to changing political tides in either direction, left or right. Let's make it reflect the will of the voters. Let's be responsive to those people who exercise the most fundamental of constitutional rights, the right to vote.

I thank you for your time. I wish you luck, and I wish you wisdom in your task.

Thank you.

ASSEMBLYMAN WISNIEWSKI: Thank you for your testimony.

Next will be Aubrey Fenton, followed by William Eames, followed by Former Assemblyman José Sosa.

AUBREY FENTON: Thank you very much for this opportunity to speak, Chairman Wisniewski, Chairman Webber, Dr. Rosenthal.

This is a significant undertaking you're doing. Our thoughts and our prayers are with you all, knowing that this decision is going to impact policy for the next decade.

I'm here to speak to you basically about the importance and the requirement to have representation that represents the demography of the citizens of the State of New Jersey. We do have representation now, but you heard some of the numbers. And I don't need to re-numerate (*sic*) them all -- just about where we are, as far as 40 percent of our population, in that it has an extreme opportunity for us to have Assemblymen and Senators who come from different walks of life, different socioeconomic backgrounds, so that when they gather in Trenton we can have decisions

that reflect perspectives from a multitude of angles. I, for one, think that within that diversity there is a strength. And it's not just about numbers, it's about having those varying perspectives all converging for a common goal.

One of the ways to achieve that is by ensuring that some of our minority groups -- in particular, the African-American, which I can speak to from my perspective -- there's a multitude of voices. I don't want to purport to be something I'm not. But it's to ensure that our representation is what it is. And in our particular case, we don't have the representation that meets those demographics.

My thoughts are that we should look at those in this districting process -- the municipalities, the communities -- and be true to what those demographics are. If it's a community in which a significant amount of African-Americans -- then that's what it is, and we should not do any process in which we're taking that community, spreading it over other districts, or doing anything other than that -- but just letting it be true to the process. If it's 15 percent, it's 15 percent; if it's 60 percent, it's 60 percent. But we should look at it with the mindset that we're going to keep the integrity of the demography so that whatever that voice is of that constituency -- that they can express that voice through the ballot.

There are many cases where you will see minority representatives in -- who have won elections where the demography of their district may not be a majority, and that's fine. That's to be applauded. That's not to take anything away from those cases. But that is not the exclusive way it can happen. And to those communities of which there is a

majority of minorities -- if that's what it is, then that's what it is. And there should be an opportunity to elect in the same way.

As was heard before, the actions that were taken 10 years ago -- and there are constitutional ramifications. I believe that within this redistricting process, we should return to what the Constitution requires. And if the amount of times a municipality should be divided -- that's what it should be held to, and we should not deviate from that.

In particular, where we have areas -- and you're looking at areas to compile that are contiguous, that are competitive -- we should also look at it with the mindset that we have those communities of interest, where we can see people and we can protect that voice if they have ideas, if they have thoughts, if they want to sponsor a candidate, if they just want greater attention -- that that can happen, and that can happen via influence districts or anything of the sort.

So my thoughts are just for you to maintain the integrity of what the demography is; to make sure that we abide with the Constitution; and that if it's a majority community or majority municipality, then that voice should be able to be represented in this process.

I thank you all for your time.

ASSEMBLYMAN WISNIEWSKI: Thank you very much for your testimony.

Next will be William Eames, followed by José Sosa.

WILLIAM EAMES: Gentlemen, I appreciate the opportunity to testify before the committee, and I appreciate the amount of time that you have spent in the prior hearings, as well as the countless hours that you've

spent behind the scenes to work and try to develop your thoughts and your ideas to bring forward.

I represent about 400 New Jersey Americans, if I can call them that, from the Morris County and northern six-county area of New Jersey. And we are of all kinds of diversity, all kinds of race, all kinds of skin color, all kinds of size, gender. And we believe that we are Americans first. And I think that Mr. Fenton's remarks about maintaining the integrity of the demography is very much the case. Most of us have moved to a place where we live on purpose. We like the people we associate with. The idea of manipulating where districts go or trying to pull people apart to achieve a particular political purpose is manipulative, and the people object to that. And I can assure you that the people are awake at this point in time -- maybe not 10 years ago, but we are very much awake now, and we'll be watching.

We're concerned that the apportionment process not become merely political gamesmanship. And frankly, some of the remarks that have been traded back and forth at earlier hearings lead us to believe that it is political gamesmanship, and we don't like that. You're elected to represent the people as a whole, and this trying to divide and concur just doesn't sit well.

We are not seeking political advantage. We're seeking districts where the merits of the candidate can determine whether a Democrat, or a Republican, or an Independent gets elected. We urge that you focus on the Census as the basis for apportionment as required by the State Constitution, not the population as adjusted by manipulative terms or voter turnout that you're trying to use to twist what happens. We ask that you

try to create fair, and balanced, and competitive districts -- that they are balanced so the candidates, as I say, from either party can win on their background, and on what merits they can bring to the table, and what their experience has been. We ask that the political parties remember that the basis for their authority is the people; and that integrity is critical to the process that you're doing, not only in redistricting and reapportionment, but also in your duty as elected representatives.

Please try to avoid a court challenge. New Jersey is unique. All of our members of the Legislature are coming up for election. We have a very short fuse here. We have many people who want to run for their districts. We have ballot deadlines that are attached to the military overseas, absentee ballots. So you don't have a lot of room to manipulate or to worry about a court challenge. It would be terrible, I think, if we wind up with one map for a short period and then have to go back and adjust it because of a court order later on.

We ask that you not gerrymander. It's time for New Jersey's political parties to stand straight and, as I say, drop the gamesmanship. Argue your principles on the merits.

And I do say, again, that we appreciate the countless hours that you've put in. This is a difficult process. We know the intensity with which you advocate for your particular partisan positions. We understand the concerns of every minority group, we understand the concerns of every majority group. And we are simply looking for fairness, and honesty, and integrity in the process.

Thank you.

ASSEMBLYMAN WISNIEWSKI: Assemblyman Cryan, you had a question.

ASSEMBLYMAN CRYAN: Very quick question.

Mr. Eames, you referred to we, and us, and 600 people, but I didn't get what group.

MR. EAMES: I'm sorry, I represent Morris Patriots. It's a Tea Party organization. We're in the six northern counties in the state, primarily Morris and Sussex counties. And it's 400 people.

ASSEMBLYMAN CRYAN: Morris and Sussex, and about 400 people.

MR. EAMES: Yes.

ASSEMBLYMAN CRYAN: Thank you.

ASSEMBLYMAN WISNIEWSKI: Thank you for your testimony.

Former Assemblyman Sosa.

FORMER ASSEMBLYMAN JOSÉ F. SOSA: Thank you, Mr. Chairman.

Chairmen Wisniewski, Webber; Dr. Rosenthal, welcome.

I will be brief, as I have testified at the first hearing in Camden a few weeks ago.

I thank you for the opportunity to again appear before the Commission. At your initial public hearing in Camden I asked this panel to consider the extraordinary growth of the Hispanic population as a factor in the creation of a map that could potentiate an increase in the number of qualified Hispanic leaders in the State Legislature.

My comments that day suggested that the projected Census figure of a 16.7 percent Hispanic population would be statistically significant enough to compel Commission members to agree on the creation of majority-minority districts. I would like to clarify for the record that in a response I gave to a Commission member -- questions about my views regarding whether I would support a map that continues the dilution of Hispanic representation by virtue of the so-called *unpacking* scenario versus attempts at consolidations of Hispanic communities into a concentrated district, or *packing*.

