

OFFICE OF ADMINISTRATION  
DIVISION OF BUDGET AND PLANNING  
REDISTRICTING OFFICE

TRANSCRIPT OF PROCEEDINGS

SENATE APPORTIONMENT COMMISSION

January 20th, 2012, 2:30 p.m.

University of Missouri - Kansas City

School of Law Building

500 East 52nd Street

Kansas City, MO 64131

COMMISSIONERS:

Doug Harpool, Chairman

Marc Ellinger, Vice Chairman

W. Mitchell Elliott

Nick Myers

Trent Skaggs

Todd Patterson

COMMISSIONERS (Telephonic):

Nicole Colbert-Botchway

Jean Paul Bradshaw

Steve Ehlmann

OA STAFF:

Matt Hesser

INDEX

	ITEM/WITNESS:	PAGE NO.
1		
2		
3	I. Introductions	3
4	II. Public Comments	6
5	James Thomas	8
6	Ben Wierzbicki/Josh Hurlbert	19
7	III. Other Commission Business	53
8	IV. Announcements	54
9	V. Adjourn	55

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

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

2 (Starting time of the Hearing: 2:37

3 p.m.)

4 I. Introductions

5 CHAIRMAN HARPOOL: This Hearing of Senate  
6 Apportionment Commission is called to order. My  
7 name is Doug Harpool. I am Chairman of the Senate  
8 Apportionment Committee. We are here to hear  
9 public testimony on the redistricting process.

10 Let me make a few announcement to begin  
11 with. First, as you know, this is the second  
12 Reapportionment Commission attempting to redraw  
13 districts for the next decade. All testimony  
14 presented at hearings held by the first Commission,  
15 which were transcribed, have been made part of the  
16 official record of this Commission. So if someone  
17 did testify at the prior hearing, you can rest  
18 assured your testimony will be considered by this  
19 Commission also. You should feel free to testify,  
20 if you wish, but do understand that we do have a  
21 verbatim transcript of your prior testimony and we  
22 have reviewed those and we'll consider them.

23 You should understand that our job was  
24 to rewrite districts based on population shifts.  
25 We have a significant challenge in that we've had

1 some districts gain 60,000 people - 50,000 to  
2 60,000, and others lose tens of thousands of  
3 people, and in order to comply with Federal law and  
4 State law, we need to make those roughly equal.  
5 They don't have to be exactly equal under State  
6 law, which is a little more liberal than it is for  
7 Federal law.

8 We also have certain rules and  
9 restrictions regarding crossing boundaries,  
10 compactness, the Voting Rights Act in terms of  
11 majority and minority districts, all of which we  
12 have to consider in writing new districts.  
13 Typically, districts are written along census  
14 blocks, which are not our decision, but the  
15 decision of the U.S. Census, and sometimes if the  
16 lines look squiggly when we're done, it's not our  
17 doing, it's following the Census lines and blocks.

18 Before we get started, why don't I have  
19 each of the Commission members - now, some of us  
20 are attending by phone, others in person, but we'll  
21 start on my left and if you'd introduce yourself to  
22 the audience, so you'll be on record.

23 COMMISSIONER MYERS:: I'm Nick Myers.

24 I'm a Commissioner from Joplin, Missouri.

25 COMMISSIONER ELLINGER: I'm Marc

1 Ellinger. I'm from Jefferson City, Missouri. I  
2 serve as Vice Chairman.

3 CHAIRMAN HARPOOL: I am Doug Harpool, the  
4 Chairman. I'm from Springfield, Missouri. I  
5 practice law in the law firm of Baird, Lightner,  
6 Millsap, and Harpool, and I was ten years in the  
7 Missouri General Assembly many years ago.

8 COMMISSIONER PATTERSON: Todd Patterson  
9 from Kansas City.

10 COMMISSIONER SKAGGS: Trent Skaggs from  
11 Clay County.

12 COMMISSIONER ELLIOTT: Mitch Elliott from  
13 Kansas City.

14 CHAIRMAN HARPOOL: And then joining us on  
15 the phone, would you introduce yourselves?

16 COMMISSIONER BOTCHWAY: This is Nicole  
17 Botchway from St. Louis, Missouri.

18 CHAIRMAN HARPOOL: It's Nicole?

19 COMMISSIONER BRADSHAW: This is Jean Paul  
20 Bradshaw from Kansas City. Ironically, I'm not  
21 there for the Kansas City area. Today, I'm  
22 somewhere between Trenton and-

23 CHAIRMAN HARPOOL: I'll tell you Nicole  
24 works for the Attorney General's Office in the St.  
25 Louis Office. Jean Paul Bradshaw, you may know, is

1 a former U.S. Attorney. And then, is Steve Ehlmann  
2 on the line?

3 COMMISSIONER EHLMANN: Yes. Steve  
4 Ehlmann, St. Charles County Executive.

5 CHAIRMAN HARPOOL: Okay. So we are all  
6 present, either by phone or-

7 COMMISSIONER ELLINGER: Except for Lowell  
8 Pearson.

9 CHAIRMAN HARPOOL: I'm sorry. Lowell  
10 Pearson is from Columbia, Missouri, and he told us  
11 he was not going to be able to be here.

12 COMMISSIONER ELLINGER: He said if his  
13 hearing got out in time, he may try to come by but  
14 we don't anticipate that.

15 II. Public Comments

16 CHAIRMAN HARPOOL: Let's start hearing  
17 from the public. Let me tell you that we are going  
18 to ask people to fill out forms like this is you're  
19 going to testify. Your form will be part of the  
20 record.

21 Some people have already filled these  
22 forms out. We will call witnesses in the order  
23 that the forms were turned in. If you wish to  
24 testify and don't have a form, go out in the  
25 hallway and get one now, so you won't be last on

1 the list.

2 COMMISSIONER ELLINGER: Mr. Chairman,  
3 before we start, we'd like to thank the University  
4 of Kansas City for hosting this.

5 MS. FINES: I'm Barbara Glesner Fines.  
6 I'm Associate Dean of the Law School here and I  
7 want to welcome you all to our facility and to the  
8 Courtroom in particular. I wanted to let you know  
9 that there are bathrooms down this hall, and down  
10 this hall about halfway down the building on your  
11 right, you'll find restrooms, as well.

12 This is a State university, the  
13 University of Missouri Kansas City School of Law.  
14 You are welcome here and we'd like you all to enjoy  
15 your visit and let us know if there's anything that  
16 we can do to assist you in your process. Thank you  
17 so much for coming.

18 CHAIRMAN HARPOOL: Well, we thank you.  
19 We certainly thank you and the University for your  
20 assistance in this regard. This only happens every  
21 ten years and it's a very important process, and it  
22 starts with citizens. I should say that if we  
23 citizens fail in our jobs to agree on a map, then a  
24 judicial panel is appointed and will take over the  
25 job of trying to write districts for the next

1 decade. The first witness appearance form on the  
2 top of my list is James Thomas. Mr. Thomas, come  
3 forward, please?

4 MR. THOMAS: James Thomas, 5920 Northwest  
5 96th Terrace, Kansas City, Missouri. I'm an  
6 interested citizen. I just read about your hearing  
7 on John Combest this morning and pulled up your new  
8 Harpool 2-18-2012 Map.

9 I understand the Harpool map is not an  
10 official map, it's just one guy's suggestion, you  
11 know, and everybody's trying to work towards  
12 reaching a solution. You kept the 34th in one  
13 unit. Pretty much everybody's map seems to do  
14 that, because it almost has the exact number of  
15 people that you need.

