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SENATE REAPPORTIONMENT COMMITTEE

ROOM KN 412

JANUARY 11, 2012

Transcribed by:

CLARA C. ROTRUCK

Court Reporter

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

2 SENATOR GAETZ: Good afternoon, ladies and  
3 gentlemen. If you are here for the Senate  
4 Committee on Reapportionment, please take your  
5 seats if you are a member of the Committee.

6 If you are a member of the public, please  
7 find a place to sit down, and we are delighted  
8 to have you all here.

9 Will the administrative assistant please  
10 call the roll for the Committee?

11 THE CLERK: Senator Gaetz?

12 SENATOR GAETZ: Here.

13 THE CLERK: Senator Margolis?

14 SENATOR MARGOLIS: Here.

15 THE CLERK: Senator Altman?

16 SENATOR ALTMAN: Here.

17 THE CLERK: Senator Benacquisto?

18 SENATOR BENACQUISTO: Here.

19 THE CLERK: Senator Braynon?

20 SENATOR BRAYNON: Here.

21 THE CLERK: Senator Bullard?

22 SENATOR BULLARD: Here.

23 THE CLERK: Senator Dean?

24 SENATOR DEAN: Here.

25 THE CLERK: Senator Detert?

1           SENATOR DETERT:   Here.

2           THE CLERK:   Senator Diaz de la Portilla?

3           SENATOR DIAZ DE LA PORTILLA:   Here.

4           THE CLERK:   Senator Evers?

5           Senator Flores?

6           SENATOR FLORES:   Here.

7           THE CLERK:   Senator Garcia?

8           SENATOR GARCIA:   Here.

9           THE CLERK:   Senator Gardiner?

10          SENATOR GARDINER:   Here.

11          THE CLERK:   Senator Gibson?

12          SENATOR GIBSON:   Here.

13          THE CLERK:   Senator Hays?

14          SENATOR HAYS:   Here.

15          THE CLERK:   Senator Joyner?

16          SENATOR JOYNER:   Here.

17          THE CLERK:   Senator Latvala?

18          SENATOR LATVALA:   Here.

19          THE CLERK:   Senator Lynn?

20          SENATOR LYNN:   Here.

21          THE CLERK:   Senator Montford?

22          SENATOR MONTFORD:   Here.

23          THE CLERK:   Senator Negron?

24          SENATOR NEGRON:   Here.

25          THE CLERK:   Senator Rich?

1 SENATOR RICH: Here.

2 THE CLERK: Senator Sachs?

3 SENATOR SACHS: Here.

4 THE CLERK: Senator Simmons?

5 SENATOR SIMMONS: Here.

6 THE CLERK: Senator Siplin?

7 SENATOR SIPLIN: Here.

8 THE CLERK: Senator Sobel?

9 SENATOR SOBEL: Here.

10 THE CLERK: Senator Storms?

11 SENATOR STORMS: Here.

12 THE CLERK: Senator Thrasher?

13 SENATOR THRASHER: Here.

14 THE CLERK: Quorum present.

15 SENATOR GAETZ: Thank you very much, and  
16 the Committee will come to order. This is the  
17 Senate Reapportionment Committee, and I think  
18 it is possible that this may be the last  
19 meeting of the Senate Reapportionment Committee  
20 in this cycle unless the President directs us  
21 to meet again.

22 And with that in mind, let me take a  
23 moment at the beginning of the meeting to thank  
24 the members of the Committee.

25 We have had a long process, an open

1 process, a complete process. Those of you who  
2 serve on this Committee have had the  
3 opportunity to hear from hundreds of our fellow  
4 Floridians.

5 Twenty-two hundred people have testified  
6 before this Committee, over 1,700 in person and  
7 over 500 have testified in writing, and we are  
8 delighted to have their input, and it is based  
9 on their input that we presented a proposed  
10 Committee Bill at the last meeting of the  
11 Committee.

12 The Committee voted to introduce the  
13 proposed Committee Bill with an overwhelming  
14 affirmative vote, and then we asked members of  
15 the public if they would like to provide  
16 additional input on the proposed Committee  
17 Bill, and over 500 individuals, groups,  
18 organizations provided additional input, and  
19 based upon that input, we have a proposed  
20 Committee Substitute, which does not make  
21 remarkable changes in the proposed Committee  
22 Bill, but does take into account input that we  
23 have received from our Supervisors of  
24 Elections, from members of the public and from  
25 groups that are interested in this process.

1           Let me as well say that throughout this  
2 process, we have had extraordinary bipartisan  
3 cooperation from our Majority Leader, Senator  
4 Gardiner, and our Minority Leader, Senator  
5 Rich, and all members of this Committee.

6           Regardless of how final votes may be taken  
7 in this Committee today or on the floor of the  
8 Senate, I want to commend both of our leaders  
9 for ensuring that we have an open, transparent  
10 process that has lent itself, I think, to  
11 spirited, but extraordinarily useful debate and  
12 discussion.

13           Every agreement we have made as to how  
14 this Committee would operate has been by  
15 unanimous consent. And I think the cynics and  
16 the critics who hoped or prayed or believed or  
17 predicted that this process would fail have had  
18 their -- had their predictions and hopes and  
19 fears belied by the bipartisan and unanimous  
20 agreements of this Committee as we have gone  
21 forward.

22           Today we have two Bills on the Committee's  
23 agenda, Senate Bill 1174 establishing the  
24 Congressional Districts of the state, and  
25 Senate Joint Resolution 1176, which apportions

1 Senate State Legislative Districts.

2 As I indicated, we formally introduced  
3 these Bills at our December 6th meeting, but  
4 not before giving the public a second bite at  
5 the apple.

6 We heard testimony, comments and  
7 suggestions for improving the maps, and we have  
8 responded to those suggestions and comments and  
9 criticisms with the proposed Committee  
10 Substitute that you will see today.

11 Our professional staff has been reviewing  
12 the input and has been working to improve the  
13 maps. Our professional staff has prepared for  
14 our consideration today, based on that public  
15 input, proposed Committee Substitutes for the  
16 Senate and Congressional maps.

17 Our Minority Leader, Senator Rich, has  
18 been hard at work, as all of our Senators have,  
19 and as provided by this Committee's policy and  
20 in conformance with this Committee's policy,  
21 she has prepared and filed amendments to the  
22 two Bills that will be before us today, and at  
23 the appropriate time we will turn to Senator  
24 Rich for any comments she may wish to make  
25 about her amendments.

1           Let me go through the order of business  
2 today, because we have a lot to do, so that  
3 everyone will have an opportunity to see where  
4 we are headed, and also members of the public  
5 will see where -- if you would like to make  
6 public testimony, where your testimony might be  
7 the most appropriately inserted.

8           Our order of business is first to take up  
9 Senate Bill 1174, which contains the  
10 Congressional plan, and then move on to the  
11 proposed Committee Substitute. We will hear  
12 the professional staff's explanation of the  
13 proposed Committee Substitute.

14           So we will bring up the Committee  
15 Substitute for Congress, we will hear the  
16 professional staff's description of the PCS,  
17 and then we will turn to Leader Rich for her  
18 comments and for the introduction of her  
19 amendment.

20           Then we will allow an opportunity for  
21 public testimony on the Congressional plan, on  
22 the Rich amendment. The Rich amendment will be  
23 before us, we will hear testimony on the Rich  
24 amendment, then we will vote the Rich amendment  
25 up or down, we will dispose of it and then we



1 will move back to the Congressional plan.

2 We will take testimony on the plan as it  
3 would be in its form then, either amended by  
4 the Rich amendment or not, we will take  
5 testimony at that point, and then we will do  
6 debate on the plan and we will vote the plan up  
7 or down.

8 Mr. Rules Chair, it would be my hope that  
9 in order to give the public and the members of  
10 the Senate time to conduct the other business  
11 we have to conduct, which is to move to the  
12 Senate plan, that at the appropriate time, you  
13 might offer a motion to vote on the  
14 Congressional plan at a time certain.

15 If we move right along, perhaps we can  
16 move that motion to be at a time certain of  
17 about 3:30, but I defer to you, Mr. Rules  
18 Chair, for how you might want to proceed.

19 Then after our action on the Congressional  
20 plan, we will repeat the process with the  
21 proposed Committee Substitute for the Senate  
22 plan that relates to Senate districts.

23 Are there any questions about our  
24 procedures for today as to how we are going to  
25 move forward? Any questions, any comments, any

1 problems?

2 Yes, Senator Bullard, you are recognized  
3 for a question.

4 SENATOR BULLARD: Thank you, Mr. Chairman.  
5 Will -- Mr. Guthrie, will you show the slide on  
6 the big screen as well as on the laptop? Thank  
7 you.

8 SENATOR GAETZ: Yes, Senator Bullard, and  
9 for members of the audience, John Guthrie, who  
10 is the Director of our professional staff, his  
11 presentation on the proposed Committee  
12 Substitute will be on the big screen that you  
13 can see, but also will be carried over our  
14 legislative internet, our intranet.

15 And so the members of the Senate who are  
16 on the Committee will also be able to see what  
17 you are seeing on the small screens ahead of  
18 them.

19 Are there any other questions or any other  
20 comments before we proceed? If not, please  
21 turn to tab one, and we will consider Senate  
22 Bill 1174, which establishes Congressional  
23 districts of the State of Florida.

24 And in order to put us in the proper  
25 posture, Senator Thrasher moves the proposed

1 Committee Substitute. It is now before us, and  
2 Mr. Guthrie, as professional staff Director,  
3 you are recognized to explain the PCS.

4 MR. GUTHRIE: Thank you, Mr. Chairman.  
5 Let's see. Okay. There we go. Thank you,  
6 Mr. Chairman.

7 The first slide reminds us again that  
8 redistricting in Florida during 2011/2012 is  
9 occurring under new provisions of the Florida  
10 Constitution. Article III, Section 16, has  
11 been with us since the Constitution was  
12 initially adopted in 1968, the new  
13 Constitution, but the voters in the fall of  
14 2010, put two new provisions into the Florida  
15 Constitution, requiring first and foremost that  
16 districts not be drawn with the intent to favor  
17 or disfavor a political party or an incumbent,  
18 and that districts not be drawn with the intent  
19 or effect of diminishing the opportunities of  
20 racial and language minorities to participate  
21 fully in the political process.

22 Then Tier 2 of the new redistricting  
23 standards that apply to both Congressional and  
24 State Senate districts and State House  
25 districts is that unless compliance with these

1 Tier 2 standards conflicts with the Tier 1  
2 standards or federal law, districts must be as  
3 nearly equal in population as practicable, must  
4 be compact and must be, where feasible, but  
5 used -- shall follow or shall use political and  
6 geographic boundaries.

7 And then the final provision of the new  
8 sections in the Florida Constitution provides  
9 that the order of standards within Tier 1 and  
10 within Tier 2 is inconsequential. So they all  
11 shall be interpreted as equally meaningful  
12 standards in terms for the Legislature to  
13 follow in redistricting.

14 This Committee, as we recall, has done  
15 more in the way of public outreach than ever  
16 before. We did a tally of the number of  
17 messages and letters that we had sent out to  
18 the public soliciting their active involvement  
19 in Florida's redistricting process, the number  
20 of press releases that have been sent out to  
21 media outlets around the state and the number  
22 of op-eds that have been published in papers in  
23 the state, and you can see the numbers here, a  
24 total of more than 20,000 pieces of  
25 correspondence going out to citizens, asking

1           them to participate in Florida's redistricting  
2           process. And the outreach had an effect.

3           During our listening tour last summer, we  
4           visited 26 locations, almost 5,000 people  
5           recorded their attendance, that is, filled in  
6           an attendance card as they arrived at the site.  
7           There were a good number of people who attended  
8           but did not fill in cards, and we heard from  
9           more than 1,600 speakers at the 26 public  
10          hearings.

11          We continued to take public input after  
12          this Committee released its initial proposed  
13          Committee Bills on November 28th. We -- you  
14          will recall that at our last meeting, The  
15          Florida Channel was of great assistance to us  
16          in compiling a lot of the public input that we  
17          had received prior to that date, and we had a  
18          total of -- by the Committee meeting, we had  
19          567 calls or messages delivered to our website.

20          Since the Committee meeting, we have  
21          gotten another 200 through the end of December,  
22          when we published the proposed Committee  
23          Substitute, and we have had almost 600 during  
24          this year, in the few days that have occurred  
25          this year.

1           So more than 1,300 pieces of  
2           correspondence coming in to the Committee in  
3           reaction to the proposed Committee Bills that  
4           this Committee moved to introduce on -- at our  
5           last meeting on December 6.

6           Plans submitted by the public, I have  
7           updated this slide, the numbers continue  
8           growing. We even had more plans submitted at  
9           the end of last week and some this week. We  
10          are now up to 174 total plans, 86 Congress, 46  
11          Senate and 42 House, and you can see the  
12          breakdown in this table between full and  
13          partial plans that have been submitted to the  
14          Senate.

15          Let's turn now to the proposed Committee  
16          Substitute for Congressional districts. That  
17          is tab two in your packet, and I would like to  
18          walk you through some of the elements that you  
19          find at that tab.

20          First and foremost, there is a copy of the  
21          Bill. The Bill has new district descriptions  
22          for all of -- all 27 of the Congressional  
23          districts. Significantly, it also has some  
24          changes to the title. So we added to the title  
25          of the Bill 27 whereas clauses, which

1 articulate for the public the intent of the  
2 Legislature and factual findings of the  
3 Legislature in terms of what these new  
4 districts are doing.

5 For instance, for District 1, it says, "It  
6 is the intent of the Legislature to establish  
7 Congressional District 1, which is equal in  
8 population to other districts, follows  
9 political and geographic boundaries, includes  
10 Escambia, Santa Rosa, Okaloosa, Walton and  
11 western Holmes Counties, and follows the  
12 boundaries of the state on the western and  
13 northern sides of the district and the Gulf of  
14 Mexico on the south."

15 What that language does is provides you  
16 and provides the public a much more  
17 user-friendly description of the territory that  
18 is included in District 1 than what appears in  
19 the body of the Bill, which lists a bunch of  
20 census, counties, VTDs and tracts and blocks.  
21 So it is a user-friendly version of the -- or  
22 explanation of the basis for these districts.

