



DELBERT HOSEMANN
Secretary of State

CONSTITUTIONAL INITIATIVES PUBLIC HEARING

SOUTHAVEN, MISSISSIPPI

JULY 7, 2011

PRESIDING:

DELBERT HOSEMANN
Mississippi Secretary of State
401 Mississippi Street
Jackson, Mississippi 39201

ALSO PRESENT:

MEMBERS OF THE PUBLIC

REPORTED BY: SHAUNA W. STANFORD, CSR
CSR NO. 1380

1 SECRETARY HOSEMANN: First of all,
2 welcome. On behalf of the State of Mississippi,
3 I'm Delbert Hosemann. I'm Secretary of State of
4 the State of Mississippi, and part of my duties
5 are to have public hearings concerning any
6 constitutional amendments that meet the
7 initiative process. And I would like to welcome
8 you-all today.

9 The initiative process was that we had to
10 have 89,285 signatures in five different
11 congressional districts in order for -- under the
12 Mississippi law in order to have a constitutional
13 initiative placed on the ballot.

14 Those signatures were gathered in all three
15 instances that we'll be speaking of tonight.
16 We'll have these hearings all over the state of
17 Mississippi, and it's part of what we refer to as
18 our voter education portion. Many of you have
19 heard about these. Others will hear arguments
20 that you have not heard this evening and later
21 on.

22 There are a couple of things that I need to
23 discuss with y'all. First is we request and ask
24 that you submit items in writing. While we will
25 have oral presentations -- and we will have those

1 transcribed tonight -- we ask that you -- because
2 of the time limitations, we ask that you submit
3 your comments in writing.

4 All comments that are in writing will be
5 placed on the website of the Secretary of State's
6 office either for or against the initiative.

7 That allows you to speak not only to Southaven
8 and Desoto County, but it allows you to speak to
9 Biloxi and Vicksburg and Natchez and all the
10 other places that will be listening to what you
11 have to say about these initiatives.

12 It's very important that we have an informed
13 electorate, and having an informed electorate is
14 what we're about tonight. So your written
15 comments and your oral statements are welcome.

16 They'll be transcribed and put on the Internet.

17 All of those will be available to all
18 Mississippians.

19 Tonight the format is as follows: We'll
20 first discuss each initiative in the order they
21 were filed with our agency, beginning with the
22 personhood amendment, and then voter
23 identification and, finally, eminent domain.
24 We'll begin each segment with a five-minute
25 discussion by those who are for or against the

1 initiative. We'll then open the discussions for
2 public discussion.

3 I'd ask you to please come and speak at the
4 microphone when you are slated to speak.

5 Everyone who has not signed up, Lea Anne is here,
6 and she'd welcome for you to sign up. And we'll
7 go down her chart. I'll read the name of the
8 individual to speak, and I'll also tell you the
9 person who is up next. And I would ask, if you
10 could, to move closer to the mic if you're going
11 to speak next so we won't have a lot of time in
12 between and everyone will get to hear what you
13 say.

14 The first speakers will go for five minutes.
15 After that there will be two-minute segments for
16 each of the public. There will be eight of those
17 that are available for you to speak: Eight "for"
18 and eight "against."

19 Please remember that these initiatives are
20 already on the ballot, so what you need to
21 discuss tonight is the fact whether or not you
22 are for these being voted for or you are against
23 the various initiatives. So we would ask you not
24 to discuss whether or not to put them on the
25 ballot, because that's already been decided in

1 each case by over 100,000 Mississippians.

2 I would also like to remind you and remind
3 all of us that the reason that we're here this
4 evening is because servicemen and women in
5 Mississippi are fighting and dying for our right
6 to have public forums and discuss public
7 constitutional issues. That's what we're about
8 tonight. So when we go forward, you should
9 remember that over 60 Mississippians have died to
10 give us the right to have this meeting. And I
11 would ask that you respect their sacrifice
12 tonight as you speak and have your rhetoric be
13 concise and civil as you go forward. We are
14 looking forward to having everyone's comments.

15 We will start, as we should start each of
16 these meetings, with the Pledge of Allegiance,
17 and I've asked Senator Davis to please lead us in
18 the Pledge of Allegiance.

19 Senator Davis.

20 SENATOR DAVIS: Please join me in the
21 pledge.

22 (Reciting of the Pledge of Allegiance)

23 SECRETARY HOSEMANN: And we begin with the
24 personhood amendment. And speaking for, Mr. Brad
25 Prewitt is speaking for the constitutional

1 amendment; and, Brad, we'll start with five
2 minutes for you, sir.

3 MR. PREWITT: Thank you, Secretary of
4 State Hosemann, and I'm grateful to have this
5 opportunity as a Mississippian to participate
6 with you in this discussion about the personhood
7 amendment and what it does and what it does not
8 do, and I think it's a very good discussion to
9 have. It's one I had four weeks ago when I was
10 asked by the American Family Association to head
11 up a campaign for personhood.

12 This has been a very successful petition
13 drive. 130,000 or so people had signed the
14 petition. I had not signed it. I was not
15 familiar with it. Even with a relatively
16 informed position, I had not become familiar
17 myself with it. So I went through the process of
18 considering whether I wanted to head this up.
19 You know, you can be pro-life and you can't --
20 you don't necessarily have to have a
21 consideration of all that personhood carries with
22 it.

23 And it's a very weighty thing to think
24 about. For one, it's biblical; two, it goes to
25 the founding of our nation; and, three, it goes

1 to basically how we approach our own selves as
2 made in God's image.

3 So I went through those decisions as an
4 attorney of 18 years, as someone who had worked
5 in Washington for Senator Cochran for a number of
6 years, as someone married to a doctor -- the
7 medical position is very important to me and how
8 this impacts that -- and as a father of two sons.

9 And so, yes, on 26, the campaign coalition
10 is broad-based and mainstream. We're bringing
11 together not only pro-life groups and churches
12 but political officials and other concerned
13 citizens to try to bring this issue to the
14 Mississippi voter for November.

15 Now, let me you tell you what the personhood
16 amendment does. In the Declaration of
17 Independence, our founders recognized an
18 inalienable right to life, and that was derived
19 from the very beginnings of Genesis. We are made
20 in the image of God. We are created as physical
21 and spiritual beings. We're made to worship God.

22 Now, that sounds preachy, and I'm not a
23 preacher; but the Biblical worldview has to
24 inform us as we live life, whether you're a
25 lawyer or a preacher or a road worker or

1 whomever. And that's where you have to start,
2 and that's what this country was started on.

3 Now, personhood is not some new creation.

4 The Roe v. Wade decision in 1973, which brought

5 into play this 40 years of killing of 53 million

6 babies, basically suggested this approach at the

7 outset. It said that "The appellee argued that

8 the fetus is a 'person' within the language and

9 meaning of the 14th Amendment. If this

10 suggestion of personhood is established, the case

11 collapses, for the fetus's right to life would

12 then be guaranteed specifically by the 14th

13 Amendment."

14 So that's where we started 40 years ago.

15 Ronald Reagan himself in 1988 said, "We are told

16 that we may not interfere with abortion. We are

17 told that we may not impose our morality on those

18 who wish to allow and participate in the taking

19 of the life of innocents before birth." And he

20 said, "Our nation cannot continue down the path

21 of abortion that's so radically at odds with our

22 heritage, our history, and concepts of justice.

23 This sacred legacy and the well-being and future

24 of our country demand the protection of innocents

25 must be guaranteed and that the personhood of the

1 unborn must be declared and defended throughout
2 our land."

3 Friends, this is not some fringe effort or
4 some fringe legal theory. This has gone all the
5 way back to the beginnings: Ronald Reagan, Phil
6 Bryant, Stacey Pickering, Sister Dorothea at St.
7 Dominic hospital -- I can keep on going on down
8 the line -- Don Wildmon. They are all board
9 members of ours. This coalition is broad-based.
10 We're going into every town and every county in
11 the state, and so, friends, personhood is
12 critical.

13 All it does is define in the Mississippi
14 Constitution that "person" status begins at the
15 earliest biological beginning, whether it's
16 artificial or natural. That's what it declares.
17 And it's very important because science is taking
18 us to places we could never have imagined.
19 Cloning, stem cell research is destroying the
20 fabric of what humanity means: The dignity and
21 sanctity of life.

22 And so it's proper for voters, it's proper
23 for man, it's proper for Mississippians to define
24 it. It's not some trite political measure. And,
25 friends, let me tell you what personhood doesn't

1 do. It has to have enabled legislation. All
2 these different issues that are cited in this
3 brochure here is Chicken Little, the sky is
4 falling. Friends, this is meant to scare you.