Firstly, I would respectfully suggest that both terms are inartful descriptions of each side's position. You're debating the creation of a legislative map that should reflect the best interests of what is arguably the most ethnically and racially diverse state in the country.

At the core of this debate is whether the current map has effectively created more opportunities for Hispanics to serve in the Legislature. Many speakers from the Hispanic community have testified before you, each arguing for one or the other position. I'm here to voice my strong support for as many districts as are necessary to reflect the growth of the Hispanic population and which would offer a more realistic chance of electing additional Hispanic candidates to the Legislature.

Now, my view is not born out of partisan gamesmanship. My Republican colleagues know very well that I have exhorted our leadership for many, many years to place more focus on attracting the Hispanic community to our party. We can, on our side of the aisle, and must do better. But I caution anyone in this room, or elsewhere, that claims the party is pandering to the Hispanic community in this process. Instead, I

applaud my colleagues for their recognition that a commitment to promote more diversity of thought and more opportunities for diverse representation is the right thing to do.

Will Hispanic districts work? Only time will tell. I'm personally proud to state that there are seven Hispanic legislators in the State House, but I'm not pleased that this number comprises only 6 percent of the entire Legislature. Now, juxtapose this figure against the new Census figure of 17.7 percent Hispanics -- fully a percentage point higher than was projected. At the end of the day, this panel has to consider whether partisan politics will accomplish both parties' desire to see larger Hispanic representation in the New Jersey Legislature. History suggests that it will not. Therefore, I respectfully ask that you do and try something different.

Finally, I will go back, in terms of my own experience, as a candidate for elected office for the Assembly back in 1991. I ran with an African-American woman, a caucasian individual, and myself -- a Hispanic. When we lost our reelection in 1993, we were defeated by three caucasian men. What I'm suggesting to you is that there are no guarantees with, frankly, either way that you draw out these maps. What I'm suggesting is, with the configuration that allows more Hispanics at least a fighting chance to represent their community in this configuration, I certainly would favor it.

You have a tough job ahead of you. I know there is a lot of deliberation.

Dr. Rosenthal, this is a very unique time in not just New Jersey's history, but in all of America's history, with the demographic shifts and changes.

And I think as this body deliberates, it must take into account those factors -- in your deliberations.

I thank you, again, Chairmen. I appreciate it.

ASSEMBLYMAN WISNIEWSKI: Thank you for your testimony.

Next we will have Dudley Sippelle, followed by Rich Gibbons and Chrissy Buteas. At which point, we will take a 15 minute break.

Dudley.

D U D L E Y S I P P R E L L E: Thank you very much for the opportunity to appear before you this afternoon.

My name is Dudley Sippelle. I'm from Princeton Borough.

I'm not here for special pleading or partisan bashing, but I just have some principles that I want to emphasize.

Dr. Rosenthal, you listed a group of standards, and I submit that number seven, competitiveness; and the last one in summary, regarding fairness and a lack of trying to work to achieve something other than partisan advantage as a sole criteria is a good thing.

Personally, I'm troubled by the way the current legislative districts in New Jersey are drawn up. I do not believe they are drawn to truly reflect the wishes of New Jersey voters. One could fairly expect the political composition of the Legislature at any given time to shift through events and the issues of the day. But in New Jersey, the composition of the Legislature appears to be immune to the will of the voters.

For example, there have been instances during the past decade where the vote of the majority of the electorate was not reflected in the composition of the Legislature. Any fair system requires that the number of

seats won by a party be roughly equal to the votes won. Otherwise, the system is being gamed, and it's not the voters who are deciding who will represent them, but rather political elites in back rooms because the outcome in a stacked district is foreordained.

The current district setup violates, in my viewpoint, the spirit of the one man, one vote concept so enshrined in our national ethic. Under the current districting system, some votes carry more weight than others.

Finally, we have a participatory democracy -- that's what we strive for -- that is that those who are engaged determine the outcome. Our politicians should be working to encourage participation by those who are not now engaged, rather than purporting to speak and interpret the interests and desire of the now uninvolved.

In short and summary, the way current districts have been drawn up, and the legislative outcomes that have resulted, breed voter cynicism and discourage voter participation in the democratic process. The new legislative map should produce competitive districts whereby the wishes of the majority of the voters are reflected in the outcomes.

Thank you very much.

ASSEMBLYMAN WISNIEWSKI: Thank you very much for your testimony.

Rich Gibbons, followed by Chrissy Buteas.

R I C H G I B B O N S: My name is Rich Gibbons. I'm a representative of the Middlesex County Tea Party organization. We're newly formed.

And with all due respect to Dr. Rosenthal, not only do I think the system hasn't worked well in the past, I think the redistricting system has been a disgrace. If you look at the lines, it looks like they've been

drawn up by a 2-year-old with a crayon. It's obvious after these lines have been done this way -- to keep certain politicians in power permanently.

And if you look at the way things are, I don't think race should be a component at all. I think all of that talk about race, and ethnicity, and fairness is nothing more than a smokescreen. You should follow the Supreme Court guidelines of contiguous lines, compactness, and population. Otherwise, you guys just pick the candidates, and we can sit home in November. Let the individual voters decide.

Thank you very much.

ASSEMBLYMAN WISNIEWSKI: Thank you for your testimony.

Chrissy Buteas; after which we will take a 15-minute recess.

CHRISSEY BUTEAS: Chairman Wisniewski, Chairman Webber, Dr. Rosenthal, members of the committee, my name is Chrissy Buteas, and I'm here in my capacity as Vice President of the Womens Political Caucus of New Jersey.

The Womens Political Caucus of New Jersey is dedicated to increasing women's participation in the political process, increasing the number of progressive women elected and appointed office, and creating a women's power base to achieve equality for all women.

Every 10 years, when new Census data becomes available, there is great debate over representation to make sure that every New Jersey resident is represented, and to recognize those communities that have grown in population with fair representation.

We are here today to make sure that our voices are heard and that when the new map is drawn, all New Jerseyans are represented. We

understand that existing case law addresses the issue of minority representation, but we feel that women deserve fair representation too. We are guided by our like experiences and, more than anything else, gender is the greatest factor that determines that life experience.

In 2010, New Jersey made significant strides. We elected the first woman to the Office of Lieutenant Governor, and appointed the first woman Senate Majority Leader, and the first African-American woman Assembly Speaker -- only the second woman to serve as Speaker in over two centuries of State history.

While these are significant accomplishments, we cannot allow ourselves to become complacent. Today, women make up over 50 percent of the population, but only 28 percent of the New Jersey Legislature. And there are no women in our 15-member congressional delegation. In fact, no woman has represented our state in Washington since the 1990s.

While we have made some progress over the last few years, we clearly have more to do. We are paying close attention. We are concerned that we are losing ground with regard to the number of women in the State Legislature, and we are concerned that women who have overcome significant obstacles do not get drawn out of the picture.

So, in conclusion, while the goal of redistricting of the New Jersey legislative election districts is to rebalance those districts to maintain the one person, one vote proportion and satisfying the Federal Voting Rights Act, the end result should not leave behind an underrepresented group, which is women.

Thank you so much for your time.

ASSEMBLYMAN WISNIEWSKI: Chrissy, thank you for your testimony.

With her testimony, we will be in recess for 15 minutes.

(RECESS)

AFTER RECESS:

ASSEMBLYMAN WISNIEWSKI: I'm going to ask our Commissioners to take their seats.

Mr. Parisi, would you just go through the role and see who we have left?

MR. PARISI: Certainly, Mr. Chairman.

Al Rosenthal.

DR. ROSENTHAL: Here.