16 Looking at at least my part of the  
17 universe, it's kind of odd that the new 18th would  
18 propose to stretch all the way across from the  
19 Nebraska, Kansas, all the way to Illinois. You  
20 know, I realize our congressional seat is probably  
21 going to look like that, but there's a big  
22 difference between being a Congressman and a State  
23 Senator and representing 180,000, 190,000 people  
24 and representing 750,000 people.

25 That's way too far to expect a State



1 Senator to try to have a connection with his  
2 citizens. You can't make it to county commission  
3 hearings in different places. It's really, really  
4 hard to go see your people when you have that much  
5 geographic territory to cover.

6 Now, I'm sure that people in Clark  
7 County probably have some similarities to people in  
8 Atchison County, but I'm also guessing very few  
9 times have people from Atchison County been to  
10 Clark County. It just doesn't have that kind of  
11 connection. I appreciate that your challenge is  
12 you cannot split counties, okay, unless, you know,  
13 the certain limited rules that we all know that the  
14 judicial panel apparently didn't understand, and so  
15 that makes it harder. And so you end up with some  
16 weird shapes in this process.

17 But to try to ask a district to stretch,  
18 what is this, 250 miles, that's a long way for  
19 somebody to deal with. And, you know, it's sort of  
20 like an old Edsel or something where people are  
21 trying to come up with something and it just looks  
22 really ugly in the process. I appreciate your  
23 efforts and which that also drives a lot of your  
24 other districts, because you're trying to keep  
25 counties. You're trying to follow the rules that

1 require you to keep counties together and you end  
2 up stretching way too far in a lot of places.

3 So that's my concern, and I thank you  
4 for your time.

5 CHAIRMAN HARPOOL: Thank you for your  
6 testimony.

7 COMMISSIONER ELLINGER: May I inquire?

8 CHAIRMAN HARPOOL: Yes, you may.

9 COMMISSIONER ELLINGER: Sir, are you from  
10 Kansas City, Jackson County?

11 MR. THOMAS: No, absolutely not.

12 COMMISSIONER ELLINGER: Are you in Clay  
13 County?

14 MR. THOMAS: No.

15 COMMISSIONER ELLINGER: What part of the  
16 area are you from?

17 MR. THOMAS: I live in Platte County.

18 COMMISSIONER ELLINGER: Platte County.

19 MR. THOMAS: The good part of Kansas  
20 City.

21 COMMISSIONER SKAGGS: The Northland.

22 CHAIRMAN HARPOOL: You may not know that  
23 the only two districts in the state-

24 MR. THOMAS: Yeah, one was mine.

25 CHAIRMAN HARPOOL: -that all of the maps

1 had agreed on and yours was one of them, and that's  
2 just because of population, you don't really have  
3 any choice. Platte and Buchanan have to be  
4 together, because if you move in any other  
5 direction, it doesn't fit. The other one is down  
6 in Newton and Jasper County in the Southwest.

7 MR. THOMAS: Now, understand that I'm not  
8 here in any other official capacity, but I've been  
9 Chairman of the 6th Congressional District for a  
10 number of years and so I interact with folks all  
11 across the existing 6th Congressional District.  
12 So, you know, I travel a lot between the 12th - the  
13 old 12th, which is part of this 18th, and the 17th  
14 and 34th, a broad territory of folks.

15 COMMISSIONER ELLINGER: Well, I notice  
16 that the proposed 18th District on this map that  
17 you're relaying your concerns to, includes a fair  
18 amount of Clay County. Are you familiar with that  
19 part of Clay County?

20 MR. THOMAS: Very much so, and it does  
21 seem odd that it proposes to dip down in that  
22 fashion. There was - I think one of the judicial  
23 panel's maps took the old 12th and proposed to dip  
24 down into Clay County in a somewhat similar manner.  
25 Not exactly the ideal approach, but my bigger

1 concern is creating districts that are so big that  
2 if you were a Senator wanting to serve your people,  
3 there's no way you could get from Atchison to Clark  
4 County. I mean, it's just too far.

5 COMMISSIONER ELLINGER: And I realize  
6 that you're not from Clay County, but it sounds  
7 like you have a pretty good understanding of Clay  
8 County. Do you find that Clay County has much in  
9 common with Lewis County or Clark County?

10 MR. THOMAS: They're not really - they  
11 don't really have any type of connection with each  
12 other. I know that the Chairman from Clay County  
13 is here, and I'm sure he will be able to testify to  
14 that specifically.

15 Our family farm we've had since 1832 is  
16 at the far northwest corner of Clay County and  
17 Platte County. We actually are basically on the  
18 border of those three counties, Clinton, Clay, and  
19 Platte, so.

20 CHAIRMAN HARPOOL: Thank you.

21 COMMISSIONER MYERS: Mr. Thomas, well, I  
22 may be the only person on this panel old enough to  
23 remember what an Edsel looked like, but did you get  
24 that reference from the way that Clinton, and I  
25 guess the northern part of Clay, sort of dip down,

1 and the Edsel has sort of a oval with a flattened  
2 top, and it was kind of seen that way by the  
3 public, but it had sort of a shield on the front of  
4 it. That somewhat reminds me of an Edsel. I'm  
5 also able to tell you that-

6 CHAIRMAN HARPOOL: Do you have a  
7 question?

8 COMMISSIONER MYERS: Well, I guess maybe  
9 that's more of a comment. I'm not holding anybody  
10 up too much here, I think. But also, I might add,  
11 Chairman, that Dade County, which is the current  
12 configuration with Jasper and Newton would fit in  
13 my reading of the Constitution as being includable  
14 in the 32nd Senatorial District.

15 CHAIRMAN HARPOOL: None of the maps  
16 included Dade that I've seen. But you're correct,  
17 you could do that if you wanted, too. You  
18 mentioned the Congressional redistricting and, as  
19 you know, we have no authority over that.

20 MR. THOMAS: Correct.

21 CHAIRMAN HARPOOL: That was done by the  
22 legislature. You said they did put all of those  
23 northern counties in the same Congressional  
24 District?

25 MR. THOMAS: Essentially. But they have

1 to get 750,000. Your target is more in the 190-

2 CHAIRMAN HARPOOL: 170-

3 UNKNOWN: 176.

4 MR. THOMAS: Okay, so your target number  
5 is like a fourth to a fifth of their target number,  
6 so you don't have to stretch as far to find as many  
7 people.

8 CHAIRMAN: Correct. Any other questions?

9 COMMISSIONER PATTERSON: Mr. Chairman.

10 What communities exist in that part of Clay County,  
11 in that northeast section?

12 MR. THOMAS: Well, it's hard to tell for  
13 sure how far down you dip in this particular  
14 picture I have here because I've just got a picture  
15 that's the entire state. But you're basically  
16 looking at Smithville and Kearney are two of the  
17 primary communities.

18 And the interesting thing is when I grew  
19 up in Smithville, it had a population of about  
20 1,800. It now has a population closer to 8,000.  
21 And we were a little rinky-dink II-A school and now  
22 we are a IV-A school. And Kearney was slightly  
23 bigger than us and now Kearney is also similarly  
24 sized, a much larger type of community that has a  
25 clear connection with - it's sort of a bedroom

1 communities that have connections with people that  
2 drive to jobs in the city frequently, rather than  
3 driving the other way out into farm country.

4 COMMISSIONER PATTERSON: Are there  
5 agricultural interests in that part of Clay County?

6 MR. WIERZBICKI: We'd like to speak from  
7 Clay County.

8 MR. THOMAS: Well, I would defer to Mr.  
9 Wierzbicki for that.

10 MR. PETERSON: Thank you.

11 CHAIRMAN HARPOOL: If you want to answer  
12 that question, go ahead. You're not prohibited  
13 just because someone else wants to answer it too.