5 There still has to be legislation to define
6 all these things. The first thing is women's
7 health is not going to be impacted. It just
8 recognizes that the baby has a voice too. If
9 your life is in jeopardy, the standard of care
10 continues.

11 They talk about IVF. Friends, I will
12 dispute this. I'm the father of two IVF
13 children. I would not stand up here and
14 represent something that impacted my children's
15 life, and I certainly wouldn't stand here and
16 advocate something that would deny the joy of
17 this to others. But you can do it ethically, and
18 you can do it in a way that's biblically
19 God-honoring.

20 So, now, the opposition, they want to take
21 this off the ballot, and they want to deny
22 Mississippians the ability to vote on this in
23 November. Mississippi can be the first state in
24 the nation to address the civil rights cause of
25 our age. In the past we haven't done things

1 right, but we can do things right now. It is
2 important.

3 Euthanasia, all these different issues come
4 into play. How you treat the beginnings ends up
5 treating the end; so, friends, I encourage you to
6 participate in this. Don't dismiss this. Don't
7 be dulled by the opposing force here. This is
8 vitally important to our state and our nation.

9 Thank you.

10 SECRETARY HOSEMANN: Thank you, Brad.

11 Christin, you're up for five minutes.

12 MS. HEMMINS: Hi. My name is Christin
13 Hemmins, and I am here to speak in opposition to
14 Amendment 26.

15 When I was 20 years old, I was abducted,
16 raped, and shot twice as I escaped from two
17 teenagers who were on a weekend carjacking spree
18 in Jackson, Mississippi. They were 16 and 18
19 years old. They forced me back into the car and
20 drug me to an abandoned lot. I was raped by both
21 but managed to run away an hour later, after they
22 made me drive through an ATM to try to get money
23 out. They shot me twice in the back as I ran
24 away. And when I ran into a gas station, they
25 fired multiple times into the building, where I

1 crashed behind the counter.

2 I was in the hospital for three weeks total
3 but made a complete recovery. I had a boyfriend.
4 I was in college. I needed to recover from the
5 physical and emotional trauma of the violent
6 crime. If I had become pregnant after this
7 horrifying event, it should have been my choice
8 whether to bear that child or not. If something
9 like Initiative 26 had been in place when that
10 happened to me, my options would have been shut
11 down and my life totally altered.

12 Can you imagine how not having this choice
13 would have affected my healing? I would have
14 been forced to bear a child I did not want, born
15 of pain, fear, and profound hatred -- on their
16 part, not mine. How is that a good thing for
17 anyone? How is it possible that such an
18 important personal choice should be anyone's but
19 mine? This choice, as the victim in the
20 situation, should not be the government's or my
21 fellow Mississippians' decision to make; it
22 should be mine and mine alone.

23 That's my story I just told you, and every
24 individual woman has their own story. This is
25 why I feel so strongly that the personhood

1 initiative proposed would be terrible for our
2 state.

3 To the people who think this initiative
4 sounds good, I ask you to really think through
5 the implications. To all the women out there I
6 say, "Passing this initiative may very well reach
7 right into your medicine cabinet and take away
8 your simple right to birth control."

9 The supporters of this amendment haven't
10 considered women who have ectopic pregnancies and
11 the medical care they need to survive or women
12 who are doing IVF and implant more fertilized
13 eggs than they plan to bear in the hopes of
14 having maybe one child, or the woman who wants a
15 child desperately, but, sadly, finds that the one
16 she's bearing has genetic anomalies and will die
17 at birth or in utero.

18 This is a painful personal decision that I
19 would never dare make for a woman other than
20 myself, and yet this initiative does just that.

21 It injects the hand of the government into all
22 Mississippi women's lives in utero and arguably
23 their most vulnerable and difficult time.

24 People who vote "yes" in support of the
25 personhood initiative may think they are doing

1 the right thing, but they are not thinking of all
2 the women and the families they are affecting.
3 And they aren't thinking about women like me,
4 victims of unspeakable crimes, who deserve to
5 make their own decisions.

6 You may hear my story and think that's never
7 going to happen to me. I am a worse-case
8 scenario. I know that. All Mississippi women
9 simply deserve the right to make their own
10 decisions about their reproduction under good
11 circumstances and bad. To think they don't
12 deserve this is to say that they are not smart
13 enough to make those decisions on their own.

14 Thank you.

15 SECRETARY HOSEMANN: Thank you, Christin.

16 We'll now have open mic for anyone who has
17 signed up. And I'm not sure, again, who's first
18 on our list to speak tonight.

19 ASSISTANT SECRETARY BRANDON: There you
20 go.

21 SECRETARY HOSEMANN: Robin Rasmussen.

22 Robin, would you come to the mic and speak into
23 the mic, please, ma'am.

24 Robin is speaking against the initiative.

25 MS. RASMUSSEN: Do you mind if I turn

1 around?

2 SECRETARY HOSEMANN: However you want to
3 do it. It's your floor.

4 MS. RASMUSSEN: Okay. I just don't want
5 to be talking to the wall in front. I would like
6 to talk to y'all.

7 SECRETARY HOSEMANN: Can I come out there
8 and sit down too?

9 MS. RASMUSSEN: Please.

10 SECRETARY HOSEMANN: All right. I hadn't
11 started your two minutes. You're good to go.

12 MS. RASMUSSEN: Thank you.

13 My name is Robin Rasmussen. I was born down
14 in Starkville. I won't tell you how many years
15 ago. My parents were raised down in Long Beach
16 on the Gulf Coast. I now live over in Mt.
17 Pleasant just north of Holly Springs. I'm a
18 mother, a grandmother, an aunt, a great aunt, an
19 attorney, and I oppose the amendment.

20 This amendment essentially will put the
21 government right smack dab in the middle of our
22 personal lives and our most intimate decisions.
23 It's one thing to pass a law that says you've got
24 to wear a seat belt. Okay, I get that. I don't
25 like it. I don't like wearing a seat belt. The

1 government says I got to wear one. Okay, I wear
2 a seat belt.

3 It's quite another law to tell me, my
4 granddaughters, my nieces, my sisters that I
5 can't practice birth control, because that's one
6 of the unintended consequences of this amendment.

7 On the face of the amendment it seems great:
8 Personhood begins at conception; but as with so
9 many laws, this amendment goes far and is fraught
10 with unintended consequences. If approved, this
11 amendment will literally impact thousands of laws
12 and create a legal quagmire for women and the
13 healthcare providers who serve them. The
14 amendment will allow the courts to reinterpret
15 every single Mississippi law and regulation that
16 contains the word "person." The amendment will
17 eliminate the most common methods of birth
18 control, including the pill, the IUD, even though
19 those are some of the most effective ways to
20 prevent unintended pregnancies.

21 Without the ability to prevent unintended
22 pregnancies, Mississippi will face costly and
23 devastating consequences of unintended
24 pregnancies. Mississippi already has the highest
25 teenage pregnancy rate in the nation, the highest

1 premature birth, the highest infant mortality
2 rate, and the most children living in poverty,
3 and this amendment will create an even worse
4 scenario for women and families.

5 Thank you.

6 SECRETARY HOSEMANN: Thank you, Robin.

7 Gail? Is it Gail Giovanni?

8 MS. GIARAMITA: That's good.

9 SECRETARY HOSEMANN: Giovanni.

10 MS. GIARAMITA: That's good too. We were
11 introduced as the Geronimos.

12 SECRETARY HOSEMANN: I remember. I
13 remember you when you ran for office.

14 MS. GIARAMITA: My name is Gail Giaramita.
15 I am here on behalf of Amendment 26, and I'm
16 going to try to share briefly -- I understood we
17 had five minutes to speak; I think it's two. So
18 I'm going to try to maybe talk a little faster.

19 But I want to say to begin with that, in my
20 lifetime -- most of your lifetime -- we've seen a
21 lot of bad things come against America: 1962,
22 prayer went out of school; '63, scripture reading
23 out of schools; 1980, Ten Commandments out of
24 public buildings and public schools; but the
25 blackest day in American history was 1973 when

1 abortion was made legal on demand.

2 Our nation has seen the blood of over 50
3 million babies spilt. I'm not talking about a
4 fetus. I'm talking about a baby. And we all
5 start at that early stage of life, and we are
6 people created in the image of God.

7 The state of Mississippi is one of 18 states
8 in the United States of America that has the
9 privilege of us, the voters, going to the polls
10 and amending our state constitution with the
11 ballot initiative. That's a great privilege and
12 a great honor that we have. And the stakes are
13 very, very high -- incredibly high -- with
14 Amendment 26, because what we're talking about is
15 the matter of life and death.

16 Everybody sitting here, your mother chose
17 life, but we have the option of deciding and
18 putting this to rest in the state of Mississippi.