MR. PARISI: Senator Sarlo. (no response)

Bill Palatucci.

MR. PALATUCCI: Here.

MR. PARISI: Senator O'Toole.

SENATOR O'TOOLE: Here.

MR. PARISI: Speaker Oliver.

ASSEMBLYWOMAN OLIVER: Here.

MR. PARISI: George Gilmore.

MR. GILMORE: Here.

MR. PARISI: Assemblyman Cryan.

ASSEMBLYMAN CRYAN: Here.

MR. PARISI: Vice Chair Nilsa Cruz-Perez.

MS. CRUZ-PEREZ: Here.

MR. PARISI: Vice Chair Irene Kim Asbury.

MS. KIM ASBURY: Here.

MR. PARISI: Chairman Wisniewski.

ASSEMBLYMAN WISNIEWSKI: Here.

MR. PARISI: Chairman Webber.

ASSEMBLYMAN WEBBER: Here.

MR. PARISI: You have a quorum.

ASSEMBLYMAN WISNIEWSKI: Thank you.

We're going to pick up with the testimony in the same fashion that we were doing it previously. We're going to call three names. The first one is the speaker, the other two are on deck.

The first will be George Gore, NAACP; followed by Adam Liebttag and Michael Golub. I apologize if I read that wrong.

Mr. Gore.

GEORGE B. GORE: Mr. Chairman.

First, I'd like to say welcome to the 11th member. It was interesting listening to what you had to say about the population deviations, and the constituency districts, and the continuity of representative services, and apportionment. The NAACP is supporting what's in the Voter Rights Act, and we're supporting most of the things you said.

Let me give you a third option to the maps. You'll have a Republican party map, you'll have a Democratic party map, but there are coalition maps that are out here that will be developed and will be

presented. So you have an option of looking at multiple maps that may not necessarily represent either party. I believe that's within your purview. Because if you look at that from that -- from a community-base point of view, it could be a map that represents all of the things that either one of the parties would want with a little added bonus on it -- some of the things that the community actually wants.

When we do legislative apportionment and redistricting, it's one thing to consider what political parties want, it's another thing to consider what the community needs. I believe that's the purpose of how the legislation itself is written.

Communities of interest and community representation is what the law specifically says. Packing or cracking, gerrymandering -- all of those things are unfortunate incidences that happen over a period of time. Cultural differences that are created by dividing lines and by drawing artificial lines cause problems. All Hispanics are not the same, all blacks are not the same, all whites are not the same. But inside our communities we do have cultural things that make us the same. You have cultural things such as Haitian groups, Nigerian groups, groups from Guatemala, groups from Columbia. Those are cultural things that create communities of interest. So looking at color of skin is not always necessarily going to give you the answer to a question. Looking at how that community is based -- what its basis is, and drawing the lines in accordance to keep those whole is a very important thing of how we legislate and do things. I agree with the lady that the farmers have a right. And sometimes we don't always draw lines that look at that as a community of interest, but it is. It's not a color, it's not a religion, it is a community of interest.

When we look at those, and we look at all of those dynamics, hopefully we will create a map that, unfortunately or fortunately, we have to live with for the next 10 years. And 10 years is a long time. If you're a student of history, and you're watching the demographics in the State of New Jersey, it is a constant shifting sand. If you look at where people are living now and project out the movement that you already see, what we see today is not where we're going to be 10 years from now. Hopefully, when we draw these maps, the maps will reflect where we might be in 10 years, or at least will consider that.

As we meet with coalition groups -- and we sit with them at (indiscernible) hours -- one of the things we're looking at is: How is the population shifting, and how is it moving, and does the district that we're currently drawing make sense in terms of that movement? That is something that I'm not always sure is taken into consideration when we draw maps and when we make these artificial boundaries, but it is something that -- if you are talking about communities of interest -- we ought to absolutely make sure we take into consideration.

Thank you very much.

ASSEMBLYMAN WISNIEWSKI: Mr. Gore, thank you for your testimony.

Questions? (no response)

Next will be Adam Liebttag, followed by Michael Golub.

A D A M L I E B T A G: Thank you, and thank you to the Chairs, especially because I had a time constraint. I appreciate you calling me within that constraint.

I am a resident of Hunterdon County, and I testify before you today as a citizen of the state and a resident of Hunterdon. I'd like to thank you for the opportunity to comment on your ongoing efforts to reapportion the legislative representation in New Jersey.

Every 10 years, when Census data becomes available, there is a great debate over representation to make sure that every New Jersey resident is represented and to recognize those communities where there has been a growth in population. It's definitely the primary charge of this Commission -- that all races, all backgrounds, and all political affiliations are not disproportionately impacted. It's a very difficult charge that this Commission has. But what I want to testify to today is the principle of one person, one vote. And I strongly urge you to hold to that central principle in your deliberations. All people have an equal right to equal representation.

It would not be a fair legislative map should this Commission more heavily weight areas with higher voter turnout instead of using statewide -- instead of using district-by-district totals. For example, four times the number of people voted in 2009 in District 9, in Ocean County, as compared to District 20, in Union County. So Ocean County's votes would count -- or would be weighted four times as much in determining this redistricting map if you only based it on voter turnout.

Simply put, this would be an unprecedented approach to redistricting, and it would stand in direct violation of the constitutional obligation to provide full and fair representation to all of New Jersey's residents. New Jersey's Constitution requires apportionment to be based on all "inhabitants" of the state. All people have the same right to

representation and an equal stake in our democracy, whether they live in Ocean County, Union County, or Hunterdon County.

It's un-American to count some people more than others and unfair to let low participation in one election cut back or determine their participation in a democratically elected Legislature. To ensure that all people have the same stake in our democracy, we need a map that provides fair representation to people of all racial and ethnic backgrounds, and that uses the long-standing fairness standards to measure one person, one vote by district. That right to vote is essential because it safeguards all other rights, so it's critically important that the ultimate map you produce will provide full and fair representation to all residents.

So in closing, again, I urge you to have one person, one vote be the determining factor when you draw these districts.

Thank you.

ASSEMBLYMAN WISNIEWSKI: Thank you.

Michael Golub, followed by Rhoda Chodosh, followed by Joe Schilp.

R H O D A C H O D O S H: I don't see Michael, so I will go.

ASSEMBLYMAN WISNIEWSKI: Is Michael not here?

MS. CHODOSH: I don't see Michael. I know who he is, but I don't see him.

ASSEMBLYMAN WISNIEWSKI: Rhoda?

MS. CHODOSH: Yes.

ASSEMBLYMAN WISNIEWSKI: Okay, you're up.

MS. CHODOSH: Rhoda Chodosh.

Good afternoon, everybody -- Chairman Webber, Dr. Rosenthal, and the entire Commission.

The first comment I want to make is that this is a public hearing, and I've been here since 2:00. And I've listened to most people speaking here, and a lot were from the Legislature, from other groups, and the Womens Political Caucus -- all these other kinds of organizations -- and not really the public, like myself, like Joe, and some other people. I think a public meeting like this -- you should allow the public like us first, before you go into all the Legislature and all these groups, and lobbyists, and everybody else. Because I think you really want to hear from the public.

Aside from that, I just want to say I'd like to see more meaningful representation for communities and voters in New Jersey.

I was born in Montreal, Canada. I married an American and moved to the United States. A friend of mine, and a Chairwoman of the Manalapan Zoning Board, got me involved in a local issue affecting my town about 10 years ago. I decided I would get involved on this issue, ending up attending legal proceedings at the Superior, Appellate, and Supreme Court here in Trenton. I was not a citizen yet.

