
Commission Meeting

of

APPORTIONMENT COMMISSION

"The purpose of the meeting will be to vote on a plan to establish legislative districts in New Jersey that will be in effect for the next 10 years"

LOCATION: Committee Room 12
State House Annex
Trenton, New Jersey

DATE: April 3, 2011
12:00 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
Office of Legislative Services
Commission Secretary

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

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ASSEMBLYMAN JOHN S. WISNIEWSKI (Co-Chair): I would first like to announce that if anyone is interested in a seat, we have an overflow room set up in Committee Room 16 where you will hear an audio feed; there will be no video. But if you'd prefer to sit, there is an opportunity to do that.

I would like to call this meeting of the legislative redistricting Commission to order.

Mr. Parisi, would you please call the roll?

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

Senator Sarlo.

SENATOR SARLO: Here.

MR. PARISI: Alan Rosenthal.

DR. ROSENTHAL: Here.

MR. PARISI: 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: Present.

MR. PARISI: Chairman Webber.

ASSEMBLYMAN JAY WEBBER (Co-Chair): Here.

MR. PARISI: You have a quorum, Mr. Chairman.

ASSEMBLYMAN WISNIEWSKI: Thank you, Mr. Parisi.

Just a housekeeping note: It's a crowded room. It's going to be hard hearing everybody. If you have a cell phone or pager, if you'd kindly put it on silent or off. I'm going to do that myself, actually.

The process we're going to engage in this morning: I know that I'm going to make an opening statement; I believe Co-Chair Webber and other Commissioners will, and so will Dr. Rosenthal. And then there will be votes on the map. So I will begin.

Good morning, everyone.

My name is John Wisniewski. I am the Democratic Co-Chair of the legislative redistricting Commission, and today will be the final meeting of that Commission.

Since this Commission first convened several months ago, we've engaged in seven public hearings, an unprecedented level of public input that included 28 hours of testimony from citizens from all areas of the state. For the first time, the redistricting Commission had a website in which testimony and input could be solicited 24/7. This, again, was an unprecedented level of public input.

During this process, both sides had conversations. And at the end, Dr. Rosenthal was an 11th member selected by both sides, appointed

by the Chief Justice. Through this process, Dr. Rosenthal approached trying to bring the sides closer together, and set very rigorous standards that he decided upon, based on well-accepted academic principles, to create a map that was fair, to create a map that was constitutional, and to create a map that is forward-looking for the next decade and for the people of the State of New Jersey.

The map that we are considering today -- the Democratic map -- is a map that improves population equality -- the districts will be more equal; it avoids fragmenting towns -- it maintains contiguity of communities; it strives for compactness, making the districts more compact; it preserves communities of interest and puts together additional communities of interest that have grown since the last map was created; it maintains continuity of representation; and it ensures a competitive map in which both political parties, given a (indiscernible), will be able to have an opportunity to win seats in the Legislature. Most importantly, it complies with our New Jersey Constitution, it complies with the United States Constitution, and it complies with the Voting Rights Act. These are standards that Dr. Rosenthal created, these are standards that he reiterated on several occasions in discussions with both members (*sic*), these are standards by which he ultimately viewed the final product and chose the Democratic map.

The map today is a product of meaningful compromise. This was not a product that was easy to come up with. This was a product that required hard decision-making. It was a map that was based on the numbers. It was not based on personalities, it was not based on politics. Most importantly, it's a map that reflects the diversity of the State of New

Jersey. It is a map that takes into account that we are a diverse state, and the Legislature should reflect that diversity. And it is also a map that is responsive to the future growth of the State of New Jersey.

The numbers are compelling. As I said, the population deviations are a lot lower than they are in the current map. This is a competitive map. I want to make sure everybody understands that this is a map that's competitive and provides sacrifice on the Democratic side of the aisle to make sure it's a fair map. It is a map that is more compact, less gerrymandered, and has no target incumbents. It is a map that has an endorsement from the minority community, because it provides opportunities to increase representation for minorities in the Legislature. It is a map that will stand the test of time. It is constitutional. It is a product of hard work, it is a product of compromise, it is a product of rigorous standards set by Dr. Rosenthal. And I'm proud to be here today at the ending meeting of this redistricting process to know that we have map that we can all be proud of.

I'd like to turn it over now to Co-Chairman Webber for an opening statement.

ASSEMBLYMAN WEBBER: Thank you, Chairman.

I want to start by thanking our Democratic colleagues, 10-member Commission that started out. And all 10 members have put in an extraordinary amount of work. It is a service to the state above and beyond certain legislative or other political duties, and they are to be congratulated for the effort they've put in and the work product that they have put out.

I also want to thank my Republican colleagues for their efforts. We have been working on this process for the better part of three years.

And under the leadership of both Alex DeCroce and Tom Kean, our five members of the Commission worked nearly around the clock in these last couple of months to create a map that we could be proud of and that the people of New Jersey could be proud of. And I want to thank them for their efforts.