14 MR. THOMAS: I understand, but I've  
15 expressed my concern about the long stretch and I'm  
16 good deferring to Ben and so if he has something  
17 particular to add, I'm sure he can give you advice  
18 and if I don't like what he says, I can send you a  
19 personal note later.

20 CHAIRMAN HARPOOL: Thank you. Any other  
21 questions?

22 COMMISSIONER SKAGGS: Yes.

23 CHAIRMAN HARPOOL: Go ahead.

24 COMMISSIONER SKAGGS: I would just like  
25 to point out, though, that Senator Munzlinger came

1 to the meeting yesterday at Jefferson City and even  
2 to his own statement, has recognized the fact that  
3 his district will probably be one of the largest in  
4 the entire State of Missouri.

5 So even he recognizes the fact that it's  
6 not an easy task and that even if we drew the most  
7 compact and tightest district, it's still going to  
8 be very large and very similar to what we have here  
9 unless, for some reason, he goes down and dips into  
10 Lincoln County and St. Louis and draws from that  
11 population, which I don't think he's interested in  
12 doing. So he recognizes that there is a problem.  
13 So I just wanted to make that-

14 MR. THOMAS: I understand that the Senate  
15 Districts in the northern half of Missouri will be  
16 big, okay. I even just testified that I think it's  
17 a bad idea to have a Senate District that stretches  
18 from opposite ends of the state, and it would be  
19 better to combine some of these folks in the -  
20 what's this, 12th District with, you know, Daviess  
21 and Grundy and some of those people who, by the  
22 way, have been together in the 12th for at least 20  
23 years.

24 I mean, it's been a common district for  
25 a long time, and it would be better suited to cut



1 it more down the middle. Instead of making a long  
2 skinny district where I don't even think there's a  
3 road that really runs from, you know, Atchison to  
4 Clark counties. You've got to kind of go down to  
5 36 find a better road and cut across and then cut  
6 back up.

7 I mean, I think it would be better  
8 suited to draw districts that cut the northern half  
9 of Missouri more in half, rather than stretch the  
10 whole way by itself.

11 COMMISSIONER SKAGGS: And I would also -  
12 if you go back to yesterday, or I guess it was on  
13 Saturday, we actually took the record from 2011 and  
14 submitted that as part of the official record for  
15 2012. So I encourage you to go back and look at  
16 that because that's exactly what was proposed by  
17 some of our Commissioners in the last process and  
18 there was a complaint that we had too many of those  
19 that reached up to the Iowa border, so  
20 subsequently, that's why we tried to do this, to  
21 try to compromise on that and try to solve some of  
22 those issues, but apparently that didn't work.

23 CHAIRMAN HARPOOL: We proposed a district  
24 that had three districts that bordered Iowa and the  
25 Republicans rejected it, so. Mr. Myers?

1 COMMISSIONER MYERS: Mr. Thomas, did you  
2 hear Senator Munzlinger's testimony?

3 MR. THOMAS: No, I did not. I'm sorry.

4 COMMISSIONER MYERS: He was not real  
5 pleased with this design, although he admitted he  
6 would have to take a number of counties, this was  
7 clearly not his preferred position. In fact, he  
8 came in on Sunday to Jefferson City to testify and  
9 question the design of this map. So his concern  
10 was not with the number of counties, it was with  
11 the arrangement in this map.

12 COMMISSIONER ELLINGER: Mr. Chairman?

13 CHAIRMAN HARPOOL: Go ahead.

14 COMMISSIONER ELLINGER: I would point  
15 out, sir, that the prior Commission no longer  
16 exists. Those maps that were created in 2001,  
17 while we've incorporated in the record, are not  
18 proposals that have been submitted by this  
19 Commission.

20 As of today, we can very accurately  
21 point out that this is the only proposal that's  
22 been submitted by any of the Commissioners. It's  
23 one - it is not a formal product of the entire  
24 Commission. It is one concept and it is one that,  
25 you know, I think we have interest in hearing

1 comment on that.

2 I think we share many of your concerns.  
3 I think all of us, my fellow Commissioners,  
4 expressed their concern, too, about that very  
5 lengthy commute - I think Senator Munzlinger said  
6 it's 231 miles from corner to corner if you go from  
7 Illinois to Nebraska-

8 COMMISSIONER MYERS: I've heard 255, but  
9 maybe.

10 CHAIRMAN HARPOOL: If you would like to  
11 re-propose that map I was mentioning, I'd be glad  
12 to vote for it again. Thank you for your time.

13 MR. THOMAS: Thank you.

14 CHAIRMAN HARPOOL: Ben Wierzbicki? Help  
15 me with your last name, sir, I'm sorry.

16 MR. WIERZBICKI: Wierzbicki.

17 CHAIRMAN HARPOOL: Wierzbicki. Please  
18 come forward, sir.

19 MR. WIERZBICKI: Excuse me for  
20 interrupting there, because we were going to come  
21 up and answer your question for Clay County here  
22 real quick.

23 CHAIRMAN HARPOOL: Go ahead.

24 MR. WIERZBICKI: Thank you very much.  
25 Ben Wierzbicki. I'm the Chairman of the Clay

1 County Republican Central Committee and to my right  
2 is Josh Hurlbert. He's also on the Committee with  
3 us. Josh, the reason why he's here, he's a  
4 graduate of Park College with a Degree in  
5 Geography, Magna Cum Laude, from Park. And one  
6 thing I want to say is, thank you, gentlemen, for  
7 taking the time to do this. This is an American  
8 thing and hopefully, we'll work together to get  
9 this done properly and right. And that's what we  
10 have to have.

11 And we fully respect all the concerns  
12 that everybody has in this process of putting the  
13 maps together. And also, we'd like to thank Trent  
14 Skaggs, a Clay Countian, who has turned out and  
15 he's done a wonderful job in his consensus for his  
16 people in Clay County. Thank you, Trent.

17 COMMISSIONER SKAGGS: Thank you.

18 MR. WIERZBICKI: Josh will take over the  
19 presentation now and then we'll answer any  
20 questions that you have.

21 MR. HURLBERT: Well, first off, I'd just  
22 like to state our community's concerns with the  
23 way, at least in the initial map here for the 2012  
24 Commission, that Clay County has been divided into  
25 three Senate Districts. Now, our population does

1 require us to be a divided multi-district county;  
2 however, the way we see the Constitution is that we  
3 can only be divided into two districts.

4 The way that's evidenced, at least from  
5 our point of view, is the Supreme Court, when it  
6 ruled this past winter that the Senate lines as  
7 drew by the last Commission were unconstitutional,  
8 one of the counties that they pointed out was  
9 Greene County, which was a county roughly the size  
10 of Clay County. It was a multi-county district -  
11 or a multi-district county, and it was divided into  
12 three when it should have only been cut into two  
13 districts. And that was one of the key points that  
14 the Supreme Court pointed out why they invalidated  
15 the previous map.

16 Just going through, I mean, you look at  
17 the way - even the Court Justices on the Appellate  
18 Court Commission, when they first drew their first  
19 map that was labeled unconstitutional, they had  
20 Clay County drawn into three. When they went back  
21 and tried to draw a second map, which evidently was  
22 not allowed either, that map had Clay County in two  
23 districts in reference to the constitutionality  
24 questions.