23 So in your packet, we have a copy of the  
24 Bill. We also have a copy of the proposed  
25 Committee Substitute analysis and an extensive

1 attachment that goes with this analysis,  
2 including maps and statistics for proposed  
3 Congressional districts in Senate Plan  
4 S000C9006, and for ease of reference in the  
5 future, we will just call that plan 9006 in our  
6 meeting today.

7 We will call the amendment offered by  
8 Senator Rich, plan 9010, okay. So those are  
9 the plan numbers associated with those. For  
10 all -- for all of that, we have a copy of some  
11 maps of the state and then a whole myriad of  
12 statistics.

13 Let me point out that -- that on the front  
14 page, we have an index, which indicates what  
15 documents appear in what order in your packet.  
16 So this gives you all of the detail in the  
17 meeting packet as to what the configuration of  
18 these new districts will be.

19 And then also in your meeting packet, we  
20 have a copy of the amendment that was timely  
21 filed by Senator Rich.

22 What is -- what is the difference between  
23 the proposed Committee Substitute and the  
24 Committee Bill that this Committee moved to  
25 introduce at your meeting on December 6?



1           Well, first of all, in the time between  
2           Thanksgiving and Christmas, my staff and I went  
3           back and tried again to work at decreasing the  
4           number of city splits, and doing as good a job  
5           as we could of following city boundaries where  
6           we could, following those mandates of the  
7           Florida Constitution.

8           We also included feedback that this  
9           Committee got at your last Committee meeting  
10          and in the time since that Committee meeting  
11          from the public and also from Supervisors of  
12          Elections.

13          I went to Orlando on Saturday,  
14          December 10th, a few days after your last  
15          Committee meeting, and talked with the Florida  
16          Association of Supervisors of Elections about  
17          where we were in the process, and urged them to  
18          take a close look at the maps that had been  
19          introduced by this Committee and give us their  
20          feedback as to any complications that those  
21          maps might create for them providing  
22          efficient -- or conducting efficient elections  
23          in their jurisdictions.

24          And from about a dozen supervisors, we  
25          received feedback back from them and we

1 incorporated as many of those suggestions as we  
2 could.

3 Some of the -- the major changes in terms  
4 of geography between the proposed Committee  
5 Substitute and the original -- originally  
6 introduced Bill is that the -- you will recall  
7 that on December 6th, we heard a lot from  
8 Charlotte County, that residents in the coastal  
9 portions of Charlotte County wanted to be  
10 removed from a rural district. Well, the  
11 proposed Committee Substitute makes that  
12 change.

13 The second major change is that we heard  
14 from the Central Florida Redistricting Council,  
15 I believe was the name of the organization, a  
16 Hispanic public interest group, that they  
17 wanted to modify the boundaries of the Hispanic  
18 opportunity district in central Florida, and we  
19 were able to accommodate those changes.

20 And finally, we got some direction at the  
21 Committee meeting on the 6th, to adjust the  
22 boundaries of districts bordering Tampa Bay,  
23 and the proposed Committee Substitute makes  
24 those changes as well.

25 And, finally, the Committee went --

1           Committee staff went back and tried to the best  
2           of our ability to follow geographic boundaries  
3           to the extent feasible in the plan. So that is  
4           a quick run-down of the changes in the proposed  
5           Committee Substitute.

6                     In terms of split counties and split  
7           cities, this chart shows that we made some  
8           substantial changes. So the number of split  
9           counties actually went up between the PCB and  
10          the PCS.

11                    The reason for that is that when we put  
12          Charlotte County -- the coastal portions of  
13          Charlotte County into a coastal district, rural  
14          coastal -- or rural Charlotte County into the  
15          interior district, and then to balance out  
16          population, we put interior portions of  
17          Sarasota and Manatee Counties into the rural  
18          district.

19                    So that created some additional county  
20          splits, three additional county splits relative  
21          to the original plan, but it was done for the  
22          purpose of following the very good direction  
23          that this Committee got at your last Committee  
24          meeting about coastal Charlotte County.

25                    In terms of split cities, the number of

1 split cities in the benchmark was 110. We got  
2 63 split cities in the proposed Committee Bill  
3 and 45 in the proposed Committee Substitute.  
4 The number of city splits -- and you will  
5 remember from last time that if -- if a -- the  
6 City of Largo is split between three districts,  
7 we will count that as three city splits.

8 So the number was 254 in the benchmark  
9 plan, the current districts. It was 144 in the  
10 proposed Committee Substitute -- proposed  
11 Committee Bill that was introduced by this  
12 Committee on December 6th, and it is 103 in the  
13 proposed Committee Substitute.

14 So those, Mr. Chairman, are some of the  
15 most salient factors that are behind the tweaks  
16 and refinements that your professional staff  
17 made in the proposed Committee Substitute that  
18 is before the Committee today.

19 SENATOR GAETZ: Thank you, Mr. Guthrie.  
20 For the record, would you please remind the  
21 Committee when the proposed Committee  
22 Substitute was filed and made public?

23 MR. GUTHRIE: The proposed Committee  
24 Substitute was filed on December 30th -- or put  
25 on the website and filed on December 30th of

1 2011.

2 SENATOR GAETZ: And our unanimous consent  
3 agreement here on the Committee was that we  
4 would have an extended time available for the  
5 public and the press and members of the  
6 Committee to see any changes in advance of any  
7 Committee deliberations.

8 Did we meet that requirement with the  
9 filing of the Committee Substitute?

10 MR. GUTHRIE: The requirement was seven  
11 days in advance, items on the agenda would be  
12 publicized. I believe we got the -- well, we  
13 got it out -- we wanted to get it out before  
14 the end of the year.

15 I would have rather gotten it out a few  
16 days earlier. We got it out before the end of  
17 the year, made that deadline, and, in fact, I  
18 think it was 12 days in advance of this  
19 Committee meeting today.

20 SENATOR GAETZ: So members of the  
21 Committee obviously have had access to the  
22 proposed Committee Substitute for 12 days prior  
23 to this meeting, you have had the opportunity  
24 to review the proposed Committee Substitute, to  
25 engage in the professional staff with any

1 technical questions about the proposed  
2 Committee Substitute.

3 Are there any questions that you have now  
4 for Mr. Guthrie about the PCS on the  
5 Congressional maps? We are on the  
6 Congressional maps. Yes, Senator Bullard.

7 SENATOR BULLARD: Thank you, Mr. Chairman.

8 Did -- we didn't specify they would be  
9 working days or not, right, or work days that  
10 the Legislature was open, did we not? Because  
11 this, I believe, was filed while we were on  
12 vacation. Is that correct?

13 SENATOR GAETZ: Yes, exactly, Senator  
14 Bullard. It was the unanimous agreement of  
15 this Committee that we didn't want to play any  
16 games with calendar days. We wanted to give  
17 people as much time as possible, and so,  
18 therefore, the proposed Committee Substitute  
19 was filed 12 days instead of seven days prior  
20 to the action of this Committee.

21 SENATOR BULLARD: Thank you, Mr. Chairman.

22 SENATOR GAETZ: Senator Detert for a  
23 question.

24 SENATOR DETERT: Thank you. I was a  
25 little surprised with the radical change to

1 District 13, because we also had testimony that  
2 said keep Sarasota and Manatee Counties  
3 together, and our first Congressional map did  
4 that.

5 Now the second Congressional map kind of  
6 makes District -- Congressional District 13 a  
7 coastal community, and I -- frankly, I don't  
8 have much of a disagreement with doing it that  
9 way either.

10 The only problem we noticed is that Boca  
11 Grande is split in two, and it is one island  
12 with one ingress and one egress. So it seems  
13 kind of -- flies in the face of common sense to  
14 split an island that small into two  
15 Congressional districts.

16 So if you could just speak to why that was  
17 done, and if that is fixable, I would  
18 appreciate it.

19 SENATOR GAETZ: Thank you very much,  
20 Senator Detert, and sometimes the lines that  
21 are drawn -- the imaginary lines drawn by  
22 public bodies don't make much common sense. My  
23 recollection is that Boca Grande, albeit a  
24 small island, has a county line running through  
25 it. Is that correct, Mr. Guthrie?

1           MR. GUTHRIE: I believe that is correct,  
2           yes.

3           SENATOR GAETZ: And so we were trying to  
4           be faithful to the dicta of Amendments 5 and 6  
5           to where, insofar as possible, insofar as  
6           practical, be a respecter of the lines of  
7           political subdivisions.

8           So I believe that that was the logic  
9           behind respecting the county lines, but, Mr.  
10          Guthrie, any comment that you have on that, and  
11          then, of course, Senator Detert, an amendment  
12          on the floor would be in order if you believe  
13          that that ought to be changed. Mr. Guthrie.

14          MR. GUTHRIE: So let's make sure, Senator  
15          Detert, that we are on the same wavelength  
16          here. What -- the choice that professional  
17          staff made in redrawing this district -- and we  
18          can -- let's look at the same area in the PCS  
19          and in the Committee Substitute and in the  
20          original Bill.

21          So the Bill as filed had significant  
22          portions of Charlotte County, including Boca  
23          Grande, correct, in District 12. In the  
24          proposed Committee Substitute, we put the  
25          coastal portions of Charlotte County in a



1 district with Manatee and Sarasota County, and  
2 we put the interior portions of District 12 --  
3 of Charlotte County in a rural district with  
4 the interior portions of Sarasota and Manatee  
5 Counties.

6 SENATOR GAETZ: But would you speak, Mr.  
7 Guthrie, to Senator Detert's concern as to the  
8 Boca Grande Island?

9 MR. GUTHRIE: Is Boca Grande Island this  
10 area right here?

11 SENATOR GAETZ: It is.

12 MR. GUTHRIE: Okay. Well, in the proposed  
13 Committee Substitute, it is kept entirely in a  
14 single district. If we go back to the Bill as  
15 filed, in that original Bill, the island of  
16 Boca Grande, in fact, was split between two  
17 districts.

18 SENATOR GAETZ: And so there you see the  
19 tension that we have between what Senator  
20 Detert properly describes as common sense, and  
21 a devotion to county lines. But, Senator  
22 Detert, are you satisfied on this point?

23 My understanding now then is that the  
24 matter -- the proposed Committee Substitute  
25 before us keeps the island of Boca Grande in

1 one Congressional district, although that would  
2 appear to -- not appear -- it would exactly  
3 involve having county lines not respected in  
4 this particular case. Is that correct?

5 MR. GUTHRIE: Split in a different way,  
6 yes.

7 SENATOR GAETZ: Yes.

8 SENATOR DETERT: Yeah, as long as that is  
9 the case, I think, you know, a good argument  
10 can be made for the size of the island and the  
11 size of the population. It is just a little  
12 hard to find on the map, because, frankly, it  
13 is so small. But if you assure me it is all in  
14 one county, I frankly think that is the  
15 sensible thing to do.

16 SENATOR GAETZ: And to be clear, Senator  
17 Detert, it is not all in one county, but it is  
18 all in one Congressional district. Is that a  
19 fair statement?

20 MR. GUTHRIE: Right, right.

21 SENATOR GAETZ: Okay. Are there other  
22 questions of Mr. Guthrie, questions about the  
23 PCS?

24 Yes, Senator Sobel.

25 SENATOR SOBEL: Thank you, Mr. Chair.

1           Mr. Guthrie, I was told that in  
2           Congressional District 17, there was an issue  
3           about an airport, the Opa-Locka airport being  
4           separated from the City of Opa-Locka. Is that  
5           -- is there a rationale for that, or it just  
6           happened?

7           SENATOR GAETZ: Mr. Guthrie?

8           MR. GUTHRIE: Let's look at that, Senator  
9           Sobel. I am not familiar, but we can -- we can  
10          zoom into the map. Let's turn on cities as our  
11          background field. So here is the City of  
12          Opa-Locka, and I am just guessing that this  
13          territory right here might be the Opa-Locka  
14          airport. So let's go to Google maps to confirm  
15          that. Yes, that is the airport.

16          So that -- it is a true fact that the  
17          airport property is in District 21, and this --  
18          where -- what we did here is we followed the  
19          city boundary of the City of Opa-Locka and went  
20          around the airport.

21          SENATOR SOBEL: Follow-up, Mr. Chair?

22          SENATOR GAETZ: Of course, Senator Sobel.

23          SENATOR SOBEL: Is there any reason why it  
24          could not be part of 17, because it is part of  
25          that city? I mean, there is no population.

1           MR. GUTHRIE: Well, let's -- let's look at  
2           that question in detail, Senator Sobel. What I  
3           am going to do is zoom into the airport  
4           property and turn on block lines. So -- let me  
5           see.

6           So if I were to put the airport property  
7           into District 17, then there's this -- I don't  
8           know. My best guess is that that is a change  
9           that perhaps could have been made. We didn't  
10          know that keeping Opa-Locka airport together  
11          with the City of Opa-Locka was a driving  
12          principle, so we drew it one way, and you could  
13          have drawn it another way I think is my best  
14          answer.

15          SENATOR GAETZ: And, Senator Sobel, again,  
16          this demonstrates -- your question is so  
17          helpful, because it demonstrates again that  
18          following city boundaries -- and city  
19          boundaries aren't -- sometimes they look like  
20          Rorschach blots, but if you follow city  
21          boundaries, sometimes you leave portions of a  
22          community that some people think are inside the  
23          city, outside of the district.

24          And we have tried here to follow the  
25          municipal boundaries, but in doing so, we left

1 the airport, which has no voting age population  
2 and no population in it, you know, outside of  
3 the city, because it is outside of the city,  
4 but a -- certainly an amendment would be in  
5 order on the floor to address that issue if you  
6 would care to file it.

7 SENATOR SOBEL: Thank you.

8 SENATOR LATVALA: Mr. Chairman?

9 SENATOR GAETZ: Senator Latvala.

10 SENATOR LATVALA: Thank you.

11 Could we revisit the Boca Grande situation  
12 for just a second? I thought I heard Mr.  
13 Guthrie represent to Senator Detert that in the  
14 proposed Committee -- the amendment today, the  
15 proposed Committee Substitute, Boca Grande was  
16 not split between two different districts.