19 The two greatest lies of Planned Parenthood
20 is, number one, it's not a baby, and, number 2,
21 it's good for women. Their telemarketers, when
22 they answer the telephone, they are said -- they
23 are told, "Whatever you do, do not call it a
24 baby." But, y'all, it is a baby. We're taking
25 the lives of babies.

1 I don't have as much time as I had hoped to
2 speak, but I do want to tell you very quickly I'm
3 a registered nurse. The most incredible thing
4 that I studied as a student nurse many years ago
5 was this miracle of a baby. God says we are
6 "wonderfully and fearfully made," and I want to
7 say that the two challenges that we're going to
8 face to pass Amendment 26 is, number one, to get
9 the word out. We're 76 percent pro-life in the
10 state of Mississippi. It's going to be a
11 challenge. The second thing is the exception:
12 "I'm pro-life except."

13 I heard a lady speak recently. Her mother
14 was brutally raped by a serial rapist, wanted to
15 abort her. She was born in '73, but Roe v. Wade
16 had not passed at that time. And this lady is a
17 lawyer now, and she travels the state; and she
18 says, "What you're going to run into is the
19 'except.' " She held her arms out and she said,
20 "I am the 'except.' "

21 And I say please pray about it. This is
22 life or death for these babies.

23 Thank you.

24 SECRETARY HOSEMANN: Valena, you're next.

25 She's speaking against the initiative.

1 MS. BEETY: I am.

2 Hello, my name is Valena Beety. I'm an
3 attorney in Oxford. And while this initiative
4 may sound like a good idea, as you've already
5 heard, it really could have far-reaching,
6 unintended consequences; and some of those
7 consequences would directly impact me personally.

8 But before I get to that, I wanted to just
9 first put out again the implications this has for
10 birth control methods, for being able to use the
11 pill or being able to use IUDs. It could lead to
12 more unintended pregnancies. And, again, this
13 takes the decision away from women. It really
14 should be a decision that's left to a woman and
15 her doctor and her family and to God and that
16 relationship.

17 And, personally, I don't feel like the
18 government should be there -- should be there
19 making that decision. I want to be able to make
20 those decisions.

21 So I'm here to speak personally on the fact
22 that I don't have a family, but, unfortunately,
23 in my family we have endometriosis. So my mom
24 had endometriosis, and I have a female relative
25 who also has endometriosis. One more minute.

1 It's going pretty fast. If you don't know, that
2 means that there's extra tissue around the
3 ovaries that's preventing fertilization, so 30
4 percent of infertility cases are caused by this
5 condition. And, fortunately, there's a surgery
6 that you can have done to remove that tissue; and
7 my mom had it done, and she had me. But I'm an
8 only child.

9 And my cousin -- my relative has had it
10 done, but she's also looking at alternative
11 reproductive technologies to assist her in having
12 a family. And this initiative will take away
13 those opportunities for alternative reproductive
14 technologies.

15 And I realize that I may be dependent on
16 alternative reproductive technologies. I may
17 need to be able to rely on that to have a family
18 of my own, and I don't want the State of
19 Mississippi and the government to be the ones to
20 decide that I can't have a family and to take
21 away that ability for me.

22 Thank you.

23 SECRETARY HOSEMANN: Thank you.

24 Steve, you're up.

25 Steve is speaking for the personhood

1 initiative.

2 MR. ALBONETTI: I'm Steve Albonetti from
3 Hernando, Mississippi, and I want to read from
4 God's Word. Psalm 127 says, "Behold, children
5 are a heritage from the Lord. The fruit of the
6 womb is a reward. Like arrows in the hand of the
7 warrior, so are the children of one's youth.
8 Happy is the man who has his quiver full of them;
9 they shall not be ashamed, but shall speak with
10 their enemies in the gate."

11 I am the proud father of 12 children, and I
12 thank God for each one of my children. According
13 to scripture, the word "heritage," the word means
14 "they are a gift from God that comes with an
15 assignment."

16 And every child should have the right --
17 even the unborn should have the right to live. I
18 want to read one more verse. Proverbs 14:24 --
19 34 says this: It says, "Righteousness exalts a
20 nation, but sin is a reproach to any people."

21 Now listen to this: Righteousness lifts up,
22 keeps up, holds up a nation, but sin is a
23 reproach. It is a shame. It is a disgrace to
24 any people. The taking of an innocent life, to
25 take away the voice of the unborn, is wrong.

1 That's why I urge you to get out and let people
2 know about Amendment 26 and to vote "yes." A
3 vote for Amendment 26 is a vote for life.

4 SECRETARY HOSEMANN: Forrest Jenkins is
5 speaking against the amendment.

6 MS. JENKINS: Good evening, everyone. My
7 name is Forrest. I'm originally from Pontotoc,
8 Mississippi. I currently live in Oxford,
9 Mississippi, where I practice law.

10 I would like to highlight a figure for
11 everyone: Of every 1,000 live births in
12 Mississippi in the year 2009, 10 resulted in the
13 death of the infant. That's more than double the
14 number of pregnancies that ended in induced
15 abortion in the same year. If this initiative
16 was intended to increase the lives and health of
17 babies in Mississippi, it would focus our state's
18 resources on pregnancy prevention, prenatal care,
19 postnatal care, and the rate of infant mortality,
20 which is among the highest in the U.S.

21 Instead, this initiative intends to grant
22 due process rights to the unborn and drops the
23 definition of process into the legislature's lap
24 to deal with.

25 If an unborn fetus dies, which happens

1 frequently in the form of miscarriage, the
2 legislature has to decide how to investigate and
3 punish the woman's behavior that may have led to
4 that death. The taxpayers then get to pay for
5 the court processes and the possible imprisonment
6 of women who may be found guilty of something
7 like manslaughter or murder if they are found to
8 be at fault.

9 The legislature will have to decide how long
10 a dying pregnant woman has to wait and how she
11 may obtain permission to terminate a pregnancy if
12 it's so complicated that her life is in danger.

13 The legislature will have to decide whether
14 women who are impregnated without their consent
15 may terminate their pregnancies or whether they
16 will be forced to devote their entire bodies to
17 the lives of their rapist's offspring.

18 This initiative will result in extreme
19 invasions of women's personal lives, their
20 medical care, and their relationships with their
21 doctors, and yet it ignores the staggering figure
22 of the 10 in 1,000 live births that die.

23 Please vote "no" on the personhood
24 initiative in November. This is not about the
25 lives of children. It is about reducing women to

1 a set of reproductive organs. It is about
2 thinking of pregnancy and children not as beloved
3 gifts but as the natural forms of punishment
4 against women for sexual behavior.

5 If this initiative passes in November, I am
6 going to be very concerned about how we define
7 liberty in Mississippi, and I will not be
8 comfortable having a family in the future in this
9 state.

10 Thank you.

11 SECRETARY HOSEMANN: Gail Stratton.

12 Gail is speaking against the amendment.

13 MS. STRATTON: My name is Gail Stratton,
14 and I'm here today because, like everybody here,
15 I want to deeply affirm the value of human life.
16 I know everybody here is speaking from heartfelt
17 convictions, and I honor that.

18
19 I'm here as a scientist and a biologist of
20 nearly 30 years, and I'm here to affirm the
21 dignity and worth of each person. I'm also here
22 as a wife and a mother.

23 I think the Initiative 26, the so-called
24 personhood amendment, is misguided, and there are
25 far better ways to reduce the number of

1 abortions. Indeed, if passed, this would likely
2 increase the number of abortions by limiting
3 access to certain kinds of birth control.

4 I want to speak briefly as a biologist for
5 just a few minutes. When fertilization happens,
6 the male sperm, which has 23 chromosomes, joins
7 with the female egg, which also has 23
8 chromosomes, and now there's a large cell of 46
9 chromosomes. Okay. The chromosomes carry most
10 of the DNA. The egg is a large cell, and all of
11 that cytoplasm comes from the mother; and within
12 that cell, there are thousands of little tiny
13 organelles called mitochondria that also have
14 DNA.

15 The egg divides again and again and again
16 and again -- I'm not telling you anything you
17 don't already know -- and, eventually, that
18 zygote gets bigger. But before it gets bigger,
19 it becomes a bunch of different cells. Okay.
20 And each of those cells has all of that
21 mitochondria with DNA from the mother. After
22 several days it may move to the uterus and become
23 implanted there, and then all of the new transfer
24 growth come via the umbilical cord, which is
25 attached to the uterus.

1 Again, I'm sure I'm not telling you anything
2 you don't already know. At this point the zygote
3 is called a fetus. The fetus is arguably not
4 completely distinct from the mother. All of its
5 cytoplasm comes from the nutrients from the
6 mother, and more than half of the DNA comes from
7 the mother. It is not able to live on its own
8 until at a certain point, even with advanced
9 technology.