25 Now, with Clay County, it's a growing

1 county, but still has a lot of rural interests, as  
2 well. I was born in Smithville, I grew up in  
3 Smithville, I still live in Smithville. And if I  
4 drive from Smithville to Kearney, there's a couple  
5 of hog farms on the side of the highway. And it's  
6 still, I mean, when you get into northern Clay  
7 County, it's still a rural, farm, agricultural  
8 driven area.

9 That's why we would like to suggest to  
10 the Commission here that Clay County would be drawn  
11 into districts, a southern and a northern district  
12 in reference to those different communities of  
13 interest in Clay County. A southern district which  
14 would be roughly the existing 17th District, would  
15 also encompass a lot of the North Kansas City and  
16 Liberty school districts. It would be clean cut.  
17 It would not cross any lines when it comes to  
18 precincts, and it would be within a percentage  
19 point of the perfect map that we're looking at  
20 here.

21 And with the rural areas, we would like  
22 to consider those areas more included with Ray  
23 County and then out to the east, because Excelsior  
24 Springs is a dual county city and any dividing  
25 along the county line there, we're real concerned

1 with dividing the city up. I understand sometimes  
2 that's unavoidable, especially when you get to  
3 larger cities, but if at all possible, we would  
4 like the Commission to consider drawing northern  
5 Clay in with Ray County. With that, I guess I'll  
6 take any questions.

7 CHAIRMAN HARPOOL: Thank you. Are you a  
8 lawyer?

9 MR. HURLBERT: I'm not a lawyer. I hold  
10 a degree in Geography from Park University.

11 CHAIRMAN HARPOOL: I'll tell you that  
12 lawyers don't necessarily agree with your  
13 Constitutional analysis, but I appreciate it and  
14 you might be right, we don't know because there's  
15 no definitive case.

16 Clay County is a multi-district and it  
17 is next to Jackson, which is a multi-district  
18 county, and the example you cited in Greene is when  
19 you have a multi-district county next to a non-  
20 multi-district county, and not two multi-districts  
21 next to each other.

22 And in the St. Louis area every map that  
23 has been offered by the Republican Party so far  
24 violates what you consider to be Constitutional  
25 rules. As do both maps proposed by the Court. If

1 you're right on the definition of the Constitution,  
2 I'm the only one that's offered a Constitutional  
3 map so far in the last eight months. Every map  
4 offered by the Republicans, the most recent one,  
5 takes St. Louis County into multiple counties  
6 because it's a multi-district next to multi-  
7 district counties.

8 However, I understand your argument and  
9 I appreciate it, and it's very fair for you to  
10 advance it. And I don't mean to criticize that, I  
11 just wanted to let you know that there's  
12 disagreement among the lawyers about that.

13 COMMISSIONER ELLINGER: Speaking as a  
14 lawyer, also, I think most lawyers will agree that  
15 you should endeavor not to split counties any more  
16 than you absolutely have to. In looking at Clay  
17 County, which I believe has a population of-

18 MR. HURLBERT: 221,000.

19 COMMISSIONER ELLINGER: It's clear that  
20 one full district would come under that and there  
21 would be a remainder of maybe, what, 35, 40,000  
22 people, something like that. It seems to me and  
23 from your perspective - I see the map that you all  
24 have proposed which is, obviously, only involving  
25 Clay County, and as we've all discussed, there is a



1 lot of impact on other counties-

2 MR. HURLBERT: Any changes ripple across  
3 the state, absolutely.

4 COMMISSIONER ELLINGER: If you could,  
5 with respect to the proposal that you have inside  
6 of Clay County, when I look at the eastern side of  
7 Clay County, Excelsior Springs, Junction, Missouri  
8 City, that area, does that also tend to be more  
9 agricultural or rural?

10 MR. HURLBERT: Yes, very much so.

11 COMMISSIONER ELLINGER: And when I look  
12 up I-35 going in to Kearney, going up - I'm not  
13 sure what highway this Smithville is at, 169?

14 MR. HURLBERT: Highway 169.

15 COMMISSIONER ELLINGER: It's my  
16 understanding that that's predominantly commuter  
17 traffic that's coming into Kansas City, northern  
18 Kansas City, or central Kansas City, employees?

19 MR. HURLBERT? No.

20 COMMISSIONER ELLINGER: No?

21 MR. WIERZBICKI: That's very rural in  
22 that area. There's a lot of hog farms, cattle  
23 farms and crop farmers up in that area. Coupled  
24 with what you're saying there, at the same time,  
25 that's where the break comes in as far as the

1 county is.

2 The reason why we designed this map, you  
3 will notice on the blue portion of the map, there's  
4 two large school districts in Clay County. There's  
5 North Kansas City and Liberty. North Kansas City  
6 has approximately-

7 MR. HURLBERT: Four high schools.

8 MR. WIERZBICKI: -four high school and  
9 Liberty now has two high schools in what are the  
10 two largest areas now. The rest of the area, if  
11 you go circle around that, from Smithville to  
12 Kearney to Excelsior Springs, all those schools are  
13 of the same economic and status as far as size is  
14 concerned, within a couple hundred, 300, something  
15 that of student population in those areas and the  
16 communities are all pretty much the same as to how  
17 they work.

18 Now, the break comes in, it's on that  
19 side when we go north and you get rural or when you  
20 go east and you get rural. And then, you know, the  
21 further you go, you get more rural as you go. The  
22 further you come in, you get more suburban, as in  
23 North Kansas City.

24 COMMISSIONER ELLINGER: Generally, where  
25 do you get your news and information when you live

1 in Kearney or Smithville? Is it probably from  
2 Kansas City or outlets?

3 MR. WIERZBICKI: We get it from several  
4 sources. One from St. Joe, is one source we have.  
5 We have television stations coming out of St. Joe.  
6 We also get it from Kansas City. And we also have,  
7 depending on what cable group you're in and how it  
8 stretches, depending upon how far east you go, like  
9 Mediacom in our area has - Mediacom is based out of  
10 Richmond, Excelsior and Lawson and that area. And  
11 if you have Time Warner, et cetera, it depends upon  
12 how-

13 COMMISSIONER ELLINGER: Are you familiar  
14 with Lewis and Clark County?

15 MR. WIERZBICKI: Yes.

16 COMMISSIONER ELLINGER: Are you familiar  
17 with the Quincy media market?

18 MR. WIERZBICKI: No.

19 COMMISSIONER ELLINGER: -Quincy, Illinois  
20 to Clay County?

21 MR. WIERZBICKI: Quincy, Illinois?

22 COMMISSIONER ELLINGER: Yes. Your  
23 district would go from Quincy, Illinois to northern  
24 Clay County, we're talking about the Harpool map.

25 MR. WIERZBICKI: You would have to take

1 some population away from those areas because,  
2 right now, the way I looked at the Harpool map, if  
3 I understand it correctly, that it incorporates  
4 most of Jackson County all the way up into  
5 Excelsior Springs, northern Excelsior Springs, and  
6 the north half of Clay County stretches all the way  
7 over there. And then you get into real rural if  
8 you head that way. And we're talking about two  
9 different-

10 COMMISSIONER ELLINGER: Well, I guess my  
11 question is, do folks in northern Clay County have  
12 a lot in common with the people in Quincy,  
13 Illinois?

14 MR. WIERZBICKI: Absolutely not.

15 COMMISSIONER ELLINGER: But they would be  
16 in the same district under the Harpool proposed  
17 map. So you understand that?