Manalapan Township won that case and precedent case law was written. And at that juncture, I decided to apply for citizenship so I would have a voice and be able to vote on issues affecting my family and community in the future. So in 1994, I applied and took the citizenship test, and subsequently I was proudly made a U.S. citizen at a ceremony held in Camden, New Jersey.

I believe your vote is a precious, powerful right, and certainly I believe in one vote equals one person. Anything other than that is unrepresentative of the voting public.

Thank you.

ASSEMBLYMAN WISNIEWSKI: Thank you for your testimony, Rhoda.

MS. CHODOSH: Thank you.

ASSEMBLYMAN WISNIEWSKI: Joe.

JOE SCHILP: Joe Schilp, from Piscataway, New Jersey.

I'd like to echo her sentiments that I think the Assembly -- I think you all know how the Assembly members feel. And for them to take the first hour-and-a-half of the testimony-- It turns people off, quite frankly, and it prevents people like us from coming to these things often because we don't have three or four hours to spend here.

I'd also like to comment, before I read my prepared statement, that I've heard a lot of testimony about African-Americans, Asian-Americans, and Hispanic-Americans. As an *American-American*, the only thing I want from my government is good school systems, opportunity, freedom of religion, freedom to speak. I want public safety. And I don't think that that's something that people want based on skin color, or their accent, or their place of origin.

My forefathers came here to become Americans, and they came here not to be represented by Italian-Americans, or German-Americans, or Prussian-Americans. And there are all kinds of Americans living all over this state who can run for office from any county and any district they want to, regardless of what their skin color is. So to kind of gerrymander districts

based on race, based on ethnicity, based on religion, based on skin color -- it's an affront to democracy and, quite frankly, it's offensive when, 45 years ago, Martin Luther King said we need a color-blind society. And that's what we should strive for -- not to district people by their skin color.

Anyway, from the founding of our nation, citizens have fought for the right to vote. From nonproperty owners to freed slaves, and from women to those between the ages of 18 and 20, Americans have fought for their own representation: one person, one vote. People have a right to choose not to vote. But in issuing that right, they choose not to have a voice. It is very easy to vote. One can vote at the polls, vote by mail, or vote early at their county board of elections. There certainly is not any limitation on anyone's right to vote.

Simply put, those who choose not to vote do not have a voice in the election of our government officials and should not be counted in redistricting because they choose not to participate. The voice of the voting public must be heard and honored. In the last three election cycles, Republican legislative candidates have earned 52 percent of the votes, yet the GOP holds just 45 percent of the legislative seats. Essentially, those who choose to exercise their right to vote, who choose to participate in the process, are being punished by a districting map that simply does not represent the voting public.

Voters in urban areas hold an advantage because the last legislative map was unconstitutionally drawn, allowing people in cities like Newark and Jersey City to be represented in three districts, and this cannot continue. We must also remember that most of our state's colleges and universities lie in urban areas. Tens of thousands of college kids registered

to vote for Barack Obama in 2008. But now, in 2011, three years later, 75 percent of those kids no longer reside in those urban areas. They've graduated or dropped out and gone back home. Should the legislative map be drawn up based on people who no longer live in those cities? Should they be based on the number of graduates from Rutgers in Newark, Camden, and New Brunswick; or New Jersey City State University and St. Peter's in Jersey City; or the State College of New Jersey in Trenton, and so on? These people no longer live in these cities, and yet they're going to have a major affect on this legislative process for the next 10 years because we're going to say, "Well, they're registered here, so they must live here, so we must district more seats here." These people don't live there anymore. They've moved on, and other college kids will take their place. But we don't take people off the voting books often. So a college town might have four times the college population on the voting books simply because over the course of 12 years, four -- actually 12 graduating classes have gone through.

It's time to produce a constitutionally sound legislative map recognizing one person, one vote. It's time to stop punishing those who participate in the process. It's time for election results to reflect changes in the political tides. And it's time that we follow the words of Martin Luther King and judge people not on the color of their skin, as some of the people who have spoken here today wish to do, but on the content of their character. Simply put, one person, one vote, no matter who you are.

Thank you.

ASSEMBLYMAN WISNIEWSKI: Thank you for your testimony. (timer rings) Well-timed.

Next, we will have David Harrison, followed by Kathleen Bjcka, followed by Stacey Jordan.

I'm told Stacey Jordan left.

DAVID HARRISON: Hi, my name is David Harrison. I'm a student. I live in West Windsor.

Although I am not affiliated with any group, I am part of an online community of citizens who are amateur election buffs and redistricters. And I have created my own map that I'd like to show to the board. I will do that after I have finished testifying.

I've listened to some of the concerns here, and I find them interesting. The reality is that, just because how a population is distributed, it's going to be hard to make that many districts competitive. So one alternative would be to start a top-two primary, like some other states do. That will cause competitive races, even in districts dominated by one party.

About low turnouts: I think that is a legitimate concern. The best thing we can do is, of course, get -- encourage people of low socioeconomic standing to turn out and vote in odd-numbered years. But until that happens, the district system is the best we can do so that any -- each geographical area is represented the same.

And over several weeks since the Census began, I've been playing around on my computer using an amateur redistricting software and created my own map that is compact. It has as many competitive districts as reasonably possible. It has communities of interest. And I have lived in various parts of New Jersey, so I believe I know the communities pretty well. And while it wasn't designed to protect incumbents, I think most -- the majority of incumbents will be happy with it. (laughter)

SENATOR SARLO: We'll make him the 12th member.

(laughter)

ASSEMBLYMAN CRYAN: There you go.

MR. PALATUCCI: He said the *majority*.

MR. HARRISON: Moving an incumbent's district around can benefit that incumbent in case they decide to run for higher office. They'll have more people who are used to them. So that's a bonus for you guys.

ASSEMBLYMAN WISNIEWSKI: Keep going. (laughter)
Sounding better all the time.

MR. HARRISON: Also, I'd like to point out that white voters are willing to vote for minorities, so districts don't have to be specifically drawn to -- full of minorities in order for minorities to be represented. And even though I am white, it is important to me that all groups get represented fairly. And I think most minority districts happen on their own just because of the way cities are -- because of where cities are.

And I think that's it. Thank you for your time.

ASSEMBLYMAN WEBBER: Send up the map.

ASSEMBLYMAN WISNIEWSKI: Will you be submitting your map?

MR. PALATUCCI: Hand it over. (laughter)

MR. HARRISON: Thank you.

SENATOR SARLO: Thank you. Thank you for all your efforts.

MS. CRUZ-PEREZ: We're excited, David.

ASSEMBLYMAN WISNIEWSKI: We're going to take a small break and examine the map. (laughter)

ASSEMBLYMAN CRYAN: John, may I ask a question?

ASSEMBLYMAN WISNIEWSKI: David, we have some questions. Have a seat.

MR. HARRISON: Sure.

ASSEMBLYMAN WISNIEWSKI: We're not quite finished with you.

MR. HARRISON: Okay.

ASSEMBLYMAN WISNIEWSKI: Majority Leader Cryan.

ASSEMBLYMAN CRYAN: David, any time we get a map we get very excited. We appreciate it very much.

How much time did you spend putting it together?

MR. HARRISON: About a total of 6 to 8 hours.

ASSEMBLYMAN CRYAN: Okay. Did you do it solo or with some friends? How did it work?

MR. HARRISON: Solo. I submitted an earlier-- I did it solo.

ASSEMBLYMAN CRYAN: Okay. And using software, you were able to create it. We have a site -- we'll tell you afterwards -- where you can submit that map.