17 And I am just wondering if you could zero  
18 in on that, you know, again, and let's just  
19 make sure.

20 MR. GUTHRIE: Is this the right territory?

21 I --

22 SENATOR LATVALA: It is over -- it is down  
23 further down.

24 MR. GUTHRIE: Oh, down here, okay.

25 SENATOR LATVALA: Right where that line

1 goes across that separates the districts --

2 MR. GUTHRIE: Oh --

3 SENATOR LATVALA: -- that is Boca Grande.

4 MR. GUTHRIE: Okay. If this is the island  
5 of Boca Grande then, thank you, Senator  
6 Latvala, I misspoke. I was looking at the  
7 wrong piece of geography there. You are  
8 exactly correct that what we did in this  
9 instance is followed the county boundary and --

10 SENATOR LATVALA: Mr. Chairman?

11 SENATOR GAETZ: Yes, Senator Latvala.

12 SENATOR LATVALA: Putting Boca Grande back  
13 in that district would not result in an  
14 additional county split, because you've already  
15 got some of the interior area of Lee County  
16 split, so you already have a split there.

17 So if that was an important issue for  
18 Senator Detert to not split that little island  
19 and make people have to go all the way around  
20 or whatever, then that could be accomplished,  
21 because the orange area in the upper right-hand  
22 corner there of Lee County is already in  
23 District 12.

24 SENATOR GAETZ: And thank you. And,  
25 Senator Detert, we beg your pardon, Senator

1           Latvala is absolutely correct, and, again, this  
2           is -- this is -- this is why we are here today,  
3           to find if there are technicalities or  
4           idiosyncrasies that we can address in an  
5           amendment on the floor, that that can be done.

6           And I would just say, Senator Detert, that  
7           if you will work with professional staff, we  
8           certainly can draw up an amendment. We may  
9           have a -- we may have an amendment that  
10          addresses several points, or we may have an  
11          amendment, you know, several amendments that  
12          each address one point, or there may be no  
13          amendments, but at least work with Mr. Guthrie  
14          on this.

15          I think Senator Latvala makes a very good  
16          point that this could be addressed without a  
17          lot of pain.

18          Other comments or questions? I'm sorry,  
19          Senator Bullard, you had a question?

20          SENATOR BULLARD: Back to the issue of --  
21          Mr. Chairman, thank you. Back to the issue of  
22          Opa-Locka. If Senator Sobel is offering an  
23          amendment, I would certainly like to co-sponsor  
24          that amendment, because while it may not have  
25          voters there in that particular area, you

1           certainly have economic development, which  
2           impacts what happens in that city.

3           And that city is struggling as it  
4           presently stands, and I would certainly would  
5           not want them to lose that level of economic  
6           development for -- and jobs for their city. So  
7           I would hope that she does; if not, I will.  
8           Thank you.

9           SENATOR GAETZ: Thank you very much, and  
10          that would be in order on the floor, and we  
11          will go over the amendment deadlines for floor  
12          amendments before we adjourn today.

13          Any other questions as to the PCS?  
14          Questions as to the PCS for professional staff?

15          If not, the PCS is now before you, and it  
16          is in order that we turn to Senator Rich, bar  
17          code -- amendment bar code 646136, and Leader  
18          Rich, thank you for working hard on this issue  
19          and for all your help as we have gone through  
20          the process, and you are recognized, Leader.

21          SENATOR RICH: Thank you. Thank you,  
22          Mr. Chair. Yes, and I do want to -- before I  
23          make my comments here, I do want to say that we  
24          may not always agree on the outcome and the  
25          final result, but certainly the way in which



1           you have chaired and made sure that this  
2           Committee operated in a very cooperative  
3           fashion and a very civil one is very important,  
4           and I do want to recognize the fact that I  
5           appreciate that, and I know that all of my  
6           members do as well.

7           SENATOR GAETZ: Thank you, Leader.

8           SENATOR RICH: This is going to be just  
9           kind of a brief statement, and actually, it  
10          refers to both the -- of the -- each of the  
11          amendments, both the Senate and the  
12          Congressional, but I will focus specifically on  
13          the Congressional now.

14          Throughout the redistricting process, I  
15          have listened carefully to my constituents, to  
16          public testimony and to the comments of my  
17          colleagues on this Committee.

18          Throughout the process, we in the minority  
19          have been asked repeatedly to submit our own  
20          maps, and it was our intention to present our  
21          redistricting maps today at this meeting.

22          Our purpose in presenting an alternative  
23          plan was that we believe that we can do better  
24          in reconciling the Voting Rights Act and  
25          provisions of our State Constitution that we

1 are required to do at this juncture.

2 So in the interest of openness and  
3 transparency, I did file amendments by Monday's  
4 deadline, and I -- that I believe would meet  
5 our goal.

6 Since meeting that deadline, however, it  
7 appears to me that there are some parts of  
8 these maps that can be improved to ensure that  
9 we are complying with the standards in our  
10 Constitution. It -- I regret that these maps  
11 are not exactly where I would like them to be  
12 today in terms of the best reflection of the  
13 requirements of the Voting Rights Act, the  
14 Constitution and the will of the people of  
15 Florida.

16 So for that reason, I wish to temporarily  
17 postpone amendment bar code 6461362, Senate  
18 Bill 1174.

19 SENATOR GAETZ: Without objection, the  
20 Rich amendments are temporarily postponed. I'm  
21 sorry, Mr. Guthrie? Did you mean --

22 SENATOR RICH: Yes, this -- both  
23 amendments. The other amendment is amendment  
24 bar code 5983182, Senate Joint Resolution 1176.

25 SENATOR GAETZ: All right. Without

1 objection, the Rich amendments as to the  
2 Congressional plan and as to the Senate plan  
3 are temporarily postponed. Thank you very  
4 much, Leader Rich, and, of course, Leader Rich,  
5 as well as any other member of the Senate, is  
6 welcome to file a floor amendment, and before  
7 we leave today, we will rearticulate the rules  
8 for the floor amendment.

9 As you know, yesterday on our opening day  
10 in the Senate, the Senate passed by unanimous  
11 consent the request of this Committee, which  
12 was approved by our Rules Chair, to have an  
13 extended period of time so that the public will  
14 know exactly what any amendments are that might  
15 be proposed on the floor to the redistricting  
16 plans.

17 We are now back on the PCS as it is before  
18 us, and we will take testimony on the  
19 Congressional PCS, the Congressional PCS. Now,  
20 for those of you who wish to supply public  
21 testimony, you need to fill out an appearance  
22 card, and get that appearance card to the  
23 administrative assistant.

24 Just bring it up here to the front, and we  
25 will make sure that you get heard. Our goal is

1 to make sure that if you have relevant, germane  
2 comments as to the matters before the Committee  
3 today, the two PCSs, that you have the  
4 opportunity to be heard.

5 So I ask you if you would come forward  
6 with those appearance cards as soon as you  
7 possibly can.

8 We are on the PCS, and our first public  
9 appearance card is by Art Kimbrough. Did Art  
10 -- is Art still here? He stepped out? Well,  
11 we'll -- is Art coming back? Okay. We will  
12 pass Art for the moment and we will go to Sid  
13 Riley. Mr. Riley? I'm sorry, Mr. Riley, as  
14 you come up, who had a question? Senator  
15 Bullard for a question.

16 SENATOR BULLARD: Mr. Chairman, we are on  
17 the actual PCS right now?

18 SENATOR GAETZ: We are on the PCS --

19 SENATOR BULLARD: -- moving on all  
20 amendments? The amendments were withdrawn?

21 SENATOR GAETZ: All amendments have been  
22 withdrawn by Leader Rich, and we are on the PCS  
23 as it was presented by Mr. Guthrie.

24 SENATOR BULLARD: And, Mr. Chairman, I  
25 want to -- may I?

1           SENATOR GAETZ: Of course, ma'am.

2           SENATOR BULLARD: Thank you. I would like  
3 to just say to you and to our Leader Rich that  
4 it is important even as we go to the floor that  
5 we do not diminish -- as it is stated in the  
6 Voting Rights Act and the Amendments 5 and 6,  
7 that we do not diminish the ability of racial  
8 minorities or language minorities to elect  
9 candidates of their choice.

10           Now, clearly today, had those amendments  
11 passed, the District No. 29, District 18,  
12 District 1, District 39 and 35 would have been  
13 impacted.

14           We would have had a diminishment of  
15 African-Americans in every one of those  
16 districts I just numbered. I studied this  
17 carefully. I know now what is happening with  
18 these. I would hope that this will not take  
19 place in any amendments that come to the floor,  
20 because as I sit here today, I will again sit  
21 today on this side of the aisle to work it  
22 down, because I am not going to allow  
23 diminishing of African-Americans.

24           In District No. 29 -- I mean, District No.  
25 33, there was packing, and that District No. 33

1 packed that district, and that is against 5 and  
2 6 -- 5 and 6 and the Voting Rights Act.

3 So I am asking you, and I know that we  
4 have in the first -- in the first PCS, or in  
5 all of the -- those which I had an opportunity  
6 to listen to, I saw that we carefully worked  
7 and where everyone had an opportunity.

8 This would have clearly diminished the  
9 ability for African-Americans to be elected to  
10 office. So I thank you, Mr. Chairman, and I  
11 thank Leader Rich for withdrawing the  
12 amendments. Thank you.

13 SENATOR GAETZ: Thank you, Senator  
14 Bullard.

15 Mr. Riley, are you with us? Mr. Riley is  
16 from Marianna. We are delighted that you were  
17 able to drive over today, and we are anxious to  
18 have your testimony before the Florida Senate.  
19 You are recognized, sir.

20 MR. RILEY: Thank you very much,  
21 Mr. Chairman and distinguished panel. I  
22 appreciate the opportunity to speak.

23 I am here today as -- speaking about  
24 issues in District 6 on the senatorial  
25 redistricting, specifically issues relating to

1 Jackson County, which is the county I live in  
2 in the Panhandle to the west, in the  
3 northwestern, forgotten part of Florida.

4 The -- I speak not as a Democrat or a  
5 Republican, and I have no issues that are  
6 political. I speak as -- from the standpoint  
7 of business and social issues related to the  
8 redistricting.

9 Jackson County is a county that is large  
10 in geographic area, but relatively small in  
11 population. The population is around 50,000,  
12 and it is primarily an agricultural county with  
13 quite a bit of State institutional employment  
14 also in the county, for which we are very  
15 thankful that it is there, because our economy  
16 would certainly suffer without the State  
17 presence in Jackson County.

18 There are no urban and rural issues  
19 involved in the redistricting, there are no  
20 cultural issues involved in the redistricting,  
21 but there are social and business issues that I  
22 would like to bring to your attention.

23 We -- the employment in the state, as I  
24 said, is primarily agricultural and State --  
25 State employment. Because of that, the

1 citizens of the county are closely aligned with  
2 the activities and interests in Tallahassee  
3 much more to the east of the county than they  
4 are to the west of the county, which is --  
5 would include the Pensacola and Eglin Air Force  
6 Base interests in the western end of the  
7 Panhandle.

8 Because of this, Jackson County is right  
9 on the cusp of the division that is in the  
10 proposed redrawing of the lines for  
11 representation, and Jackson County is being  
12 moved into the western block instead of  
13 remaining in the block that would include the  
14 Tallahassee representation, and we feel that  
15 that would be to the detriment of the interests  
16 of a lot of the -- a major part of the  
17 population of the county.

18 SENATOR GAETZ: Sir, I would like to -- we  
19 are delighted to have your testimony, but we  
20 are on the Congressional maps right now. And  
21 do you have testimony related to the  
22 Congressional maps, sir?

23 MR. RILEY: No. In fact, my card said  
24 senatorial redistricting.

25 SENATOR GAETZ: It just says



1 "redistricting," sir.

2 MR. RILEY: I'm sorry.

3 SENATOR GAETZ: That is okay. Now, we  
4 wanted to give you a chance if you wanted to  
5 speak on Congressional redistricting.

6 MR. RILEY: No, we are completely happy  
7 with Steve Southerland and the way it is set  
8 up, so --

9 SENATOR GAETZ: Well, if you wouldn't  
10 mind, if you would allow us to proceed with the  
11 Congressional redistricting --

12 MR. RILEY: Certainly. I don't know how  
13 we got confused.

14 SENATOR GAETZ: -- and come back and we'll  
15 all remember what you said, and you can come  
16 back and finish your testimony in a minute.

17 MR. RILEY: I certainly don't want to have  
18 to say it again.

19 SENATOR GAETZ: Is that okay? Thank you.  
20 Thank you, Mr. Riley, and I'm sorry.

21 Is there any -- Mr. Hatcher, did you have  
22 public testimony on the Congressional  
23 redistricting, or on -- strictly on Senate?

24 MR. HATCHER: Yes.

25 SENATOR GAETZ: Okay. And then, Art, did

1           you wish to speak on --

2           MR. KIMBROUGH: His is the same.

3           SENATOR GAETZ: His is the same? Okay.

4           Mr. Roach, did you have testimony on  
5           Congressional redistricting?

6           MR. ROACH: Yes.

7           SENATOR GAETZ: Mr. Roach, thank you for  
8           being here, and you are recognized on the  
9           Congressional redistricting, the PCS that is  
10          before us right now.

11          MR. ROACH: Thank you, Mr. Chairman. It  
12          is good to see you again, I saw you in Lehigh  
13          Acres when you came down. I testified there.

14          My name is Jim Roach. I am from Cape  
15          Coral, six and-a-half hours from here. I drove  
16          up -- I actually had a presentation, but  
17          apparently there's not enough time to do a  
18          PowerPoint on this, but I wanted to take a  
19          little bit different tack.

20          You put up at the beginning of this some  
21          of the Amendment 6 laws, and one of them said  
22          that you shouldn't draw the maps with the  
23          intent of favoring political party or  
24          incumbents.

25          SENATOR GAETZ: I think it said favoring

1 or disfavoring.