10 We are here today because some people would
11 like to define that fetus as a person. As a
12 scientist, I strongly disagree with that
13 position. Clearly, there are differences of
14 opinion about that. I acknowledge that, but I
15 think everyone would agree that a woman is a
16 person; and what we need to be focusing on is the
17 choice given to women to make good choices about
18 reproduction, to make good choices about the best
19 options for birth control with the best
20 information available.

21 Hormonal birth control such as the pill can
22 drastically -- has drastically improved the life
23 of many, many women.

24 Thank you.

25 SECRETARY HOSEMANN: Kelly Jacobs is

1 speaking against the amendment.

2 MS. JACOBS: I wanted to thank Christin
3 for speaking here tonight.

4 MS. HEMMINS: You're welcome.

5 MS. JACOBS: As a fellow victim of a
6 violent sexual crime, it can be very difficult to
7 speak to people about what has happened to you;
8 and I have never spoken about it, and I'm not
9 going to tonight.

10 But I want to say to this group that if men
11 got pregnant every time they had sex, birth
12 control would be more readily available, and
13 that's what this comes down to. It comes down to
14 a woman and a man both wanting the baby and when
15 does that happen; and when you have unexpected
16 pregnancies, then people have to make difficult
17 choices.

18 And I don't think the government should ever
19 come between me and my doctor, and it shouldn't
20 matter to you, because you don't want to come
21 between me and my doctor. But you are the
22 government. You, friends and neighbors, you run
23 for office. You become the government. And why
24 do you want to get between me and the doctor?

25 And if men vote in this election -- and you

1 know they are going to -- why are they telling
2 women what to do? It's our body. It's our body,
3 and sometimes it's our living, and it's our job.
4 We lose our job when we become pregnant. Things
5 happen that don't happen to you because a woman
6 gets pregnant.

7 And so I'm speaking against this initiative.
8 I hope that the lawsuit against it fails because
9 women have the right to choose. I'm against
10 abortion, but I am not for finding out every
11 woman's personal private life and getting in
12 between her and her doctor.

13 Thank you.

14 SECRETARY HOSEMANN: Is there anyone else
15 who would like to speak for or against the
16 Initiative No. 26, personhood?

17 Yes, sir. You're given two minutes.

18 MR. SHARON: Thank you. My name is Robert
19 Sharon. I'm here to speak for approval of A-26,
20 Amendment 26. I come as a citizen of the great
21 state of Mississippi, a resident of Desoto
22 County, and as a Mississippi licensed physician
23 but, most importantly, as a father.

24 I first learned that human life begins at
25 conception in high school. Okay. Kind of knew

1 the facts of life before that. Knew that;
2 learned it as a biology student in my undergrad
3 years; learned it in medical school; but we've
4 learned that since the mid-1800s. Okay?

5 But Dr. Hymie Gordon, who was then chief of
6 medical genetics at the Mayo Clinic, put it very
7 succinctly, "We know that human life begins at
8 the union of ovum and sperm, and fertilization is
9 an absolutely incontrovertible scientific fact.

10 Anyone who tells you different is either ignorant
11 or misleading."

12 Another unlikely source would be the source
13 of Shinya Yamanaka, one of the fathers of the
14 destructive human embryonic stem cell research.

15 Okay? New York Times pointed out that when he
16 saw under a microscope an embryo in a fertility
17 clinic in Kyoto, his hometown, he put it this
18 way; he said, "The glimpse changed his scientific
19 career." That's from the story. "When I saw the
20 embryo, I suddenly realized there was such a
21 small difference between it and my daughters."

22 He had two. Dr. Yamanaka, 45, said, "I thought,
23 We can't keep destroying embryos for our
24 research. There must be another way." And he
25 went on to become the father, if you will, of

1 induced pluripotent stem cell research, which has
2 revolutionized stem cell research.

3 Mamas who have babies within them know that
4 that baby's a person. They also know that baby
5 has a personality. That baby may be a quiet
6 child, may be a kicker, may be a puncher, or may,
7 like the good Book tells us, be a leaper like
8 John the Baptist. Even Dr. Seuss knows "A person
9 is a person, no matter how small."

10 It's time for our great state to take the
11 facts of life and put them in our constitution
12 and afford the protections of personhood to our
13 little unborn brothers and sisters.

14 SECRETARY HOSEMANN: Thank you, Doctor.

15 Is there anyone else who would like to speak
16 for or against?

17 Yes, sir.

18 MR. HARRIS: I'll look at you.

19 SECRETARY HOSEMANN: If you would state
20 your name clearly, because we don't have a card
21 on you.

22 MR. HARRIS: My name is Jim Harris. I'm
23 from Olive Branch, and I spent 23 years 10 months
24 11 days of my life defending the Constitution of
25 the United States.

1 In that constitution it guarantees life --
2 doesn't guarantee it, but -- life, liberty, and
3 the pursuit of happiness. Life starts at
4 conception. If anybody remembers back in the
5 early, oh, '40s, '20s, a scandal up in Memphis
6 about this Tanner home where the unwed mothers
7 would come in, have their children; they would
8 come in and tell them that the baby died, and
9 then they would sell them.

10 Well, I got a knock on my door one time, and
11 I said -- a woman answered -- I answered the
12 door. She said, "Hi. I'm your cousin." Well,
13 she went and found her mother, and it happened to
14 be my father's sister who had a baby. And we
15 don't know if it was due to rape or what, but she
16 had that baby; and that woman turned out to be
17 one of the most loving, caring people in this
18 world I have had the pleasure of knowing. Had
19 that baby been aborted, I would never have known
20 her.

21 Life does start at conception. If you can't
22 have a baby, why abort it? Put it up for
23 adoption. There are so many people in this
24 country who would like to have and raise children
25 that can't. Put them up for adoption. The child

1 did not cause the rape. The child did not cause
2 the pregnancy. That's why I am for this
3 amendment.

4 Thank you very much.

5 SECRETARY HOSEMANN: Thank you. Anyone
6 else?

7 Okay. At this point in the program we're
8 going to take a five-minute break. Then we're
9 going to start on voter ID. We'll let Christin
10 and Brad exit here, and we'll get our speakers
11 for both "for" and "against" voter ID, and we'll
12 kick right back off in five minutes.

13 (OFF THE RECORD)

14 SECRETARY HOSEMANN: Hello. Okay. If
15 everyone will be seated, we'll kick right back
16 off on time.

17 Michael Joseph Smith -- if he'll join us on
18 the podium -- and Mary Wade.

19 The next amendment, I'm going to remind
20 y'all -- the personhood, of course, is Initiative
21 26, definition of a person. The next one is
22 voter ID, and that's what we'll be talking about
23 tonight for the next few minutes.

24 Each one of these pamphlets are available to
25 you over here, and on it, it goes through the

1 process where everything is and what's been done;
2 also the process it took to get voter ID on the
3 ballot, personhood, and eminent domain. And then
4 on each one of the initiatives, there is a
5 position for and against voter ID, for and
6 against personhood or eminent domain. Those are
7 written by the sponsors, and they are given to us
8 -- right -- by Mississippians to vocalize their
9 reason for going out and gathering 89,000
10 signatures so that you have the opportunity to
11 vote.

12 So those are not written by the Secretary of
13 State's office. They are written by the
14 proponents and opponents of the initiative. The
15 initiative itself is included, so anybody that
16 wants to see what it actually says, it's included
17 here on the copyrighted side here and a little
18 description of how we got here.

19 And, finally, there's a required fiscal
20 analysis, how much it would cost to implement the
21 various initiatives; and the voter ID proposed
22 cost is \$1,499,000.

23 So those are all here, and they are all
24 available for you; and I would encourage you to
25 please take those with you. Take an extra one or

1 two for your neighbor so that they can get a look
2 at that.

3 The first one is -- let's see. Is Michael
4 here? Michael Smith here? Is he here? He's
5 here. Michael, are you ready? You're up for
6 five minutes. Would you come up here, please.
7 Yes, sir. Our "for" and "against" will be up
8 here.

9 And then is Mary Wade here? Mary, would you
10 come up and sit with us so we won't delay too
11 long.

12 Michael, you're on for five minutes.

13 MR. SMITH: Thank you, Secretary. First,
14 let me commend you for doing it the right way and
15 starting at the top of Mississippi this time as
16 opposed to starting in Jackson and work your way
17 up. We appreciate that. We appreciate you
18 allowing the good citizens and folks in Desoto
19 County, Southaven to have an opportunity to
20 address their concerns.