And I want to thank Dr. Rosenthal who volunteered for this duty, and probably has second thoughts about that sitting here today. Without extra compensation, and purely as a service to the people of the State of New Jersey, Dr. Rosenthal stepped up and took on responsibilities that are not part of his job description at Rutgers.

And for the citizens of New Jersey, the 11 of us to come forward and care enough about the political process to give of themselves this much, for this long, I think says a lot about our system and a lot about politics in the State of New Jersey, Democrat and Republican. And so I want to thank everybody at the table for all of their efforts.

At the end of the process, however, this was a choice between two maps: the map that the Democrats are putting up today for a vote and the map that the Republicans are putting up for a vote. One of those maps fixed the constitutional problems that were created 10 years ago with the splitting of Newark and Jersey City. One of those maps-- That map was our map, the Republican map. The other map, the Democrats' map, institutionalized the unconstitutionality of the previous map by protecting the incumbents in the districts that were created unconstitutionally 10 years ago.

One other note, and we had a discussion before this meeting -- a potential constitutional problem with the Democrats' submission is the

splitting of District 7. Bordentown Township and Florence-- Bordentown Township, in the Democrats' District 7 connects with Florence -- apparently connects with Florence. Mansfield, in District 8, may interject or intercede so that the towns are not contiguous. The parties did a brief internet search with satellite maps. I understand that the Democrats have satisfied themselves that there is not a contiguity problem. It centers around Newbold Island, which is -- the location of Newbold Island is unclear to us at this time, whether it's in Bordentown Township or -- entirely in Bordentown Township, or partially in Bordentown Township and partially in Mansfield. This map will be voted on today without adjustment, but we certainly will continue to investigate that issue.

One of our two maps respects the population shift that New Jersey's experienced from North to South. That was our map -- where the deviations between the regions are rather equal. The Democrats' map does not respect that population shift and, in fact, systematically overpopulates southern districts to their disadvantage, meaning that people in Southern Jersey will have their votes count less than people in northern New Jersey, noting also that the population growth we expect will continue to happen in South Jersey. And so that over time residents, citizens of South Jersey will continue to have their votes undercounted as compared with their neighbors in the North.

One of these maps provides greater opportunities for African-Americans and Latinos to be elected, and one of them continues the status quo. The Republicans' submission has two majority African-American districts and two majority Latino districts. The Democrats' map has one of each, as the current map does. And as we've seen over the last decade,

there has been no increase in African-American or Latino representation in the Legislature. And I would point out that the Latino Leadership Alliance has endorsed our plan for providing greater opportunities for the Latino community to elect representatives of their choice in New Jersey.

And finally, one map is more competitive than the other. The Republicans put forward a map that was split evenly down the middle, allowing both sides a real, and genuine, and fair opportunity to win majorities of the Legislature if they did well at the ballot box. The other doesn't. The Republicans met, understood -- met and discussed with Dr. Rosenthal every metric of competitiveness and partisan fairness that he put before us, and we met them each time. We felt good about our submission.

We feel very strongly that while this map that the Democrats have put forward is better than the map we have today, which is riddled with unconstitutionality and patent unfairness-- While the map that the Democrats will put up today is one that we will compete on and that we will win on, there was a better choice for the people of the State of New Jersey; and that was the Republicans' final submission, which was more competitive, more constitutional, respected the population shifts, and gave greater opportunities to Latinos and African-Americans. And that's why we will be supporting it today.

Thank you, Chairman.

ASSEMBLYMAN WISNIEWSKI: Thank you.

Vice Chair Nilsa Cruz-Perez.

MS. CRUZ-PEREZ: Thank you.

Thank you, Mr. Speaker (*sic*) -- thank you, Mr. Chairman. It's been an honor to be part of this process. Thank you to all the

Commissioners on both sides. It's been a pleasure serving with you on this Commission. Thank you to the staff and the Office of Legislative Services for their hard work, and especially the public for the input we've received in this process.

Today we have in front of us a fair, constitutional, and forward-looking map that really represents New Jersey. It's a diverse state, and it's represented in this map.

Thank you.

ASSEMBLYMAN WISNIEWSKI: Thank you.

Chairman Webber, do you have any other members on your side who wish to make an opening statement?

ASSEMBLYMAN WEBBER: Senator O'Toole.

ASSEMBLYMAN WISNIEWSKI: Senator O'Toole.

SENATOR O'TOOLE: I assume this is the only time we'll be speaking, Assemblyman.

ASSEMBLYMAN WEBBER: No, we'll be able to speak on the maps as well when they're up for a vote.

SENATOR O'TOOLE: All right.

Thank you, gentlemen.

First of all, let me just echo Chairman Webber's comments. I want to congratulate Chairman Wisniewski, Vice Chair Cruz-Perez, Assemblyman Cryan, Speaker Oliver, Senator Sarlo. The five worked very hard, and you should be congratulated on your determined effort.