Right?

ASSEMBLYMAN WISNIEWSKI: Right.

ASSEMBLYMAN CRYAN: But you want to make sure you do.

MR. HARRISON: Okay.

ASSEMBLYMAN CRYAN: You live in West Windsor?

MR. HARRISON: Yes.

ASSEMBLYMAN CRYAN: Okay. Are you a college student? Is that what you were saying?

MR. HARRISON: Yes, I am.

ASSEMBLYMAN CRYAN: Where do you go to school?

MR. HARRISON: NJIT.

ASSEMBLYMAN CRYAN: Okay. By the way, where are you registered to vote? Are you registered to vote?

MR. HARRISON: I'm registered to vote in West Windsor.

ASSEMBLYMAN CRYAN: In West Windsor. As a matter of fact, the Mayor of West Windsor is Mayor Shing-Fu Hsueh, right.

MR. HARRISON: Yes, he is.

ASSEMBLYMAN CRYAN: Okay. He's a Chinese-American, right?

MR. HARRISON: Yes.

ASSEMBLYMAN CRYAN: So your point about anybody can -- folks will vote for whoever they think is the best candidate, right?

MR. HARRISON: Yes.

ASSEMBLYMAN CRYAN: And finally, what criteria did you think about, when you were putting together the map, that you kind of used as a guideline? Did you use any?

MR. HARRISON: Putting like communities together, compactness so that the lines looked good, and also population -- keeping population as constant as possible. And also not just municipal lines, but county lines -- respecting them as much as reasonably possible.

ASSEMBLYMAN CRYAN: Did you enjoy the exercise?

MR. HARRISON: Yes, I did.

ASSEMBLYMAN CRYAN: Thanks a lot for it. I appreciate it very much.

Thank you.

ASSEMBLYMAN WISNIEWSKI: David, our website is www.apportionmentcommission.org. And it has a feature on it, that I'm sure you'd be able to figure out, that allows you to submit documents. So we'd be happy if you would make that part of our web submission.

MR. HARRISON: Okay. Thank you.

ASSEMBLYMAN WISNIEWSKI: Thank you.

Kathleen?

KATHLEEN BJCKA: Yes.

ASSEMBLYMAN WISNIEWSKI: Good afternoon. Thank you for your patience.

MS. BJCKA: My name is Kathleen Bjcka, and I'm pleased to be present today as a New Jersey voter, and as a citizen who believes in democracy and believes there should be no partisan or personal advantage given to any one party in this redistricting process.

I believe in the Constitution, and redistricting should reflect one person, one vote -- period. Averaging nonvoters into the mix devalues my vote. Last November, 53 percent of the voters elected our Governor, Chris Christie, and his reform agenda, yet only one legislative seat changed. Of those voters -- they came from all walks of life -- both Democrats, Republicans, all races, all colors.

I ask that you please conduct this redistricting process in a fair and rational manner, and uphold our U.S. constitutional rights. The voters have spoken. It is time for this committee to listen.

Thank you.

ASSEMBLYMAN WISNIEWSKI: Thank you for your testimony.

John Logue. (no response)

Next will be Moly Hung, followed by David Pringle.

Moly.

M O L Y K. H U N G, E S Q.: Good afternoon, Chairman Wisniewski.

Good afternoon, Chairman Webber, members of this very distinguished Commission.

Thank you for the time to appear before you today.

My name is Moly Hung. I'm coming before this body as a private citizen, although I am a member of several Asian Pacific-American associations throughout the state, as well as friends with a lot of South Asian-Americans throughout the great State of New Jersey. I come here as an American, I come here as an Asian Pacific-American, but more importantly I come before you as a New Jerseyan from this great Garden State.

Look, your endeavor, as you've been going through this process-- And I have to tell you, many in our community tip our hats to you guys, because you're the first out of the box in all of the other 50 states in the nation. I mean, we're number one coming out of the box doing this. So there is obviously going to be a lot of stuff that people are looking at as to how we handle the great diversity, and a lot of the different interests and community interests that are in this particular state, as well as reflective in a lot of other states throughout the nation.

Democracy, without a doubt, is the great social experiment. I'm going to go backwards here in this respect. I'm not going to come at the

Commission in any one particular way or another. But at the end of the day, as we all know, this great state, at one time -- and hopefully still is -- the medicine cabinet of the world. I've told people privately that this great state should, some day -- and hopefully within the next 10 years -- become the global address of the world.

And if we want to keep in line with that -- to build on the knowledge base, on the service base -- and position ourselves so that we can generate revenue and think outside the cap in regards to carving this great state out -- outside in terms of economically and financially staying on our feet -- and harness what's out there globally, we look to the political process. The only way this great nation survives in a capitalistic, two-party system at this point is because of the full faith and credit the people have in the government.

With that said, the Asian Pacific-American community, the South Asian community in this state arguably, potentially could be the bridges to this global economy, to this more elevated thinking, toward a society that goes and thinks more in a broader depth than in a singular manner.

I'll talk substantively in regard to what we believe, in the Asian Pacific-American community, could be potential pockets where there would be, at some point, greater legislative representation. And I say this on both sides of the aisle, whether Democratic or Republican. But out of the 21 counties, there are significant numbers of APAs. Thirteen of those -- the top three: Bergen -- excuse me, Middlesex, Bergen, Hunterdon; Somerset, my home county as a kid; Morris -- having been in the (indiscernible) at 25; Mercer, Essex, Monmouth, Camden, Passaic, Union, Atlantic, Burlington.

In 2000, we comprised 5.7 percent of the population here in the State of New Jersey. Today, in 2010, we're 8.1 percent. Okay, we're not as large as the other groups. But I will tell you what: You guys all know a lot of these elections -- whether here in the state, locally in the state, or nationally -- are one big drag race down at the Englishtown Raceway. It's going to come down to a few votes -- 8.1 percent; in a greater voting electorate than that -- maybe 8.2 or 8.3 -- the Asian Pacific-American communities are going to make a difference, the South Asian-American communities are going to make a difference. And I'll tell you what: At the end of the day, these communities -- because they came to this country, they immigrated, they may have found themselves here in the great State of New Jersey -- came for not only economic reasons or purposes, but they came because they believed in democracy.

You have communities of scale -- communities of interest that are more than willing to get engaged, get galvanized, and become motivated -- and not necessarily marginalized and singled out -- but be a part of the process and the social fabric, whether economically or politically, in our two major parties here in the state today.

I had the good fortune of graduating -- attending and graduating from Rutgers College (*sic*). And when you change classes at Rutgers College in the time period that I went -- which was 23, 25 years ago -- and you walked down College Avenue -- and I'm sure it's changed exponentially today -- you really see a snapshot of not only what New Jersey is about, but you see a snapshot of what this world is about.

And with this said, as we go forward and put the map for the next 10 years, I implore both sides of this Commission to please consider

the Asian Pacific-American communities, the South Asian-American communities -- and not for the facts of just their particular communities, but for the fact they want to contribute, and at the end of the day they want to be a part of the process here in New Jersey and in this great country.

In closing, I'd like to say that I think there is some frustration out there, obviously. But, I mean, they often say perception is nine-tenths reality. It's your jobs not only to help us economically but to establish the faith, trust, and confidence of our people -- to go forward and do your job.

And with that, I'd like to say thank you -- and especially to Dr. Rosenthal. God speed to you.

Thank you very much.

ASSEMBLYMAN WISNIEWSKI: Moly, thank you very much for your testimony.

Next, we'll have David Pringle, followed by Jeff Tittel, followed by Jose Bello.

