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FLORIDA SENATE COMMITTEE ON REAPPORTIONMENT

COMMITTEE MEETING

TUESDAY, DECEMBER 6, 2011

1:00 P.M.

PAT THOMAS COMMITTEE ROOM, 412 KNOTT BUILDING

TALLAHASSEE, FLORIDA

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: And have a seat. Will the
3 secretary please call the roll of the
4 committee?

5 THE CLERK: Senator Gaetz?

6 SENATOR GAETZ: Here.

7 THE CLERK: Senator Margolis?

8 SENATOR MARGOLIS: Here.

9 THE CLERK: Senator Altman?

10 SENATOR ALTMAN: Here.

11 THE CLERK: Senator Benacquisto?

12 SENATOR BENACQUISTO: Here.

13 THE CLERK: Senator Braynon?

14 SENATOR BRAYNON: Here.

15 THE CLERK: Senator Bullard?

16 Senator Dean?

17 SENATOR DEAN: Here.

18 THE CLERK: Senator Detert?

19 SENATOR DETERT: Here.

20 THE CLERK: Senator Diaz de la Portilla?

21 SENATOR DIAZ DE LA PORTILLA: Here.

22 THE CLERK: Senator Evers?

23 SENATOR EVERS: Here.

24 THE CLERK: Senator Flores?

25 SENATOR FLORES: Here.

1 THE CLERK: Senator Garcia?
2 SENATOR GARCIA: Here.
3 THE CLERK: Senator Gardiner?
4 SENATOR GARDINER: Here.
5 THE CLERK: Senator Gibson?
6 SENATOR GIBSON: Here.
7 THE CLERK: Senator Hays?
8 SENATOR HAYS: Here.
9 THE CLERK: Senator Joyner?
10 SENATOR JOYNER: Here.
11 THE CLERK: Senator Latvala?
12 SENATOR LATVALA: Here.
13 THE CLERK: Senator Lynn?
14 SENATOR LYNN: Here.
15 THE CLERK: Senator Montford?
16 SENATOR MONTFORD: Here.
17 THE CLERK: Senator Negrón?
18 SENATOR NEGRÓN: Here.
19 THE CLERK: Senator Rich?
20 SENATOR RICH: Here.
21 THE CLERK: Senator Sachs?
22 SENATOR SACHS: Here.
23 THE CLERK: Senator Simmons?
24 SENATOR SIMMONS: Here.
25 THE CLERK: Senator Siplin?

1 SENATOR SIPLIN: Here.

2 THE CLERK: Senator Sobel?

3 SENATOR SOBEL: Here.

4 THE CLERK: Senator Storms?

5 SENATOR STORMS: Here.

6 THE CLERK: Senator Thrasher?

7 SENATOR THRASHER: Here.

8 THE CLERK: Quorum present.

9 SENATOR GAETZ: Thank you very much.

10 Quorum being present for the conduct of
11 business, the Committee is called to order.

12 And first we welcome back to our committee
13 and to our deliberations, President Margolis,
14 who has been in training with the Miami
15 Dolphins. I don't know if she brought her
16 weapon with her today, but I will tell you that
17 she has not only recovered exceedingly well,
18 but don't get too close to her when she is
19 swinging that weapon. Madam President, welcome
20 back, and we are delighted to see you in good
21 health and in fighting trim.

22 We as well welcome back Senator Flores.
23 Senator Flores has been busy getting a brother
24 for Maximo, and Maximo now has his brother.
25 And, Senator Flores, are you here, ma'am?

1 A VOICE: The baby's with her.

2 SENATOR GAETZ: The baby is with her. The
3 baby may make an appearance today. But we
4 welcome Senator Flores back.

5 And, also, we have a new but not
6 unfamiliar individual to welcome to the
7 Committee and to our work today. The
8 President -- President Haridopolos and I have
9 engaged as local counsel to the Committee Pete
10 Dunbar. Pete is with us, and Pete, if you will
11 stand just so that everybody can see you back
12 there. Pete Dunbar will serve as local counsel
13 to the Committee as we move forward into the
14 rest the reapportionment process. Mr. Dunbar
15 served ten years in the Florida House of
16 Representatives, representing Pasco and
17 Pinellas Counties. He served as general
18 counsel, legislative director and Chief of
19 Staff for the Governor of Florida, Governor
20 Martinez. He served as general counsel for the
21 Department of Financial Services. I think very
22 importantly to the work of this Committee, Mr.
23 Dunbar served two terms on the Florida
24 Commission on Ethics and is the former Chairman
25 of the Florida Commission On Ethics. He has