On our side, I think our Commissioners know how I feel about them and some of the staff, and the commitment they had to this process.

And to Alan Rosenthal and his team -- John Farmer, Marc, and Orin, Dr. Reock -- we thank you for your service. We don't always agree on the final result, but I think you were determined and tried to make the right call.

Two years ago I flew out to San Francisco to a conference dealing with redistricting, not knowing a whole heck of a lot about it. And as I gathered in this room with delegates across the country, I heard an individual, Dr. Rosenthal, get up. And he said to the crowd from all the 50 states, "If you want to do something very wrong in redistricting, follow what the Republicans did in 2001." And, of course, the five or six of us from New Jersey wanted to sink through the floor as we were being yet reminded of something we did wrong. And he was right with that. His criticism -- and I think he was being humorous -- was absolutely on the money, from what we understand, with that effort 10 years ago.

And later on we had an opportunity-- And he gave the advice to everybody, "Do your homework." And I think over the last couple of years the Republican members, led by Alex DeCroce and my leader Tom Kean -- we did a lot of homework, and we worked really hard. And it is sad and disappointing it comes down to where we are now, but it is not for a lack of effort or a lack of trying.

And some of what you see in the Commission is very public, and some of what you see is not very public. So I just want to share a couple of moments that I think were turn points during this process, that if I could turn back time would wish things would change just a little bit differently.

At some point we all gathered, and we had a couple of maps that were asked to be submitted, and they were submitted. And at one point-- And Dr. Rosenthal was trying to hold everybody together. In Passaic he said two Hispanic districts, one African-American, and we complied. And he gave us a letter of five points he wanted us to comply with -- Vineland out of Atlantic City, and a bunch of others -- which we all complied with. And at this turn point he said, "What I'm going to do is, I'm going to draft my own map because you folks are so far apart." So after the two submissions, he said, "I'm going to get Maptitude, and we're going to get together -- and I'm going to put my folks together and have a map that we're going to put together, and we're going to say, 'This is somewhere between the two.'"

And lo and behold, the map was delivered to our caucus, and we looked at it. And I will tell you, I was a little bit taken aback by that map. And we later came to find out that it was a map that was much like the Democrats' submission. I will tell you, at that time it was akin to a -- I thought a political Hindenburg, that we had arrived at a natural disaster somewhere in Manchester. There was a real problem. And the air was sucked out of our room. I will tell you candidly, it was a low point. And it wasn't-- As Dr. Rosenthal freely admitted to us, the map was the Democrat map which he had tweaked, and he had found more favor with it. And that was difficult to accept at that point early in the process, that there was a gravitation towards the Democrat map.

I think we let our concerns be known. I think Dr. Rosenthal responded. And we sat down and said, "Dr. Rosenthal, tell us what you want us to do -- what we can do. And all we want to do, doctor, is we want

to have a fair map.” He said, “No, you want a chance to have control.” He goes, “You want control of the Legislature, and the Democrats want control of the Legislature.” I said, “Doctor, we just want to have a chance for control.” And his response -- he was very candid -- he said, “And they don’t even want to give you that.”

And that’s kind of what we learned through the process. In our estimation, the map we had submitted -- our final submission -- we had 13 safe Republican seats, and we had an asterisk next to Senator Allen. We thought because of her unusual charm and vote-getting ability she would be 14. And our map -- just so we’re clear -- there were 18 safe Democrats. And we had to fight down the middle for 7 or 8, and we had to run the table to get 21 or 22 if we’re lucky. And that’s what we thought at the end of the day was a fair map, and that’s the map you see right here. It’s 2011 F.

It was a long process. I brought my daughter here today because I haven’t seen her a lot. She said, “Dad, I miss you. I want to spend a little time with you.” And I’m sure this is exactly the way she wanted to spend her Sunday. (laughter)

UNIDENTIFIED MEMBER OF COMMISSION: She’s sorry now. (laughter)

SENATOR O’TOOLE: She’s sorry now, yes.

But I will tell you, it was a wonderful process. We didn’t get all the breaks, and we didn’t get at all the bounces, but it was democracy in action in many ways. That’s the way the law is. And while we don’t always agree with the outcome -- I certainly don’t -- I’m not bitter at the process. Again, the Democrats worked very hard. The 11-member team worked very

hard. We worked very hard. There was going to be a winner and a loser. And I don't agree with what has been purported, as to where Dr. Rosenthal's head is at. But this is our democracy, and I welcome it.

I invited all, during the seven meetings, to come and be a part of it. It was wonderful to be a part of it. It was tiring. But I want to thank everybody for working together as Americans, as Republicans and Democrats, Independents. The process moves forward. We don't always agree, but the process is alive. And I want to thank you, for my members, for Tom Kean, for selecting me to be on this. And I look forward to working with all of you in the future.

ASSEMBLYMAN WISNIEWSKI: Thank you, Senator.