J E F F T I T T E L: Dave went home.

ASSEMBLYMAN WISNIEWSKI: Did David leave?

MR. TITTEL: Yes.

ASSEMBLYMAN WISNIEWSKI: Okay.

MR. TITTEL: Jeff Tittel, Director, New Jersey Sierra Club. We're part of the nation's oldest and largest conservation organization, with about 22,000 members here in New Jersey. And we're involved in issues that shape the future of our state and our nation -- everything from protecting open space in a community, to dealing with major international

issues like trade and climate. We're involved, in New Jersey, with our 11 local groups and our overall statewide membership.

To us, I think what happens in redistricting is critical not only for the future of New Jersey, but in allowing the exchange of ideas, allowing for proper debate when it comes to issues like the environment and so many other issues.

For us, we see redistricting as an opportunity to ensure that different voices will be heard. We very much believe that redistricting should be based on proportional representation. It should be representative of the population of the state -- not just the votes, but the population -- because some groups vote in different numbers than others. We have a lot of college kids who are members. They tend to vote in less proportion than older people, yet they are much more involved in the environment than many older people.

We are very much concerned that if we pack districts and make them overwhelmingly one place or another, politically, it does not allow for voices such as the environment to be heard. We know that swing districts, in particular, are the areas in New Jersey where we have seen some of our best environmental voters in the Legislature, from either party. We have seen in those kinds of districts -- that allow for more debate because they're not overwhelmingly one party or the other -- we see the better exchange of ideas; and other issues can come to the forefront, like water, and sprawl, and open space issues, which you may not see in certain areas where you're overwhelmingly one way or the other ideologically.

We also believe -- because we're an organization that has always fought for campaign finance reform -- that the process for redistricting

should also be open; that any and all groups that are working on redistricting should be transparent; that there should be no agendas on either side, whether it's on the left or right; that all financing that may be going into polling, or focus groups, or anything else on redistricting should be transparent -- that no group should be able to use some of the loopholes in finance laws to hide from the public. We've heard stories and we've seen things of groups in here; and whether it's a MoveOn on the left, or Reform New Jersey that worked on some things for Governor Christie early on, it should all be transparent. Because any funding that's going into helping anybody on this Commission or any of the parties in New Jersey -- where that money comes from -- it's important to know where it comes from and if there is any potential for hidden influence behind it.

Thank you very much.

ASSEMBLYMAN WISNIEWSKI: Thank you for your testimony.

Jose Bello, followed by Bill Holland and Edward Correa.

J O S E R. B E L L O: Good afternoon to all the members of this Commission.

My name is Jose Bello, and I'm representing today the Dominican American National Roundtable. Our organization has testified in the past in Newark and Jersey City. So at this point, we will not repeat what was said before.

However, today we are going to ask the Commission for one thing -- a very simple request: public access and free access to the same mapping and redistricting software that this Commission is using for this redistricting. The lack of access to this expensive software limits the

contribution that the public could give to the members of this Commission. There are, out there, some free, open sources -- web-based software -- as district builder. It could be found at publicmapping.org. However, this software is not yet ready for the work that we are doing today.

There are many groups and coalitions with access to powerful software. There are other important groups in this state that don't have the right software to help you get the ideas that we have about mapping and redistricting.

Finally, we know that we are running out of time. But this Commission should follow the leadership of other states like Florida that is having mydistrictbuilder.org -- I believe -- where any citizen could actually go and propose a district to the Commission.

Thank you.

ASSEMBLYMAN WISNIEWSKI: Thank you for your testimony, Mr. Bello.

You're aware that on our website you can submit maps and proposals.

MR. BELLO: Yes, you can submit but not build, not create maps. Our organization submitted, already, maps, but not with the right software. And not all the people who could make a contribution to you, to these members, could do it the right way. There are groups that can do it, there are groups that cannot do it.

ASSEMBLYMAN WISNIEWSKI: Thank you.

MR. BELLO: Thank you.

ASSEMBLYMAN WISNIEWSKI: Bill Holland, followed by Edward Correa.

BILL HOLLAND: Great.

Members of the Commission, thank you for the opportunity to comment today on the ongoing efforts to produce a proposal that will fairly represent New Jersey residents.

I'm speaking today on behalf of the New Jersey Working Families Alliance, which was founded in 2007 by groups representing workers, environmentalists, consumers, and ordinary citizens who were tired of an unaccountable government.

The work of this Commission can go a long way to improving the accountability of elected officials and ensuring the voices of New Jerseyans are most fairly represented and heard on critical issues, whether it's the budget, the environment, health care, or education.

Throughout these public hearings, individuals have called for a transparent and open process. And numerous individuals called for hearings to be held with the 11th member. And I want to just applaud your efforts throughout the process for ensuring the voices of New Jerseyans are heard.

Additionally, I just want to applaud the creation of the website, www.apportionmentcommission.org. This website and the posting of transcripts from each of these hearings has really raised a level of transparency. And I just want to encourage that for the future.

Most importantly, though, is that this Commission arrive at a map that meets the constitutional requirement of one person, one vote. New Jersey's map must be drawn on an equal population basis. And already certain voices are calling for diluting the representation of voters in areas of the state with low voter turnouts, an outcome that would be

immoral, unjust, and unconstitutional. Any map produced by this Commission must safeguard the bedrock constitutional right to representation by giving equal weight to all of New Jersey's residents, regardless of race, ethnic background, income, or place of residence.

The New Jersey Constitution states that apportionment should be based on all inhabitants of the state. Any proposal that privileges past voter turnout ignores this principle. All too often, those who feel least represented by the existing political system fail to engage in our electoral system. Decreasing their voice through this redistricting process would only encourage further disengagement, with its resulting negative impact on those communities.

I urge you to draw a map that meets all constitutional principles and uses the long-standing fairness standards used to measure one person, one vote. Protecting this core principle is vital to ensuring all New Jerseyans are fairly and adequately represented.

I just thank you for the opportunity to testify.

ASSEMBLYMAN WISNIEWSKI: Thank you for your testimony.

Edward Correa, followed by Jerome Harris.

EDWARD CORREA: Good evening, members of the redistricting Commission. It's an honor to be here.

My name is Edward Correa, a resident of Morris County, Founder and President of the New Jersey Latino Foundation; also a founding member of the Latino Action Network, member of the NAACP Morris County Chapter.

I'm here to speak before you on a proposal that I have for this Commission as a member who lives in Morris County, a member of this community for 17 years -- very active at all levels of this community, and very active with Latino statistics in Morris County. I have decided to come before you today to talk about a key component of the redistricting process which is communities of interest -- how this could be affecting the future of the Latino community in Morris County as we move forward for the next 10 years.

The current map of the 25th Legislative District has 17.4 percent Latino population and representation. We have towns such as Boonton and Boonton Township that, despite the fact that they have grown with the Latino growth in Morris County over the last 20 years-- We believe that we should add -- and, again, this is a suggestion for the Commission -- that we should add some towns and remove some from the 25th District.

My proposal includes removing Boonton Township, the City of Boonton -- the Town of Boonton, Denville, Mendham Township and Mountain Lakes from the 25th District; and adding Mount Olive, Netcong, and the Chesters -- Chesters meaning Chester Borough and Chester Township. The reason is -- and I'll explain it from my own personal experience and the experience of many people, members of this community in Morris County -- is that as Latinos have settled in Morris County, they have come to two communities principally, and these are Morristown and Dover. But from there, over the process of the last 20 years, and maybe even the last 10 years, they have grown economically empowered, educationally empowered, as well as moved on to suburbia. And they have

moved to Mount Olive, they have moved to Netcong, they have moved to the Chesters. By suggesting this community of interest in this 25th Legislative District, our proposal will bring Netcong and the Chesters, as well as Mount Olive, to the 25th Legislative District, making it 18.4 percent Latino, population-wise. This is critical.