18 CHAIRMAN HARPOOL: I don't believe  
19 Quincy, Illinois is in any map.

20 COMMISSIONER ELLINGER: But I believe  
21 West Quincy, Illinois is in Lewis County.

22 UNKNOWN: It's right across the river.

23 CHAIRMAN HARPOOL: I don't believe  
24 Springfield, Illinois is in any either.

25 COMMISSIONER ELLINGER: Is the

1 Mississippi River an important element of trade in  
2 the middle of northern Clay County?

3 MR. WIERZBICKI: No, sir.

4 COMMISSIONER ELLINGER: Okay.

5 CHAIRMAN HARPOOL: Any other questions?

6 MR. WIERZBICKI: We'd like to make a  
7 couple combinations that we proposed the map, which  
8 was part of the record originally-

9 CHAIRMAN HARPOOL: Yes.

10 MR. WIERZBICKI: -and that was where we  
11 tried to incorporate going east in the same 21st  
12 Senatorial District as it is designed presently as  
13 much as we could. We also - and Josh came up with  
14 this and he had a good reason for this is that  
15 there's a significant loss in population in  
16 northwest Missouri and you have to grab it from  
17 someplace.

18 And so that's why when we originally  
19 proposed, we went that way and we felt like you  
20 could grab some of the northern half of that rural  
21 area in the 21st and move it over into that 12th.  
22 Now, that's one area of how that can be  
23 accomplished instead of going all the way over to  
24 the Mississippi River like you're talking about.

25 The last map the Judges came up with had

1 us going from part of northern - encompassing Ray  
2 County, and the line went all the way north all the  
3 way upto Harrison County to the Iowa line, across  
4 to Maryville, down around Buchanan County, took in  
5 Andrew County and all the way down this way.

6 That's not bad.

7 I mean, we could - there's more  
8 continuity there because you had towns like  
9 Savannah and Maryville are in the same athletic  
10 conference as Smithville and Excelsior plays a lot  
11 of those schools within that same academic. And a  
12 lot of those towns are about the same size and have  
13 the same needs as we have there.

14 That map was very suffice - something's  
15 got to give because of the lack of population north  
16 of us, but there's a need down here, too, and we  
17 feel like our northern half of the county matches  
18 better north than way down here in Kansas City and  
19 Jackson County, economically.

20 CHAIRMAN HARPOOL: And I understand that  
21 you're saying the north part of your county is  
22 largely agriculture and fits with the counties in  
23 the north part of the State.

24 MR. WIERZBICKI: Yes, sir.

25 CHAIRMAN HARPOOL: Yes, sir?

1                   COMMISSIONER ELLIOTT: When people in  
2 northern Clay County shop, do they drive north or  
3 do they drive south?

4                   MR. WIERZBICKI: If you're in the  
5 Smithville area, you either-

6                   COMMISSIONER ELLIOTT: No, northern, the  
7 whole area.

8                   MR. WIERZBICKI: I'm talking about-

9                   COMMISSIONER ELLIOTT: Northern.

10                  MR. WIERZBICKI: Exactly. If you're in  
11 the Smithville area, they go two places. They go  
12 to St. Joe or they come to Kansas City. If you're  
13 in the Kearney, Excelsior Springs area, they're  
14 pretty self-contained, depending UPon what other  
15 needs they have. They have grocery stores and  
16 other needs like that.

17                  Sometimes they go into Liberty. There's  
18 a lot of stores at Liberty, like Dress Barn and  
19 things like that, which is thirteen miles away from  
20 Excelsior and also from Kearney, a short distance,  
21 and Smithville. But it depends on where you're at  
22 in the county. It has a fluctuation. But that  
23 also encompasses Clinton County up north-

24                  COMMISSIONER ELLIOTT: Do they drive to  
25 Clinton County to shop?

1 MR. WIERZBICKI: No. What I'm saying is  
2 Clinton County comes down into Clay County to shop.

3 COMMISSIONER ELLIOTT: Yes, they drive  
4 south.

5 MR. WIERZBICKI: And all those others  
6 come down into Platte County to shop, also into  
7 Platte County, too, at the same time.

8 COMMISSIONER ELLIOTT: And if they're  
9 going to doctors or hospitals, they generally go  
10 south to Excelsior or Liberty or Kansas City?

11 MR. WIERZBICKI: No, it depends upon what  
12 it is. Excelsior has a very self-contained  
13 hospital. So does Smithville, have a self-  
14 contained hospital.

15 COMMISSIONER ELLIOTT: I think I said  
16 Excelsior.

17 MR. WIERZBICKI: Yeah, they have self-  
18 contained hospitals. Now, if it was surgery, a  
19 major surgery, you're going to see them going, like  
20 most other people even in the north and rural  
21 counties, too. They're going to come down to North  
22 Kansas City from Liberty Hospital or they'll go to  
23 St. Joe and Heartland Hospital, too, depending upon  
24 - these people out of Smithville go to northern St.  
25 Joe.



1           So that's where the cross over comes in.  
2           It's right there in that rural that hasn't  
3           developed out of Clay County.

4           COMMISSIONER ELLIOTT: I was confused by  
5           you saying that there wasn't commuting. It seems  
6           to me that there's a lot commuting.

7           MR. WIERZBICKI: There's commuting. But  
8           there's also commuting from DeKalb County-

9           COMMISSIONER ELLIOTT: Yes. Yes.

10          MR. WIERZBICKI: -and there's also  
11          commuting from Buchanan County down into Kansas  
12          City working at the airport. There's also  
13          commuting from - you can reach all the way up into  
14          Maryville, People come down here.

15          COMMISSIONER ELLIOTT: I see them every  
16          day from Iowa.

17          MR. WIERZBICKI: Chillicothe, too. So  
18          when you're talking about it-

19          MR. HURLBERT: And if I may - after that,  
20          just kind of as a personal story. My mom is an  
21          Iowa farm girl. She lives in Holt, Missouri, just  
22          barely on the Clay County side of the Clinton  
23          County/Clay line. And when she wants to go to  
24          WalMart, she goes up to the Cameron WalMart because  
25          she doesn't want to have to deal with the traffic

1 or the crowds.

2 I mean, there are people that - I mean,  
3 these areas are - I mean, yes, they are growing.  
4 Since 1990, Kearney and Smithville have grown from  
5 2,000 people to 8,500 people. But they're still -  
6 and that foundation of the community is still very  
7 largely agricultural.

8 MR. WIERZBICKI: One thing to understand,  
9 too. One of the pocket of people that's - and  
10 Trent, it's around the Kearney area down into -  
11 it's Doug Ebersol's(ph) district - that grew from  
12 30-some odd thousand to 50,000 people. So we've  
13 got this going on everywhere, but there's a balance  
14 you have to have. And thank you so much gentlemen  
15 for taking the time.

16 CHAIRMAN HARPOOL: You're welcome. I  
17 think Mr. Myer has a question.

18 COMMISSIONER MYER: When I was first  
19 married and couldn't find a job in Joplin, so I  
20 went to where I was born and raised, so we moved to  
21 Clay County. We moved to Gladstone and both my  
22 daughters were born at the North Kansas City  
23 Hospital. And so I got to know the area fairly  
24 well.

25 When I did find a job, I commuted not

1       only north of the river and south of the river, as  
2       you call it here, so I was in and out of both of  
3       them. But there's a town in - Claycomo's in Clay  
4       County. Is that right?

5               MR. WIERZBICKI: Right.

6               COMMISSIONER MYERS: Is the Ford plant  
7       still there?

8               MR. WIERZBICKI: Yes.

9               COMMISSIONER MYERS: How is that doing?  
10       I mean, there was a question of whether that was  
11       going to shut down.

12              MR. WIERZBICKI: No. It is - in fact,  
13       they're going to make - don't hold me to the dollar  
14       figure. Help me out here, how many millions of  
15       dollars are they going to put into the plant?

