



DELBERT HOSEMANN
Secretary of State

MISSISSIPPI SECRETARY OF STATE

CONSTITUTIONAL INITIATIVES PUBLIC HEARING

CLEVELAND, MISSISSIPPI

SEPTEMBER 6, 2011

PRESIDING:

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

ALSO PRESENT:

LEA ANNE BRANDON

MEMBERS OF THE PUBLIC

REPORTED BY: SHARRON F. ALLEN, CSR, RPR
CSR NO. 1144

1 SECRETARY HOSEMANN: Good afternoon,
2 everyone. Thank you for coming today.

3 My name is Delbert Hosemann. I'm Secretary
4 of State of the state of Mississippi. And
5 pursuant to our work for the state of
6 Mississippi, we are required by legislation to
7 have five public hearings on the constitutional
8 amendments for the state of Mississippi that have
9 been signed and proposed.

10 I want to give you a little history here.

11 First, there are three initiatives that are going
12 to be on the November the 8th ballot:
13 Personhood, life begins at conception, voter
14 identification, and eminent domain.

15 The initiative process is not an easy task.
16 For an issue to be placed on the ballot, we have
17 to have 89,285 signatures or 12 percent of
18 everyone that voted the last time. There have to
19 be 17,857 of them from every one of the five old
20 Congressional districts. So in order for the
21 initiative to pass, in addition -- the
22 legislature has put a requirement that in
23 addition to receiving more than the necessary
24 number of votes, they also have to receive at
25 least 40 percent of the total votes cast in the

1 entire election. So you will see us discussing
2 with you the necessity for everyone to vote not
3 only on the governor, but also vote all the way
4 down to the constitutional amendments that will
5 be listed last on the ballot.

6 Tonight is part of the voter evaluation
7 process and voter education process. We will be
8 talking with you this evening, and you will hear
9 discussions about for and against each of the
10 initiatives.

11 As I told you, this is our last meeting of
12 nine. Tonight will be transcribed, and we have
13 someone here who will be transcribing every word
14 that is spoken today. If you're not able to
15 speak tonight, then we encourage you to give us a
16 written statement. I will tell you that we have
17 received -- over 1,000 Mississippians have
18 testified and in discussions about the particular
19 constitutional amendments that are of issue. In
20 addition, we have hosted over a hundred of these
21 on our website, written statements by
22 Mississippians to their fellow Mississippians for
23 and against each of these initiatives.

24 So we welcome your comments, and we would
25 encourage you to look on our website, and you can

1 see all of the other programs have already been
2 published.

3 The format for tonight -- and we'll get
4 started -- the format for tonight is that we will
5 discuss each initiative in the order in which
6 they were filed with our agency. And they will
7 begin, therefore, with the personhood amendment.
8 They will then go to the eminent domain amendment
9 and then -- I'm sorry -- to the voter
10 identification amendment, and finally to the
11 eminent domain amendment.

12 Each segment will begin with a five-minute
13 speech by the individuals for or against each of
14 the amendments. After they have exhausted their
15 five minutes at the podium, we will then invite
16 members of the public to come up and speak. We
17 have a microphone set up here for you. Please
18 address the public as you come up. State your
19 name. And we have a card here that Lea Anne will
20 take from you, and we will try to space those out
21 for and against, rotating each one.

22 We would ask that you limit your comments to
23 two minutes, and she will give you a little heads
24 up when you get down to a minute; and then when
25 your time is up, we would ask you to wrap that up

1 at that point. And please remember, of course,
2 as we've discussed, that any written statement
3 will be included on our website for you to
4 review.

5 These initiatives will be on the November
6 8th ballot and so, therefore, I wouldn't waste
7 any time about discussing whether they ought to
8 be on the ballot or not. They're going to be on
9 the ballot, and you will get to vote on them;
10 each Mississippian will.

11 I would also remind you that servicemen and
12 women from all over Mississippi are fighting
13 today, and we have had over 60 give their lives
14 for us to be able to stand up in a public forum
15 and discuss these kind of critical issues and
16 amendments to our constitution. Therefore, I
17 would ask that you be civil in your discourse
18 with your fellow Mississippians when they get up
19 to speak, even though you may disagree with what
20 they're going to say tonight. I think we respect
21 all of our servicemen and women that are giving
22 sacrifices to serve us so we can win here and
23 talk about these things and come to a reasonable
24 conclusion for our state.

25 So we will start tonight with Brad Prewitt,

1 who is going to be recognized to speak for the
2 personhood amendment. And I'm not sure who is
3 speaking against this initiative. She's not
4 arrived. We'll start with Brad; and after Brad
5 we'll go to the two-minute segment until she
6 comes.

7 Mr. Prewitt.

8 MR. PREWITT: It's great to be back in my
9 home, my county, and alma mater, and it's great
10 to be at Delta State. Thank you, Delbert.

11 This is the ninth of the hearings that
12 Delbert has sponsored, and it's been a great
13 opportunity to talk to you about personhood and
14 what it means. I'm Brad Prewitt, yeson26.net
15 executive director.

16 Personhood is not a novel concept.
17 Personhood starts at the very beginning. It's
18 Biblical; it's scientific; it's civic; it's
19 consistent with state law currently. And it
20 merely is a confirmation constitutionally in
21 November on the ballot that personhood begins at
22 the earliest biological moment, artificial or
23 natural, at conception. And that is very
24 important, because right now in America, abortion
25 continues to proceed at an unparalleled pace of

1 1,000,003 babies per year lost, 53 million since
2 1973. That's one-sixth of our population. Of
3 course, there's also children lost through
4 embryonic stem cell research and other
5 experimentation that is unethical and
6 irresponsible, such as cloning.

7 Now, scientifically, it's unequivocal that
8 life begins at conception. Geneticists
9 throughout have always said that a man is a man
10 at conception. In fact, in the U.S. Senate in
11 the 1980s they had a hearing on when life begins,
12 and there was not a witness stand up in
13 opposition to the fact that it begins at
14 conception. So that's unequivocal and accepted
15 fact.

16 Now, Biblically, why does the Bible matter?
17 Now, I've heard at many of these hearings that
18 God doesn't belong in the public square; that
19 we're not a Christian nation. Well, as
20 Mississippians, we're still a Christian state.
21 And in the very constitution that Secretary of
22 State Hosemann has out front for you, the
23 founders of this constitution, the framers
24 invoked Almighty God in the preamble; and so
25 tonight we'll do the same.

1 And I will commend to you scripture, namely,
2 Genesis 1, where God said, "Let us make man in
3 our image." Now, why is an image bearer of God
4 important? Well, God is all important. So
5 abortion kills an image bearer of God.

6 We're also commanded by Jesus Christ to love
7 our neighbor as ourself. So we're neighbors in
8 the womb and outside the womb and humanity
9 bearers of God's image.

10 Even David himself in Psalms 139:14, 16, in
11 that area of passage, says that "God saw his
12 unformed substance in the womb." Now, the Hebrew
13 for unformed substance is embryo. So Biblically,
14 it's very accepted.

15 Now, in terms of the founding principles and
16 our civic approach as a country, the Declaration
17 of Independence said "All men are created equal,
18 granted unalienable rights by their Creator,
19 among them the right to life, liberty, and the
20 pursuit of happiness."

21 Well, the right to life, we're all created
22 equal; we're equal in the womb, we're equal
23 outside the womb, shouldn't be we granted
24 protection under the law?