Again, Latinos-- We believe that we have a common interest. We don't have common adversaries. We're willing to work with any political party in the State of New Jersey. I represent nonpartisan organizations. But in these communities of interest, these are people who got moved out to these towns over the last 10 to 15 years. Right now, they have Dover as a hub. They come to church, they have educational opportunities in Dover -- again, these are people living in Mount Olive, Netcong, and the Chesters -- and I see it all the time in my own personal experience in my family. They come, and they have family ties to the Dover community. They have economic interests in Dover. But they reside in the suburban communities.

I'd like to close, again by thanking you all for this opportunity to speak. I would like, again, to suggest this proposal to the Commission. And I will submit a written testimony with charts and graphs for your studies via certified mail in the next three business days.

Thank you very much.

ASSEMBLYMAN WISNIEWSKI: Mr. Correa, I appreciate your testimony.

If you could submit it through our website, that would be helpful too.

MR. CORREA: Outstanding. I will be submitting those charts so you can see the Latino growth, but also some of the examples of some of the people who reside in these suburban towns -- they have strong ties to Dover and Morristown -- and how it's important for them to become part of the 25th Legislative District. And hopefully either political party will start paying more attention to some very key interests of the Latino community.

Again, we are here to move on. We have interests that affect all Americans all together. But when it comes to representation, they want to become more influential in Morris County.

ASSEMBLYMAN WISNIEWSKI: We have one question.
Speaker Oliver.

ASSEMBLYWOMAN OLIVER: Yes, thank you, Mr. Correa.

I was very intrigued by your testimony. I, too, have been watching the transition of some of the communities in Morris.

Something I want to ask you is: Have we seen the emergence of candidates running for office at the local level? For instance, in Dover, with that significant growth in population -- Morristown as well -- what has been happening on the ground in terms of the Latino population seeking to run for office at the local level in those communities?

MR. CORREA: Certainly -- and I can testify to that from my own experience. Yes, there are political candidates right now being groomed, developed, learning the issues. We've been in the process there for the last three or four years. This year it's going to be a competitive race in Dover itself. There's going to be a primary in there. And despite the fact that Latinos are 70 percent of the population, they're going to be running their own candidates. There are three candidates right now running for the

Board of Education in Dover District, which is 78 percent Latino in the students. Morristown is also preparing some candidates. And also there are -- this is, again, on both sides, both parties. I think Latinos now, in Morris County, are becoming more sophisticated when it comes to the political process, and they're becoming more involved now, and they want to put up their own candidates.

But they're also-- You'd be surprised-- As I said before, the Latino community does not have adversaries. We only have common interests. And by that I mean that we have Latino candidates in the Republican party, we have Latino candidates in the Democratic party. And they're willing to represent the community at-large well, and do it following the Constitution of the United States.

Thank you.

ASSEMBLYMAN WISNIEWSKI: Thank you for your testimony.

ASSEMBLYMAN CRYAN: John, can I ask--

ASSEMBLYMAN WISNIEWSKI: Majority Leader Cryan, a question.

ASSEMBLYMAN CRYAN: Thanks. I will be quick.

Sir, just one more. I'm sorry.

MR. CORREA: Oh, I'm sorry, yes.

ASSEMBLYMAN CRYAN: When you opened and you talked about Netcong, and the Chesters, and so on, it brought the Latino population to 18.4 percent. Could you tell me where it was when it started? I just couldn't catch it.

MR. CORREA: Certainly, Assemblyman Cryan. It was 17.4 percent. But, again, my suggestion is: we remove some towns from the 25th Legislative District, such as Boonton, Boonton Township, Denville, Mendham, and Mountain Lakes; and we add Chester, Chester Township, Netcong, and Mount Olive to that lineup of municipalities that make up the 25th Legislative District. That way it increases the number of Latinos to be represented to 18.4 percent.

ASSEMBLYMAN CRYAN: I didn't hear the first number. Thanks.

ASSEMBLYMAN WISNIEWSKI: Senator Sarlo.

SENATOR SARLO: So actually what you've created in the 25th is a more Hispanic-influenced district by moving some towns around the 25th, ultimately. That's what you've created?

MR. CORREA: Pretty much. That's what we suggest. And, again, this is based on the concept of the community of interest. Because Latinos have, again, migrated or were born in this Dover -- Town of Dover or Morristown. But eventually they have moved out. I can attest from my own experience. When I first came to this country, I came to Morristown. But in 1999 I moved to Dover. And from there-- And my whole family, we all came to Morristown -- (indiscernible) Avenue. And from there we moved to Dover. We bought property there. We moved to Dover because it was affordable to live there back in 1999. Dover was coming back out from this blighted -- little bit of drugs and crime. And the State had put a program to promote these towns -- Paterson, Dover -- by helping with closing costs for people who wanted to buy in Dover. We moved to Dover. We've been there ever since.

But in the process, my brother moved out of state to Chicago -- new opportunity -- my sister moved down South at the end of the real estate boom. I stayed in Dover. But I can attest from other people who I know very well -- they have moved out to Mount Olive, they have moved out to Netcong from Dover. But they have a lot of ties to this community -- church, some education they go there, the local store, the ethnic foods stores. They continue to come to Dover because Dover is the hub for a lot of Latino activity in Morris County.

SENATOR SARLO: I look forward to seeing that configuration.

MR. CORREA: Thank you, sir.

Thank you for the opportunity.

Any other questions?

ASSEMBLYMAN WISNIEWSKI: One more question.

MR. PALATUCCI: One more.

MR. CORREA: Yes.

MR. PALATUCCI: You're a popular contestant here late in the afternoon. (laughter)

MR. CORREA: Thank you.

MR. PALATUCCI: The process that you've outlined -- and since you come from Morris County, I assume you're mostly Morris County. But the process that you outlined -- you wouldn't prohibit us from taking that approach in other places, whether it might be the growth of Hispanics in lower Bergen County for example, or in the Elizabeth area, right? In the approach you're taking -- we should look at that throughout the entire state, not just Morris County.

MR. CORREA: Oh, absolutely. I strongly believe in the concept of communities of interest. That's pretty much what it's all about. And obviously I'm proposing from my own experience in Morris County -- people who I do know very well -- and the internal migration that has occurred in Morris County over the last 15 years, where Latinos had moved, again, originally to these towns -- Morristown and Dover, which -- they continue to grow in Latino population. But as they obtain more educational opportunities and economically -- they become more economically developed, they have moved to other suburban towns, such as the Chesters, or Netcong, or Mount Olive.

MR. PALATUCCI: Thank you.

ASSEMBLYMAN WISNIEWSKI: I think you're free to go.
(laughter)

MR. CORREA: Thank you.

ASSEMBLYMAN WISNIEWSKI: Jerome Harris; followed by Keith Hamilton who, at this point in time, would be our last witness.

J E R O M E C. H A R R I S: Good afternoon, members of the Commission. It is a pleasure to be here.

My name is Jerome Harris. I am the Chairman of the New Jersey Black Issues Convention, and one of the co-conveners of the New Jersey Legislative Redistricting Coalition. The Redistricting Coalition has already submitted testimony, and we will be preparing maps to submit before your next public meeting -- your last public meeting on the 16th.