1 been involved in redistricting in the '70s,
2 '80s, '90s and in 2010, so he and President
3 Margolis actually can get together with John
4 Guthrie and share the war stories. They've
5 really got the stories they can't tell us. But
6 Pete was staff director for the Minority Office
7 in the Florida House, he served on the
8 redistricting staff during the 1972
9 redistricting process, he served as part of the
10 Legislature's team during the NAACP challenge
11 before the Supreme Court, he served as Chair of
12 the National Council of State Legislatures
13 Ethics, Elections and Reapportionment Committee
14 during the 1990 redistricting process, he was
15 counsel in federal court for the Florida Senate
16 and served as counsel to the 2010 redistricting
17 committee as well. So, Mr. Dunbar, welcome
18 back to the Florida Senate. Thank you for
19 bringing your legal expertise to our efforts
20 and assisting us as we move forward.

21 Senators, today is an important day for
22 the work of our committee, for our work
23 together as colleagues and for the future of
24 Florida. We want to thank all of those who
25 have joined us today in the committee room and

1 the many who are participating in our process
2 through The Florida Channel. Today we will
3 take up and vote on the introduction of two
4 proposed committee bills: SPB 7032, which
5 contains a redistricting plan for U.S.
6 congressional districts, and SPB 7034, which is
7 the redistricting plan for the Florida Senate.

8 As you know if you have followed the news
9 reports, the Speaker Designate, Speaker
10 Designate Weatherford, who chairs the
11 redistricting committee in the House, has
12 announced that the House of Representatives
13 will defer to the Senate and will accept the
14 Senate's plan and include it in their bill.
15 And we will defer to the House of
16 Representatives as to the House's plan. So,
17 therefore, we will concentrate on our Senate
18 plan, they on their House plan, and then
19 together we will work out our differences as to
20 congressional redistricting.

21 The plans that will be before you today
22 for an initial vote were developed by the
23 professional staff of your committee based on
24 federal and state laws, based on the testimony
25 of 1,700 Floridians this summer who came to 26

1 public hearings, attended by 5,000 people in
2 communities across the state. Our
3 redistricting professional staff also relied on
4 the 157 maps submitted by the public, and
5 relied further on specific direction this
6 Committee has provided to professional staff.

7 The development of the PCBs has also
8 benefited from the guidance of members of this
9 Committee, Democrats and Republicans alike, who
10 have worked closely with committee staff,
11 insisting that the proposed maps be faithful to
12 Amendments 5 and 6 and state and federal
13 statutes and sound redistricting principles.

14 The maps we will vote on today were posted
15 on the Senate redistricting website on
16 November 28th, more than a week ago. This was
17 done in accordance with the Unanimous Consent
18 Agreement arrived at by this Committee.

19 And as we also agreed at the last meeting,
20 the Committee made an aggressive effort to give
21 the public a second bite at the apple in
22 reviewing and critiquing the proposed committee
23 bills. The Committee re-contacted every person
24 who attended our statewide hearings and left us
25 with contact information. We contacted mayors,

1 county commissioners, school board members,
2 officers, local elected officials involved in
3 both political parties in the state, and
4 through the media we contacted the general
5 public to invite further comments now that we
6 have proposed committee bills that were drawn
7 from the input we have already received from
8 the public. More than 500 additional
9 Floridians have responded, on top of those who
10 were heard at our public hearings. All of the
11 comments of these additional Floridians who
12 responded will be posted on the Senate
13 redistricting website, and I would urge all
14 Senators to review all of the comments from
15 those whom we represent. And today we will
16 hear directly from many of those citizens,
17 thanks to a production of The Florida Channel.
18 We will also hear live testimony from
19 individuals who have chosen to travel to be
20 with us today instead of providing their
21 comments by one of the electronic methods the
22 Committee has made available.

23 Unless there is no objection, here is how
24 we will proceed today: In a few moments, I
25 will recognize the Rules Chair, Senator

1 Thrasher, and Senator Thrasher will place us in
2 the proper posture for a time-certain vote at
3 the end of the meeting. No amendments have
4 been filed to the proposed committee bills, and
5 so, therefore, we will vote up or down on the
6 introduction of those two proposed committee
7 bills.

8 Prior to that vote, which will come at the
9 end of the meeting, we will hear first from a
10 -- the staff, our professional staff, on the
11 proposed committee bills. Mr. Guthrie will
12 walk us through the bills and walk us through
13 the methodology that was used and the maps.
14 Secondly, the Committee will hear testimony
15 from the public, those who have come here today
16 and are in attendance. And then around 3:30 or
17 so, the Committee will take a short break.