2 MR. ROACH: Favoring -- yeah, correct.

3 And I talked to the House staff, and they  
4 said that the word "intent" meant that if you  
5 didn't look at parties when you drew them, that  
6 intent was different than outcome.

7 So what I wanted to talk about briefly is  
8 the outcome of this map politically, that even  
9 if you didn't look at that, and I trust that  
10 that wasn't taken into consideration, but if  
11 the effect was that it was, and we end up with  
12 the same packed Democrat districts and multiple  
13 Republican districts that we had when we redrew  
14 the lines in 2002, that I think the public  
15 should know that on this map when you publicize  
16 it, because the impact was that, it was --

17 SENATOR GAETZ: Mr. Roach, I don't mean to  
18 interrupt you, but this Committee made a  
19 unanimous consent decision that we were not  
20 going to take into account political partisan  
21 registration data in the development of our  
22 legislation.

23 And so if what you are prepared to do  
24 today is to get into where partisan data falls,  
25 then I would just remind you, sir, that by

1 unanimous consent, we are not going to take  
2 that testimony.

3 MR. ROACH: Okay. And my request was that  
4 when this map gets publicized, because it does  
5 impact us as a voter if I am in a packed  
6 district, my vote don't count as much, that I  
7 would suggest or request that the Committee,  
8 when they publish the maps, since the data is  
9 available, that they make it available to the  
10 public, because we have never had a chance to  
11 look at these maps and compare them  
12 politically, because it is in Amendment 6.

13 SENATOR GAETZ: Well, Mr. Roach, that  
14 would require this Committee changing its  
15 unanimous consent agreement, and this Senator  
16 will vote against changing it, because I don't  
17 believe that partisan political data has any  
18 place in the decision about where lines ought  
19 to be drawn.

20 So this Senate will not publish partisan  
21 political maps. Instead, if you wish to learn  
22 the voting history of a particular area or  
23 neighborhood, that information is publicly  
24 available and you can obtain it, but it will  
25 not be part of the decision-making process of

1 this Committee, period.

2 MR. ROACH: All right. Well, thank you  
3 very much.

4 SENATOR GAETZ: You bet. Thank you, Mr.  
5 Roach.

6 Is there any other public testimony on the  
7 Congressional PCS that is before us?

8 If not, is there debate on the PCS? Is  
9 there debate on the PCS? This is the  
10 Congressional proposed Committee Substitute, it  
11 is before you now. Third call for debate.

12 Senator Bullard.

13 SENATOR BULLARD: Mr. Chairman, I feel  
14 full. I want to say that I thank you. I have  
15 -- I did not have the opportunity to attend all  
16 of the hearings due to my health challenges,  
17 and -- but I watched as much as I could, and  
18 when I could not watch, I would contact those  
19 of whom I felt that I entrusted.

20 I want to leave this Committee meeting  
21 today believing and feeling that the  
22 individuals who are in leadership on both sides  
23 of the aisle will not do as I have seen in the  
24 past in 2002, take a product that we voted on  
25 and then take it to the floor and make a circus

1 of it.

2 Now, if an amendment is formed that will  
3 go to the floor for a vote, I would hope that  
4 some rules and guidelines will be placed that  
5 we might see those amendments prior to those  
6 amendments going to the floor for a vote with a  
7 deadline, because that would mean that we would  
8 not have had an opportunity.

9 And I would hope that at that point we  
10 would not have to call a ruling on the fact  
11 that the person or individuals who have offered  
12 the amendments, whether they are on either side  
13 of the aisle, that they will understand that we  
14 have a right to have an opportunity to listen  
15 to and discuss what is taking place prior to a  
16 floor amendment to dismantle what we are voting  
17 on today.

18 I thank you, Leader Rich. I am pleased  
19 that she withdrew those amendments. And today  
20 I hope that with camaraderie we will go  
21 forward, because I have seen a bitter situation  
22 in 2002. I don't want to see that again.  
23 Thank you.

24 SENATOR GAETZ: Thank you, Senator  
25 Bullard, and in answer to your question, the

1 Senate did unanimously agree yesterday with  
2 this Committee's request that we have an  
3 extended notice time so that we can avoid the  
4 unfortunate circumstance that Senator Bullard  
5 wants to avoid.

6 And, Mr. Guthrie, would you please remind  
7 the Committee members and the public of the  
8 extended amendment deadlines that we have for  
9 floor amendments to the proposed Committee  
10 Substitutes, assuming they are voted out?

11 MR. GUTHRIE: Thank you, Mr. Chairman.

12 Yes, if the Committee reports its proposed  
13 Committee Substitutes today, those will be  
14 filed by this afternoon as Committee  
15 Substitutes.

16 It would be the same plans that have been  
17 out there since December 30th, but it would be  
18 put in the wrapper of a Committee Substitute  
19 from this Bill filed this afternoon.

20 Amendments to that Committee Substitute  
21 must be filed with the Secretary's office by  
22 10:00 a.m. on Friday, the 13th of January.  
23 So -- and in order to meet that deadline, you  
24 must have the plans on the Senate submitted  
25 plans website so that Bill Drafting can access

1 the new district descriptions and prepare an  
2 amendment for you.

3 So, practically speaking, you know, by  
4 very early in the morning on Friday, we would  
5 need to have plans to Committee staff so that  
6 we could get them through all of the technical  
7 processes that we would need to run in order to  
8 get a proper amendment bar coded and filed by  
9 the 10:00 a.m. deadline on Friday, the 13th.

10 SENATOR GAETZ: And, Senator Bullard, this  
11 Committee, Democrats and Republicans, all of  
12 us, in your absence when you were recuperating,  
13 agreed that we wanted to have a no-surprises  
14 rule --

15 SENATOR BULLARD: Right.

16 SENATOR GAETZ: -- a no-gotcha rule, and  
17 we wanted to avoid exactly what you want to  
18 avoid, and, you know, it was on June 6th, that  
19 this Committee made its first call for plans  
20 and maps, and, therefore, organizations or  
21 individuals who would come in at this late hour  
22 with substantial changes or material changes  
23 would certainly be in violation, it would seem  
24 to me, of the spirit of the process.

25 And we have a specific deadline agreed to



1           unanimously by the Senate yesterday to make  
2           sure that any amendments, even the most  
3           technical of amendments, there would be  
4           substantial time from Friday all the way to --  
5           when are we on the floor with second reading?

6           SENATOR THRASHER:   Tuesday.

7           SENATOR GAETZ:   Tuesday, Mr. Rules Chair,  
8           from Friday to Tuesday, even with a technical  
9           amendment, so there are no surprises and no  
10          gotchas.  There will be no late-filed  
11          amendments allowed on the floor, is that  
12          correct, Mr. Rules Chair?

13          SENATOR THRASHER:  That is correct, sir.

14          THE COURT:   And so, therefore, I think  
15          your point is well-made, and I believe that --  
16          that the Senate has been -- has been responsive  
17          to your point.

18          SENATOR BULLARD:  Thank you.

19          SENATOR GAETZ:  Any other questions before  
20          we vote on the PCS?

21          SENATOR GARCIA:  Mr. Chairman?

22          SENATOR GAETZ:  Question by Senator  
23          Garcia -- I'm sorry, debate.

24          SENATOR GARCIA:  Thank you, Mr. Chairman.

25          I just want to thank you for your openness and

1 allowing us all to have input on these -- on  
2 these Congressional maps.

3 I for one will tell you that in south  
4 Florida, I think we have done an excellent job,  
5 and particularly with Dade County, which is  
6 where I live and represent, you know.  
7 Having -- having these Congressional districts  
8 pretty much follow municipal and geographical  
9 boundaries, I think it is something that we all  
10 are very happy with, and I do appreciate the  
11 work.

12 And I also appreciate the fact that giving  
13 us the opportunity to, if we have any concerns  
14 or issues with any of the maps, to offer any  
15 amendments.

16 So I thank you for your openness and  
17 willingness to work with us and helping us in  
18 Dade County, so I appreciate that. Thank you  
19 very much, Mr. Chairman.

20 SENATOR GAETZ: Thank you, Senator Garcia.

21 Any other comments and debate? Senator  
22 Thrasher, Rules Chair Thrasher.

23 SENATOR THRASHER: Just again to clarify,  
24 we -- once these Bills are done here today,  
25 we'll have a special work calendar group

1 meeting tomorrow. They will be placed upon the  
2 special order for Tuesday. The deadline, as  
3 you already indicated, is for January 13th,  
4 10:00, for amendments.

5 And I want to be clear that -- Senator  
6 Rich and I talked about this, she is  
7 temporarily passing her amendments. She didn't  
8 withdraw them, but she temporarily passed them.  
9 It has the same effect. Once we vote this  
10 Committee Substitute out, her amendment is  
11 extinguished.

12 But I want to just add, Mr. Chairman, to  
13 your concern, and I have expressed this to  
14 Senator Rich, it concerns me greatly that we  
15 would -- we would now potentially on Friday  
16 have an amendment, which I assume would be  
17 similar, or maybe not, I am just assuming, to  
18 what was offered today, but in your opinion,  
19 maybe quote/unquote, a better amendment, that  
20 meets the constitutional amendments.

21 But I would also remind the members that  
22 once that kind of amendment is filed, then  
23 nobody in the public will have had a chance to  
24 look at it, we will have not had a chance to  
25 debate it in this Committee.

1           It will have to be -- the questions will  
2           have to be answered by the sponsor on the  
3           floor. I just -- it just concerns me greatly.  
4           So I express that to Senator Rich in the --  
5           with the intent of being a -- not criticizing,  
6           but the intent of saying that this Committee  
7           has gone to great lengths under the rules that  
8           we have all agreed to to try to find a way to  
9           get a Bill to the floor that we could vote up  
10          or down on, and now we are faced potentially  
11          with this kind of potential dilemma.

12           It concerns me greatly, and I hope -- I  
13          hope Senator Rich would give it a lot of  
14          thought before she comes with a plan that would  
15          substantially change what the work of this  
16          Committee has been doing for the last six  
17          months.

18           SENATOR GAETZ: Senator Benacquisto in  
19          debate.

20           SENATOR BENACQUISTO: Thank you,  
21          Mr. Chairman.

22           I will echo what Senator Thrasher has  
23          said, and what means the most to me is when we  
24          are in this Committee, we have the opportunity  
25          to have Mr. Guthrie or Mr. Bardos walk us

1 through the proposed changes, see the effect on  
2 a map very specifically and how it will affect  
3 the communities that we serve and those that we  
4 don't.

5 And on the floor to have something so  
6 substantively come before us without benefit of  
7 Mr. Guthrie walking us through what those  
8 changes are, I would be very hard pressed to  
9 think that that is a good idea, and not to have  
10 any public input would be a disservice.

11 SENATOR GAETZ: Other debate? Yes,  
12 Senator Lynn.

13 SENATOR LYNN: Certainly I feel the same  
14 way. I guess my concern just goes a little bit  
15 further, the fact that the maps came to us at  
16 this late date when there was lots of other  
17 time it could have been done.

18 But more important, the fact that those  
19 maps did not honor the very commitment this  
20 Committee has had, as well as follow the  
21 constitutional requirement for minorities, to  
22 me is -- I find very acceptable.

23 So while I respect Senator Rich's desire  
24 to come forth with something different, I  
25 believe -- in fact, I feel uncomfortable even

1           having voted to TP the Bill, because the Bill  
2           itself is totally unacceptable in light of  
3           everything that we have been trying to do to  
4           honor the constitutional requirement.

5           So while you have allowed it to be TP'd, I  
6           wonder if that is even an acceptable thing to  
7           allow, considering it is totally out of line  
8           with the requirements.

9           The fact that it would not be seen by the  
10          public, that is another whole thing, because we  
11          have no idea how it will come back, but I am  
12          most concerned with the fact that we have  
13          honored the constitutional requirement, we have  
14          repeatedly said nothing, nothing should be  
15          considered by this Committee without honoring  
16          the requirement for not diminishing or -- and  
17          also making sure we protect those minority  
18          districts, and having come from the Leader at  
19          this late date, I would like us to consider the  
20          fact that we are even TP'ing the Bill -- two  
21          maps.

22          SENATOR GAETZ: Thank you, Senator Lynn,  
23          and let me just say in respect to Senator Rich,  
24          Senator Rich has every right to bring an  
25          amendment and she has every right to

1 temporarily postpone an amendment and she has  
2 every right to bring an amendment to the floor.

3 It will be a matter for individual  
4 Senators to decide and for the public to decide  
5 whether something that comes late in the  
6 process ought to be considered or not, but in  
7 terms of the rules of this Committee and in  
8 terms of the rules of the Senate, and I defer  
9 to our Rules Chair for any correction that he  
10 may make to my statement, Senator Rich is in  
11 order with the work that she has done, and I  
12 respect the work she has done and I respect the  
13 fact that she has temporarily postponed today.

14 We will have to decide as individual  
15 Senators now on the floor, if there is a  
16 substantial amendment filed, we will have to  
17 decide whether that is in good form and whether  
18 it is in violative of the spirit or intent of  
19 our process.

20 But Senator Rich was within her rights to  
21 file and within her rights to temporarily  
22 postpone.

23 Leader, did you wish to make a comment?  
24 Did you have your hand up, ma'am?

25 SENATOR RICH: Yes, Mr. Chairman.

1           SENATOR GAETZ: Yes, Leader Rich.

2           SENATOR RICH: Thank you very much for  
3 your statement. Again, you are exhibiting the  
4 very essence, I think, of the cooperation that  
5 has been important to you in this process, and  
6 what I would like to say to all of my  
7 colleagues is that this is the process upon  
8 which we all agreed, and I would hope that you  
9 would have the confidence in me to know that I  
10 would not be coming in at the last minute with  
11 something that dramatically, overwhelmingly  
12 changed something that I have already  
13 submitted.

14           So, as I mentioned, there are some  
15 concerns for me, there will be some issues, and  
16 as Senator Gaetz said, it will be up to each  
17 and every one of you to decide whether or not  
18 you would like to support what I am submitting  
19 or not.