Majority Leader Joe Cryan.

ASSEMBLYMAN CRYAN: I thought we weren't--

SENATOR SARLO: He wants to speak when we do the map.

ASSEMBLYMAN CRYAN: Yes.

SENATOR SARLO: We'll speak-- We'd like to speak, but we'll speak when we present the map.

ASSEMBLYMAN WISNIEWSKI: Okay.

Any other opening statements, Chairman?

ASSEMBLYMAN WEBBER: I don't think so.

ASSEMBLYMAN WISNIEWSKI: Okay.

Dr. Rosenthal will now make an opening statement.

DR. ROSENTHAL: Frankly, I've seen enough maps to last me the rest of my life. (laughter)

It's been a grueling two months for me, but it's been a very valuable experience and one from which I've gained a lot. I've gained an

even greater respect for the legislative apportionment process in New Jersey. New Jersey is one of a dozen states where legislatures are redistricted by a commission and not by the legislature itself.

New Jersey's form may be better than any of the others that I have observed. So with all of its deficiencies, I think it's the best in the nation. It's a process in which many people participate. The political parties, of course, are central to the process, as provided by the State Constitution. But individual legislators, civic groups and their leaders, and citizens submitted ideas and even maps; and the Commission -- the Commissioners and the staff took these maps and submissions into consideration. The process is a competitive one. It develops. Map proposals change, and the product improves.

I gained even more respect for the people involved. I was amazed by the knowledge each of the members of the Commission had of the state, and I was amazed by their dedication to what they believed was in the best interest of New Jersey. Their staffs, who seemed to be working 24/7, never faulted in rearranging maps and the municipalities that were the constituent parts. I gained respect also for the Governor as leader of his party, who was engaged in the process as well. And I gained great respect for members of my team, upon whom I relied throughout. They're not to be blamed for my decision. Ernie Reock, a retired Rutgers professor, who was participating in his fourth cycle of apportionment -- 1981, 1991, 2001, 2011 -- and you are sure to see Ernie in 2021. (laughter) John Farmer, the former Attorney General of New Jersey and currently Dean of the Rutgers Law School at Newark; Marc Weiner, the Director; and Orin Puniello, a Ph.D. candidate at the Survey Research Center of Rutgers Bloustein

School-- They had never been involved in redistricting, and they caught on very quickly and very adeptly to mapmaking and map-taking-apart. And also the work of OLS, Frank Parisi and Raysa Martinez Kruger, who made this all possible.

I gained respect for both the Democratic and Republican plans as they developed, and for the final Democratic and Republican maps that were produced. Each map could have gotten my vote. Each was an improvement over the existing map. The maps differed, but each did a splendid job at distributing population around the state so that the average deviation among the 40 legislative districts was under 6 percent. Each did well on standards of compactness and continuity. Each provided opportunities for minorities to be elected to the Legislature. Each provided for more competitive districts than exist today.

My principal role in the process was to try to assure that the map that was adopted would be fair in partisan terms. I tried to get the Commissioners of the two parties together on one map. That didn't work, so I strove to make each of the various improvements in their own maps. If I had to vote on one map or the other, I wanted to have to choose between two good products. I wanted it to be a tough decision. It was. It took five hours of deliberation before I decided on the Democratic map. It was the toughest decision that I can remember ever making.

The Democratic map, I believe, was a more conservative, less-disruptive map. It reflected the current distribution of partisan preferences in New Jersey, but it also allowed for change if the party preferences of the electorate shift. It is a map, I believe, that gives the Minority party a

chance of winning control of the Legislature, even in what is essentially a Democratic state.

I feel privileged to have been part of this process. I've tried to be diligent, I've tried to be honest, and I have tried to be fair in my participation.

Thank you.

ASSEMBLYMAN WISNIEWSKI: Thank you, Dr. Rosenthal.

I just want to express the pleasure that it was to work with you and your team. I've learned a lot from you about the process of negotiating and of following very difficult instructions to a very specific degree.

I'll now entertain a motion on the map.

ASSEMBLYMAN WEBBER: Chairman.

SENATOR SARLO: Motion.

ASSEMBLYMAN WISNIEWSKI: Senator Sarlo.

SENATOR SARLO: Motion.

ASSEMBLYMAN CRYAN: Motion on the map.

SENATOR SARLO: Motion on the map.

ASSEMBLYMAN WEBBER: I'd like to make a motion to adopt NJ 2011 F, the Republicans' final submission. As Professor Rosenthal acknowledged, there is a lot of Professor Rosenthal in that map. It's a product that we're very proud of, and I move it.

MS. KIM ASBURY: Second.

ASSEMBLYMAN WISNIEWSKI: Second.

Motion.

Mr. Parisi.

ASSEMBLYMAN CRYAN: Mr. Chairman.

ASSEMBLYMAN WISNIEWSKI: Mr. Parisi, would you like to call the roll call.