16              MR. HURLBERT: They are working at re-  
17       tooling the Ford plant from the Ford Escape line to  
18       a new Ford transit, replacing the Econovan. So  
19       they are definitely re-investing. Thank you to the  
20       Missouri legislature.

21              MR. WIERZBICKI: Mr. Elliott, excuse me,  
22       but as to the Ford plant, they have people that  
23       work as far away as past Ray County that come in to  
24       work at Claycomo Ford plant.

25              COMMISSIONER ELLIOTT: I understand that.

1 That was the point I was making.

2 MR. HURLBERT: The President of the UAW  
3 there at the Ford plant lives in Trimble, Missouri,  
4 which is in Clinton County.

5 COMMISSIONER ELLIOTT: A good democrat.

6 UNKNOWN: We like the Ford Company.

7 CHAIRMAN HARPOOL: We received great  
8 leadership under our President in taking care of  
9 keeping that plant alive and well.

10 COMMISSIONER MYERS: I think Senator  
11 Richard would like to take a little credit.

12 MR. WIERZBICKI: Wait, wait, wait. Time  
13 out. Time out. We also have a couple of  
14 Representatives right out of Clay County who fought  
15 for that, too. Jerry Nolte and Representative Bob  
16 Nance. They did a good job. It was great work on  
17 both sides.

18 COMMISSIONER MYERS: Things come out good  
19 when we all work together.

20 COMMISSIONER ELLINGER: That's right.  
21 That's a good lesson right there. One quick  
22 question about the Claycomo plant that we all have  
23 knowledge of. It's a very large plant. The Kansas  
24 City Airport, obviously, is in Platte County. It  
25 has a lot of people that commute in. I think you

1 talked about that.

2 And I realize you wouldn't know  
3 everybody who commutes, so I wouldn't deem to ask  
4 that question, but are you aware of anybody who  
5 commutes to, say, Claycomo or commutes to the  
6 Kansas City Airport from Clark County or Lewis  
7 County or Scotland County or Knox County on the  
8 Iowa/Illinois border?

9 MR. WIERZBICKI: Not to our knowledge,  
10 but I wouldn't put it past somebody moving down  
11 here just for the job and spending a week down  
12 here.

13 COMMISSIONER ELLINGER: Thank you.

14 CHAIRMAN HARPOOL: You have handed us an  
15 exhibit and I know that we have one. We will see  
16 that the members who are here in person get one.

17 COMMISSIONER MYERS: Could I ask one more  
18 question?

19 CHAIRMAN HARPOOL: You may.

20 COMMISSIONER MYERS: Did they ever  
21 manufacture the Edsel in that plant at Claycomo, do  
22 you know? You know, like I say, I may be the  
23 oldest one here.

24 MR. WIERZBICKI: Let's see, the Edsel?

25 COMMISSIONER MYERS: Yeah, the Ford

1 Edsel.

2 MR. WIERZBICKI: Was I alive when that  
3 happened?

4 COMMISSIONER MYERS: I was. You know,  
5 when I was driving up here, coming to UMKC - I went  
6 to graduate school here in Finance at UMKC and one  
7 of the assignments that they gave us was to go out  
8 into the real world, in management, and talk to  
9 somebody who was actually out there doing the job.  
10 And what I did was I went and talked to Gene  
11 Taylor, who was a Ford Dealer down in Sarcoxie,  
12 Missouri. I know you know where Sarcoxie is. It's  
13 a very small but important town in Jasper County.

14 And there was a Ford dealer there and I  
15 always kind of wondered how that Ford dealer made  
16 it, so I went to talk to Gene Taylor and he told me  
17 that about the time he was getting into the Ford  
18 dealership business was the time of the Edsel and  
19 it was very poorly designed. He said part of the  
20 problem was Ford didn't consider the people's needs  
21 or desires when they put that together.

22 The current head of Ford was a top down,  
23 dictatorial style manager, so much so that he even  
24 named the car after his son, Edsel Ford. That's  
25 where the Edsel came from. He said, "You know, I

1 was part of Ford, and if I was going to stay with  
2 Ford, I had to put my nameplate on that, and so I  
3 did. I didn't like it, but I had to - the failure,  
4 the Edsel." He said, "I wasn't real sure how much  
5 longer I was going to be a Ford dealer because we  
6 couldn't sell those things." "We couldn't sell the  
7 Edsel."

8 So he said, "What I decided to do was  
9 expand the herd a little bit and look for another  
10 part time job, but Ford quickly saw the error of  
11 their way, and they went out and talked to all the  
12 dealers, they talked to the public, and not too  
13 long thereafter, they came up with the Ford  
14 Mustang." Now, I mean, that was a 1964 model,  
15 originally, so most of the people in here probably  
16 know that model, but back in '64, that's initially  
17 what it was.

18 But that was a popular model. And he  
19 said, you know, because the result of working  
20 together with the dealers and with the people,  
21 listening to them, he was glad to put his name on  
22 that map.

23 (Multiple voices.)

24 CHAIRMAN HARPOOL: As it's commonly  
25 referred to.

1 (Multiple voices.)

2 CHAIRMAN HARPOOL: Todd, do you have a  
3 question?

4 COMMISSIONER PATTERSON: Yes, a quick  
5 question, and I'd make it for the both of you.  
6 Thank you for your hard work and your fine  
7 presentation in putting these materials together,  
8 really appreciate it. Ben, for answering my  
9 earlier question, I appreciate that.

10 I do have a question for you. I want to  
11 make a point that as we look at communities of  
12 shared interest, okay, that is most importantly  
13 based upon the daily needs exchanges that people in  
14 the community have. And we're in an institution of  
15 higher education here, and the articles that  
16 Political Science students had to read would often  
17 touch of that concept of needs exchange. And as we  
18 look at communities of shared interest and weigh  
19 those that are most important, it is those that are  
20 the most immediate, okay.

21 With all due respect to my fellow  
22 Commissioners, media markets and geographic  
23 formations certainly are things that our community  
24 can relate to, but those needs exchanges, the daily  
25 needs exchanges really are based on how people live



1 economically first, and socially second.

2 In the map, part of the Harpool map, we  
3 obviously know that there's a lot of influx in and  
4 out of Jackson County, particularly Kansas City, on  
5 a daily basis by commuters who come to Kansas City  
6 for work or their education, or for other personal  
7 concerns. Do either of you know the percentage of  
8 commuters into Kansas City, in the Harpool map that  
9 exists, in that southwest corner of Clay County?

10 MR. WIERZBICKI: There is Gladstone,  
11 primarily, as you go up Highway 29.

12 MR. HURLBERT: Yeah, I've not seen any  
13 hard numbers that break it down in a way that I've  
14 been able to use it so far, what percentage of that  
15 population would commute that way. So mostly, it's  
16 just based on prior experience with the communities  
17 and being a lifelong Clay County resident.

18 COMMISSIONER PATTERSON: And do you think  
19 that the - if you look at the Harpool 2012 Map, do  
20 you think that it reflects those commuter patterns?

21 MR. HURLBERT: No. Some of it probably,  
22 but over on the east half of the map, no. There's  
23 absolutely none. Social economic status when you  
24 get over to the Excelsior Springs, Missouri City  
25 area, there's very little common ground as far as

1 coming in. Now, there might be some people driving  
2 down to the downtown Kansas City, et cetera, like  
3 that, but as far as the everyday social economic  
4 standards, there's a big difference between as the  
5 further you go into it. And the further you go  
6 south, then you match up to the economic standards  
7 into Lee's Summit. They are two separate animals,  
8 I mean, as far as economics are concerned.