21 I'm here to talk about the Initiative 27,
22 voter identification. I'd like to preface this
23 as "voter law smacks of voter suppression." My
24 name is Mike Smith. I'm a native Desoto
25 countian. I reside in Southaven, Mississippi.

1 Supporters say that this is necessary to
2 prevent voter fraud, but the operative question
3 is why at a time of economic distress and state
4 budget shortfalls is this such a priority? The
5 answer has less to do with prevention than with
6 suppression.

7 In theory, there isn't anything wrong with
8 requiring photo ID to vote just as they're
9 required to drive your car, to board a plane, or
10 cash a check.

11 Now, the constitution gives states broad
12 latitude to run their elections, and a 2008
13 supreme court ruling upheld an ID law in the
14 state of Indiana giving other states a green
15 light for their own laws.

16 Voter fraud is rare and consists largely of
17 the types of actions that IDs wouldn't correct,
18 such as vote buying and voter intimidation, which
19 usually you will find at some of the voting poll
20 sites. Now, fraud is already kept in check by
21 election officials, poll watchers from both
22 parties, and acceptance of alternatives to photo
23 IDs such as utility bills.

24 One study in Minnesota done after the
25 extraordinary close senate race in the year of

1 2008, no charges were filed that year. Those
2 seven cases were exceeded by the dozen or so
3 elderly nuns in nearby Indiana who were turned
4 away from the polls for lack of picture IDs.
5 Now, the nuns were exercising a surprisingly
6 common choice here. An estimated 1 in 11 do not
7 have government-issued photo IDs, and I would
8 speculate the number in Mississippi is much
9 higher.

10 This is, of course, an option they should be
11 free to exercise. They also have every right to
12 participate in elections, and the government has
13 an obligation to allow them reasonable access to
14 the polls.

15 This photo ID mandate would
16 disproportionately impact senior citizens, and I
17 must say I'm a very proud AARP member. And we
18 want to do everything we can to get people to the
19 polls, because we had a very disloyal turnout in
20 Desoto County in the last election. Less than 7
21 percent people voted. That's pathetic. This is
22 pitiful.

23 At a time now where voter apathy is running
24 at an all-time high in a state whereas we need to
25 try to be proactive in getting people to come to

1 the polls to vote and not to deter them from
2 coming to the polls to vote, we need to make sure
3 we do something different and turn that around.

4 So here we are bordering states of Tennessee
5 and Alabama in the southern part of the state.
6 We should be practically seeking ways for them to
7 becoming registered voters and not putting up
8 barriers to keep them from voting.

9 As I mentioned earlier, I don't have
10 anything against photo ID, but I think that to
11 qualify persons to vote and that have been
12 lawfully voting since becoming eligible to do so
13 but are less likely to have a driver's license or
14 a government-issued photo ID, in summation, this
15 disenfranchises certain classes of persons.
16 Keeping them from having the right to vote is
17 unacceptable, in my opinion; and as we say in
18 Mississippi, "That dog don't hunt."

19 Thank you very much.

20 SECRETARY HOSEMANN: Mary? Mary, are you
21 up? Would you like to use it up here? It's a
22 little bit easier. Or you want to speak from
23 down there?

24 Mary is speaking for the amendment.

25 MS. WADE: Good afternoon, Mr. Speaker. I

1 thank you for giving me a few minutes.

2 I'm here today to talk for voter ID. All
3 three of the initiatives that are going to be on
4 the ballot this November will pass and become law
5 this November. I was going -- I had a longer
6 speech, but we had to shorten it because of the
7 two minutes, so I'm going to skip --

8 SECRETARY HOSEMANN: You have five.

9 MS. WEAVER: You have five.

10 MS. WADE: Okay. Well, then, I'll go back
11 to that.

12 On voter ID, this is a classic example of
13 legislators working against their own
14 constituents. There are two basic arguments
15 against -- opponents of voter ID. One is there
16 is no voter fraud, and the other one, it's hard
17 for the poor and elderly to vote; it makes it
18 hard for them.

19 Now, I personally collected thousands of
20 signatures for this petition, and I have been in
21 the homes of the poor and elderly; and I can tell
22 you firsthand that the poor and the elderly darn
23 near ripped the clipboard out of my hand to sign
24 the petition.

25 The poor and the elderly have morals. They

1 are good people, they are religious people, and
2 they know what is right and wrong. The poor and
3 elderly can use the same ID card to vote they
4 used to register to vote with and to cash their
5 social security, their Medicaid, their Medicare,
6 and their welfare checks. And if there are still
7 some with no ID to vote with, the State will
8 provide one for them free of charge.

9 Now, as for voter -- no voter fraud
10 argument, tell that to Mr. William Pride. You
11 remember him. He lives right down the road from
12 here in Panola County. He lost his election.
13 His opponent stole his election. I spoke to
14 Mr. Pride personally about this. What about
15 Mr. Pride's rights? So go tell him there's no
16 voter fraud in this country.

17 Mr. Secretary, this is a desperate attempt
18 from the progressive Left to facilitate election
19 fraud. In this day and age, when dishonesty and
20 identity theft has exploded in this country, who
21 would not want to make sure that our most coveted
22 right is corrupted -- isn't corrupted?

23 Now, I know that Mississippi has had a
24 particularly shameful past, but what the
25 progressive Left doesn't tell you is that

1 Mississippi has made great personal growth in
2 this state. They want to keep people divided.
3 They want to keep reminding people that they
4 should feel suppressed to keep them down.

5 The real reason, Mr. Secretary, that the
6 progressive Left don't want voter ID to become
7 law in any state is because they want to bribe a
8 way for those people who can't get an ID in this
9 country to vote: Illegal aliens. And with an
10 estimated 20 million here, believe me, they are
11 motivated.

12 Recently, Colorado did an audit of their
13 voter rolls, and they found potentially 12,000
14 people who are not legal U.S. citizens registered
15 to vote. An illegal woman in San Antonio was
16 asked if she had voted. Her response was, "Yeah.
17 So what? What are you going to do about it?"
18 And she slammed the door.

19 Why would we expect anything different from
20 a population who routinely breaks seven to eight
21 laws per day? We have also had the first
22 election debate held in Spanish this year; and if
23 the candidate did not speak Spanish, they could
24 not participate in the debate. Incidentally,
25 this was with absolutely no regard for voters who

1 didn't speak Spanish.

2 Our government is now in the process of
3 desensitizing Americans by humanizing illegal
4 aliens. The Republicans and the Democrats, in
5 direct opposition to 8 percent of Americans, have
6 decided that illegal immigrants will be allowed
7 to break our laws and become voters. And it is
8 no coincidence that Senator Dick Durbin invited a
9 roomful of illegal aliens to our nation's capital
10 last week to let us all know we might be voting
11 for an illegal alien someday as a future
12 representative, a senator, or a president.

13 Mr. Secretary, if we do not protect our most
14 fundamental right to vote in this country, we
15 have truly become a banana republic. This
16 initiative will become law in our state, and it
17 will free up a lot of poll observers. But if
18 this issue continues to be a problem in the
19 future, poll observers will be more than happy to
20 monitor circuit clerk's offices counting absentee
21 ballots if we have to.

22 And I would like to say something to the
23 gentleman that was up here just a minute ago. I
24 don't think that voter intimidation is a problem
25 in this country, because if it was, Eric Holder

1 would have prosecuted the gentlemen in front of
2 the Philadelphia polling station that were
3 standing there with billy clubs.

4 And she's waving, so I have to get down, but
5 there was another thing I would like to show you.
6 And I am trying to get people out to vote. I'm
7 doing my part to do that.

8 Thank you.

9 SECRETARY HOSEMANN: Thank you, Mary.

10 Frank Walker. Frank, you're recognized for
11 two minutes, and you can turn it so they can hear
12 you. You don't have to speak to me. You can
13 turn the mic a little bit. Can you get it there?
14 There you go.

15 MR. WALKER: Thank you, Mr. Secretary.

16 I'm Frank Walker from Olive Branch. I'm for
17 voter ID.

18 There's been much said about the
19 disenfranchising of voters. I personally believe
20 that there is vote fraud in the state of
21 Mississippi. I've heard numbers of 4 to 6
22 percent. That means my vote is only worth .95
23 percent. That disenfranchises me.

24 I believe that many of this -- many citizens
25 of this state and this country are losing faith

1 in a lot of elected officials and losing faith in
2 the vote process. Voter ID would strengthen
3 their faith in that the votes are being properly
4 placed and accounted for. What would we lose if
5 we were to lose faith -- the people in this
6 country were to lose faith in the election
7 process? What would the outcome be?