MR. PARISI: Okay. I will call on the motion for the adoption of NJ 2011 F first.

On the motion to adopt what is essentially the Republican map, Alan Rosenthal.

DR. ROSENTHAL: Abstain.

MR. PARISI: Senator Sarlo.

SENATOR SARLO: No.

MR. PARISI: Bill Palatucci.

MR. PALATUCCI: Yes.

MR. PARISI: Senator O'Toole.

SENATOR O'TOOLE: Yes.

MR. PARISI: Speaker Oliver.

ASSEMBLYWOMAN OLIVER: No.

MR. PARISI: George Gilmore.

MR. GILMORE: Yes.

MR. PARISI: Assemblyman Cryan.

ASSEMBLYMAN CRYAN: No.

MR. PARISI: Vice Chair Nilsa Cruz-Perez.

MS. CRUZ-PEREZ: No.

MR. PARISI: Vice Chair Irene Kim Asbury.

MS. KIM ASBURY: Yes.

MR. PARISI: Chairman Wisniewski.

ASSEMBLYMAN WISNIEWSKI: No.

MR. PARISI: Chairman Webber.

ASSEMBLYMAN WEBBER: Yes.

MR. PARISI: The motion has received only five votes, therefore is not passed.

ASSEMBLYMAN WISNIEWSKI: The motion fails.

We'll take a motion.

SENATOR SARLO: Motion.

ASSEMBLYMAN WISNIEWSKI: Motion on the Democratic map.

SENATOR SARLO: Yes.

MS. CRUZ-PEREZ: Second.

ASSEMBLYMAN WISNIEWSKI: Second.

Motion made and seconded on the Democratic map.

Mr. Parisi, roll call, please.

MR. PARISI: On the motion to adopt the Democratic map, Alan Rosenthal.

DR. ROSENTHAL: Yes.

MR. PARISI: Senator Sarlo.

SENATOR SARLO: Yes.

Can I make a statement after the vote then? Can I make a statement now, Chairman.

ASSEMBLYMAN WISNIEWSKI: Sure.

SENATOR SARLO: I'll make a vote -- after-- Yes.

MR. PARISI: Bill Palatucci.

MR. PALATUCCI: I'd like to take this moment if I could to-- I'll be brief and get my comments out of the way.

Is this on? (referring to PA microphone)

SENATOR O'TOOLE: Yes.

MR. PALATUCCI: I'll be real brief. I want to say that I entered this process with great respect for our colleagues on the other side and came out of it with even more respect. We spent a lot of time together in those seven hearings. And I appreciate the way everybody conducted themselves. I'm not a legislator. I'm in Trenton a lot over my years down here. I got to spend a lot of time with all of you, and I grew to respect you even more.

I've known Alan Rosenthal for 30 years, when I was a student at Rutgers. I've always had respect for Alan, and I always will. And nothing in this process changes that. Alan, I've grown to have-- He was very important to me as a student, important to me as an adult, and he will continue to be so. I consider Alan a friend, and he will always be a friend. That doesn't mean-- I disagree with him and am disappointed and have -- disagree deeply, deeply with his decision.

I want to thank the folks at OLS. I have great respect for them. They did a great job in a very difficult process in balancing this. And Frank Parisi and his team -- I have great respect for them. I want to thank John Farmer for his time as well.

I do think, and Alan touched upon it, that-- Alan said he did -- he had a very tough time with this. And I want to defend Alan a little bit. He had to rely upon a lot -- the statisticians at the Rutgers Bloustein School. And he had these great big teams to take on -- the Republican side and the Democrat side. We both had great big teams. And I think the Rutgers Bloustein statistician team owns a lot of this map. And I think as the next 10 years unfold, whether we were right or the Democrats were

right in terms of which map was more fair, which map presented more opportunities, will be born out.

We had-- At one of the hearings in Trenton we had an NJIT student give us a map that he had prepared on his laptop and taken several hours to put that together. And Alan jokingly said, "You guys should hire him." And I think it's important to point that out. The Rutgers Bloustein team prepared, as Kevin said, just one map. I think that's different than in past years. And I think it would have been-- I think Alan would have been better served with his own map-making ability so we could have been trying to -- been drawn more to the center.

And so it was an interesting process, it was strenuous on both sides. And time will tell. Obviously anybody can say that. But I think that's an important piece that hasn't been looked upon.

We also approached this-- One last point on my behalf is that we approached it in terms of building a competitive map as -- from the initial perspective. I didn't look at incumbents, where they were or where they fell. My view was that was the last piece to be done. I'm not so sure that's what we come away from here. And so that's one of the reasons why I think ours is a better map, a more fair map, a more competitive map for the future of New Jersey.

With that, I'll vote no.

SENATOR SARLO: Mr. Chairman.

ASSEMBLYMAN WISNIEWSKI: I know, Senator Sarlo, you wanted to make your statement.