25 Well, the U.S. Supreme Court in 1973

1 pondered that. They said, Well, Ms.
2 Weddington -- the opposing counsel for the
3 abortion proponent -- the justice said, Well, if
4 we grant the first amendment to the unborn
5 here -- you're asking us to do that -- then the
6 case for abortion would fall apart, because we
7 would have to grant the unborn the same rights as
8 the woman. And the attorney said, Well, sure,
9 that's exactly right.

10 But, unfortunately, in that case they
11 decided not to pursue that line of thinking.
12 Personhood went flat for 40 years. Guess what
13 happened? 53 million dead. Okay? When you deny
14 personhood, you have genocide. And, friends,
15 this is genocide; 53 million dead.

16 Now, even Ronald Reagan himself in 1988 had
17 a proclamation on personhood. So this is no
18 novel concept.

19 Now, what will the opposition say about
20 this? Tonight they will have all kind of chicken
21 little the sky is falling declarations. They'll
22 say if you recognize personhood of the unborn,
23 you'll end birth control. Well, it will end
24 abortive devices such as plan B pharmaceuticals
25 that kill conceived life; yes, it will do that.

1 They say it will deny the life of the mother.
2 Well, health of the mother is anything from
3 financial to emotional well being. Life of the
4 mother will not be impacted. This is not putting
5 the woman behind the child if a woman is in
6 jeopardy, if her health is in jeopardy. My wife,
7 who is a physician, would not allow me up here
8 promoting anything otherwise. Standards of care
9 continue to operate.

10 How about rape and incest? That's a tough
11 one, friends. We have to show grace to the
12 victim of rape and incest, surely, but killing
13 the baby is not the answer. The rape will still
14 be there. There's adoption. There's orphanages.
15 There are all sorts of options out here that
16 affirm life, and we have to stand by that.
17 Killing is killing, and that's what we say on
18 this issue.

19 Now, how about medical research? You can do
20 responsible medical research that doesn't kill
21 embryos. Adult stem cell has been proven to be
22 as good and better. So there are responsible
23 ways. IVF will not stop. We just say you cannot
24 destroy the embryos which are produced. There
25 are adoption methods for that too.

1 So, friends, this is a very responsible
2 initiative. Friends, they just want to kill
3 babies. They want to continue doing that. Now,
4 who is on the other side? Who's going to make
5 these "Chicken-Little-sky-is-falling" assertions?
6 A very evil and perverse organization called
7 Planned Parenthood. Go research Planned
8 Parenthood, and you will find that Adolph Hitler
9 himself found inspiration from them. It's true.
10 They are about racial cleansing. They're about
11 eliminating the feeble-minded. Those are direct
12 quotes. Go look it up. They get 360 million of
13 your tax dollars every year, and they are going
14 to be using them in Mississippi this fall.
15 They're going to be putting money down here to
16 defeat this initiative because they don't want
17 the pro-life voters to be able to speak on this
18 issue. We know what the Bible says; we know what
19 science says; and we know what our founders said.

20 So Mississippians, I urge you on November
21 8th vote yes on 26.

22 SECRETARY HOSEMANN: Thank you, Brad.

23 I would remind you that out front there is
24 the Initiative 26 pamphlet that we have produced
25 from the Secretary of State's office. It's quite

1 short in that it shows the ballot title will be
2 person will be defined to include every human
3 being from the moment of fertilization, cloning,
4 or the equivalent thereof. The ballot summary
5 that is on the ballot is there and argument for
6 and against each of them. Brad's argument for
7 the initiative and an argument against the
8 initiative are both listed there. In addition,
9 you have the actual initiative itself on the
10 inside cover -- and I encourage everyone to get
11 those -- and then an explanation by me of how we
12 got here and how all of this happened.

13 So I would encourage you to pick up one of
14 these and use it during the debate here. It
15 would be helpful to read it.

16 And to speak against the amendment, Robin
17 Rasmussen. Robin, you will be recognized for
18 five minutes.

19 MS. RASMUSSEN: Good afternoon.

20 My name is Robin Rasmussen. I was born in
21 Starkville. My parents were raised down in Long
22 Beach on the Gulf Coast. I live in Mt. Pleasant,
23 just north of Holly Springs. And I am a
24 practicing attorney, Mississippi resident,
25 mother, a grandmother, a sister, an aunt, a great

1 aunt, a grandmother of two, and I'm happy to say
2 that I've got another grandchild on the way -- a
3 grandchild that was planned, whose life is
4 welcomed by everyone in our family.

5 The decision to have this child was made
6 with thoughtfulness and care and timing and at a
7 time when this child can be raised and loved and
8 cared for. That's really important to me,
9 particularly living in Mississippi where we have
10 the highest child poverty rate in the nation. We
11 have the highest infant mortality rate in the
12 nation. We have the highest teen pregnancy rate
13 in the nation.

14 I'm not here to discuss with you today about
15 whether abortion is moral or amoral, right or
16 wrong. Anybody -- anybody -- can cherry pick the
17 scriptures to make them say whatever they want
18 them to say. I can't tell you the number of
19 times I've sat in church or sat in the hall and
20 had some man pull out a piece of scripture to
21 tell me that something was wrong; and when I went
22 back and read it, it was taken totally out of
23 context. And that's what these folks that are
24 promoting yes on Amendment 26 are trying to do.

25 What this amendment will do -- and it's so

1 broad and it's so radical -- it will essentially
2 put women's rights back over a hundred years. It
3 will take the right of women to exercise their
4 decisions for birth control from the very
5 beginning. No more pills, no more IUDs, which
6 are the most effective ways of preventing
7 pregnancy.

8 In order to have healthy children, what we
9 have to be able to do is plan our families. That
10 is a decision to be made by a woman, her doctor,
11 and her own relationship with God. That's not
12 for our government to decide. And what Amendment
13 26 will allow is our government, the Mississippi
14 state government, to stick its foot into our
15 bedrooms, into our families, and tell us when we
16 can have children and not allow us to decide when
17 that happens.

18 In addition, contrary to what Mr. Prewitt
19 says, on the face of the amendment it sounds
20 like, This is great. This is great. But it
21 affects so many laws. When you change the
22 definition of one word, it has a ripple effect
23 all the way through our legal system. This
24 amendment will clog the pores; it will set up a
25 system for lawyers -- whether you like them or

1 not -- and judges to decide when a woman can have
2 a child. It will set up a system that can
3 criminalize miscarriage. Why did she have a
4 miscarriage? Is the court now going to be the
5 one to decide whether or not Mom drank too much
6 coffee or maybe she had a glass of wine or maybe
7 she did something she shouldn't do, so having a
8 miscarriage is her fault and she can be
9 criminally prosecuted for it? That's what
10 happens when you change the definition of a word.
11 It ripples -- it has a rippling effect all the
12 way down the line.

13 And talk about medical. What is this going
14 to do to doctors? A woman comes in; she has a
15 cancer of some kind, and all of a sudden she's
16 pregnant and she can't be treated because the
17 doctor's afraid if he treats her, he will be
18 prosecuted for harming a person, a person that's
19 not even viable.