18 Here is the part that is always tough for
19 us as Senators. We would ask that you hold
20 your comments -- and I know you will have
21 useful and important comments to make -- and
22 hold your questions until after professional
23 staff has introduced the bills and described
24 them to us and until we have heard from the
25 public. Let's let the public have the first

1 opportunity to speak, as has been the practice
2 of this Committee as we have done public
3 hearings.

4 Following our 3:30 break, then The Florida
5 Channel will present a video presentation which
6 assembles into a concise production many of the
7 e-mails, voice mails and other comments
8 received from the public since the publication
9 of the proposed committee bills eight days ago.
10 And we are very grateful to The Florida Channel
11 for putting this together in a professional and
12 unbiased way.

13 Following The Florida Channel
14 presentation, then the Chair will entertain
15 questions and comments and observations from
16 Senators on the Committee about the proposed
17 Senate and congressional redistricting plans.
18 But I ask you to please work with the Chair so
19 that only after we have heard from the public
20 through live testimony and The Florida Channel
21 presentation will we turn to discussion and
22 debate by the Committee.

23 Once discussion has concluded or we have
24 reached the time certain for voting, I will
25 again turn to the Rules Chair, Senator

1 Thrasher, for a motion on the congressional
2 plan, which is SPB 7032. This motion will be
3 subject to a roll call vote. I will then
4 entertain a second motion from the Rules Chair
5 on the Senate plan, which is SPB 7034, which
6 also will be a roll call vote.

7 It is important to note that the -- a vote
8 on the introduction of a committee bill is not
9 the last time that we will have the opportunity
10 as a committee to vote on this legislation. If
11 we vote in favor of introducing the proposed
12 committee bills today, then the next part of
13 the procedure is that these two bills will go
14 to our presiding officer, President
15 Haridopolos, and our Rules Chair, Senator
16 Thrasher, for referencing, and we would expect
17 that they would reference a proposed committee
18 bill to the Committee that would have
19 jurisdiction over the matter, which is our
20 committee, and then we would have an
21 opportunity to meet on Wednesday, January 11th,
22 2012, starting at 1:00 p.m. So please mark
23 your calendars, Wednesday, January 11th, 2012,
24 at 1:00 p.m. And then we will take the bills
25 up again, assuming we have gotten that far in

1 the process. Amendments will be able to be
2 filed following our Unanimous Consent Agreement
3 that amendments have to be filed 48 -- at least
4 48 hours ahead of time so that there are no
5 midnight surprises, no gotchas, and then we
6 would be in a position at the January 11th
7 meeting to take final votes in this Committee
8 on the proposed plans and take up any
9 amendments and act on those amendments, voting
10 them up or down.

11 We would then get the joint resolution of
12 apportionment and the congressional
13 redistricting bill in a posture to be heard on
14 the floor of the Senate. The President has
15 indicated that he will allow this -- these
16 bills to be brought before the Senate as a
17 special order on the calendar of bills on
18 second reading when the Senate returns from the
19 Martin Luther King holiday on Tuesday,
20 January 17th. So January 11th, this Committee
21 will meet and take up the proposed committee
22 bill, assuming it passes today. And then if we
23 adopt the bill on January the 11th and it is
24 subject to amendment at that time, then we
25 would expect that we will be on the Senate

1 floor on January 17th. That will be a full two
2 months earlier than the floor vote in the
3 Senate ten years ago. And on the Senate floor,
4 again, we will have a full, open, thorough
5 debate promised to us by the Presiding Officer
6 and by the Rules Chair.

7 Admittedly, our schedule has been
8 ambitious from the start, Senators, and it
9 remains so. With a remarkable public spirited
10 consensus that we have found on this Committee
11 and with extended time put in by our
12 professional staff for which we are very, very
13 grateful, we have not slipped a nanosecond from
14 the schedule that we have promised the public.

15 The public expects us to continue
16 advancing with all deliberate speed toward
17 adoption of new districts based on the 2010
18 census and the recently added standards to our
19 State Constitution, and that is exactly what we
20 intend to do.

21 Are there any questions about the agenda
22 for today or about our schedule for moving
23 forward? Are there any procedural questions?

24 All right. Then, in a moment, I will
25 recognize our staff director, John Guthrie, to

1 provide a brief explanation of the two
2 committee bills, but prior to calling on Mr.
3 Guthrie, the Chair recognizes Rules Chair
4 Thrasher for a motion. Rules Chair, you are
5 recognized.