SENATOR SARLO: Thank you, Mr. Chairman, for giving me the opportunity to speak. I will say thank you to all my colleagues, both

Republican and Democrat, to our two Co-Chairs, and especially to the members of the Democratic Commission. We have grown together, we've learned about each other, and at the end of the day we put forth our principles and our goals to develop a map that will best reflect the faces, the people, and the values of New Jersey. And I am proud of the work.

I am proud of our staff -- the staff that has worked -- some of the most talented, smartest, professional folks you could find in this business. And I know they're going to have great careers and long careers ahead of them.

And to our Counsel, Bill Castner, just-- I'm going to miss those phone calls -- the conference calls in the morning and the conference calls at night, and every hour in between.

On a personal note, I must say to you that this is probably one of the most rewarding and emotional experiences that I've encountered in my public career. I am very proud of our achievements and the work that was done -- very, very difficult decisions. And yes, decisions that we made, at the end of the day, there would be a face associated with them. Although, the decision at the time -- we did not put faces with them. We knew they would have consequences, and people would be impacted -- not just legislators, but the people of this great State of New Jersey.

I am not going to let some of the sour grapes that have just been expressed by our Chairman, Chairman Webber here, to hurt my feelings or the experiences that I went through here. I truly believe that the map that we have created is a legal map, it is constitutional, that it's forward-thinking. It reflects each and every one of Dr. Rosenthal's standards and criteria. Whether they were as small as, "Do not connect

Atlantic City and Vineland, do not cross large aquatic areas of water such as the Newark Bay -- linking cities through the water.” We adopted them, and we made sure they were reflected in our map.

I must shout out to the 11th member’s team: Dr. Alan Rosenthal, Dr. Ernie Reock, General Farmer, Dr. Marc Weiner, and future Ph.D. Orin Puniello. Each and every one of them worked day in and day out to bring us together to make this a more competitive map than we have today. And it was their work -- it was their constant recommendations and constant pushing us to come to the middle which makes this a more responsive and fair map; a map that does not reflect a political hit list, a map that reflects New Jersey. (laughter)

Thank you.

MR. PARISI: Senator O’Toole.

SENATOR O’TOOLE: No.

MR. PARISI: Speaker Oliver.

ASSEMBLYWOMAN OLIVER: Yes.

And I would like to make a statement as well, Mr. Chairman.

I, too, as every previous speaker, want to extend my appreciation to the leadership of the Apportionment Commission, Chairmen Webber and Wisniewski; and to my colleagues, as well as the 11th member, who made up the group of 11 Commissioners -- who had the ultimate task, at the end of an arduous process, of casting a vote for a map.

Dr. Rosenthal, I’d like to express my appreciation to the team that you had working with you -- Dr. Reock, Dr. Weiner, and to Orin Puniello.

The staff at OLS, I would like to express our appreciation to you.

And to the incredible technical and support staff that we had on the Democratic side at the Heldrich Hotel. You were incredible to us and with us, and we could not have gotten to today without a great deal of sacrifice on the parts, not only of the members of the Commission, but all of the support people who worked with us.

You know, I often think of the Administration of Governor Christine Todd Whitman. And she appointed a woman to be Secretary of State, whose name was Lana Hooks. Lana Hooks, during her tenure as Secretary of State, created an initiative for Governor Whitman that was known as *Many Faces, One New Jersey*. The Democratic map I have all confidence of knowing represents the philosophy that was put forth during the Whitman Administration.

A lot has been discussed in terms of the open access and equal access to opportunity for minorities to be represented in our State Legislature. Something that I had deep appreciation for during our public hearings was the number of different minority groups that have been identified in the 2010 Census who want to seek political empowerment and represent the voices of constituencies in the areas of the state in which they live -- from the Asian-American community, to the growing Arab-American community in this state, the African-American community, the Latino community. New Jersey has become such a diverse place in the past 10 years. And if we look at population trends, and if we look at the regionalization of commerce and housing, we are going to see a New Jersey

that is truly, truly reflective of where Governor Christine Todd Whitman was taking us.

When I heard from Chairman Webber that this map that the Democrats have put forth does not create opportunity for minorities, I must tell you, as a member of a minority constituency, it certainly does. Our current Legislature is composed of 19 minority people on the Democratic side of the Chambers. We have, in our current Legislature, 14 African-American and Latino members in my House. When I look in the other Chamber, we have four minority members on the Democratic side.

The other thing that I would like to express is that reapportionment must happen. It is constitutional, and maps must be created. But we are leaving out a very important aspect of who gets to represent and speak for constituencies in this state, and that is the process of voting and elections. And I believe, in New Jersey, of course, we have historically had dominance in politics by the two major parties: the Democratic Party and the Republican Party. And the challenge that I would like to offer up to my colleagues on the other side of the aisle is that it all boils down to candidate selection and recruitment. We don't need a map to deal with the recruitment selection and political support for candidates who represent any constituency in this state. Republicans and Democrats alike, at the county level, at the municipal level, within boards and commissions, can make the commitment to outreach and engage everyone in the process. I am confident that this map that I am going to cast a vote for today will ensure that that continues.