20 I urge you on behalf of mothers,
21 grandmothers, and women in Mississippi everywhere
22 vote no on Amendment 26.

23 SECRETARY HOSEMANN: Thank you,
24 Ms. Rasmussen.

25 We now go to the public part of our process.

1 I'll be asking you to come up, please. If you
2 would come up and speak here.

3 We'll start with Robert Shearin.

4 Mr. Shearin is from Southaven, Mississippi, and
5 he is speaking for the personhood initiative.

6 DR. SHEARIN: Mr. Secretary and ladies and
7 gentlemen, my name is Bob Shearin. I'm a proud
8 Mississippian, a physician, and a father, and I
9 support Initiative 26.

10 A few facts of life. In 1981, a United
11 States Senate subcommittee heard testimony from
12 many medical experts and officially reported,
13 quote, "Physicians, biologists, and other
14 scientists agree that conception marks the
15 beginning of a human being -- a being that is
16 alive and is a member of the human species."
17 There's overwhelming agreement on this point in
18 countless medical, biological, and scientific
19 writings.

20 In 1963 even Planned Parenthood pamphlets
21 admitted, quote, An abortion kills the life of
22 the baby after it has begun.

23 In 1997 Planned Parenthood president Faye
24 Wattleton, in an interview, reasserted, quote, I
25 think we have deluded ourselves into believing

1 that people don't know that abortion is killing.
2 So any pretense that abortion is not killing is a
3 signal of our -- Planned Parenthood's --
4 ambivalence, a signal that we cannot say, yes, it
5 kills a fetus.

6 In his analysis of Roe v. Wade, Fordham
7 Professor Robert Byrne sadly wrote, quote, Three
8 generations of Americans have witnessed decisions
9 by the U.S. Supreme Court which explicitly
10 degrade fellow human beings to something less in
11 law than persons in the whole sense. One
12 generation was present at Scott v. Sanford,
13 denying rights to slaves; another at Buck v.
14 Bell, denying rights to retarded persons; and now
15 a third at Roe v. Wade denying rights to unborn
16 children. Are not three generations of error
17 enough? Three generations of error are three too
18 many, and the last of them shall be called the
19 worst.

20 How can we protect sea turtle nests and eggs
21 and even ladybugs and continue to kill over 3700
22 of our little preborn brothers and sisters every
23 day? I agree with Pope Benedict XVI, quote,
24 Every child brings us God's smile and invites us
25 to recognize that life is his gift, a gift to be

1 welcomed with love and preserved with care always
2 and at every moment.

3 Our state constitution can no longer condone
4 the legal fiction found in Roe v. Wade. We must
5 now recognize the uncontroverted scientific fact
6 that each human life begins at conception and
7 therefore should be afforded the protection of
8 personhood from that moment on.

9 Please vote yes on 26.

10 SECRETARY HOSEMANN: Thank you,

11 Dr. Shearin.

12 Barry Campbell. Mr. Campbell is from
13 Cleveland, Mississippi, and he is recognized for
14 two minutes to speak against the personhood
15 amendment.

16 DR. CAMPBELL: I'm Dr. Campbell as well,
17 but I'm a Ph.D., not a physician. I speak as a
18 Cleveland resident, as a citizen of Mississippi.

19 I believe that there are a number of issues
20 here that are part of this ballot initiative that
21 if you think about Mom, you know, apple pie, the
22 flag, you know, it sounds so clear cut -- life,
23 you know, to be in favor of all that and reduce
24 this argument to one that is almost exclusively
25 individual morality.

1 But I would like to make a couple of
2 comments about some of the things that I've read
3 pertaining to some of the scientific issues
4 related to this. I would dispute something, for
5 example, that I saw in the text describing the
6 ballot initiative. I don't think that
7 embryologists worldwide are in agreement about
8 what constitutes the beginning of life, because
9 this has been muddied by so many legal issues out
10 there. What constitutes the end of life? You
11 know, is a person dead when their heart stops
12 beating? Are they likewise alive when their
13 heart begins beating? Is it a matter of brain
14 activity? When does that start? If we're going
15 to look at the cessation of that for a clue as to
16 when life ends that way. So I think there are a
17 number of individual issues.

18 And I think one of the things that makes me
19 personally a little concerned as a person who
20 believes what I believe from a religious
21 standpoint, as well as what I believe from a
22 scientific standpoint, that we have to be careful
23 skating down some of these hallways, because if
24 we say things like all life is sacred, you know,
25 and attach Biblical significance then to it,

1 shouldn't we consider the fact that when we look
2 at the fact that over 50 percent of fertilized
3 eggs don't make it in nature past the
4 implantation standpoint? Over 50 percent of them
5 don't make it to that point. Then it looks to me
6 like the system itself has already made a
7 statement about whether or not this is acceptable
8 or not.

9 And so I think that each of us individually
10 has to look and examine what we feel about this,
11 but really I would recommend people get more
12 information about it and think about it
13 themselves in addition to the morality.

14 Thank you.

15 SECRETARY HOSEMANN: Our next speaker is
16 Emily Hoxie of Hattiesburg. She will be speaking
17 against the initiative. You're recognized for
18 two minutes.

19 MS. HOXIE: Hi. My name is Emily Hoxie,
20 and I'm pleased to speak in opposition to
21 Initiative 26.

22 Because of the extreme consequences, I urge
23 all voters who care about women, children, and
24 families to strongly oppose this initiative.

25 I'm a senior political science major at the

1 University of Southern Mississippi. Last year,
2 at the age of 20, I was diagnosed with stage 2
3 Hodgkin's lymphoma. Other than my unfortunate
4 diagnosis, I was a very healthy, active
5 21-year-old who has never smoked and takes all
6 the deliciously, unhealthy foods the South has to
7 offer in moderation. According to the National
8 Cancer Institute, I am far from alone.
9 Approximately 70,000 young adults are diagnosed
10 with cancer every year in the United States.

11 Delayed cancer diagnosis is now
12 disproportionately higher in young adults.

13 Should Initiative 26 become law, the state
14 would have the power to deny life-saving cancer
15 treatment for any young woman suffering from
16 cancer who becomes pregnant or for any pregnant
17 woman who received a cancer diagnosis.

18 As with any disease, treatment is more
19 effective the sooner it is implemented; however,
20 for a pregnant woman who is diagnosed with cancer
21 or for someone suffering from cancer that becomes
22 pregnant, proper treatment could be delayed.

23 Do Mississippians really want to deny
24 medical care to cancer patients? Is it not more
25 important to raise healthy children in a healthy

1 situation? I implore all of you to seriously
2 consider the far-reaching, unintended
3 consequences Initiative 26 would pose on young
4 women suffering from life-threatening diseases
5 such as cancer. If you truly care about
6 Mississippians of all genders, I urge you to
7 reject Initiative 26.

8 Thank you.

9 SECRETARY HOSEMANN: Thank you, Ms. Hoxie.

10 Michelle Johansen of Cleveland.

11 Ms. Johansen rises to speak against the
12 initiative. You're recognized to speak for two
13 minutes.

14 MS. JOHANSEN: Thank you. My name is
15 Michelle Johansen, and I am speaking as a wife
16 and as the mother of two young daughters. I'm
17 speaking against this initiative.

18 The amendment, if passed, would take away my
19 family's right and responsibility for personal
20 medical decisions for myself and our daughters.
21 Many women who have given birth will tell you
22 that pregnancy is an amazing life-changing
23 experience.