6 SENATOR THRASHER: Thank you,
7 Mr. Chairman, and thank you, I think again, on
8 behalf of all of us on the Committee, you and
9 the staff, for getting us to this important,
10 pivotal day in this process. I think,
11 Mr. Chairman, the process has been transparent,
12 it's been open and it's certainly been
13 inclusive.

14 And with that, Mr. Chairman, I move that
15 the votes be taken on the introduction of SPB
16 7032 relating to congressional districts at a
17 time certain of no later than 5:45 p.m. today,
18 and a vote be taken on the introduction of SPB
19 7034 relating to Senate districts at a time
20 certain no later than 5:50 p.m. today.

21 SENATOR GAETZ: Is there objection? Is
22 there objection? If not, show the motion
23 adopted by unanimous consent to vote no later
24 than 5:45 p.m. on SPB 7032 and no later than
25 5:50 p.m. on SPB 7034. Thank you, Rules Chair

1 Thrasher.

2 And before we turn to Mr. Guthrie, let me
3 ask if our Minority Leader and Majority Leader
4 wish to make any opening comments. Leader
5 Rich?

6 SENATOR RICH: Thank you, Mr. Chair. I
7 really don't have much to add, except to say
8 that I do appreciate and I think the people of
9 Florida do appreciate the fact that the Senate,
10 under your leadership, has determined that we
11 are going to try and make these maps available
12 as far as what we pass out of this committee
13 and get them through the Senate so that there
14 will be time in the future, if there are issues
15 and core issues, that there will be times, the
16 voters of the state of Florida will know where
17 their districts are when it comes time to
18 qualify -- for candidates to qualify and for
19 people to be able to know what district they
20 are in and who the candidates will be that are
21 running in all the different races. So I think
22 that is a very important factor. And I noticed
23 at the beginning, you know, it was talked about
24 a lot, but you were committed to doing that,
25 and I just want to express appreciation for the

1 fact that you have lived up to what you said
2 and I think what the voices of all the people
3 said as we went around the state, that they
4 wanted to make sure that this wasn't going to
5 be kind of a long, drawn-out process and then
6 we would bump up against a timeline where we
7 couldn't have an opportunity to have it run its
8 whole, natural course. So, again, I just want
9 to thank you for that, and, of course, look
10 forward to hearing what the people have to say
11 today around the state and the ultimate result.
12 Thank you.

13 SENATOR GAETZ: Thank you very much,
14 Leader.

15 Leader Gardiner?

16 SENATOR GARDINER: Thank you,
17 Mr. Chairman, and just to echo my colleague, I
18 want to thank you for your leadership on
19 bringing this to where we are today, traveling
20 the state, hearing from constituents all over
21 the state about time and about transparency.
22 As somebody that was part of this process ten
23 years ago, you are absolutely correct, we are
24 way ahead of schedule, and it can only be tied
25 to your understanding and leadership on this

1 issue, so I want to thank you for that.

2 And just to the point that I have made
3 before, that if there are those that are
4 interested in amending, I hope that they will
5 understand that it will have to be a strike-all
6 amendment and it will need to affect all
7 aspects of the state, not just one particular
8 corner of their universe. So we look forward
9 to the discussion and hearing from residents of
10 the state today, and, again, thank you,
11 Mr. Chairman, for your leadership.

12 SENATOR GAETZ: Thank you, Leader Gardiner
13 and Leader Rich, and those who have followed
14 this process historically, and I am sure Mr.
15 Dunbar could reflect on this as well, and that
16 is that in the past, the process has often been
17 rancorous and partisan from the beginning, and
18 today we leave the calm waters of a safe harbor
19 of Unanimous Consent Agreements and we move
20 into votes, and the waves can get a little
21 higher when you get outside the safe harbor and
22 past the buoys, but I will tell you this: The
23 reason we have kept the promise to the people
24 of Florida to move with all deliberate speed,
25 the reason we have managed to meet every

1 deadline, the reason that our work has belied
2 the cynics and the critics is because Leader
3 Rich and Leader Gardiner and all the members of
4 this Committee and our Vice-Chair, President
5 Margolis, have kept us to our commitment to the
6 people of Florida, and I thank all of you for
7 that.

8 With that, Mr. Guthrie, you are recognized
9 to take us through an explanation of the
10 proposed congressional and Senate maps that
11 were published last week.