And I would challenge the members of the other side of the aisle to feel with confidence that you have every opportunity in the world to

expand participation and to provide political empowerment for any constituency that exists in this state. And you have the opportunity to do that right now, continuing with the operation in the State House.

Thank you, Mr. Chairman.

And I affirmatively cast my vote as yes for this Democratic map.

MR. PARISI: George Gilmore.

MR. GILMORE: No.

MR. PARISI: Assemblyman Cryan.

ASSEMBLYMAN CRYAN: Thank you, Mr. Chairman. If I can, before I cast my vote, I want to take the opportunity to thank everybody who participated in the process, as well.

There is one thing we all agree on: we're all tired. (laughter) And we all look forward to having the opportunity, as Kevin has with his daughter today -- the opportunity to spend some time with our families.

I just want to refresh everybody here about the selection process that went through this, with the 11th member. We all-- Both sides selected three names, and I have to think that when we did the list -- at least I know on our side -- that we never thought there would be a name on both lists. And then when we heard the name -- which I don't mind telling you was an anxious moment for us -- when we heard the name Dr. Alan Rosenthal, I can still remember Bill Castner looking at us and saying, "Well, we're going to get a fair shot." And I think both sides, in their comments to Dr. Rosenthal, agree we all got a fair shot.

I might disagree with my friend Paul Sarlo a little bit when he expressed appreciation to the 11th member about moving us each and every

time, because I can tell you from the Democratic side, we weren't always singing Dr. Rosenthal's praises as we changed each and every map. There were times that we were quite argumentative among ourselves with the difficult choices that the Census and this map brings.

Dr. Rosenthal, to you -- to moving us to a point where we can proudly vote for a map today, to a choice that was difficult for you, is a sign of leadership. Your reputation preceded you by the fact that you were on both lists. And I assure you from the comments from these members here today, it's only enhanced by the selection and the ability to manage this process in the way that you did.

To Dean Farmer and to the rest of your team -- to Ernie, to Marc, and to Orin-- I have a tip to all of you: Don't play poker with these folks. (laughter) We thought at times that we were clearly in a great spot, and we just couldn't get an indication at all either way. I'm sure the other side walked away sometimes with a, "What are they thinking?"

And I do want to share a story. Yesterday, as we waited five hours in the Helderich at the final, Dr. Rosenthal and his team went out and took a walk to get some air. And we sat there and said, "What do you think his walk means? (laughter) What do you think he's thinking?"

We all worked very hard, and in the end we found out the result. But we all found an opportunity to believe in this process. And thank you, again, Dr. Rosenthal, for the opportunity to do that.

I'm proud of this map for the reasons that my colleagues have mentioned. I'm proud to have been associated with such a process that worked so well, so eloquently mentioned on both sides of the aisle. And I'm proud to have associated myself with a map that I believe is a breathing

map for 10 years, a map that provides opportunities -- but I think not only is a Kodak moment in time for today, but a map that we can look back, in 10 years from now, and say helped move, and enhance, and brighten the opportunity for the Legislature to look like New Jersey; and enhance and develop in the issues of the day.

I think back 10 years ago. All of us may not remember this, but the issue of the day was car insurance in those elections. And that was the big thing: Could we ever solve New Jersey's auto insurance problem? When was the last time you thought about auto insurance outside of a Geico or Progressive ad? Things change. And what I hope this map does in 10 years is allow us the reflection that those we elect to lead us can challenge themselves with issues and solve them; and lead to what I hope this map ultimately becomes, which is a map that provides great representation for the people of New Jersey.

I know the process has led us to that. And with great pride and great pleasure, I proudly cast my vote "yes."

MR. PARISI: Vice Chair Nilsa Cruz-Perez.

MS. CRUZ-PEREZ: Mr. Chairman, I just want to say thank you so much for appointing me to this Commission. It has been really an honor to serve with all of the people sitting at this table today.

I just want to say thank you to the staff that we had. These people worked 24/7. They never went to bed. They were tired, but they gave us the right information. I want to say thank you to Tom Bonier, Mark Cassidy (phonetic spelling), Mike Mueller (phonetic spelling), James Gee, Lucia Gomez, and Phil Alagia. Thank you so much. You never went to bed. Thank you for working so hard.

Today, I'm proud to vote for a map that is not only a fair, constitutional, and forward-looking map, but that really represents New Jersey, a state that is diverse, and it will be diverse. And this map today will be the map for the next 10 years, and that is the map that represents New Jersey.

Thank you, and my vote is absolutely yes.

MR. PARISI: Vice Chair Irene Kim Asbury.

MS. KIM ASBURY: No.

MR. PARISI: Chairman John S. Wisniewski, Assemblyman.