24 For us, both pregnancies were times of hope,
25 possibility, and excitement, and a lot of time

1 spent with my OB-GYN nurses and medical staff
2 getting examined, poked, prodded, and tested. I
3 was blessed with relatively uncomplicated
4 deliveries of healthy babies, for which my
5 husband and I are profoundly grateful.
6 Throughout the pregnancy months and into the
7 delivery room, it was just me, my husband, and
8 our doctors and nurses making important, private
9 medical decisions as to the pregnancies and the
10 births of my daughters.

11 The state of Mississippi in this initiative
12 should not be in my bedroom. It should not be in
13 the OB-GYN examination room, and it should not be
14 in the delivery room of Mississippi's families.

15 This initiative would impact everybody in
16 this room, friends, and strangers, whether you
17 know them or not, because you can't see the
18 effects just by looking at a person. Couples who
19 are using popular birth control methods like
20 Mirena or birth control pills because they don't
21 want to expand their family, couples using IVF
22 because they do want to expand their family, a
23 couple unable to carry a pregnancy to term
24 safely. This initiative allows strangers to have
25 the power to make private decisions for these

1 families, your friend's families.

2 While supporters of Initiative 26 downplay
3 the legal and medical quagmires this amendment
4 will create, I as a mother and not as Chicken
5 Little, think about my daughters' futures every
6 single day. That's my job. I'm concerned about
7 the lack of reproductive rights and choices my
8 daughters will face as young women if this
9 amendment passes. That is why I'm voting against
10 Initiative 26, and I urge you to get more
11 information as well.

12 SECRETARY HOSEMANN: Thank you,
13 Ms. Johansen.

14 Is there anyone else who would like to speak
15 on this initiative?

16 Okay, we're going to take a short
17 five-minute break.

18 (OFF THE RECORD)

19 SECRETARY HOSEMANN: Okay, ladies and
20 gentlemen, we'll start back tonight on our next
21 initiative. We would ask everybody to come back
22 from the back. We'll kick back off and stay on
23 time.

24 Voter identification is also in your same
25 packet of information. It's "Should the

1 Mississippi constitution be amended to require a
2 person to submit government-issued photo
3 identification in order to vote?"

4 And the initiative itself is quite lengthy,
5 and I won't read it all, but it's here in the
6 pamphlet. And also we have the for and against
7 as we described earlier. "Should the Mississippi
8 constitution be amended to require a person to
9 submit government-issued photo identification in
10 order to vote?"

11 So we'll start this evening with Cindy
12 Wheatley. She's recognized to speak for the
13 Initiative 27, voter identification.

14 MS. WHEATLEY: Thank you.

15 I'm Cindy Wheatley from Greenwood. I'm a
16 District 2 voter and vice chairman of the
17 Mississippi Tea Party and one of those who worked
18 to collect over 133,000 signatures on Initiative
19 27. We spent a whole lot of Sunday afternoons
20 driving around to get these initiative signatures
21 from people who are interested, and they were all
22 interested. We didn't just pick certain
23 neighborhoods. We went anywhere we thought we
24 could find a signature; and everywhere we went --
25 and I worked mainly in District 2 and District

1 3 -- when we stopped at a huge lavish house or an
2 old, rundown trailer, we got comments.

3 And the comments were There's a whole lot of
4 dead people voting. And then they would tell a
5 story. They would give me an example, a lot of
6 personal examples.

7 Some of the people who did not choose to
8 sign the petition -- and I will tell you there
9 were very, very few who didn't -- but some of
10 those who didn't choose to sign, they had a story
11 too.

12 This experience circulating these petitions
13 really convinced me that the polls that covers
14 75 percent of the nation wants voter ID is
15 absolutely accurate. In our state the people
16 know that we have to get out and circulate a
17 petition because our legislature has escaped
18 working on a contentious problem like this for 20
19 years. People had to take it into their own
20 hands to go out and get it on the ballot.

21 I ask are over half of our states wrong?
22 because over half of the states already have
23 voter ID. Residents in other states are very
24 satisfied with it. When you talk to Wisconsin
25 voters, Rhode Island voters, Delaware voters,

1 they aren't complaining. So are they doing it
2 wrong, or are we just behind the curve?

3 Professional liberals will tell us that is a
4 solution in search of a problem; but from my own
5 personal experience, I headed out from work,
6 dashed to the polls, and found there was a
7 signature beside my name. It was when I was
8 young, and I wasn't quite as up as I am right
9 now, and I was kind of amazed. I thought maybe I
10 wouldn't get to vote. Thankfully, the ladies at
11 the table let me vote by affidavit. That may not
12 happen for everybody.

13 There's a lot of voter fraud, and anyone who
14 tells you there's not has not talked to the
15 population of Mississippi.

16 It's not all on one side. We have things
17 like Tunica County where the NAACP executive
18 committee member has just been convicted of ten
19 counts fraudulently casting absentee ballots. Of
20 course, she'll only serve five years.

21 But there is fraud out there. Who would
22 think in a little place like Tunica where people
23 know each other that such a thing would happen,
24 but it does.

25 We hear a dull whine that compares voter

1 ID -- which is simply proving who we are like we
2 do nearly every day of our lives for other
3 events -- comparing it to poll taxes, saying it
4 disenfranchises minority voters. But, in fact,
5 most elderly poor who would be the people most
6 apt to be disenfranchised are already on some
7 type of program which requires ID.

8 Were minorities abused and denied rights to
9 vote? Of course. We all know that, although we
10 wish we didn't. But that was over 40 years ago.
11 People now in their 80s and 90s were in their 40s
12 and 50s during the time this change occurred.
13 And some of them were so severely traumatized
14 that they never will adjust, just as some people
15 never get over any kind of trauma. What are we
16 to do about that? Sacrifice the chance of an
17 honest election, or do we move forward?

18 Are things harder for people who live in
19 poverty? There is no doubt about it. But
20 everything is hard, not just voting. The cry
21 that there should be absolutely no cost
22 whatsoever to vote, that's crazy. It costs
23 something to get across town. We actually have
24 people in our county, in Leflore County, who are
25 so poor that they cannot afford transportation to

1 go to the polls. If someone doesn't take them,
2 they won't be going, because they can't just lay
3 out money for a taxi. Some never finished
4 school. They feel strange talking to people that
5 are not family members. Some of them,
6 particularly the elderly, dress in a very casual
7 way, so they feel awkward coming to a voting
8 place. They feel out of place. Let's work on
9 those problems. Let's not stop progress.

10 These issues sure didn't stop us from
11 implementing voting machines, which are a problem
12 for many to use.

13 What this measure does do is deter
14 impersonation fraud, renders dead voters in the
15 book pretty much useless -- cheaters -- stops
16 double voting by individuals who are registered
17 in more than one state, and it stops voting by
18 illegal aliens. Does it solve everything? No,
19 it sure doesn't, but when did we ever pass a law
20 that solved everything?

21 People of both parties -- liberals and
22 conservatives -- want honest elections, and they
23 want to believe that their vote counts.

24 Please vote yes for Initiative 27. Thank
25 you.

1 SECRETARY HOSEMANN: Thank you,
2 Ms. Wheatley.

3 We would ask -- is Ms. Lambright here?

4 Would anyone like to speak against voter
5 identification?

6 Hearing none, we'll move to eminent domain.

7 And the eminent domain initiative is here. It
8 says, "Should the government be prohibited from
9 taking private property by eminent domain and
10 then transferring it to other persons?"