9 I understand your question, and it's a  
10 very good questions, but there's a break in there  
11 and the Harpool map cut all the way up into Clay  
12 County. In the area it is, they are entirely  
13 separate socially and economically, and the amount  
14 of money there and a separate diverse people in  
15 Lee's Summit.

16 COMMISSIONER PATTERSON: In your earlier  
17 remarks, just to be clear-

18 MR. HURLBERT: Yes, sir.

19 COMMISSIONER PATTERSON: You feel  
20 strongly that northern Clay should be paired with  
21 other counties that have more of a cultural  
22 interest, per se, versus southern Clay that is more  
23 suburban and dependent upon Jackson County, Kansas  
24 City-

25 MR. WIERZBICKI: Let me just say, and

1 you'll answer it and I'll answer it too, if you  
2 would, please. Based on what we're saying is,  
3 Smithville, Kearney and Excelsior are all the same  
4 size school districts and have the same economic  
5 status. There's some extra rural and some commuter  
6 traffic right there, there's a break there. But  
7 when you drop down into the Liberty and North  
8 Kansas City area, there's a whole different social  
9 economic area, and that's why we packaged those two  
10 together.

11 Because the needs of those districts,  
12 those two large districts right there, are handled  
13 differently than those needs right now out around.  
14 The need of Excelsior Springs district is different  
15 from Independence and Lee's Summit. Lee's Summit  
16 would be like North Kansas City. Lee's Summit  
17 would be like Liberty, because they've got that  
18 same economic status and size.

19 That's what you're - by placing it in  
20 that area, those who around like that have the  
21 rural connotation, but also, there's that break  
22 that's coming in. Those are excellent questions,  
23 excellent questions.

24 COMMISSIONER PATTERSON: But let's just  
25 take the southern half of Clay County for minute.

1 The southwestern part of Clay County has its  
2 differences, as well, from the southeastern part of  
3 Clay County, if you divide it into quadrants, Clay  
4 County into quadrants.

5 MR. HURLBERT: Absolutely, and the  
6 greatest evidence of that is with our suggestive  
7 map. There's 175,000 people that live in  
8 approximately 30 percent of the county.

9 COMMISSIONER PATTERSON: Right.

10 MR. HURLBERT: That area is very much  
11 more, it's tightly dense. I mean, it's an area  
12 that Mr. Skaggs is very familiar with. That when  
13 you drive along Highway 152 between Liberty and  
14 then over towards Platte City in the Platte County  
15 and Gladstone area, I mean, it's houses the entire  
16 way. I mean, there's no pastures, there's nothing  
17 along those lines. When you're driving - I mean,  
18 I've had to pull over at Kearney and call for help  
19 cause there's been cows on the I-35, at Kearney.  
20 It's just, they are very different areas.

21 I mean, is the northern half growing?  
22 Yes, but it's still a very different area, a  
23 different lifestyle, a different community of  
24 interest.

25 COMMISSIONER PATTERSON: -of shared

1 interest, and because of the Constitutional  
2 requirements, we must meet its permission and it's  
3 where Clay County is situated next to a county the  
4 size of Jackson. Dividing it into three different  
5 sets of districts might make sense because  
6 southeastern is different from southwestern, in  
7 terms of meeting that community of shared interest.

8 MR. HURLBERT: But the southwestern is  
9 very sparsely populated, as well. It's even less  
10 populated than the northern half of the county.

11 COMMISSIONER PATTERSON: Southeastern.

12 MR. HURLBERT: Or southeastern, my  
13 apologies, yes. Southeastern, yeah. The  
14 southeastern part of the county is a very rural  
15 area, and it's much more akin Ray County than it is  
16 - even the rest of Clay County is, its northern  
17 counterparts in Clay County.

18 With respect to Jackson County, it does  
19 not have the population to hold four Senate  
20 districts anymore. That much is, I mean, back to  
21 numbers. However, to keep those four Senate  
22 districts with, from my point of view and with  
23 crunching the numbers, what you can do is, if you  
24 include Lafayette County with Jackson County -  
25 well, all of Lafayette County and all of Jackson

1 County will get you four Senate districts with less  
2 than 4 percentage deviation.

3 COMMISSIONER ELLINGER: Thank you very  
4 much. Have you taken a look at the population of  
5 Jackson County?

6 MR. HURLBERT: 600 - I have it right here  
7 actually. 674,158.

8 COMMISSIONER ELLINGER: And if you divide  
9 that by four, what do you come up with?

10 MR. HURLBERT: If you divide that by  
11 four, it's-

12 MR. WIERZBICKI: About 175 apiece,  
13 something like that.

14 COMMISSIONER ELLINGER: Just real quick,  
15 it's about 171 apiece, something like that? Does  
16 that sound about right?

17 MR. HURLBERT: It's 175.

18 COMMISSIONER ELLINGER: It's within a  
19 less than 5 percent deviation of the ideal set  
20 division. You could put four Senate districts in  
21 Jackson County, self-contained, with little to no  
22 difficulty.

23 MR. HURLBERT: Depending on-

24 COMMISSIONER ELLINGER: You just have a  
25 slight deviation, you turned slightly under the

1 ideal number. And as we know, from our experience,  
2 you can't - it's impossible to hit the exact  
3 number.

4 I think that's the reason we talked very  
5 long about Platte and Buchanan and Jasper and  
6 Newton, because just by looking at them, they're so  
7 close. I mean, they're not perfect, but they're  
8 very close. There is a deviation factor we're  
9 going to have to hit; don't you agree?

10 MR. HURLBERT: Yes, and that's built into  
11 the Constitution that way.

12 MR. WIERZBICKI: Mr. Harpool?

13 CHAIRMAN HARPOOL: Yes?

14 MR. WIERZBICKI: You guys, we thank you  
15 for these questions. I mean, we're here to protect  
16 what we think is our interest, and, but we also  
17 respect your interest, you know, and what you're  
18 trying to do. But like, now you're breaking  
19 Jackson County up into four Senate districts, might  
20 be part of your solution.

21 And because you're coming up into Clay  
22 County with that one, one of the Senate districts  
23 all the way up into Excelsior Springs, they're  
24 entirely - Excelsior Springs and Missouri City,  
25 there is no social economic as in comparison to

1 eastern Independence and Jackson County, in that  
2 area that you have.

3 CHAIRMAN HARPOOL: Alright.

4 COMMISSIONER SKAGGS: I keep hearing you  
5 say that. Just, being from Clay County, and I  
6 didn't draw this map specifically. First of all, I  
7 can confirm Clay County. I have no - these numbers  
8 makes our case in Clay County really strong. They  
9 think if we want to get four done again and  
10 Jefferson City had three Senators, it's much better  
11 than having one or two, just from my own  
12 experience.

13 But to suggest that Missouri City,  
14 Excelsior Springs, Mosby, that they don't have  
15 anything in common with Buckner or Levasy or some  
16 of those areas in northern Jackson County - my in-  
17 laws live out in Oak Grove, Missouri. Those are  
18 very similar communities within Clay and Jackson  
19 Counties, and they're all kind of bedroom, rural  
20 communities. There's a lot of commonalities  
21 between those across the county lines.

22 MR. WIERZBICKI: What about Lee's Summit?

23 COMMISSIONER SKAGGS: Absolutely, but  
24 again, you have cases of Avondale versus Liberty,  
25 so, and we made that same case there, so to suggest



1 that there's no commonality, I want to make sure  
2 for the record that my standpoint when I've worked  
3 on the map, there is a very similar between Mosby,  
4 Excelsior Springs, Sibley, Buckner, Levasy,  
5 Missouri City, they are very similar, and Oak  
6 Grove, Missouri, in what their business and what  
7 their areas are, so that's what I would say. Thank  
8 you.