20           And I just want to say, though, that I  
21 really do thank the Chair for recognizing the  
22 fact that this is within my right or any  
23 Senator's right based on the bipartisan rules  
24 upon which we agreed and have used throughout  
25 this whole process.



1           SENATOR GAETZ: Thank you, Leader.

2           Senator Bullard for a question and then Senator  
3           Lynn.

4           Senator Bullard.

5           SENATOR BULLARD: Thank you, Mr. Chairman.

6           Will these maps have their day in court,  
7           and does that allow for any kind of questioning  
8           by members of the Committee or the public?  
9           Will they all go before the courts, or has that  
10          been determined?

11          SENATOR GAETZ: We are fortunate today to  
12          be joined by obviously our Committee counsel  
13          and also by our outside counsel, so I was  
14          flanked on both sides by lawyers.

15          I don't want to engage in the unlicensed  
16          practice of law, so, Mr. Bardos, could you  
17          respond to Senator Bullard's question as to the  
18          courts' jurisdiction in this matter?

19          MR. BARDOS: Yes. The joint resolution  
20          establishing district boundaries for the state  
21          legislative districts will go before the  
22          Florida Supreme Court for a 30-day review, and  
23          the Congressional plan will be before a court  
24          only if it is challenged by a plaintiff or  
25          petitioner, but there's no automatic review for

1 Congressional plans.

2 SENATOR BULLARD: Thank you.

3 SENATOR GAETZ: Other comments or  
4 questions? Senator Lynn.

5 SENATOR LYNN: I guess -- I hear Senator  
6 Rich indicating that if she brings something  
7 back, it really won't be substantially  
8 different, but it will -- it will be somewhat  
9 different, and so it won't be a total shock.

10 But the shock would be, to me, that I  
11 haven't even seen her proposed maps. So while  
12 we have already TP'd it, we haven't seen them,  
13 we have no clue as to what she is thinking or  
14 in what direction she is heading, and yet she  
15 has indicated, well, when I bring the new ones  
16 back, it is going to be very close to the same,  
17 and I hear everyone saying, well, it is going  
18 to be very last minute. Wouldn't it be wise  
19 then to, instead of TP'ing, allow us to look at  
20 those maps now?

21 SENATOR GAETZ: Senator Lynn, that is a  
22 good question. When -- correct me if I am  
23 wrong, Mr. Guthrie, but I believe that when  
24 Leader Rich timely filed her amendment, it was  
25 made available to members of the Committee and

1 to the public. Is that correct, Mr. Guthrie?

2 And could you please give Senator Lynn the  
3 code that would allow her to go on the  
4 Committee's website and see Senator Rich's  
5 amendment, which albeit temporarily postponed,  
6 nonetheless is still on the website?

7 MR. GUTHRIE: That is correct. Thank you,  
8 Senator. The -- where we go to see any plans  
9 filed by the public or submitted by the public  
10 or submitted by Senators is the Senate  
11 Redistricting website. We have on the Senate  
12 Redistricting website a tab for "Submitted  
13 Plans." When you click on the "Submitted  
14 Plans" tab, what you see now is the initial  
15 view of the listing of the almost 200 -- more  
16 than 200 plans that have been submitted to the  
17 House or Senate Committees by this date.

18 The initial view that you see gives  
19 precedence to the ones that came from Senators  
20 or from this Committee. So the initial view  
21 shows you the Congressional plan that was filed  
22 in November, the Senate plan that was filed in  
23 November by the Committee, then the  
24 Congressional and Senate proposed Committee  
25 Substitutes that were filed on December 30th,

1 and then also the Congressional and Senate  
2 amendments that were offered by Senator Rich.

3 Those actually came in at about 10:00 in  
4 the morning on -- between 10:00 and 11:00 in  
5 the morning on Monday, the 9th of January.

6 If we get another amendment from a Senator  
7 between now and Friday morning, what I would  
8 urge the Senator to do is to call the Committee  
9 staff, let us know that you have submitted a  
10 plan so we can go to the drop box and pick up  
11 the plan, run it through the process, get it on  
12 the Web, so that everyone here and everybody on  
13 the Internet will have an opportunity, an equal  
14 opportunity, to view that using this very same  
15 Senate website.

16 If there is a new amendment, it will  
17 appear at the top of the list on this -- on  
18 this page, on the "Submitted Plans" page.

19 SENATOR GAETZ: And, Mr. Guthrie, I know  
20 that many of us had pre-session meetings and  
21 activities, Senator Lynn may have had some, I  
22 had plenty, so I know that Monday was a busy  
23 day, but on a going-forward basis, in the  
24 spirit of making sure that, albeit late, in  
25 terms of a process that has gone on for many

1 months, if there is an amendment that is filed  
2 by anyone, Senator Rich or anybody else, I  
3 would like to ask you, please, to send an  
4 e-mail to the members of this Committee the  
5 moment that you get any amendment filed.

6 That way, we will have the maximum amount  
7 of time, notwithstanding the fact there won't  
8 be much time, but the maximum amount of time to  
9 go to the website and to look at the amendment,  
10 because, of course, the Senators serve on other  
11 committees, they have to be on top of other  
12 timely-filed amendments. Would you do that,  
13 please, as a courtesy to the Committee?

14 MR. GUTHRIE: Let me make sure I  
15 understand. There is a period of time between  
16 when the amendment appears in the drop box and  
17 when it is processed to the Web. What I think  
18 I hear you saying is at the time -- the moment  
19 that the plan is processed to the Web, we would  
20 send out an advisory to all Senators and to the  
21 public saying that a new amendment has been  
22 filed?

23 SENATOR GAETZ: Absolutely, yes, sir.

24 Senator Lynn, would that be -- I realize  
25 you have a more profound concern. Senator

1 Lynn.

2 SENATOR LYNN: Thank you, Mr. Chairman. I  
3 have a much more profound concern, and I  
4 understand you are working extremely  
5 cooperatively with everyone. I just want to  
6 express my absolute disfavor of, and I am  
7 totally discontent and unhappy with the way  
8 this has been handled.

9 I think it is wrong to get what -- I guess  
10 to see in my mind, it is a massive change to a  
11 map, I have no idea what it is, presented by  
12 the Leader of the Democratic party bringing in  
13 something that seems totally out of keeping  
14 with the direction that we have been taking  
15 that -- I'm sorry, and I know we were alerted  
16 and perhaps it was available to us, and I'm  
17 sorry that I did not get to see it, but I don't  
18 know that I would have even voted to TP it.

19 I would have wanted to see it totally  
20 withdrawn, and I am dissatisfied, I think it is  
21 the inappropriate way to have handled this.  
22 Certainly you are doing this to be  
23 accommodating to Leader Rich, but I think there  
24 are a large number of people on this dais, both  
25 Democratic and Republican, who have some great

1 concerns about the map that was submitted, and  
2 the fact that we are now still hanging out  
3 there with a map that should have been handled  
4 much, much earlier in the process.

5 SENATOR GAETZ: Thank you, Senator Lynn.  
6 Senator Latvala, you are recognized in debate.

7 SENATOR LATVALA: Well, I kind of, sort  
8 of, had a question first, Mr. Chairman.

9 SENATOR GAETZ: Of course, you are  
10 recognized.

11 SENATOR LATVALA: When -- you know, I know  
12 a lot of things have changed up here, so I try  
13 to keep up with them. When we go to the Senate  
14 floor and we have to take up an amendment, we  
15 don't have the ability on the Senate floor to  
16 get any kind of information from our staff or  
17 any kind of analysis from staff or ask them any  
18 questions, isn't that true, or is there a  
19 special case in redistricting where Mr. Guthrie  
20 is going to be able to stand up there and  
21 answer some of these questions?

22 SENATOR GAETZ: I am sure Senator Guthrie  
23 would be an outstanding 41st Senator, but I  
24 think the Rules Chair would stare me down if we  
25 allowed anybody other than Senators.

1           So if Senator Rich or anybody else offers  
2 an amendment, then that Senator will answer  
3 questions about the amendment.

4           I will attempt, along with our Vice-Chair,  
5 President Margolis, to answer questions about,  
6 you know, any legislation reported out of this  
7 Committee. Mr. Guthrie will be sitting very  
8 close to me on the Senate floor and trying to  
9 keep me from going off the rails, but it will  
10 be Senators who will have to answer questions  
11 about their amendments. Is that not true,  
12 Rules Chair?

13           SENATOR THRASHER: That is exactly right,  
14 Mr. Chairman. This is no different than any  
15 other Bill that is -- you certainly -- as you  
16 know, Senator Latvala, if you have a very  
17 complex transportation Bill, certainly to have  
18 your staff there for technical advise to you as  
19 you answer questions are there, but the staff  
20 is not there to answer questions.

21           SENATOR GAETZ: That being the case, you  
22 are recognized for any comments, Senator  
23 Latvala.

24           SENATOR LATVALA: Well, I just think it is  
25 unfortunate that, you know, on an important



1 decision like that we would get all the way to  
2 the end and then not be able to have the input  
3 from staff and maps up, you know, and like we  
4 have here in committee.

5 But I also want to ask another question.  
6 When I get on the computer, it is an adventure,  
7 it is like a treasure hunt. I just click on  
8 things, and stuff pops up. Over the weekend, I  
9 was clicking around on our website, and I  
10 thought I saw plans that said "League of Women  
11 Voters" at the top, and "Common Cause," both  
12 Congressional plan and a Legislative plan.

13 Now, since I was one of the ones that was  
14 critical early on of the fact that they  
15 wouldn't give us a plan after they asked us a  
16 plan every hearing we went to, where the plan  
17 is, was I seeing things, or were there maps  
18 submitted by the League of Women Voters, and if  
19 so, can we have -- can we have the staff  
20 Director just sort of bring us up-to-date on  
21 that?

22 I know they were after the deadline, I  
23 know they weren't amendments, but is that  
24 something that we ought to take into  
25 consideration here today before we -- before we

1 vote on this?

2 SENATOR GAETZ: Mr. Guthrie, could you  
3 inform the Committee as to the submissions that  
4 came in after the deadline from the League of  
5 Women Voters and Common Cause?

6 I am not asking you to do an exposition of  
7 their plan, that is their responsibility, but,  
8 rather, could you confirm to Senator Latvala  
9 what it was that he saw and where he might find  
10 that plan should he go on another treasure  
11 hunt?

12 MR. GUTHRIE: Thank you, Mr. Chairman. We  
13 did make last week a change in how the  
14 "Submitted Plans" page initially loads on your  
15 computer. So formerly the filter for "who was  
16 this plan submitted by" was set to "all." As a  
17 convenience to you and the public, for the  
18 purposes of this meeting and for purposes of  
19 going to the floor next week, we put just  
20 Senators there.

21 The reason we did that is if the filter  
22 were set to "all," and we searched the list, we  
23 don't -- well, we still see Senator Rich's  
24 amendments, because those were the last plans  
25 that were submitted to the Senate or to the

1 House, but then below that, we see some public  
2 submissions, including several by Mr. Sarkis at  
3 Lighthouse Point, a couple by the Florida  
4 League of Women Voters, Democracia and Common  
5 Cause, and then some other public maps, and  
6 then there are a large number of maps that were  
7 submitted by the House Committee.

8 So the Senate -- the other Senate maps  
9 were getting squeezed off the page. We thought  
10 it would be helpful for people to have all of  
11 the Senate maps at their -- easy to access  
12 there.

13 If you -- for searching for a plan, what  
14 you can do is use the filter to decide who they  
15 came from. So "all Senators" can be your  
16 filter, and that will get you the plans  
17 submitted as amendments by Senators or  
18 submitted by this Committee as Committee  
19 products, "Representatives" will get you  
20 amendments offered by members of the House of  
21 Representatives or Committee products from the  
22 House Committee.

23 If you pick "Public Before the Deadline"  
24 -- let's search -- let's search that one. What  
25 we see is that the last plan to appear before

1 the deadline was public plan 157. So 157  
2 public plans came in before the deadline.  
3 There have been another, oh, less than 20 that  
4 have come in after the deadline.

5 The three by Mr. Sarkis that came after  
6 the League of Women Voters' proposal, he  
7 submitted it, then he submitted it again, and  
8 then he kind of submitted the third idea a  
9 third time. But all of these plans that are  
10 submitted by any citizen or by any member of  
11 the Legislature are available on the website.

12 SENATOR GAETZ: Mr. Guthrie, just for --  
13 to help Senator Latvala here, and then I will  
14 defer to him for any comments he might want to  
15 make, by the records of this Committee, it was  
16 June 7th, when this Committee requested plans  
17 from the League of Women Voters, and then we  
18 requested them, by my count, 18 other times,  
19 and, of course, there was a unanimous consent  
20 agreement as to when the deadline would be for  
21 submitting plans, that was November 1st. When  
22 did the League submit a plan, if they did?

23 MR. GUTHRIE: Well, let's go -- so we will  
24 look for -- we will pull down the filter for  
25 "Public After the Deadline" and say "Search,"

1 and at the top of this list are the three plans  
2 submitted day before yesterday by Mr. Sarkis,  
3 and then right below that are the two plans  
4 submitted last Friday, January 6th, by the  
5 League of Women Voters and others.

6 SENATOR GAETZ: Okay. Senator Latvala.

7 SENATOR LATVALA: So that is the first  
8 input in the way of a plan throughout this  
9 whole process, six or seven months long, that  
10 we got from these folks who were at every  
11 single hearing asking us for an early plan,  
12 where is the plan, why don't we have a plan.

13 The first plan that they gave us to use as  
14 a model for what their thinking was two months  
15 and five days after the deadline?

16 MR. GUTHRIE: We did get plans from a  
17 couple of other organizations, from the, you  
18 know, the Central Florida Hispanic public  
19 interest groups, and from the NAACP. But for  
20 League of Women Voters, Democracia and Common  
21 Cause, these were the first plans submitted.

22 SENATOR GAETZ: And, Mr. Guthrie, were the  
23 plans submitted by the NAACP and by the  
24 Hispanic interest groups in central Florida  
25 timely filed?