11 The bill itself, Initiative 31, is enclosed
12 herein. And the arguments for and against are
13 both placed here. The argument for the
14 initiative was done by David Waide, who is former
15 president of the Mississippi Farm Bureau, and the
16 argument against is by Leland Speed, who is the
17 Mississippi Development Authority director.

18 We'll start this evening with for. Donald
19 Gant will be speaking for, and is recognized for
20 five minutes to speak for the eminent domain
21 initiative.

22 MR. GANT: Good afternoon.

23 I am Donald Gant. I was born and raised
24 here around Cleveland. Live in Bolivar County.
25 I farm here. And I didn't inherit a farm, but I

1 do want to pass my farm down to my grandkids and
2 on down without somebody taking some unless we
3 want to sell it to them.

4 I'd like to thank you for the opportunity to
5 express my beliefs and the beliefs of the
6 Mississippi Farm Bureau Federation on the issue
7 of taking property from Mississippi landowners
8 for someone else's economic progress.

9 Government entities and certain other
10 entities have the right to take private property
11 for public use, subject to the obligations to pay
12 the landowner or the owners just compensation.

13 This power has grown to an unacceptable level
14 when in 2005 the U.S. Supreme Court held in a
15 5-to-4 decision in *Kelo v. City of New London*,
16 Connecticut, that the city could take away
17 people's homes and turn the property over to a
18 private party that could be developed for its own
19 profit. The court justified this decision by
20 saying that the increased tax revenue on the
21 developed property would benefit the public and
22 that use of the property was therefore a public
23 use. This property was never developed. It's
24 still a flat piece of land. The city spent
25 78 million to get it, and Ms. Kelo's and other

1 homes were bulldozed so they could have a flat
2 place of land there.

3 Ms. Kelo's home was not in a poor area, but
4 many poor people have been evicted and their home
5 taken in urban renewal projects. The Kelo
6 decision set off a firestorm of protest.

7 Forty-three states have enacted reform to prevent
8 just confiscation of private property for private
9 use. Mississippi should also do this.

10 For the past four years Mississippi Farm
11 Bureau Federation has urged the state legislature
12 to protect homeowners and landowners from such
13 confiscation. And in 2009 the state legislature
14 passed HB803, which prohibited the taking of
15 private property under the guise of economic
16 development for private development. Both the
17 house and senate passed this bill. The governor
18 vetoed it. The house overrode the veto, but the
19 senate failed by I think it was six votes on
20 this.

21 The current initiative 31 is to prevent
22 private property taken by eminent domain from
23 being immediately turned over to a private
24 businessperson or businesses. This would not
25 include drainage or levee facilities, roads,

1 bridges, ports, airports, and utilities. In
2 other words, public uses would not be affected.
3 And it would not apply in certain situations,
4 including public uses, structures unfit for human
5 habitation, and abandoned property.

6 If your neighbor wants to buy your farm or
7 your house, he has to come talk to you. He has
8 no right to take it. And you have to deal with
9 him. If you won't take his price and he can't
10 pay you, then he doesn't get it. But if a big
11 company or developer or somebody gets with the
12 board of supervisors or somebody around you and
13 has the wealth to build a hotel or gas station,
14 maybe a liquor store, or whatever on that
15 property that would generate more revenue than
16 you're paying, that does not justify the
17 government taking the property from the owner and
18 turning it over to him.

19 Constitutional rights should not be
20 determined by financial standards or favor the
21 wealthy over others. This initiative affects the
22 rights of all property owners in Mississippi.
23 There is nothing more American than the right to
24 own property, whether it's your home, farm, or
25 place of business.

1 Some say that our initiative helps to
2 correct a problem that never existed. They're
3 wrong. There are several cases already in this
4 state that have happened, and who knows how many
5 is coming up real soon here.

6 Our initiative was carefully crafted to
7 address concerns about the eminent domain
8 problem. Private property can be taken for
9 private use, but it cannot be transferred for ten
10 years. Our initiative allows eminent domain --
11 still allows eminent domain to remove a public
12 nuisance, remove a structure that's beyond
13 repair, acquire abandoned property, or eliminate
14 a threat to public health or safety.

15 In 57 Mississippi counties that we have,
16 there are 66,067 acres of industrial park space
17 available for economic development. These sites
18 have immediate access to railroads, interstates,
19 and many highways. This comes from the chamber
20 of commerce and economic development websites.

21 She's cutting me short, but the main
22 requirement for public and private property is to
23 ensure property rights. And the founders of our
24 constitution emphasized private property must be
25 secure, or liberty cannot exist. American men

1 and women throughout our great nation have fought
2 at home and abroad to ensure the rights and
3 freedoms that we enjoy. We at Farm Bureau want
4 to do our part to see that our rights and
5 freedoms are protected, and Farm Bureau wants
6 Mississippi to have the opportunity to let their
7 voices be heard on this issue. We stand fast in
8 our contention that true economic development
9 begins with a willing buyer and a willing seller.

10 I hope you will support Initiative 31. Go
11 all the way to the bottom of your ballot and vote
12 yes on November 8th.

13 Thank you.

14 SECRETARY HOSEMANN: Thank you, Don.

15 Who will be speaking against? Are you going
16 to speak against? We'll recognize you. Kirk
17 Povall, you can come all the way up to the front
18 here. Glad you could make it.

19 MR. POVALL: Thank you, Secretary
20 Hosemann. On behalf of the mayor and the board
21 of alderman, I welcome you to Cleveland and Delta
22 State. We thank you for holding this public
23 forum on these important initiatives. And I want
24 to say good evening to everyone here.

25 I come tonight representing Mayor Billy

1 Nowell and members of the board of aldermen of
2 the city of Cleveland -- Paul Janoush, Ted
3 Campbell, Gary Gainspoletti, Maurice Smith, Danny
4 Abraham, Ronald Smith, and myself. It's a honor
5 to speak to you this evening to represent the
6 mayor and the board of alderman.

7 And I consider it a privilege to listen to
8 the public debate about the three initiatives
9 that are on the ballot this November. I come
10 tonight to speak in opposition on behalf of the
11 mayor and board of aldermen for Initiative 31
12 that deals with eminent domain.

13 As a Mississippian, I've lived in this great
14 state my entire life, and I'm a fifth-generation
15 Mississippian. My wife and I came to Cleveland
16 in 1973, where we're trying to maintain an active
17 practice of law and have been involved and
18 supportive of many efforts to improve our city
19 and the local community. We are very proud of
20 Cleveland and the progress we've made in this
21 community.

22 With respect to the initiative being
23 discussed, I want to emphasize several
24 preliminary matters. Neither I nor the mayor or
25 the other members of the board of aldermen are

1 adversaries in terms of those who may support
2 Initiative 31. We are all citizens and members
3 of this great democracy which encourages public
4 debate on important issues. It's part of our
5 system of government. Even though we may
6 disagree, we're all Americans; and in this case
7 we're all Mississippians.

8 As a lawyer practicing for the last 38
9 years, I'm familiar with eminent domain
10 proceedings. All my representation in the past
11 has involved representing the landowner in cases
12 where his or her property is being condemned.
13 Most of that work involved the widening of
14 Highway 61 from a two-lane to four-lane highway,
15 and I fully appreciate property rights, and I
16 vigorously defended those rights on every
17 occasion, and will continue to do so both as a
18 citizen and as an attorney.