9 MR. WIERZBICKI: Thank you. If you would  
10 put all those together in the same like areas, we'd  
11 love it.

12 COMMISSIONER SKAGGS: Well, we've done  
13 pretty close.

14 MR. WIERZBICKI: But you've got us in  
15 Lee's Summit and-

16 COMMISSIONER SKAGGS: We've done pretty  
17 close. Unfortunately, those few cities don't make  
18 it a Senate district, we're having to do it in  
19 segments. That won't do it, just like we had to  
20 include Avondale and those areas in North Kansas  
21 City that don't have a lot of commonality  
22 necessarily with the City of Liberty. But because  
23 of the population and because of the way Clay  
24 County sits, we have to incorporate those.

25 MR. WIERZBICKI: Well, we, as far as the

1 three Senators are concerned, we would like to have  
2 those maybe going north, and I would agree with  
3 you, we cross the line, there's some-

4 COMMISSIONER SKAGGS: It kind of makes a  
5 lot of sense to have three Senators.

6 MR. WIERZBICKI: But depending on where  
7 they're coming from.

8 COMMISSIONER SKAGGS: Sure.

9 MR. WIERZBICKI: And where your  
10 competition has to be and where they come from and  
11 how it's going to be dominated.

12 COMMISSIONER SKAGGS: Sure. And I'm  
13 convince that Clay County - I'm convinced in Clay  
14 County, we can elect three Senators; aren't you?

15 MR. WIERZBICKI: I'm not going to say  
16 that because if they come out of technicality and  
17 if highly funded, you can't say that either. Is  
18 that right?

19 COMMISSIONER SKAGGS: That's true.

20 CHAIRMAN HARPOOL: We had a housekeeping  
21 matter I started and didn't finish. I want to go  
22 on thinking. We've been handed an exhibit and we  
23 will make sure that all the people here have it and  
24 is in the hand of those or to anybody. But for  
25 Commission members, we need to decide how we are

1 going to keep track of those materials provided to  
2 us, and do we want to call them Witness Exhibit 1?

3 COMMISSIONER ELLINGER: It's the first  
4 exhibit we've received.

5 CHAIRMAN HARPOOL: Yes, that's why I said  
6 - that's why we need to take care of it. Matt, how  
7 do we - how do they-

8 MR. HESSER: Last time, what you did was  
9 you took the names of the witnesses like this, it  
10 would be their - it was the name of the witness  
11 with, and I think it turned into multiple documents  
12 and it was Document 1, so we did it-

13 COMMISSIONER MYERS: I had one more  
14 request. Could I ask about the written testimony  
15 to-

16 CHAIRMAN HARPOOL: Let me get to that in  
17 just a second, I promise we'll cover that.  
18 Alright. Then, if there's no objection, we will  
19 keep track of exhibits by witness name and numbers,  
20 so if someone gives us multiple documents, they'll  
21 have multiple numbers, if not - and we'll put this  
22 to the first witness' testimony.

23 MR. WIERZBICKI: Mr. Harpool?

24 CHAIRMAN HARPOOL: Yes?

25 MR. WIERZBICKI: I need to ask Trent one

1 question.

2 CHAIRMAN HARPOOL: Let me finish this.  
3 Just a sec; okay? So you have direction, you know  
4 what we're going to do now?

5 MR. HESSER: We do.

6 CHAIRMAN HARPOOL: Alright. You do that  
7 and I'll get to the-

8 MR. WIERZBICKI: Well, just guarantee me  
9 that they'll put three Senators from Clay County.  
10 Guarantee me that right now. Come on now,  
11 guarantee me, come on.

12 COMMISSIONER SKAGGS: This is all I can  
13 tell you. If we join the Democrats and the  
14 Republicans in Clay County, I know we can do it and  
15 set our lines.

16 MR. WIERZBICKI: Guaranteed? Guaranteed?  
17 Will you guarantee it?

18 COMMISSIONER SKAGGS: I'll work with  
19 James and-

20 MR. WIERZBICKI: Thank you guys.

21 (Multiple voices, laughter.)

22 COMMISSIONER MYERS: Talking about these  
23 counties and what works for you and not, does Ray,  
24 Caldwell and Daviess, does that fit the nature of  
25 the northern part of Clay County, as well?

1 MR. HURLBERT: As part of - my day job is  
2 actually with - on staff of Congressman Sam Graves  
3 and he represents each one of those counties, with  
4 the exception of Ray County, and I've worked with  
5 those individuals on a regular basis that way.

6 If you were to go into Hamilton and  
7 compare it to what you would see in Lawson, what  
8 you would see in downtown Excelsior, what you would  
9 see in Cameron compared to those, then they would  
10 be similar communities. They - it would be a  
11 central community surrounded by rural areas.

12 COMMISSIONER MYERS: That's a little bit  
13 like southwest Missouri in most instances.

14 CHAIRMAN HARPOOL: Thank you. We do  
15 appreciate checking your efforts. I have no more  
16 witness forms. Is anyone wanting to testify that's  
17 not completed a witness form? Alright.

18 III. Other Commission Business

19 CHAIRMAN HARPOOL: I have been asked by  
20 Commissioner Myers to bring up an issue. We said  
21 we weren't going to do anything substantive. I  
22 don't think this is substantive except as it just  
23 relates to the admission of testimony. Eve had  
24 been contacted by people in southwest Missouri who  
25 have not found our hearing schedule which is

1 expedited and hurried and not geographically local  
2 to them, to be a challenge, and has asked if we  
3 would receive from them written submissions that  
4 could be made exhibits and part of the record.

5 Now, we wouldn't post the map they would  
6 propose, but we would, on the internet, but we  
7 would-

8 COMMISSIONER MYERS: I haven't seen a map  
9 yet.

10 CHAIRMAN HARPOOL: But we would  
11 distribute it to the members. And if you will get  
12 it to us before our meeting Wednesday at 11, I will  
13 see that each of the members of this Commission get  
14 it so that they can consider it in their  
15 deliberation. There's no objection to that; is  
16 there?

17 MR. WIERZBICKI: I don't have any.

18 IV. Announcements

19 CHAIRMAN HARPOOL: Our next - seeing no  
20 witnesses, our next hearing is tomorrow in St.  
21 Louis at Wainwright Office Building at 1:00. We  
22 then will meet for deliberation at 11 at the OA  
23 Office.

24 I am remiss to say thank you to our  
25 court reporter. Everything that's been said is and

1 has been transcribed and will be available to the  
2 public for review. I should say that before we  
3 start next time.

4 And I want to thank our Staff. We've  
5 put them on a hurried and burdensome journey the  
6 last four or five days, they and Matt have been  
7 working overtime, and we thank you very much for  
8 your efforts.

9 COMMISSIONER ELLINGER: And thank you to  
10 the UMKC Law School for hosting us. You have a  
11 beautiful facility.

12 V. Adjournment

13 CHAIRMAN HARPOOL: Now, we will stand  
14 adjourned until tomorrow at 1.

15 (Conclusion of the Hearing: 3:37 p.m.)  
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CERTIFICATE OF REPORTER

STATE OF MISSOURI ) ss:  
COUNTY OF CLAY )

I, JANET H. WIMER, Certified Court Reporter, the officer before whom the foregoing hearing was taken, do hereby certify that the testimony in said hearing was taken by me to the best of my ability and thereafter reduced to typewriting under my direction; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this hearing was taken, and further, that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.

\_\_\_\_\_  
Notary Public in and for  
the State of Missouri