1           MR. GUTHRIE: Well, let's -- the website  
2 provides us all of this information, so we will  
3 look at "All," and then we will change -- on  
4 "Submitted By," we will search for NAACP. And  
5 let me get in that window, NAACP --

6           SENATOR GAETZ: We will get to you,  
7 Senator Gibson. Let's get an answer to this  
8 question, then we will get to yours.

9           MR. GUTHRIE: And we'll say "Search."

10          SENATOR LATVALA: I got one more.

11          SENATOR GAETZ: We are in debate, but a  
12 question was asked and we are just trying to  
13 get the information out in front of the  
14 Committee, and then we will recognize you next,  
15 if that is okay with you.

16          MR. GUTHRIE: So these plans were  
17 submitted before the deadline on November 1st,  
18 2011. And help me, what would we use to look  
19 for those other interest groups?

20          A VOICE: Perez or Suarez.

21          MR. GUTHRIE: Perez or Suarez. So if we  
22 search for Perez, he submitted multiple -- or  
23 they submitted multiple plans, the last one on  
24 October 20th before the deadline.

25          SENATOR GAETZ: Okay. Thank you, Mr.

1 Guthrie.

2 SENATOR LATVALA: Could I ask one more?

3 SENATOR GAETZ: Yes, and then we will go  
4 to --

5 SENATOR LATVALA: Just one more question,  
6 and I think this may be the most important one.

7 I know Mr. Guthrie and have known him for  
8 a lot of years, and he worked with us when we  
9 did this process ten years ago, and I know how  
10 comprehensive he is and serious he is about his  
11 job.

12 When these plans came in, did you have the  
13 opportunity to -- when the plans from the  
14 League of Women Voters and Democracia came in,  
15 did you have a chance to look at them in the  
16 context of the precepts that we set up by this  
17 Committee, that we unanimously agreed to them,  
18 that Senator Thrasher articulated very well,  
19 especially the number, the top tier, with  
20 regard to not regressing in the ability of  
21 language and ethnic minorities to have  
22 representation, how did that plan -- how did  
23 those plans, both on the -- I guess we are  
24 debating the Congressional one.

25 So how did that plan fare on the

1 Congressional side, because -- and I think it  
2 is important because we are debating ours, and  
3 this is one that has been submitted by a  
4 so-called non-partisan group with a lot of  
5 expertise in elections, a lot of expertise in  
6 these amendments, how did they do?

7 SENATOR GAETZ: Mr. Guthrie, how did they  
8 do with respect to the criterion that Senator  
9 Latvala just articulated?

10 MR. GUTHRIE: What I did on the  
11 Congressional plan is tried to align the  
12 proposed districts in the proposed Committee  
13 Substitute and in the -- and in alternative  
14 plans with the benchmark districts.

15 So I used the benchmark districts as the  
16 point of comparison and because district  
17 numbers tend to change, it is kind of somewhat  
18 arbitrary, particularly with Congressional  
19 plans, how district numbers get assigned.

20 So there is a district in northeast  
21 Florida, current Congressional District 3,  
22 which is 49.9 percent African-American. The  
23 district in northeast Florida that has the  
24 highest African-American percentage in the  
25 proposed Committee Substitute is 50 percent.



1           The corresponding number for the northeast  
2 Florida districts that has the highest  
3 African-American percentage in the N-A-A- --  
4 or, excuse me, in the League of Women  
5 Voters/Common Cause plan is 34.7 percent. So  
6 that's that district.

7           If we look at other areas of the state, we  
8 were talking earlier today about Congressional  
9 District 11 in the Tampa Bay area, not a  
10 majority district. In fact, the benchmark  
11 District is 26.8 percent African-American.

12           The Senate plan, the proposed Committee  
13 Substitute puts it at 27.1. The alternative  
14 proposed by the public interest group, League  
15 of Women Voters, NAACP -- League of Women  
16 Voters and Common Cause -- the NAACP plan  
17 actually did a pretty good job of keeping  
18 minority districts intact -- takes it to  
19 21 percent.

20           If we look at Congressional -- let's --  
21 the other two, Congressional District 17 in the  
22 Miami area, the benchmark is 57.7 percent, the  
23 Senate plan keeps it at 56.3 percent, and the  
24 League of Women Voters' plan puts it at 54.4  
25 percent.

1           The district -- Congressional District 23  
2           in Palm Beach, Broward, Hendry Counties is  
3           54 percent in the benchmark, 51.8 percent in  
4           the proposed Committee Substitute, and it fails  
5           to be a majority. It is 48.5 percent  
6           African-American in the League of Women Voters'  
7           proposal.

8           In terms of Hispanic representation, both  
9           plans have three Hispanic majority districts in  
10          the Miami-Dade area. The Senate plan has  
11          districts that are 77 percent, 67 percent and  
12          72 percent. The League of Women Voters' plan  
13          has districts that are 77 percent, 68 percent  
14          and 67 percent.

15          SENATOR GAETZ: Does that satisfy your  
16          question, Senator Latvala?

17          Senator Gibson in debate.

18          SENATOR GIBSON: Thank you, Mr. Chair. I  
19          originally wanted to clarify where we were in  
20          our meeting process here, but not to re-raise  
21          an issue that has certainly been bantered  
22          about.

23          I am a little bit surprised that we are, I  
24          don't know, denigrating, I suppose, a member  
25          for following our own process. I just cannot

1 believe my ears. And I do think that every  
2 member of this Committee has followed the  
3 process as you have outlined time and time  
4 again, and I certainly hope that we all  
5 understand that it is every member's right to  
6 file whatever amendments they deem fit at the  
7 appointed time, whether it is TP'd or withdrawn  
8 or how -- whatever the process is, as long as  
9 they are within their time frame, within the  
10 time frame you have set out.

11 Then we still have an opportunity to file  
12 amendments if any member of this Committee so  
13 chooses. And so it is not just Senator Rich  
14 who could consider filing an amendment by the  
15 appointed deadline, but it is every single  
16 member of this Committee. Thank you.

17 SENATOR GAETZ: Thank you very much,  
18 Senator Gibson.

19 Leader Gardiner in debate.

20 SENATOR GARDINER: Thank you,  
21 Mr. Chairman, and I will be brief. I had not  
22 intended to address this issue, but just based  
23 on that comment that in some way somebody is  
24 degrading another member, I really feel  
25 compelled to weigh in.

1           I think that both Republicans and  
2           Democrats have brought up some real concerns  
3           and legitimate concerns about amendments  
4           brought to the floor. Senator Gaetz throughout  
5           this process has -- and I believe -- I was here  
6           ten years ago, Senator Negron and others, and  
7           this has been the most open process where we  
8           have offered to individuals to come and speak  
9           before the Committee, offer plans, offer  
10          suggestions.

11           So I think it is within the right of all  
12          members to express their reservations and  
13          concerns about amendments that may pop up on  
14          the floor. Where you take away that ability to  
15          have the public testimony, it takes away the  
16          expertise that Mr. Guthrie and his computer  
17          program provides us.

18           How many times have each of us had the  
19          opportunity to meet with Mr. Guthrie and go  
20          line by line, district by district? I don't  
21          think it is degrading. I think it is a  
22          legitimate concern to bring those issues before  
23          this Committee and mention them to the  
24          Chairman.

25           Yes, there will be amendments filed, yes,

1           it will be discussed and, yes, it will be  
2           debated, but it is dynamic different than any  
3           other Bill we have ever faced on the floor of  
4           the Senate.

5                        So I just -- I would caution the concept  
6           or the belief that members can't -- can't bring  
7           forward their concerns and their reservations.

8                        But to the Bill that is before us,  
9           Chairman, I want to thank you for the process  
10          and I want to -- I appreciate the discussion  
11          about the League of Women Voters issue. We all  
12          traveled the state, we all heard, "Get the maps  
13          out, get them done, get them early, give  
14          everybody the opportunity to review them," and  
15          then the very group that encouraged us to do  
16          that submits a plan after the deadline. After  
17          the deadline is telling.

18                        But one of the things that we heard  
19          consistently, and a lot of us have talked  
20          about, the reservation and concern was that the  
21          proposals of 5 and 6 and others leads to the  
22          diminishing of minority representation. And  
23          whether it was the proposal that was  
24          temporarily TP'd or the League of Women Voters,  
25          both of those did that, but this Committee as a

1 benchmark said we were going to keep it high,  
2 we were going to keep it a top tier priority.

3 So, members, I just would encourage you,  
4 it is appropriate to question intent as to when  
5 these amendments come forward, because this is  
6 one of the most difficult decisions that we  
7 will deal with, and the amount of technology  
8 needed to make sure that we get it right --  
9 and, Chairman, I think you have done an  
10 incredible job, and I hope that this proposal  
11 comes out of here unanimous, because everybody  
12 has been given the opportunity to have an  
13 impact on this.

14 And it is a good -- it is a good proposal,  
15 Chairman, and I hope everybody will support it.  
16 Thank you.

17 SENATOR GAETZ: Thank you, Leader. In  
18 debate, Senator Bullard.

19 SENATOR BULLARD: I thought my comments  
20 would have ended earlier, but I -- my sorrow,  
21 and also Senator Gibson, as I reflect on last  
22 evening and looking at the numbers and how we  
23 were diminished, people that look like you and  
24 me, your district, your District No. 1 was  
25 diminished.

1           And I am saying that we are not  
2           denigrating our Leader. We are looking at a  
3           map, one of the most important pieces of  
4           legislation that we will pass this session. We  
5           are taking this process to the level that it  
6           should be.

7           If I am correct in my -- and I have been  
8           listening carefully. Senator Gaetz came to the  
9           defense of our Leader on several occasions when  
10          he was asked if she could be -- if they could  
11          do certain things on the floor. He says not  
12          so, because she has a right to do that.

13          I don't see any denigration. I see a  
14          process that is moving forward and will be  
15          fair, prayerfully, in the end, and we will all  
16          have representation. It was not about any  
17          individual. It is about the people of the  
18          State of Florida.

19          Thank you.

20          SENATOR GAETZ: Thank you, Senator  
21          Bullard. Anything else in debate? Any other  
22          Senator wish to be heard in debate?

23          If not, the administrative assistant will  
24          please call the roll on the proposed Committee  
25          Substitute for Senate Bill 1174. This is the

1 proposed Committee Substitute dealing with  
2 Congressional maps.

3 If you favor the proposed Committee  
4 Substitute, you will vote yes. If you oppose  
5 the Committee Substitute, you will vote no.  
6 Please call the roll.

7 THE CLERK: Senator Altman?

8 SENATOR ALTMAN: Yes.

9 THE CLERK: Senator Benacquisto?

10 SENATOR BENACQUISTO: Yes.

11 THE CLERK: Senator Braynon? I'm sorry?

12 SENATOR BRAYNON: No.

13 THE CLERK: Senator Bullard?

14 SENATOR BULLARD: Yes.

15 THE CLERK: Senator Dean?

16 SENATOR DEAN: Yes.

17 THE CLERK: Senator Detert?

18 SENATOR DETERT: Yes.

19 THE CLERK: Senator Diaz de la Portilla?

20 SENATOR DIAZ DE LA PORTILLA: Yes.

21 THE CLERK: Senator Evers?

22 Senator Flores?

23 SENATOR FLORES: Yes.

24 THE CLERK: Senator Garcia?

25 SENATOR GARCIA: Yes.



1 THE CLERK: Senator Gardiner?  
2 SENATOR GARDINER: Yes.  
3 THE CLERK: Senator Gibson?  
4 SENATOR GIBSON: No.  
5 THE CLERK: Senator Hays?  
6 SENATOR HAYS: Yes.  
7 THE CLERK: Senator Joyner?  
8 SENATOR JOYNER: No.  
9 THE CLERK: Senator Latvala?  
10 SENATOR LATVALA: Yes.  
11 THE CLERK: Senator Lynn?  
12 SENATOR LYNN: Yes.  
13 THE CLERK: Senator Montford?  
14 SENATOR MONTFORD: Yes.  
15 THE CLERK: Senator Negron?  
16 SENATOR NEGRON: Yes.  
17 THE CLERK: Senator Rich?  
18 SENATOR RICH: No.  
19 THE CLERK: Senator Sachs?  
20 SENATOR SACHS: Yes.  
21 THE CLERK: Senator Simmons?  
22 SENATOR SIMMONS: Yes.  
23 THE CLERK: Senator Siplin?  
24 SENATOR SIPLIN: Yes.  
25 THE CLERK: Senator Sobel?

1 SENATOR SOBEL: Yes.

2 THE CLERK: Senator Storms?

3 SENATOR STORMS: Yes.

4 THE CLERK: Senator Thrasher?

5 SENATOR THRASHER: Yes.

6 THE CLERK: Senator Margolis?

7 SENATOR MARGOLIS: Yes.

8 THE CLERK: Senator Gaetz?

9 SENATOR GAETZ: Yes.

10 And by your action, the Bill passes and  
11 will be reported favorably.

12 Please let's turn now to the consideration  
13 of the Senate maps, the proposed Committee  
14 Substitute. I think -- is that tab two, Mr.  
15 Guthrie?

16 MR. GUTHRIE: That is correct, tab two.

17 SENATOR GAETZ: Please turn to tab two.

18 In order to put us in the proper posture,  
19 Senator Thrasher moves the proposed Committee  
20 Substitute, and Mr. Guthrie, you are now  
21 recognized to explain it.

22 And I would ask that your explanation be  
23 on point, but be as brief as possible. We can  
24 always come back and ask questions, because we  
25 do have folks who have traveled from out of

1 town who do wish to testify.

2 Mr. Guthrie, you are recognized.

3 MR. GUTHRIE: Thank you, Mr. Chairman.

4 With the proposed Committee Substitute on  
5 the Senate Bill, again, the first change that  
6 you will detect is that the title was amended  
7 to include whereas clauses explaining in much  
8 more friendly language than the census  
9 geography boundary descriptions, what the  
10 boundaries of these new proposed districts or  
11 these new Senate districts will be.

12 Let's compare the proposed Committee  
13 Substitute with the Committee Bill that was  
14 reported by this Committee on December 6th.  
15 What are the differences?