19 With respect to eminent domain, our founding
20 fathers inserted a provision in the United States
21 Constitution, and likewise a similar provision
22 was included in the Mississippi Constitution of
23 1890, that provides a means of government to
24 exercise right to eminent domain wherever
25 property is needed for public use if the

1 government pays a reasonable and fair
2 compensation of the property. I'm advised that
3 in the state of Mississippi there has not been
4 one case where either the supreme court or any
5 court has determined that exercise of eminent
6 domain was abused. A situation of abuse may have
7 occurred in other states, but our system of laws
8 has worked well. Property owners have been
9 protected where government has exercised the
10 right of eminent domain.

11 The reason that we oppose Initiative 31
12 could be summarized as these basic reasons: It
13 is not good public policy to amend the
14 constitution and insert a prohibition against a
15 local government or any government transferring
16 property taken by eminent domain to a private
17 company for ten years. Once this amendment is
18 adopted, there's no backtracking, no exceptions;
19 and amendments are not easily approved.

20 On the other hand, if the legislature would
21 pass a statute which could be amended in certain
22 situations or exception granted on a case-by-case
23 basis, the legislature could elect the membership
24 and could grant such an exception if one was
25 justified.

1 If Mississippi passes Initiative 31,
2 Governor Barbour has stated the following:
3 "Initiative 31 will do more damage to job
4 creation and economic development than any
5 government action since Mississippi rightfully
6 began trying to balance agriculture with industry
7 in 1935. It puts Mississippi at a catastrophic
8 disadvantage in creating jobs and expanding our
9 economy."

10 In his veto Governor Barbour stated, "If
11 House Bill 803 were to become law, Mississippi
12 would enact a prohibition against the use of
13 eminent domain for job creation or economic
14 development projects. Every company looking to
15 site a new facility or significantly add to an
16 existing facility here will know about this
17 prohibition. And if they didn't, every state
18 competing against Mississippi would tell them
19 over and over about the prohibition, because
20 every other state knows that the use of eminent
21 domain is often required to provide good title to
22 the site for the facility or the critical
23 infrastructure needed to serve this job-creating
24 project.

25 "As a reminder, eminent domain was used to

1 allow Nissan, Toyota, ATK, PACCAR, Stennis Space
2 Center, and the Tennessee-Tombigbee Waterway to
3 exist in Mississippi. Eminent domain would likely
4 be needed to secure title to many other projects
5 for economic development sites in the future; and
6 experienced site selectors, whether corporate or
7 under contract, know it. "

8 Here in Mississippi we've seen tremendous
9 progress in the last eight years with job
10 creation with high-paying jobs. Nowhere in
11 Mississippi is jobs needed more than the
12 Mississippi Delta and in Bolivar County. I'm
13 advised that Bolivar County, our unemployment
14 rate hovers around 10 percent, while in other
15 counties, their unemployment rate has soared from
16 12 to 20 percent.

17 When there are no jobs, our young people
18 leave. And soon, if this exodus is not stopped,
19 in the next five to ten years we will suffer the
20 consequence.

21 There are many examples of how Mississippi
22 is turning the tide. We're starting to attract
23 major industries' corporate headquarters. Even
24 last week Governor Barbour announced nearly 1800
25 new jobs will come to the state, including 1,000

1 jobs that will pay an average of \$67,000. Out of
2 that 1,000 jobs, approximately 100 will be
3 located in Grenada. Think of 100 jobs affecting
4 100 families where the employee makes \$67,000 a
5 year plus benefits. No one in this room would
6 vote against an industry locating in Cleveland
7 that paid those kind of wages to that many
8 families.

9 In Cleveland we count our blessings every
10 day for the presence of Baxter Healthcare
11 Corporation, where anywhere from 750 to 1,000
12 people are employed who make excellent wages and
13 receive great benefits. I think it would be a
14 consensus to everyone in this room -- certainly
15 to people who live in this part of the state --
16 that Baxter over 50 years.

17 Just think of this, and I'll conclude,
18 Mr. Secretary: If in the next five years Baxter
19 Healthcare announced a need for an additional
20 40 acres of land to construct an additional
21 facility, and it became apparent under this
22 constitution they couldn't acquire that land and
23 they left, what would be the economic impact on
24 this community if they left?

25 I want to be in a position when my grandson,

1 who is a seventh-generation Mississippian, grows
2 up and asks me, Are there any jobs in this state?
3 I want to be able to say yes and not say that we
4 built a barrier around Mississippi with this
5 initiative in November of 2011.

6 And for that reason we respectfully request
7 that you vote no against this initiative.

8 Thank you again, Mr. Secretary.

9 SECRETARY HOSEMANN: Thank you.

10 We'll now pick up with our public portion of
11 the speaking.

12 Nicholas O'Neal, from Greenwood,
13 Mississippi, to speak for the eminent domain
14 initiative. You're recognized for two minutes.

15 MR. O'NEAL: Good evening, everyone.

16 I'm Nicholas O'Neal, and I'm a citizen of
17 Greenwood, and I farm in Holmes County. I'm a
18 row crop producer there. I'm very fortunate that
19 my granddaddy was able to purchase the land that
20 we work down there in 1950, and I'm a proud
21 third-generation farmer on our family farm.

22 You know, we're all entitled to life,
23 liberty, and the pursuit of happiness, and it
24 makes me happy that I can get up every morning
25 and go to work on the family farm and know that

1 my kids enjoy coming down there. And I hope that
2 one day they're able to enjoy the same thing.

3 So let's do the right thing. Let's join the
4 43 other states that have, you know, made sure
5 that eminent domain is not abused and vote yes on
6 Initiative 31 to stop eminent domain abuse.

7 SECRETARY HOSEMANN: Thank you, Mr.
8 O'Neal.

9 Haven Roach. Ms. Roach is recognized from
10 Cleveland, Mississippi, to speak for the eminent
11 domain initiative.

12 MS. ROACH: Hey. My name is Haven Roach,
13 and I'm a student here at Delta State University,
14 and I am from Cleveland.

15 And as you all know, eminent domain was
16 established to take away private property for a
17 public use, such as a road, a highway, a bridge,
18 an airport, etc.

19 The definition of public use has been
20 expanded and abused. Every day someone's private
21 property is taken for private property through
22 eminent domain. Today I would like to persuade
23 each and every one of you to help keep from
24 abusing what eminent domain was actually
25 established for and help keep individuals'

1 property from being taken by the government and
2 turned over to private properties.

3 Vote yes for Initiative 31. Thank you.

4 SECRETARY HOSEMANN: Thank you, Ms. Roach.

5 It's good to have college students speaking up in
6 a public debate.

7 Betty Mills. Ms. Mills is from Winona,
8 Mississippi, and she is recognized for two
9 minutes to speak for the eminent domain
10 initiative.

11 MS. MILLS: Thank you.

12 I am from Montgomery County. We own and
13 have our fourth generation of farmers, and we
14 have pride farmland. We know without a doubt
15 that we could sell our land tomorrow. We want to
16 sell that land. We don't want it to be taken.