I was asked to come representing the group today to welcome the 11th member and to indicate that issues of one person, one vote are critical. A personal observation of mine-- Listening to some of the

conversations about using weighting voting is somewhat reminiscent of something that it took us a war to correct in this country. The Constitution of the United States, at one point, counted African-Americans as two-thirds of a person for purposes of representation, and yet those individuals had no right to vote. And while this discussion of weighting voting in no way suggests that same kind of negative and dastardly sort of concept, for me it's a suggestion that the goals of actually having a representative democracy where each person counts -- whether or not they have the ability to vote because of age, which is controlled by (indiscernible) political decisions, and/or by unfortunate circumstances of having to be in a college or university at a particular point in time-- So I think we've tried to expand the definition of what a citizen is and who should count, despite those variables. And I think it's important for us to remember that.

I also want to echo, I think, something that's important. The Coalition, rather than being a group of interest groups trying to come together to come to a single map, really has turned out to be a utility. We have tried to make available -- to as many of the various communities of interest who we've been interacting with in the Asian community, the Latino community, and the African-American community -- access to the software that you have access to. And what we found is that that is very important, particularly when we talk about Newark and Jersey City, where there is a lot of nuances, and shifting one district here or there could make a real difference. And the absence of the ability of the everyday people and the people who are not part of this club to participate is, in fact, a problem -- is a problem for them in terms of their support and belief in what the outcome of this Commission would be. And also it's a problem for you

because some real good ideas that may be out in the community you won't have the advantage of. So I realize it's late in the day, but my request that I made at your first meeting to make this software available, I think, is still an important one.

And I want to close on the notion that this idea of communities of interest does not revolve, we're finding as we have conversations, around whether or not you have the same cultural or linguistic history. It really does mean, do you shop in the same places? Do you go to the same churches? Do you have linkages? And we've found that it's far more difficult in this redistricting cycle, than it was in the 1980 cycle or the 1990 cycle, to identify those communities of interest. And it's for that reason that we hope before your final map is approved, that you make that public and allow the communities in the State of New Jersey to have at that map before it's finally approved.

Thank you very much for the opportunity to speak this afternoon.

ASSEMBLYMAN WISNIEWSKI: Jerome, thank you for your testimony.

Keith Hamilton is no longer the last witness. Keith will be followed by Gloria Dittman; and then Lucille Panos, who will be the last witness, we think.

KEITH HAMILTON: Good afternoon, Commissioners. I want to thank you all for having this hearing here in Mercer County so that many of us in this area can participate.

The redistricting process, I'm sure as you know, is very unique in this state. And it's also very important that we understand that the mapping produce equality for all of those who come to vote.

Although I recognize that partisanship is an unavoidable part of this process, my remarks today are for an honest and fair approach to the process and not partisan bickering.

I represent a category of elected officials that is rarely discussed in this process. I am an African-American, as you can see, who was elected to a countywide office from a suburban town that is majority white; and that would be Hamilton Township, here in Mercer County. Not only was I elected to the School Board, I was also elected as Freeholder five times at a countywide seat. So the election stands clear that people will vote for folks who represent and talk to the issues that are important to them.

When I went to South Broad Street, the County Administration Building, I went representing all 13 municipalities, whether it was Trenton, the urban center of the county; whether it was Hamilton Township, Ewing Township, suburban areas; or even Hopewell, a rural area in our state. We represented all of them fairly and honestly. And it's important that that continues to happen.

So, for me, I believe it is important that you guys use me as a guide, use my record as a guide as you look at how you want to redistrict these towns. It's important that the legislators should represent a diverse district because, after all, we are becoming more and more diverse as every day goes by. So in my mind, the definition of *packing* is somewhat of a negative.

Just a real brief story: The reason I got involved in politics started in 1989, when the State of New Jersey sued the Township of Hamilton for segregated elementary schools -- 1989. I happened to be a PTA President. They asked me to serve on the Committee -- the Desegregation Committee. We went through, did a great job, made sure everything was fair. As I think about packing in the context that is being used today, I would say that that's the new spin doctor's word for segregation. Please keep that in mind. At least that's my thought. And hopefully it will transfer to some other folks as you make this decision.

Thank you very much for your time. Enjoy your day.

ASSEMBLYMAN WISNIEWSKI: Thank you for your testimony.

Gloria Dittman; followed by Lucille Panos, who is still our last witness.

GLORIA DITTMAN: Good afternoon.

My name is Gloria Dittman. My parents came to New Jersey many, many years ago. And they have instilled in their children that the right to vote was a valued freedom.

Voting gives us power and input into our government. If one person's vote is diluted by the consideration of a group's vote, it diminishes the very concept of the Constitution. All groups in New Jersey add to the beauty, and value, and *wonderfulness* of New Jersey. But each person -- one man, one vote -- one person, one vote -- that's what it should come to.

I have lived in New Jersey all my life. I love New Jersey. I hope I don't have to leave New Jersey. And all the groups and all the variety of

people and the different loves that they bring with their culture to New Jersey just makes our state better. But it should be one person, one vote.

Thank you very much.

ASSEMBLYMAN WISNIEWSKI: Thank you, Gloria. Thank you for your testimony.

Lucille Panos, you are our last witness.

C O U N C I L W O M A N L U C I L L E P A N O S: Does that mean we get dinner? Who is buying? (laughter)

ASSEMBLYMAN WISNIEWSKI: It's on Assemblyman Webber.

COUNCILWOMAN PANOS: I figured. Thank you.

My name is Lucille Panos. I am a former PTA President, involved in my community. I was a *soccer mom*, I guess you would call me, when my children were younger. I teach religion in my local church for the last 16 years. I belong to the ladies auxiliary of the volunteer fire department, so I'm out serving coffee sometimes at 3:00 in the morning. I was on the Environmental Commission in my town, and I'm on the Open Space Committee. I am also a board member of St. Thomas House, which is a house for the handicapped in the Diocese of Metuchen. I vote every election, from fire commissioner, to school board, to presidency. I am so proud that I am able to do that. I am a second-generation American.

I get involved in these things-- And you talk of community (indiscernible) based-- I've dealt with so many people -- they are the foundation of our community, when you start volunteering and being a part of organizations like this.

I took my involvement with my community one step further. I ran for public office. I am now a three-time Council member in the Township of Old Bridge. That's unprecedented in my area. I am an unprecedented Councilwoman in Ward 6, Old Bridge -- elected three times. And I was elected because of the voters. They knew that they had-- And it's unprecedented because they know they have an elected official who will take care of their community regardless of whatever -- whether your handicapped or whether you're-- You know I'm there. But I wouldn't be there without the voters. It is incumbent, you know, as elected officials that, when you're elected, you represent-- You know, you take care of your community, whether they're Democrat or Republican, they voted for you or not. Hey, they're in your community now.

But you can't forget how you got there. You got there by the voters. So that's who put you there. They entrust you to take care of their community. So you have to take their word-- You have to take much consideration when you redistrict that, yes, it's going to be one person, one vote. Because they entrust you -- that voter entrusts you to take care of their community, regardless of who is in it and whatever.

So I'm asking this board -- this committee to consider one person, one vote. Hey, that's how you all got here. Don't forget where you came from.

Thank you.

ASSEMBLYMAN WISNIEWSKI: Thank you. Thank you for your testimony.

According to Mr. Parisi, we have no other slips of anybody who has signed up to testify, which means our public hearing today is at an end.

We will convene tomorrow afternoon at 2:00 p.m. at the Atlantic City Convention Center. And we will resume taking testimony at that time.

Until then, we stand in recess.

(HEARING CONCLUDED)