16 Number one, the proposed Committee  
17 Substitute decreases county and city splits.  
18 It follows city boundaries to a greater extent  
19 and it lowers population deviations. The  
20 overall deviation was in the range of two  
21 and-a-half percent in the Committee Bill.

22 We have gotten it under two percent, or  
23 plus or minus one percent deviation in the  
24 proposed Committee Substitute.

25 The proposed Committee Substitute

1 incorporates feedback from the public and from  
2 Supervisors of Elections. Significant changes  
3 where we moved some populations around were to  
4 keep The Villages together, to keep the Golden  
5 Triangle area of Tavares, Mt. Dora and Eustis  
6 in Lake County all together.

7 We were able to accomplish that. At the  
8 request of the Polk County Supervisor of  
9 Elections, the community, it is not a city, but  
10 the community of Wahneta was kept all in one  
11 district, and we made some changes requested by  
12 the Supervisor of Elections in Putnam County to  
13 the City of Palatka to keep the precincts for  
14 that county better intact.

15 The proposed Committee Substitute, to the  
16 extent practi- -- to the extent feasible,  
17 follows geographic boundaries, such as bays,  
18 river, major roadways and et cetera. And the  
19 districts were renumbered in the proposed  
20 Committee Substitute.

21 I renumbered the districts, assigned odd  
22 and even numbers in a manner that I determined  
23 would -- or recommend to this Committee as an  
24 equitable approach for assigning four-year and  
25 two-year terms.

1           The basic logic that I used for doing that  
2           was that Senators, as we know, by the  
3           Constitution are elected to four-year terms,  
4           and yet there are 23 Senators who are not term  
5           limited and who were elected to shortened terms  
6           either in 2010 or subsequent to 2010.

7           So what we did is gave those Senators  
8           preference for getting a four-year term on the  
9           back side of redistricting. You have a short  
10          term on the front side, you get a longer term  
11          on the back side, or if you have a longer term  
12          on the front side, you have a shorter term on  
13          the back side.

14          That just seems, to me, to be a fairer  
15          method of making the assignments of odd and  
16          even numbers than would be a situation where  
17          you had the effect of having some Senators get  
18          a two-year term before and after redistricting,  
19          and other Senators get a four-year term before  
20          and after redistricting.

21          So to the extent we were able, we gave the  
22          Senators who had shortened terms prior to  
23          redistricting, four-year terms on the back side  
24          of redistricting. So that was the numbering  
25          scheme.

1           In terms of how did we do in terms of our  
2           split counties and split cities, well, the  
3           number of split counties remains the same  
4           between the proposed Committee Bill and the  
5           proposed Committee Substitute.

6           We were able to clean up one boundary and  
7           reduce the aggregate number of county splits by  
8           one to 86. In terms of split cities, we were  
9           at 126 in the benchmark plan, 78, a substantial  
10          reduction in the Committee Bill that you  
11          introduced on December 6th, and by further  
12          working the plan or trying to clean it up, we  
13          got the number of split cities down to 54,  
14          another substantial reduction in the proposed  
15          Committee Substitute.

16          The number of city splits, and, again,  
17          that is counting where a county is split by  
18          three or four different districts, we would  
19          count that as three or four city splits, 300 in  
20          the benchmark, 179 in the proposed Committee  
21          Bill and 125 in the proposed Committee  
22          Substitute.

23          So those are the major changes in the plan  
24          that is before you today as the proposed  
25          Committee Substitute.

1           SENATOR GAETZ: Thank you, Mr. Guthrie.  
2           We will -- without objection, we will go a  
3           little bit out of order. I would like to take  
4           the public testimony before we go into  
5           questions from members of the Committee.

6           And, Mr. Riley, we so rudely interrupted  
7           you, you were on a roll, and we remember the  
8           comments that you were making, and if you wish  
9           to add to those comments and conclude, we would  
10          be delighted to hear you.

11          And to make sure everybody remembers,  
12          Mr. Riley is a business owner in Marianna, and  
13          he has traveled here today to talk about the  
14          proposed Committee Substitute on Senate  
15          districts. He is from Jackson County.  
16          Mr. Riley.

17          MR. RILEY: Thank you, Mr. Chairman. I  
18          apologize for the confusion on our -- my first  
19          visit here.

20          SENATOR GAETZ: Quite all right.

21          MR. RILEY: The -- and I am close to the  
22          conclusion. The main issue is that we have a  
23          tremendous number of people working in state  
24          institutions in Jackson County, and we also  
25          have a very large group of people that commute

1 all the way to Tallahassee and live in Jackson  
2 County.

3 And because of that, we would rather have  
4 representation that looks to the east instead  
5 of looks to the west, and has roots in the  
6 eastern half of the Panhandle.

7 And the -- we request that you consider  
8 adding one more split county, and that be  
9 Jackson County, because our small, little rural  
10 county is right on the edge of where the  
11 division is being made, and at least consider  
12 putting a portion of the county -- preferably  
13 dividing it where it does take in the  
14 institutions and most of the population that is  
15 concerned with Tallahassee and state activities  
16 in the redistricting.

17 And I appreciate your time and thank you  
18 for your attention.

19 SENATOR GAETZ: Thank you, Mr. Riley.

20 Any questions for Mr. Riley before he  
21 leaves? Mr. Riley, I have one question for  
22 you, and you said that -- that there might be a  
23 place to divide. If one were to divide Jackson  
24 County, that there might be a logical place to  
25 divide it. Do you have any suggestions there,



1 sir?

2 MR. RILEY: The -- to me, Route 231, which  
3 is the north/south highway going -- entering  
4 from Dothan and going to Panama City, would be  
5 a very good dividing line for the east/west  
6 division for the redistricting.

7 That would take in about half of the  
8 county each way and would put most of the state  
9 institutions on the eastern half of the county.  
10 So that would solve that problem.

11 Another way to do it would be perhaps use  
12 I-10, although that is slightly south of where  
13 most of the state institutions are, but 231  
14 makes a lot of sense to me.

15 SENATOR GAETZ: Thank you very much.

16 Anything else for Mr. Riley? If not,  
17 Mr. Kimbrough, we called you, you had to  
18 temporarily step out of the room. Art  
19 Kimbrough is the Chief Executive Officer and  
20 President of the Jackson County Chamber of  
21 Commerce.

22 He is not a stranger to these halls. He  
23 has been before members of the Legislature  
24 before, and, Art, welcome back, and we look  
25 forward to your testimony.

1           MR. KIMBROUGH:   Senator Gaetz,  
2           Mr. Chairman, it is an honor to be back here,  
3           and fellow Senators, to be with you today.

4           First of all, I would like to say it is an  
5           honor to be here, but it is also an honor to  
6           see the body at work and working so  
7           collaboratively with the spirit of debate and  
8           dissension that can go into these things.

9           This is a very complex issue that you are  
10          dealing with, and having just observed it today  
11          and watched it over the process since I first  
12          appeared on June 22nd, when you were in -- many  
13          of you were in Bay County at Gulf Coast College  
14          and I had a chance to articulate some opinions  
15          at that point.

16          What I would like to do today is kind of  
17          revisit a couple of those philosophical anchors  
18          that many of us in the community have gotten  
19          our arms around. We know within our own  
20          community, just like up here, there's going to  
21          be differences of opinion on where to slice and  
22          how to do some things, but I believe I  
23          represent a body of people who share some  
24          common thoughts about what is best for our  
25          county.

1           The two areas I would like to bring to  
2 your attention really has to do with  
3 communities of interest and the idea that rural  
4 America is losing its voice to the bigger  
5 markets, and any way that we can have multiple  
6 representation, as we do currently in the House  
7 with two House members representing Jackson  
8 County being split, we believe in our case that  
9 dividing is better than consolidating.

10           In fact, Senator Gaetz, if you look at the  
11 territories there, if we could wind up a little  
12 bit of yours north up 231, take out Compass  
13 Lake, we would be glad to have three. More is  
14 better rather than less. We understand the  
15 relationships and practicalities, that may not  
16 be possible.

17           In defining communities of interest, what  
18 I would like you to think of Jackson County,  
19 and our -- my fellow travel mate, Mr. Riley,  
20 articulated one part of it very well.

21           Rural issues are unique to the state, and  
22 having a strong rural voice is very important,  
23 and it is clear from the work you have done,  
24 you have addressed much of that issue in one of  
25 the plans that you have to give a strong rural

1 voice and separate the beach issues from the  
2 big city issues and the rural agenda. So that  
3 is a strong point of it.

4 The other point is a little more subtle  
5 community of interest than that big idea, and  
6 that gets to employment interest and jobs. And  
7 as Mr. Riley indicated, we have a number of  
8 institutions that are aggregated together a  
9 little bit more toward the east side than the  
10 west.

11 Florida State Hospital, Sunland, are very  
12 specific issues. Senator Negron chaired the  
13 committee as you were on earlier, and we are  
14 going to be standing the gap again in a tight  
15 budget year to try to make certain that those  
16 institutions -- the best interests of our  
17 citizens and those institutions are advocated  
18 for.

19 So we believe that that is a community of  
20 interest that is not necessarily quite the same  
21 as the rural area.

22 The other component of it is that more  
23 representation is better in the rural area  
24 rather than less. So looking at those areas,  
25 if there is an opportunity to carve us up and

1 give us more representation and address both of  
2 those, we certainly have many people who would  
3 advocate for that and support that change.

4 We are not of a voice that we've got to  
5 have just one Senator or just one  
6 Representative. We believe more is better.

7 SENATOR GAETZ: Thank you very much. Any  
8 questions for Mr. Kimbrough? If not, thank you  
9 very much, Art, thanks, I know you've got a  
10 busy schedule and you had another commitment  
11 that you had to go to.

12 Chuck Hatcher is here. Mr. Hatcher, we  
13 would love to hear from you on the Senate PCB.  
14 Mr. Hatcher is Director of Parks and Recreation  
15 in Jackson County. And they will treat you  
16 right in Jackson County.

17 I mean, you can ask Senator Montford, they  
18 will treat you right in Jackson.

19 MR. HATCHER: Thank you. I appreciate the  
20 opportunity to speak to you all today.

21 I mirror my two friends from Jackson  
22 County on what their thoughts are. We are  
23 rural people in Jackson County. We  
24 represent -- we came here today representing  
25 many people, not just us and not just Marianna.

1 Many of our citizens are State workers, as Art  
2 and Sid mentioned. Many of them are on the  
3 eastern side of the 231 line.

4 Our issues are more based with -- what we  
5 believe, with Tallahassee than they are with  
6 Pensacola. Nothing against the Pensacola area,  
7 but we are rural people, we are State workers,  
8 we are not federal government workers.

9 A lot of the western part of that  
10 district, if we are in the other one, it deals  
11 with a lot of federal bases, Air Force bases.  
12 Our issues are more in line with Tallahassee  
13 and not to Pensacola, and I believe like Sid,  
14 if you had to split us, I would like to have  
15 another split county.

16 231 would be a great geographical  
17 boundary, or even I-10 over to 231, but -- and  
18 as Art mentioned, more is better. We -- we are  
19 very proud that we have three people that  
20 represent Jackson County, and we would love to  
21 keep them.

22 SENATOR GAETZ: Thank you very much. Any  
23 questions for this witness?

24 If not, Senator Evers is very ill and he  
25 was excused today from this Committee. I

1           literally urged him as a friend to go home from  
2           the floor yesterday. He looked really, really  
3           bad. He is feeling bad and has a bad case of  
4           whatever kind of crud is going around.

5           MR. HATCHER: Yes, sir.

6           SENATOR GAETZ: Otherwise, I know he would  
7           want to be here, and he loves Jackson County,  
8           Senator Montford loves Jackson County, I love  
9           Jackson County. I wish there was enough of it  
10          for all three of us, but --

11          MR. HATCHER: We can redraw that line so  
12          you can come over, too.

13          SENATOR GAETZ: But before you folks  
14          leave, I would like to -- and before we get  
15          back to the regular order, I would like to  
16          recognize Senator Montford for any comments he  
17          may wish to make on this issue.

18          SENATOR MONTFORD: Thank you, Mr. Chair,  
19          and I -- as you know, have -- I value the  
20          process, exceptionally so, I might add, and I  
21          respect and admire the work that you have done  
22          greatly as leader here.

23          This has not been an easy task. These are  
24          three of my constituents, and I agree with  
25          them, and I think that it certainly is well --

1 is well delivered, it is well thought out and  
2 it is something perhaps we can look at later  
3 on.

4 But I agree that there is -- I believe  
5 strongly in following the process, and I  
6 appreciate them coming and I really appreciate  
7 their willingness to come as late as it is and  
8 knowing that it is late in the game, but they  
9 are willing to come up and say it, and that is  
10 the kind of people we have in north Florida and  
11 Jackson County.

12 And, by the way, I might add that Chuck  
13 has a wonderful plantation if you like to hunt  
14 birds.

15 MR. HATCHER: Be glad to have anybody  
16 over.

17 SENATOR GAETZ: Thank you. Thank you,  
18 Senator Montford, and thank you folks for being  
19 here.

20 Let us return then to the regular order.  
21 You have heard Mr. Guthrie present the Senate  
22 PCS, which also has been in front of you now  
23 for ten days. You have had the opportunity to  
24 review it and to see the differences between  
25 the PCS and the proposed Committee Bill, which



1 this Committee previously voted to introduce.

2 Are there questions for Mr. Guthrie?

3 Questions for Mr. Guthrie? If not, we are in  
4 debate on the PCS. Is there debate on the PCS?

5 There being no debate on the PCS, the  
6 administrative assistant will call the roll on  
7 the PCS, and that is -- that is proposed  
8 Committee Substitute for Senate Joint  
9 Resolution 1176.