17 In the summer of 2010 I actually walked and
18 visited with many homeowners that have a small
19 acreage of land. One in particular really got to
20 my heart. He told me that he had bought his land
21 and he had built his house from scraps that other
22 carpenters had given him. This touched my heart.
23 They had a beautiful home. He took me all
24 through their house. He is in a location that
25 would be sought by many businessmen because it's

1 just in the edge of Winona. I thought this would
2 be so sad for someone to come in and take his
3 land after he had worked so hard for so many
4 years for something that he was very proud of.
5 His wife told me that everything they had was in
6 that house.

7 Now, we all know that that's just a house.
8 It could be taken. It could be taken by a
9 tornado or the acts of devastation, but that is
10 things that we cannot prevent. We do not want
11 anyone to come and take our land. We want to
12 sell our land for what we want to sell our land
13 for. We're proud of where we are today, and we
14 have worked, and we have these rights. And many,
15 many people that I visited with in 2010 felt the
16 same way.

17 Thank you.

18 SECRETARY HOSEMANN: Thank you, Ms. Mills.

19 By the way, is there anyone who would like
20 to speak against? We try to alternate these.

21 Okay, Shea Whitfield from Belzoni,
22 Mississippi. Mr. Whitfield is recognized for two
23 minutes to speak for the initiative.

24 MR. WHITFIELD: My name is Shea Whitfield
25 from Belzoni.

1 My question with eminent domain and this
2 issue is when does it stop? At what point do we
3 as citizens say, Okay, we've had enough
4 government intervention in our daily life.

5 I was figuring up while ago when you said
6 you were a fifth-generation Mississippian. I
7 think my figuring is right. I believe I'm a
8 seventh-generation Mississippian with my great
9 grandfather -- my fourth great grandfather coming
10 to Mississippi in 1820 and settling the place
11 that my daddy's on in Hinds County right now.

12 And I think that is a very -- you know, we really
13 face this because our land down there is next to
14 a golf course.

15 Our family fought in the Civil War and World
16 War II. My granddaddy never lived over 500 yards
17 from where he was born except for the time that
18 he spent in World War II and in the army. How
19 many people can say that? That's a heritage my
20 family has that I don't want to lose just because
21 the golf course wants to expand or some
22 politician needs to pay back a buddy and take
23 your land.

24 You know, I think that is a real possibility
25 if we don't stop this. You know, a politician

1 can come in there, take your land, give it to one
2 of his buddies for whatever purpose he wants,
3 like in New Jersey that never was actually used.

4 Thank you.

5 SECRETARY HOSEMANN: Thank you,
6 Mr. Whitfield. Seven generations is a long time,
7 and we appreciate your family being here.

8 Wanda Hill. Ms. Hill is from Belzoni,
9 Mississippi, and she is going to speak for the
10 eminent domain initiative.

11 MS. HILL : Thank you very much.

12 My family has lived in Belzoni, and we're
13 third-generation farmers and very proud of our
14 land that we've accumulated over the years.

15 We personally are located in a place that
16 they would probably come and get our land for a
17 golf course or whatever -- which they may decide
18 they want to.

19 But my opinion about eminent domain is for
20 public use, yes, perfectly fine. For private
21 use, no. We have not accumulated land, worked
22 hard, paid taxes, and owned things for another
23 person that may be wealthier than us to come in
24 and take our land to make them wealthier and take
25 away the thing that we have valued all our lives.

1 And the ones in opposition to having the
2 initiative on the ballot, they don't want you to
3 have the right to vote on this issue. And they
4 say if the initiative had been in place, we
5 wouldn't have the Ten-Tom Waterways, Stennis
6 Space Center, or Barnett Reservoir.

7 The truth of that matter is the Barnett
8 Reservoir was built for true public use. It
9 supplies Jackson's drinking water. The Ten-Tom
10 Waterways and Stennis Space Center were federal
11 projects, and that wouldn't have even come under
12 state law.

13 So I value everyone's right to own private
14 land, and I cannot believe that people would --
15 more people would come in with industry in
16 Mississippi and put a lot into their land,
17 knowing that someone might come in right behind
18 them and be able to take it if, as Shea said, a
19 politician wanted to do his buddy a favor.

20 SECRETARY HOSEMANN: Thank you, Ms. Hill.

21 Karen Naron. Ms. Naron is from Cleveland,
22 Mississippi, the location of the event this
23 evening, and she rises to speak for the
24 initiative.

25 MS. NARON: I'm Karen Naron, and I'm a

1 retired educator.

2 We also farm on farmland and have that
3 vested interest, and I'm so pleased to be here
4 today to express -- to talk about this issue of
5 taking property from Mississippi citizens and
6 Mississippi landowners for someone else's
7 economic profit. And that is a challenge that's
8 facing us, that if we don't have that opportunity
9 to voice our -- you know, what we really perceive
10 to be best for our state. We had over 100,000
11 citizens to sign petitions to get this eminent
12 domain reform on the ballot, this initiative to
13 be put on the ballot. That shows that there are
14 people who really want to have a voice in this.

15 We have a system that is set up for
16 industrial development, and our counties set
17 aside -- 57 of our counties set aside an amount
18 of property there that is for industrial
19 development. That is the purpose for that. If
20 they choose to move to another area that they
21 deem more like what they would perceive to be
22 more profitable to them, they have ways of
23 obtaining that property.

24 I'd like to quote John Adams, though,
25 because in our constitution he had, as a founding

1 father, had a pretty good perception of what I'm
2 trying to say. "The moment the idea is admitted
3 into society that property is not as sacred as
4 the laws of God and that there is not a force of
5 law and public justice to protect it, anarchy and
6 tyranny will then commence. Property must be
7 secured, or liberty cannot exist."

8 When he voiced that, he was supported by
9 those around him. And we as an organization of
10 Farm Bureau that I've been a member of for many
11 years, we have opportunity to take a stand for
12 this as the grass roots, we call it, moving and
13 expressing their thoughts of what would be best.
14 So we want to see this initiative to be passed,
15 and the only way is for you to vote yes on
16 November 8th.

17 Thank you.

18 SECRETARY HOSEMANN: Thank you, Ms. Naron.

19 Josh Miller. Mr. Miller is from Yazoo City,
20 Mississippi, and he is recognized for two minutes
21 to speak for the initiative.

22 MR. MILLER: My name is Josh Miller. I
23 live in Yazoo City. I own land in Yazoo,
24 Sharkey, and Issaquena County, and I farm in
25 Yazoo and Sharkey County. I'm here tonight to

1 speak in support of Initiative 31. I believe
2 it's our fundamental right to own land.

3 When I was a child, my grandfather once told
4 me that the greatest joy in life is to own land
5 and not everyone would have that joy. He told me
6 one acre or 1,000 acres, your land is your land.

7 We've owned our land in Sharkey County for well
8 over 100 years. There was talk of Highway 61.
9 Well, Highway 61 runs straight through our farm.

10 And it's eventually going to be four-laned
11 between Leland and Vicksburg, and I have no
12 problem with it being four-laned through our
13 land. Of course, we lose part of it, but it's
14 for public use.

15 The problem I have is for the government to
16 come in and take my land for private individuals
17 or private companies to use for their benefits
18 and not the public's benefits. Sharkey County
19 has land set aside in industrial parks for this
20 type use.

21 It's not a Republican or a Democrat problem.
22 It's not a rich or poor problem. It's whether or
23 not the government has the right to take away
24 land for private individuals or private sector
25 use.