8 A professor from Loyola University, a Justin
9 Levitt, is apparently making a career of
10 attacking voter ID. He shows up in many, many
11 places and gives an argument about voter ID. He
12 said an ID -- you have to have an ID to buy
13 tobacco or cash a check and saying this is --
14 this is not a right; that the right to vote is a
15 right, and that people have died for this right.

16 He's correct about that, but they did that
17 so people could vote once, that we should have a
18 system to where people are allowed to vote once,
19 and that people have a faith in the system.

20 Just to close out, in reading, when I was
21 working on the petition drive, there were many
22 articles that I looked and read about this pro
23 and con about voter ID. What I thought was very
24 telling is that one of these very anti-voter ID
25 arguments ended with -- their quote was -- "Voter

1 ID only makes a difference in a close election
2 anyway." And I think that makes my point for
3 voter ID.

4 Thank you very much.

5 SECRETARY HOSEMANN: Thank you. Thank
6 you, Frank.

7 Is it Nsombi? Is the "n" silent?

8 MS. LAMBRIGHT: Nsombi.

9 SECRETARY HOSEMANN: Nsombi. Nsombi
10 Lambright will speak, and she's speaking against
11 the amendment.

12 MS. LAMBRIGHT: Good evening. My name is
13 Nsombi Lambright, and I reside in Jackson,
14 Mississippi; and I am also the executive director
15 of the American Civil Liberties Union of
16 Mississippi. And I am here to ask the citizens
17 to vote "no" on Amendment 27.

18 I am the executive director of the
19 ACLU-Mississippi, and I'm also a mother, and I'm
20 also a granddaughter of an 84-year-old woman who
21 has never had identification in her life. She
22 lives in a small Rankin County town. She knows
23 everybody. She's lived there all of her life,
24 and I know that many of you know people like
25 this. She has gone to the same banks. She's

1 never left that community. She's never driven a
2 car in her life. My grandfather always drove her
3 around; and when he passed, me and my mom and
4 other relatives drive her around to her doctors'
5 appointments and to the grocery store.

6 So I'm asking you to vote "no" on Amendment
7 27 to support folks like my grandmother, who has
8 voted for most of her life but has never had a
9 government-issued ID.

10 I, unlike the other speaker, Miss Mary, I
11 don't know how you're going to vote. That's very
12 scary to have someone who's affirming that, that
13 these amendments are going to pass. I hope that
14 all of you will go to the polls and vote based on
15 what's going on in your family and the knowledge
16 that you have about your family members and their
17 ability to make these decisions.

18 Many Americans don't have the necessary
19 identification, just like my grandmother; and
20 most of these Americans, a disproportionate
21 number in Mississippi, are low income, they are
22 racial and ethnic minorities, and they are
23 elderly, just like my grandmother.

24 Also, as the other speakers have said, there
25 is no credible evidence -- no credible evidence

1 -- that voter identification will prevent voter
2 fraud. There's no credible evidence out there.

3 Given our state's very distorted past on
4 race relations, I don't think that we need to
5 continue to feed the country's view of
6 Mississippi being a very racially divisive state
7 by voting on this amendment. I urge you to vote
8 "no."

9 A year ago during the Secretary of State's
10 hearings on voter election law, I urged the
11 Secretary of State's office to look at more
12 training for our elected officials, more training
13 for our poll managers and election commissioners
14 so that they can start doing -- focusing more on
15 purging rolls and knowing election law so that
16 incidents like the incident that happened to me a
17 few years ago when my poll manager decided that
18 he was going to implement voter ID at my polling
19 place and he was going to check to see if the
20 resident on the ID matched what was on the books.

21 So there is a lot of mishandling that
22 happens in those situations when our election
23 managers and poll managers only have one
24 mandatory training a year. That's what we need
25 to focus on and vote "no" on Amendment 27.

1 Thank you.

2 SECRETARY HOSEMANN: Thank you.

3 Steve Whip. Steve Wade. I'm sorry. Sorry,

4 Steve. He is for the amendment. Thank you.

5 MR. WADE: Thank you.

6 Good afternoon, ladies and gentlemen. I'm

7 glad to be here to talk to you about voter photo

8 ID. We worked on a campaign with a small group

9 of people, probably eight to ten. We covered

10 three out of the five districts in Mississippi,

11 and we've been into all kind of homes, all ethnic

12 groups, all stages of life; and let me tell you

13 one thing: The people of Mississippi are all for

14 this.

15 It was the easiest petition signing I've

16 ever done. People were anxious to do this. They

17 could not believe -- a lot of people couldn't

18 believe we didn't have it already. Mississippi

19 has been the last in a lot of things in this

20 country, and for one time we're going to get this

21 on the ballot or get it passed.

22 And to address the voter fraud issue in

23 Mississippi, let me just tell you one thing: All

24 you have to do is do a Google search. Use any

25 search engine. I've looked into that, and I came

1 up with 81 pages with ten items per page just for
2 the state of Mississippi. Now, that has to tell
3 you something.

4 Now, it's been proven right here: 29
5 counties out of 82 counties in Mississippi have
6 people -- well, particularly, 123 percent in 1
7 county -- over the age of 18. 123 percent people
8 voting when there's only 100 percent of people
9 over 18 in the county. Now, how can that be?
10 How can that possibly be? You know there's voter
11 fraud going on.

12 I've heard stories. We've had thousands of
13 people we've interviewed, and they've told us
14 horror stories about it. So there is voter fraud
15 in the state of Mississippi, and I urge you to
16 vote "yes."

17 Thank you.

18 SECRETARY HOSEMANN: Thanks, Steve.

19 Jim Harris. Jim signed up. Jim is speaking
20 for the amendment.

21 MR. HARRIS: I'm still Jim Harris. I
22 still live in Olive Branch; at least I think.

23 It's kind of interesting to listen to some
24 of these speakers about the poll watchers taking
25 -- protecting everybody and their voting rights.

1 Last time I was in an election, the poll watchers
2 I saw were sitting across the street watching the
3 polls and drinking coffee and tea and whatever
4 else they can get and drink. They can't get
5 within I don't know how many feet it is of the
6 polling place or the voting place.

7 But I can tell you a situation that happened
8 to me when I lived in an unnamed state that's
9 about nine miles north of us. I went to the
10 voting facility to vote, and I gave her my name,
11 and she didn't ask for a voter ID card or a
12 picture ID. And she flipped open to my name, and
13 lo and behold, I had already voted. Someone had
14 signed in my house under my name. And I says,
15 "That wasn't me." And she said, "Well, somebody
16 did. It's signed. You can't vote." They would
17 not let me vote.

18 That happened to me. If someone would
19 require an ID, a picture ID, with a signature on
20 it, that would not have happened. And the people
21 I talked to up there didn't have a concern.

22 Well, we've got so many people here, there's
23 nothing we can do about it. You're going to have
24 to fill out this form and 42 copies and send it
25 to your congressman or take it downtown and

1 they'll run it through the shredder or something.

2 We need this initiative. We need a photo
3 ID. It's not about keeping people from voting.
4 It's about confirming that the people who are
5 voting is that person.

6 SECRETARY HOSEMANN: You did good, Jim.
7 You're right on time, man.

8 All right. Is it anyone else that would
9 like to speak for or against voter ID
10 constitutional initiative?

11 Yes, sir. Would you like to speak, sir? If
12 you can just speak clearly your name, and you're
13 recognized for two minutes. Thank you.

14 MR. JINKINS: Thank you. I'm Jim Jinkins.
15 I live in Olive Branch. I was raised in
16 Dyersburg, like a lot of people who now live in
17 Mississippi, and my father and my aunts told me
18 lots about their life in Crenshaw, Panola County,
19 how people live in a very small town and in the
20 country.

21 Now I'm here to say I'm here to propose
22 suppressing votes: The votes of people who are
23 trying to commit voter fraud.

24 Ma'am, you and your relatives take your
25 grandma to a lot of places. Could you consider

1 possibly taking her to get a free photo ID just
2 for her? You don't have to, but if you don't,
3 someone else is going to commit a voter fraud
4 again.

5 Like I say, I'm here to suppress illegal
6 votes because they steal the value of my vote,
7 and that's all I'm here for.

8 Thank you.

9 SECRETARY HOSEMANN: Thank you. Thank
10 you, Jim.

11 Anyone else would like to speak for or
12 against the amendment?

13 Hearing none, we will proceed to eminent
14 domain. And no need for a break. I think we're
15 right on time, so we'll stay with that.

16 Let's see. Lea Anne, would you please get
17 me the "for" and "against" eminent domain while
18 I'm describing it here.

19 The eminent domain amendment is, "Should the
20 government be prohibited from taking private
21 property by eminent domain and then transfer it
22 to other persons?"