10 Should you favor the PCS, you will vote  
11 yes. If you oppose the PCS, you will vote no.  
12 Please call the roll.

13 THE CLERK: Senator Altman?

14 SENATOR ALTMAN: Yes.

15 THE CLERK: Senator Benacquisto?

16 SENATOR BENACQUISTO: Yes.

17 THE CLERK: Senator Braynon?

18 SENATOR BRAYNON: No.

19 THE CLERK: Senator Bullard?

20 SENATOR BULLARD: Yes.

21 THE CLERK: Senator Dean?

22 SENATOR DEAN: Yes.

23 THE CLERK: Senator Detert?

24 SENATOR DETERT: Yes.

25 THE CLERK: Senator Diaz de la Portilla?

1 SENATOR DIAZ DE LA PORTILLA: Yes.  
2 THE CLERK: Senator Evers?  
3 Senator Flores?  
4 SENATOR FLORES: Yes.  
5 THE CLERK: Senator Garcia?  
6 SENATOR GARCIA: Yes.  
7 THE CLERK: Senator Gardiner?  
8 SENATOR GARDINER: Yes.  
9 THE CLERK: Senator Gibson?  
10 Senator Hays?  
11 SENATOR HAYS: Yes.  
12 THE CLERK: Senator Joyner?  
13 SENATOR JOYNER: No.  
14 THE CLERK: Senator Latvala?  
15 Senator Lynn?  
16 SENATOR LYNN: Yes.  
17 THE CLERK: Senator Montford?  
18 SENATOR MONTFORD: Yes.  
19 THE CLERK: Senator Negrón?  
20 SENATOR NEGRON: Yes.  
21 THE CLERK: Senator Rich?  
22 SENATOR RICH: No.  
23 THE CLERK: Senator Sachs?  
24 Senator Simmons?  
25 SENATOR SIMMONS: Yes.

1 THE CLERK: Senator Siplin?

2 SENATOR SIPLIN: Yes.

3 THE CLERK: Senator Sobel?

4 SENATOR SOBEL: Yes.

5 THE CLERK: Senator Storms?

6 SENATOR STORMS: Yes.

7 THE CLERK: Senator Thrasher?

8 SENATOR THRASHER: Yes.

9 THE CLERK: Senator Margolis?

10 SENATOR MARGOLIS: Yes.

11 THE CLERK: Senator Gaetz?

12 SENATOR GAETZ: Yes. And before I call  
13 the vote, if there were Senators who were just  
14 coming in and their names were called, they  
15 didn't have a chance to answer. Senator  
16 Gibson, how do you wish to be recorded?

17 SENATOR GIBSON: Yes.

18 SENATOR GAETZ: A yes by Senator Gibson.  
19 Are there any other Senators who wish to be  
20 recorded? If not, what's the total, please,  
21 ma'am?

22 THE CLERK: Three nays and 21 yeas.

23 SENATOR GAETZ: Show the Committee  
24 Substitute reported favorably, or show the  
25 Joint Resolution reported favorably as a

1 Committee Substitute.

2 Senators, thank you for your efforts today  
3 and for your efforts on this Committee and for  
4 your efforts going forward as we move to the  
5 floor.

6 Next Tuesday when we return from  
7 celebrating Dr. Martin Luther King, Jr.'s,  
8 birthday, we expect the Bills to be reported  
9 out of this Committee --

10 SENATOR STORMS: Mr. Chair?

11 SENATOR GAETZ: Senator Storms.

12 SENATOR STORMS: Just before we close,  
13 Mr. Chair, before we close, I have a question,  
14 a procedural question, and I just wondered -- I  
15 just wanted to call your attention to those of  
16 us who are parked in the back.

17 SENATOR GAETZ: Yes, of course, Senator  
18 Storms, go ahead.

19 SENATOR STORMS: Well, as somebody who has  
20 not served in the House or the Senate during a  
21 redistricting, could you please speak to the  
22 process as to how in the past and how we expect  
23 it to work, and I understand our side of the  
24 aisle, but how we expect to deal with what  
25 happens on our -- on the other side of the

1 House, over at the House?

2 SENATOR GAETZ: You mean the other side of  
3 the Capitol, not the other side of the aisle,  
4 right?

5 SENATOR STORMS: Yes, not the other side  
6 of the aisle, but sometimes it feels that way,  
7 Mr. Chair. But, anyway, so how it will be that  
8 we will -- we will dance with that partner and  
9 those maps when they come over. Can you speak  
10 to that, please?

11 SENATOR GAETZ: Yes, ma'am. Thank you for  
12 the question.

13 The House Committee, which is chaired by  
14 the Speaker Designate, Chairman Weatherford, is  
15 working on House maps and Congressional maps.  
16 We, as you know, have been working on Senate  
17 maps and Congressional maps.

18 The Bill which will be reported to the  
19 Senate floor will be a Bill which -- there will  
20 be two Bills. There will be a Senate Joint  
21 Resolution on Senate maps, and there will be a  
22 place in that Senate Joint Resolution, Senator  
23 Storms, where we say, in effect, "and the House  
24 districts shall be," and there will be a colon  
25 and there will be an open space, and we expect

1           our partners in the House to fill that open  
2           space with -- with the House descriptions of  
3           their districts and their maps.

4           And then we expect that the Senate Bill,  
5           which we will hopefully take up next week, and  
6           if it is the will of the Senate, pass it, we  
7           will send that Bill over, which is the Senate  
8           Joint Resolution on Legislative Maps.

9           It will stipulate the Senate districts, it  
10          will leave a hole for the House. We will send  
11          it over to our partners in the House, they will  
12          fill the hole and they will send it back, and  
13          when they send it back, then we will do a final  
14          vote.

15          Now, in the meantime, we have the other  
16          Bill, which is the Congressional Bill. We will  
17          send our Congressional districts and maps over  
18          to the House, if it is the will of the Senate  
19          that we pass them, and then the House will pass  
20          their Bill.

21          I would expect, and grasping the larger  
22          hope, I suppose it will be the case, that the  
23          House will pass a slightly different  
24          Congressional map than we do. At that point,  
25          the Speaker of the House and the President of

1 the Senate will decide how we will conduct  
2 negotiations on the Congressional districts and  
3 maps, and then we will conduct those  
4 negotiations, and my guess is that there will  
5 be then another presentation on the floor of  
6 the Senate, much like we do with other Bills  
7 where we say we had a disagreement between the  
8 House and Senate, we have now negotiated, here  
9 is the result of the negotiation, please  
10 consider it on the floor.

11 So in -- I believe that what we will have  
12 next week is we will have second and third  
13 reading on the Senate maps. We will send those  
14 over to our partners in the House, they will  
15 fill in the blank, send it back to us for  
16 adoption, final adoption.

17 As to the Congressional maps, if it is the  
18 will of the Senate, we will pass the  
19 Congressional maps and we will send them over  
20 to the House. They will pass their own maps,  
21 which will be -- could be somewhat different,  
22 could be, maybe they will accept our wisdom,  
23 but they I think may have one or two  
24 differences.

25 And then they will send their map back

1 over, we will negotiate the difference and come  
2 back to the floor a second time on the  
3 Congressional maps.

4 Does that answer the question, ma'am?

5 SENATOR STORMS: Yes, sir. Just one  
6 follow-up.

7 SENATOR GAETZ: Of course.

8 SENATOR STORMS: So from -- well, two  
9 follow-up. So then from a timeline  
10 perspective, we play tennis and knock it over  
11 there, the ball lands in their court, and then  
12 that following week -- so they do the House and  
13 because they're -- we agreed we will take -- we  
14 will do ours, and the House says we will accept  
15 the House's. So that is pretty much the issue.

16 Now we debate the Congressional seats. So  
17 next week, the House may or may not, we don't  
18 know, depending on what they do, they may send  
19 back or they may take our Congressional seats.

20 They come back to us maybe next week,  
21 maybe the week after, we don't know, could be  
22 the next day, but probably, in all likelihood,  
23 sometime next week at the very earliest, maybe  
24 the week after that.

25 And then would there be -- that is an



1 issue question from a timeline perspective, and  
2 number two, are we -- would there be any  
3 instance where we would reseal this Committee  
4 where we would have -- where we would be  
5 work-shopped on what the House proposes and  
6 then we -- then we would have an opportunity,  
7 or does it just come back to the full floor?

8 I know you said it will be like any other  
9 Bill, but because of the difference of this  
10 Bill and the magnitude of it, perhaps that we  
11 would have an opportunity to workshop in this  
12 Committee. I am not arguing for that, I am  
13 just wondering.

14 SENATOR GAETZ: Well, I will defer to Mr.  
15 Guthrie and also to our Rules Chair. Is  
16 Senator Thrasher still -- he is here with us.  
17 I will defer to him in a moment.

18 Let me just say this: The timeline is  
19 above our pay grade. That is a decision of the  
20 presiding officers and the Rules Chairs of the  
21 Senate and the House.

22 We already know that our President and our  
23 Rules Chair have indicated when we will be on  
24 the floor. We don't know when our partners in  
25 the House will be on the floor. Remember, they

1           have -- they have 120 districts to draw, we  
2           have 40 districts to draw.

3                   So they have arguably a more complicated  
4           problem. So I cannot predict to you a timeline  
5           that they must follow, I can't lay out a  
6           timeline they must follow, because that is not  
7           within our purview. That is way, way over our  
8           pay grade.

9                   Now, as to -- as to how negotiations might  
10          be conducted, again, I don't mean to dodge the  
11          question, but it is over my pay grade. That  
12          will be President Haridopolos and Speaker  
13          Cannon.

14                   They may determine a method for  
15          negotiating differences that is -- that would  
16          include a conference committee. They may ask  
17          Chair Weatherford and me to work out the  
18          differences if they are not that material. The  
19          two presiding officers may meet and work out  
20          the differences. There may be some other  
21          formula, but that will be decided by the  
22          presiding officers.

23                   But, Mr. Guthrie, would you care to  
24          comment on that, and then I would ask our Rules  
25          Chair, who is former Speaker of the House and

1           who understands all of this far better than we  
2           do. Mr. Guthrie.

3           MR. GUTHRIE: Thank you, Mr. Chairman.  
4           So, Senator Storms, I think what you are asking  
5           for is some guidance as to what time frame we  
6           may be operating on for the returning messages  
7           to come back to the Senate in the event that  
8           the Senate passes the Joint Resolution and the  
9           Bill regarding Congressional districts next  
10          Wednesday, let's say, we pass that to the  
11          House.

12          We know that the House subcommittees  
13          completed their work on Monday, two days ago,  
14          the 9th of January, so their subcommittee  
15          process is finished. We also know that they  
16          have an allocated meeting time of January 20th,  
17          for the full Redistricting Committee in the  
18          House.

19          So what we would expect is the full  
20          Redistricting Committee will meet on the 20th.  
21          They may or may not take action on -- on their  
22          plans at that time. They may -- they will talk  
23          about them. They may be waiting to, you know,  
24          even the week beyond the 20th, or sometime  
25          thereafter before the Committee reports the

1 Bills in the House.

2 And then once the Bills are reported by  
3 the Committee in the House, they would go to  
4 the House floor. What we would expect is --  
5 well, they will take up the Senate messages and  
6 the House Bills and send us the product of  
7 their efforts.

8 SENATOR GAETZ: Is that responsive,  
9 Senator Storms?

10 SENATOR STORMS: Yes, sir, Mr. Chair. I  
11 am just trying -- I am trying -- and I know  
12 everybody is trying to keep in mind the end  
13 deadlines and back them up from there, so that  
14 we are not pushing ourselves up against filing  
15 deadlines, et cetera, for the benefit of all  
16 the citizens who came and said please don't --  
17 please don't run this game long, get the ball  
18 down as fast as you can, and I am just trying  
19 to make sure that, you know, as far as I am  
20 concerned, I am asking the right questions to  
21 make sure that we are all considering those  
22 issues.

23 SENATOR GAETZ: And, Rules Chair, Senator  
24 Thrasher, did you have any comments, sir?

25 SENATOR THRASHER: Just as I think Senator

1           Storms, you know, when an issue returns in  
2           messages, it kind of is then the President's  
3           call about whether to send it to a committee,  
4           to refer it back to a committee or to appoint a  
5           conference committee or to ask the committee  
6           chairs to see if they can work the differences  
7           out as Senator Gaetz said.

8                        So I think it is probably premature at  
9           this point to speculate on what might happen  
10          until we actually see the materiality of the  
11          differences between the plans that come back.

12                       So I think all of those options are open,  
13          and I am sure the President would enjoy hearing  
14          from any member of this Committee as to what  
15          they think we ought to do.

16                       SENATOR GAETZ:  Another veteran of the  
17          last process and substantial contributor to  
18          this one is Senator Latvala, and maybe you  
19          could help us out by letting us know what  
20          happens now on this wild ride.

21                       SENATOR LATVALA:  That wasn't why I --

22                       SENATOR GAETZ:  Well, you are recognized.

23                       SENATOR LATVALA:  I was busy keeping order  
24          in the break room, and I missed the vote on  
25          Senate Joint Resolution 1176.  I wish to be

1 recorded favorably.

2 SENATOR GAETZ: Without objection. Was  
3 there anybody else who wished to be recorded on  
4 that vote who had to step out temporarily?  
5 Senator Sachs, did you -- did you wish to be  
6 recorded, ma'am?

7 SENATOR SACHS: Yes.

8 SENATOR GAETZ: All right. Thank you very  
9 much.

10 And I would just remind members that the  
11 amendment deadline for these Bills is Friday,  
12 January 13th, at 10:00 a.m., with thanks to the  
13 Committee, with thanks to our staff, and before  
14 we go, remember these are the people who did  
15 not have a Thanksgiving, these are the people  
16 who did not have a Christmas, who did not have  
17 a Hanukkah, who barely had a New Year's. Thank  
18 you for what you have done.

19 And with that, Senator Rich moves we rise.

20 (Whereupon, the proceedings were  
21 concluded.)

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C E R T I F I C A T E

STATE OF FLORIDA )

COUNTY OF LEON )

I hereby certify that the foregoing transcript is of a tape-recording taken down by the undersigned, and the contents thereof were reduced to typewriting under my direction;

That the foregoing pages 2 through 110 represent a true, correct, and complete transcript of the tape-recording;

And I further certify that I am not of kin or counsel to the parties in the case; am not in the regular employ of counsel for any of said parties; nor am I in anywise interested in the result of said case.

Dated this 24th day of January, 2012.

\_\_\_\_\_

CLARA C. ROTRUCK

Notary Public

State of Florida at Large

Commission Expires:

November 13, 2014