1 There was a statement by a German pastor
2 right after the Holocaust, and it read like this:
3 "First they came for the communists, and I didn't
4 speak out because I'm not a communist. Then they
5 came for the trade unionists, and I didn't speak
6 up because I'm not a trade unionist. Then they
7 came for Jews, and I didn't speak out because I'm
8 not a Jew. Then they came for me, and there was
9 no one left to speak for me."

10 I believe as non-landowners and landowners we
11 must speak out in support of Initiative 31 to
12 protect our rights as landowners, our homes, and
13 our way of life.

14 Thank you.

15 SECRETARY HOSEMANN: Thank you,
16 Mr. Miller.

17 Is there anyone else who would like to
18 speak?

19 Yes, sir. You're recognized. When you come
20 up, would you say your name. And if it's
21 difficult like Delbert, you need to spell it.
22 That little lady never got my name right.

23 MR. FIORANELLI: I'm sorry I didn't get
24 the card filled out up front. My name is Jeffrey
25 Fioranelli and I live here in Cleveland.

1 SECRETARY HOSEMANN: You need to spell
2 that last name. She's trying to type it down.

3 MR. FIORANELLI: I'm sorry.
4 F-I-O-R-A-N-E-L-L-I. I've been asked that many
5 times.

6 I've lived here in Bolivar County in
7 Cleveland my whole life. I love the city of
8 Cleveland. I love Bolivar County. It's my
9 choice to stay here and try to make a living for
10 myself and carry on what my family started to do.
11 It was not the easiest path for me to take, but I
12 chose to take it, and I have no regrets. Once
13 again, I love Bolivar County, and I love the city
14 of Cleveland, and I love the state of
15 Mississippi.

16 On the other hand, the issue of eminent
17 domain is there's right and there's wrong, and
18 it's just absolutely wrong for one person to have
19 their land taken by a group of individuals or
20 some special interest group and land in the hands
21 of other individuals that may make more money off
22 of it than the other or create more revenue for
23 the tax base.

24 My great grandfather immigrated here from
25 Italy in the early 1900s because of the place

1 that we live in. It's our America, you know. He
2 owned land himself. My family was able to
3 accumulate some more land. So you can say my
4 family came here from somewhere else, and we have
5 lived the American dream and very much
6 appreciative for it.

7 As for justification for an exception to the
8 eminent domain rule, I see where there could be
9 no justification to take someone's land and give
10 it to someone else. That argument just won't
11 hold any water with me.

12 As far as states competing for different
13 industries, 43 other states have already passed
14 this. The only state around us that hasn't is
15 Arkansas. I'm not involved in all the politics
16 and everything like that, but to my knowledge,
17 the most competition we've had from surrounding
18 states would be Alabama or Tennessee, and they've
19 already passed these laws.

20 My fourth point is that this has already
21 passed the legislature. I mean, it made it to
22 the governor, and he vetoed it. One person shut
23 this whole thing down. The people have already
24 spoken. The people spoke again when we collected
25 the signatures. Let us have one more chance. I

1 mean, we've already spoken, and every time the
2 people's voices have been heard. And we had to
3 take this initiative process because we are not
4 going to be stopped. So let's go ahead with this
5 thing.

6 And I don't want to look back one day -- I
7 have three young girls and another child on the
8 way, and I don't want to look back 40 or 50 years
9 from now if I'm lucky enough to still be here and
10 one of them ask me, "Well, you know, Daddy, where
11 was this picture taken with you and your
12 grandfather in the field?" I don't want to have
13 to look back and my response to them would be,
14 "Well, that was the 40 acres that we used to have
15 next to the city limits that we had no other
16 option but to get rid of it," and now there's
17 whatever sitting on it. So I don't want to look
18 back and have to put my kids -- that to be the
19 answer to my children one day.

20 And one final thing: If a situation such as
21 the Kelo case happens in Mississippi -- if it
22 hadn't happened yet, fine -- but if it happens
23 once, it happens one time too many.

24 Thank you.

25 SECRETARY HOSEMANN: Thank you, Jeffrey.

1 Are there any other comments?

2 If you could come to the forefront here and

3 please state your name.

4 MR. RUSSELL: My name is Clint Russell. I

5 live here in Cleveland, and I farm in Sunflower

6 and Leflore County.

7 This is a real simple issue. Land

8 transferred between a willing buyer and a willing

9 seller, not a willing government to take your

10 land and give it to somebody that wants to buy

11 it.

12 As far as Baxter goes, I know they are great

13 here in this town. I've got a lot of friends

14 that work for them. If they want 40 acres to

15 build something else on, there's plenty of

16 landowners that they can enter negotiation with

17 and try to buy that property, just like I would

18 enter into negotiation to buy a piece of property

19 to farm on. I'm not going to go take somebody

20 else's land to farm on just because maybe I can

21 produce more, feed more people that might be a

22 public use. No, it's not.

23 We need to stop this, and I want to

24 encourage you to vote for Initiative 31. Vote

25 yes on it. It's real simple. We don't need the

1 government taking our land and giving it to
2 another private individual. That's not the way
3 things are supposed to be.

4 Thank you.

5 SECRETARY HOSEMANN: Thank you.

6 Any other comments this evening?

7 I want to thank y'all. We've done nine of
8 these. We started in July meeting with citizens
9 because the ballots to servicemen and women go
10 out 45 days before the election, so they will be
11 going out right at September 20th or thereabouts.

12 As part of that y'all are participating in
13 Mississippi's progress and a little bit of
14 Mississippi's history. When they do go back and
15 look back to see why we did what we did, they'll
16 have a record of you speaking and others speaking
17 here for and against all over the state. Over
18 1,000 people have spoken. The great majority of
19 them have never spoken in a public forum before.
20 They were moved by these issues to come and speak
21 to their fellow citizens. I think that's
22 historic for Mississippi. I think for us to be
23 able to rise and speak in a forum like this for
24 things that we feel strongly about reinvigorates
25 the constitution and again plants our roots in

1 our state. I think it's very important what
2 we've done over the last two months.

3 I'm looking forward to the vote. We'll
4 decide. We'll have educated voters. People will
5 have a chance to speak, read the pamphlets,
6 discuss it with their fellow citizens at church
7 and family gatherings. I encourage you to do
8 that. I encourage you to go vote on November 8th
9 so that we'll reach a conclusion.

10 After this is over and after we've decided
11 whether or not these will be part of the
12 Mississippi constitution, we'll all still be
13 Mississippians, and we will go on and face the
14 next issue.

15 So I think it's been a long journey for
16 those of us, and I've made them all. As we've
17 gone around to visit with the people, we've heard
18 some great stories. There have been some very
19 articulate people speaking.

20 So I want to thank y'all for coming tonight.
21 We're going to conclude, and I appreciate
22 everybody. Have a safe journey home. It's a
23 pretty day. If you were harvesting, it looks
24 like a record crop.

25 Thank you so much for coming.

1 (PROCEEDINGS CONCLUDED AT 6:51 P.M.)

2 * * * * *

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 CERTIFICATE OF COURT REPORTER

2 I, SHARRON F. ALLEN, Certified Shorthand

3 Reporter and Notary Public in and for the State of

4 Mississippi at large, hereby certify that the

5 foregoing 59 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 14th day of September, 2011.

22

SHARRON F. ALLEN, CSR, RPR
CSR NO. 1144

23

24 My Commission Expires:

25 November 5, 2011