23 And in the discussion of the initiative, the
24 "ballot title" will read, "Should government be
25 prohibited from taking private property by

1 eminent domain and transferring it to other
2 persons?"

3 In the "ballot summary," we'll see,
4 "Initiative 31" -- this is the third one that has
5 met the number of required signatures -- "would
6 amend the Mississippi Constitution to prohibit
7 state and local government from taking private
8 property by eminent domain and then conveying it
9 to other persons or private businesses for a
10 period of ten years after acquisition.

11 Exceptions to the prohibition include drainage
12 and levee facilities, roads, bridges, port,
13 airports, common carriers, and utilities. The
14 prohibition would not apply in certain
15 situations, including public nuisance, structures
16 unfit for human habitation, and abandoned
17 property."

18 The "for" amendment was drafted by David
19 Waide. David was the former president of the
20 Mississippi Farm Bureau. And Leland Speed has
21 drafted the "no/against" argument that's in the
22 brochure. Leland is president of a public
23 company and now serves as the head of the
24 Mississippi Development Authority at a
25 compensation of \$1 per year, so he's working for

1 the taxpayer.

2 We'll start by the -- who's going to do the

3 -- we'll start with the "for." I think we

4 started with the "against" last time, so that

5 would be you, if you would come up for five

6 minutes, please.

7 MR. BIBB: First, thank you, Secretary,

8 for having us. This has been a learning

9 experience for me. I've enjoyed the other two

10 initiatives we've talked about. I've learned a

11 lot.

12 I am Reggie Bibb. I live in Tunica now. I

13 grew up in Desoto County. We lived in the

14 metropolis of Henton. Most of y'all don't know

15 where that is because it's no longer there. But

16 I lived there with -- my family moved to a family

17 farm in Tunica County, and I still live on that

18 same 80 acres that was my grandfather's; so --

19 but I am here to speak for Initiative 31.

20 I'm representing the Mississippi Farm

21 Bureau. I was the past president of Tunica

22 County, was involved with circulating the

23 initiative or the petitions, and care very much

24 about this because I believe in our personal

25 rights.

1 I understand the other side. I understand
2 the veto by Governor Barbour. All of those
3 things make sense to me. Giving up one more
4 right does not make sense to me.

5 A little information. We're here in good
6 company for eminent domain. Our "Founding
7 Fathers" took this very seriously: John Adams,
8 Thomas Jefferson, James Madison. James Madison
9 -- the part of eminent domain -- the 5th
10 Amendment of the Bill of Rights was the part that
11 he did. John Adams -- part of a quote --
12 "Property must be secured or liberty cannot
13 exist." That's just the end of a great quote
14 about personal property and how important it is
15 to our nation. Used to, if you looked up eminent
16 domain in the dictionary, it would say things
17 like "condemnation for public use and public
18 safety."

19 In 2005 something was added: "economic
20 development." The almighty dollar became more
21 important, and now we have those things to look
22 at. You can take property or our state can
23 possibly take property to build something that
24 would be grand, we would think. It would provide
25 a lot of jobs, provide a lot of tax revenue,

1 which is important for the state, but it would
2 take a right away from something that was given
3 to us by our "Founding Fathers."
4 Forty-three other states have passed
5 legislation or amendments to strengthen the laws
6 in their states for controlling eminent domain
7 and not allowing the private use of those
8 properties. Texas and Florida have laws much
9 stronger than what is trying to be passed here in
10 Mississippi that have not been a detriment to
11 economic development. They are number one and
12 number two in the South for economic development
13 since they passed those laws.

14 So I just don't think we are going to see
15 the loss of our economic development. If we pass
16 this law, what we will see is a continuation of
17 personal rights to own property.

18 Do you want the State to set the price of
19 your land if it came up to be a parcel that they
20 wanted? That's what will happen. It's not going
21 to be a free market. You're not going to be able
22 to isolate your spot and say, you know, "This is
23 where I grew up. This is the land I want to live
24 on." Well, there's some price out there, more
25 than likely, that you would take, but you should

1 get to set that, not the state, not the state
2 setting it by condemnation through eminent
3 domain.

4 These are the things that I believe, and I
5 hope you will support the Initiative 31. I don't
6 want to give up any more of our rights.

7 Thank you for this time.

8 SECRETARY HOSEMANN: Next speaker for five
9 minutes, Ron Farris, will be speaking against the
10 amendment.

11 MR. FARRIS: Thank you, Mr. Secretary.

12 Good evening, everybody. It's an honor to
13 be here with you tonight. This is the kind of
14 thing that makes this country great. And whether
15 you're for them or against them, we're doing
16 something that a lot of people in this world will
17 never have a chance to do, and I'm grateful to be
18 here to be with you.

19 And I will fight for your right to disagree
20 with me, and that is a wonderful thing. It's an
21 interesting evening, and we are kind of on the
22 tail end. We talked about personhood, we talked
23 about citizenship, if you will, and now we're
24 talking about livelihood. And all those things
25 are important, and I'm not going to rank them;

1 but I'll tell you: If you can't make a living
2 and you can't find a good job, you're in trouble.

3 Now, I'm going to tell you I'm a member of
4 the Farm Bureau too. I pay my \$35 a year just
5 like a lot of other people do, and I wish they
6 had asked me my opinion before they decided what
7 position they were going to take; but that's
8 another issue. I will do what I came here to do.

9 My name is Ron Farris, and my good friend
10 and colleague, Leland Speed, was supposed to be
11 here tonight and had an unavoidable conflict and
12 asked me at noon today to drive up here and speak
13 on his behalf. So I'm here on his behalf. He
14 sends his regrets -- he just could not make it --
15 because this is very important to him and to a
16 lot of other people.

17 And I speak to you, not just as a person who
18 is a friend of Leland's. I'm a fourth-generation
19 Mississippian, I am a husband, I am a father of
20 two fifth-generation Mississippians; and I hope
21 that they stay here and generate lots and lots of
22 other generations of Mississippians. And I will
23 be proud one day if one of them is standing here
24 in a meeting like this in a hundred years and
25 remembering or not realizing that I did this a

1 hundred years earlier. That's the way it works.

2 But here's what we're here about: I believe
3 in private property rights. I'm a real property
4 development lawyer. That's what I do every day
5 and have done it for 25 years this year. And I
6 am all about assisting people to take real
7 property and turn it into something good, because
8 that improves our communities, it puts money on
9 the tax rolls, it helps us all, and that is the
10 tide that lifts all the boats.

11 I do not like eminent domain, nor did our
12 "Founding Fathers," nor did the "Founding
13 Fathers" of Mississippi in 1817 that drafted the
14 first constitution, nor did our forebearers who
15 drafted the 1890 Constitution.

16 In the 1787 United States Constitution that
17 we live under today, they put in the Bill of
18 Rights a protection against the abuse of eminent
19 domain. It can only be used for public purposes,
20 and if it is taken -- and that's land, of
21 course -- if it's taken, then you are entitled to
22 just compensation.

23 It was a guarantee that the entire founding
24 of this country rested upon. It was that
25 important still in 1817 when we started this

1 state, and it's still there today. And don't let
2 anybody tell you that anything has changed,
3 because the Kelo decision out of Connecticut that
4 started this whole decision did not change
5 anything in the protections we have in eminent
6 domain.

7 Now, I oppose this initiative, along with
8 Leland Speed and a lot of other people who care
9 about this state and have proven that over time
10 for several reasons, and I'm going to give you
11 three of them.

12 The first one is because it's a bad idea;
13 the second one is because it will do
14 irretrievable harm to Mississippi and to
15 Mississippians for generations to come; and,
16 third and lastly, because there are better and
17 more -- and more reasonable alternatives that do
18 exist that are not being considered in this
19 discussion.

20 Now, just to be very brief, this is not
21 about preserving private property, and people
22 that are using that phrase in their campaign to
23 get this initiative passed are not necessarily
24 being straightforward and honest.

25 Initiative 31 does not stop the taking of

1 private property. Three supervisors in any
2 county can still take your property. Two members
3 of the Mississippi Department of Transportation
4 can still vote and take your property to build a
5 road.

6 As you work through the process of what is
7 exempted by the lobbyists who helped write
8 Initiative 31, you find that they can take your
9 property still for all kinds of things:
10 Drainage, levee facilities, roads, bridges for
11 public conveyance, flood control projects with a
12 levee component, seawalls, dams, toll rolls,
13 public airports, public ports, public harbors,
14 public wayports, common carriers or facilities
15 for public utilities, and other entities used in
16 the generation, transmission, storage, or
17 distribution of telephone, telecommunication,
18 gas, carbon dioxide, electricity, water, sewer,
19 natural gas, liquid hydrocarbons, or other
20 utility products. They all got exempted out of
21 this deal, even if we passed it.