ASSEMBLYMAN WISNIEWSKI: Thank you.

The toughest class I ever took in New Brunswick was not during my undergraduate days, it was Dr. Rosenthal's *Map-making 101*. Dr. Rosenthal not only set very difficult standards for us all to meet, it resulted in many of us having to reflect upon the values we have as legislators and as policy makers to understand that a fair map requires sacrifice, a fair map requires making choices that are difficult. And I can assure you that, in a process that myself and my colleague Commissioners went through in the Democratic room at the Heldrich, there were many tough decisions that we made.

And those decisions were made upon the standards that Dr. Rosenthal and his staff-- And I just have to thank them all -- Dr. Rosenthal for your quiet intensity, for your tough standards, and the absolute inability to discern anything from anything you did. I have to tell you, there were hours where many of us were in the hallway watching you walk somewhere, and we were saying, "What do you think that means?" If you came for coffee or tea, we were just debating whether that meant something. And for

the rest of your staff as well -- Dr. Weiner, Orin Puniello, and Dr. Reock, and General Farmer -- you provided a sound middle ground that grounded us all in firm map-making principles that were a process that developed a map that I am proud today to cast my vote in support of.

It is a map that provides a fair opportunity for both parties, given the appropriate political tide, to have control of the Legislature. It is a map that increases -- it increases opportunities to have a more diverse Legislature. It is a map that minimizes population deviations. It is a map that is forward-looking, it is fair, it is constitutional. And for all of those reasons, I cast my vote yes.

MR. PARISI: Chairman Jay Webber, Assemblyman.

ASSEMBLYMAN WEBBER: Thank you.

Echoing all of the comments, and sentiments, and gratitude to the Commissioners, the staff of OLS, and Dr. Rosenthal--

I want to comment on one thing that Dr. Rosenthal said, because in 10 years there will be another Commission and another map-drawing process. And I think there is a fundamental issue we need to think about going forward in that next process. And Dr. Rosenthal said that this is a Democratic state, and you should have a map that reflects that. And respectfully, we've made this argument before: The notion that you start from the premise that something is a Democratic state, or the state is a Democratic state, and draw the map to fit that puts the cart before the horse and seems to be circular. I would think that you would draw a fair map, and then run elections and see if the state really is a Democratic or Republican state. And in a state where we have a Republican Governor, a state in which in 2009 Republicans got more votes for the State Assembly

than Democrats, a state in which in 2010 Republican congressional candidates got more votes than Democratic congressional candidates, I suggest that this state is not a blue state or a red state, but a purple state. It's a competitive state. And to start from the premise that this is a Democratic state, and we need to draw a map that reflects that, I think is a faulty premise. And when we come back here in 10 years -- I don't know if any of us are coming back here in 10 years to do this again except Dr. Reock. When the next Commission meets, I think we have to think hard about those kinds of premises. Because to assume that the state acts one way, and to build the map accordingly, I think gets it backwards.

I want to ask Dr. Rosenthal if he would entertain a couple of questions about his reasoning and other issues that have arisen during the map -- map-making process.

DR. ROSENTHAL: No, Mr. Chairman, I wouldn't.

ASSEMBLYMAN WEBBER: Okay. And that's certainly your prerogative, Dr. Rosenthal. It's disappointing. This has been a process, as Chairman Wisniewski had said earlier -- was one that had an unprecedented level of transparency and public input. And to put a couple of issues on the table now and get some explanations would be helpful.

But I want to point out again, before the final vote is cast, alongside the issues and the questions that remain regarding statistical analyses and other measurements of partisan fairness that, to this day, we're not quite sure what they are, or how they were run, or how the Democrats ran them-- We have a deviation -- a population deviation problem in the map. Twelve of the 14 southern most districts in this map are overpopulated. Fourteen of the 20 districts in the South in this map have --

are over the ideal population; 14 of the 20 districts in the North are underpopulated. Again, that means that as -- when the voters go to the polls this year, the votes cast by people in the northern part of the state will count for more than the votes cast by the people in the southern part of the state.

As population continues to grow in Gloucester County, and Ocean County, and in our southern counties that deviation problem will only exacerbate. And so one of the many reasons why we put together a map that is very different from the one that we're going to complete our vote on now, is the seemingly deliberate overpopulation of districts in the southern part of the state as opposed to the northern part of the state.

And so for that, and for the many reasons I noted in my introduction, I will be voting no.

MR. PARISI: The final vote on the motion is six in favor and five against, the motion carries.

ASSEMBLYMAN WISNIEWSKI: Thank you very much.

Before we adjourn, just a housekeeping note: Many of you may want to get a copy of the map and data related to the map. Mr. Parisi, to my rear, from the Office of Legislative Services, has said to give him about an hour and he will have all of the information you need in Room 277 in this building, which is the State House Annex, second floor -- Room 277.

This meeting is adjourned.

(MEETING CONCLUDED)