22 You know who got left out and who is going
23 to be the only people who get hit with this? The
24 people who are trying to build this state for
25 economic development projects.

1 Let me tell you the bottom line facts on
2 economic development, eminent domain. My
3 esteemed friend here from the Farm Bureau did not
4 cite one case to you where eminent domain has
5 been abused in the state, because there isn't
6 one. There's not one court in the state history
7 of Mississippi going back to 1817 that has ruled
8 that the State of Mississippi abused the right of
9 eminent domain.

10 In the course of dealing with this issue,
11 they cannot do that. The reason is because
12 Mississippi law specifically guarantees you
13 protections that many other states don't.

14 So as you listen to the debate about this
15 initiative, remember that you are
16 well-protected -- well-protected -- and that as
17 you go into the future, the one thing I can
18 guarantee you is this: If we pass this
19 initiative, the word will go forth to the
20 businesspeople who are looking at Mississippi and
21 have been looking at Mississippi in building
22 things like Nissan, the Tenn-Tom Waterway, the
23 Toyota plant, and a whole host of other things,
24 the Stennis Space Center. None of those things
25 would be here if we hadn't had eminent domain.

1 And if we take that away, that tool out of
2 the toolbox, we're going to put the closed sign
3 out to business and industry leaders in this
4 country and in this world, and we are going to
5 see that my children do not have the jobs
6 available that they need and that we all
7 acknowledge that we want to be here when they are
8 ready for them.

9 Thank you.

10 SECRETARY HOSEMANN: Thank you, Ron.

11 Jim Harris wanted to speak. Jim? And he
12 would be in favor of the amendment.

13 MR. HARRIS: I should have just sat up
14 here. I don't know if I understand exactly
15 what's going on here. It sounds to me like these
16 arguments are telling you that this initiative is
17 going to get rid of eminent domain. And as far
18 as what I get from it is all it's going to do is
19 make sure that they don't take your property and
20 turn it over to somebody to build a Burger King
21 or something.

22 It's not to get rid of eminent domain. It's
23 to protect the people from Big Brother
24 confiscating your property because some developer
25 wants to build a shopping mall where you happened

1 to grow up for all of your life.

2 And this other one about fair compensation,
3 without just compensation, well, what's just
4 compensation, and who determines what that just
5 compensation is? Not the people whose property
6 is being taken.

7 There's a friend of mine that had 60 acres
8 down south of Olive Branch that now has 30 acres,
9 because they took 30 for I-69 or 269 or whatever
10 that new highway is. "Well, they paid you." He
11 said, "Yeah, right." He didn't get anywhere near
12 what the property was worth.

13 Eminent domain is a good thing. In some
14 cases it really needs to be done for the list
15 that the gentleman just read out, but nowhere in
16 that list that he read did I hear Walmart, Kmart,
17 Target, Burger King. That is wrong, so I am
18 going to support this initiative.

19 Thanks.

20 SECRETARY HOSEMANN: Thank you, Jim. Jim
21 Jenkins.

22 Oh, Mary, are you on the list? Mary, you
23 can come on up, and we'll let Jim Jenkins come
24 down front if he would like. And we'll start.

25 Mary, go ahead. She's for the -- are you

1 going to speak?

2 Okay. Go ahead, Jim.

3 MR. JINKINS: I'm still Jim Jenkins. I'm
4 proud to live in Mississippi where we can have a
5 governor like Haley Barbour. That does not mean
6 that I approve of everything he's said and done.
7 And I can understand why he wants flexibility to
8 use eminent domain to get large tracts of land
9 together for Nissan and whoever, not greedy
10 things like building a casino and a casino
11 parking lot.

12 Anybody hear the word "Kelo"? We now have
13 the precedence to say that something like Kelo is
14 a legitimate public use of the land. Like I say,
15 I like Mr. Barbour. I like a lot of things about
16 Mississippi, but I don't trust the next person
17 that gets elected. I don't trust the next person
18 after that that gets elected. And, historically,
19 there's a real good reason for not trusting
20 people who are making their money in politics.

21 And when you start talking about putting
22 together large chunks of land for whatever use,
23 you're talking about politics. That's why I'm
24 going to vote for this amendment and hope you
25 will too.

1 SECRETARY HOSEMANN: Thank you, Jim.

2 Mary? Mary Wade is speaking for the
3 amendment.

4 MS. WADE: I'm speaking in favor of the
5 eminent domain initiative. The problem I see is
6 the same as what a lot of other people reflected,
7 and that is that government has gone wild and
8 gone out of control. And while eminent domain
9 may have not been an issue in the state of
10 Mississippi or court case, it is -- the Kelo
11 decision is a precursor of what's to come, and we
12 would be -- we would be naive if we thought
13 otherwise.

14 The Government has shown to be a --
15 governments, not one in particular -- has become
16 a bad steward of taxpayers' money, a bad steward
17 of the constitution, and some politicians have
18 become corrupt.

19 And it's no surprise that eminent domain is
20 on the ballot initiative -- ballot this year.
21 Government has no business in sticking their nose
22 in the sale of private property between a
23 landowner and a private company. If the company
24 wants to move to Mississippi, they can call
25 Century 21 just like everybody else and make the

1 sale. There's plenty of land for sale in the
2 state of Mississippi.

3 So let that be a lesson to governments and
4 judicial activists across this nation, that if it
5 abuses the privilege to govern that we consent
6 to, the people will take that privilege away from
7 it.

8 Thank you.

9 SECRETARY HOSEMANN: Thank you, Mary.

10 Anyone else to speak for or against the
11 amendment?

12 Hearing none, I will tell you, Mary, that
13 since I came to office, I've reduced my budget by
14 a million dollars a year. So there are people
15 watching and there are people trying. We know
16 how hard it is to stay employed and run a
17 business, all the other things; and to minimize
18 the cost of government is certainly my position
19 and I think a lot of others, so we are watching
20 and doing what we can.

21 I was interested tonight -- just a point of
22 personal peruse and we'll break -- reached a
23 comment that he, you know, had obviously spoke on
24 behalf of the amendment, this particular one, but
25 learned a lot from the other speakers that he

1 wasn't sure about the other amendments.

2 And I think that's what we are about
3 tonight -- is this will be transcribed. We will
4 accept your written comments, as I mentioned to
5 you earlier. All of those will go on our website
6 for everyone to read.

7 And as offered as it were tonight, it will
8 be very helpful if you would send us written
9 ones, because we want to share your opinion with
10 the rest of the state of Mississippi before
11 November's ballot.

12 As you go out, I would appreciate if you
13 take some of the initiatives, hand them to your
14 friends and neighbors, discuss -- do the public
15 discussion that Ron was just talking about.

16 It's a great event to have these kinds of
17 constitutional discussions in the state of
18 Mississippi 120 years later after our
19 constitution was adopted, so it's a good time for
20 us to honor our servicemen and women by speaking
21 for and against the initiatives and going and
22 voting.

23 In the gubernatorial election last time, we
24 had about 700,000 vote out of about 1.6 million
25 eligible, so we don't quite even get 50 percent.

1 So it's important how you feel. You feel
2 strongly. Grab your neighbor, go to the polls,
3 and that's where we'll make change in
4 Mississippi.

5 I want to thank everyone for coming. It's
6 good to see some over here.

7 Where is Senator Davis? So good to see you
8 here. Thank you very much for coming tonight.

9 And we appreciate everybody that's
10 attended, and we'll hang around for a minute or
11 two. The press is here, if they want to talk to
12 you. There's a good guy to talk to from the
13 Desoto Times who does a great job.

14 Thank you. Thank y'all all for coming.
15 Good night.

16 (HEARING CONCLUDED AT 7:02 P.M.)

17 * * * * *

1 CERTIFICATE OF COURT REPORTER
2 I, SHAUNA W. STANFORD, Certified
3 Shorthand Reporter and Notary Public in and for
4 the State of Mississippi at large, hereby certify
5 that the foregoing pages contain a full, true, and
6 correct transcript of the proceedings as taken by
7 me at the time and place heretofore stated in the
8 aforementioned matter and later reduced to
9 typewritten form by me to the best of my skill and
10 ability.

11 I further certify that I placed the
12 witness under oath to truthfully answer all
13 questions in this matter under the authority
14 vested in me by the State of Mississippi.

15 I further certify that I am not in the
16 employ of or related to any counsel or party in
17 this matter and have no interest, monetary or
18 otherwise, as to the final outcome of this
19 proceeding.

20 WITNESS MY SIGNATURE AND SEAL, this the
21 18th day of July, 2011.

22 _____
23 SHAUNA W. STANFORD, CSR
CSR NO. 1380

24 My Commission Expires:
25 April 12, 2012