12 I'm sorry, we have another baby, and I
13 apologize, you know, I'm sorry. Hang on for a
14 second here, John. Senator Braynon, do you
15 have something to report to us, sir, in the
16 birth department?

17 SENATOR BRAYNON: I guess you really
18 didn't miss my presence, but I haven't been
19 here for two weeks, for the past two committee
20 weeks, and my wife --

21 SENATOR GAETZ: You were here in spirit.

22 SENATOR BRAYNON: Yes, I was here in
23 spirit, yes. And my wife had our new son,
24 Brandon Glenn Braynon, and he is -- he is doing
25 well. She had him on November 10th, so we are

1 good, we are good. So --

2 SENATOR GAETZ: Well, congratulations,
3 Senator.

4 SENATOR BRAYNON: Thank you.

5 SENATOR GAETZ: And, Senator Flores, we
6 acknowledged the great work that you have done
7 in getting Maximo a younger brother, and did
8 you bring the new member of your family to the
9 committee room today to object at the
10 appropriate times or --

11 SENATOR FLORES: I did hear you. We were
12 watching the committee room, but he is now
13 taking a nap. But we are going to be here for
14 a long time, so maybe he will make an
15 appearance before the end of the Committee, but
16 thank you for the congratulations.

17 SENATOR GAETZ: Well, Senator, thank you.
18 Congratulations. Senator Storms inaugurated us
19 in the Senate, us elderly Senators, I speak
20 only for myself, into the whole world of child
21 care when she was elected, and so we are ready
22 for the next generation.

23 And, therefore, if there's no other
24 announcements, pleasant, wonderful
25 announcements to make, Mr. Guthrie, you are

1 recognized.

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

3 Ten -- in 2010, the people of Florida
4 added to their Constitution Article III,
5 Sections 20 and 21. Those two new provisions
6 to the Florida Constitution have fundamentally
7 changed the way that we do redistricting in
8 this state. This is my third round of
9 redistricting as staff director of the Senate
10 committee, and I've got to tell you that what
11 the voters put into their Constitution has made
12 a huge difference in how we conduct our
13 business.

14 Let's take a quick look again at what the
15 constitutional standards provide. Number one,
16 no apportionment plan or district shall be
17 drawn with the intent to favor or disfavor a
18 political party or an incumbent. Also,
19 districts cannot be drawn with the intent or
20 result of denying or abridging the equal
21 opportunity of racial or language minorities to
22 participate in the political process or in a
23 way that diminishes their ability to elect
24 representatives of their choice.

25 Districts shall be of contiguous

1 territory. That actually was a requirement
2 that we had had for ten years, and is not --
3 and is not new.

4 Then in subsection b, the new provisions
5 of Article III, Sections 20 and 21, provide
6 that unless compliance with these standards --
7 or the standards in subsection -- unless
8 compliance with the standards in this
9 subsection conflicts with the standards in what
10 we call the Tier 1 subsection, or with federal
11 law, districts shall be drawn with as nearly
12 equal population as practical, they shall be
13 compact, and they shall, where feasible, use
14 existing political and geographic boundaries.
15 So that is the new constitutional framework.

16 Senator Margolis, who was my President and
17 boss 20 years ago, and Senator Latvala, who was
18 my subcommittee chairman and boss 10 years ago,
19 both remember that Florida and how we practiced
20 redistricting in Florida was quite different 10
21 and 20 years ago than it is today. How
22 districts came to be, admittedly, was all about
23 reds and blues.

24 In 1992, we had the Mack versus McKay
25 race, which was decided by absentee ballots, a

1 very, very close election, and that became the
2 metric for deciding how -- the steering how to
3 draw the lines.

4 Ten years ago, we had Gore v. Bush, an
5 election that was decided by 527 votes,
6 well-remembered by many of us, and that --
7 those data were used by the Senate and by the
8 House in fashioning the new districts. So all
9 of the maps that we drew were -- behind all of
10 those were shades of red and blue.

11 For this round of redistricting, mindful
12 of the constitutional prohibition against
13 having the intent to favor or disfavor a party
14 or an incumbent, the Chairman and the Committee
15 directed that we not use political data in this
16 process, and we have not. There are no
17 registration data in the Senate redistricting
18 system, there are no elections data in the
19 Senate redistricting system, and I haven't paid
20 one bit of attention to any political
21 considerations in the drawing of these
22 districts as -- as the professional staff
23 who -- in whom you have put the pen for
24 fashioning the districts that are before you
25 today. So that is the Constitution and how it

1 changed.

2 I think it is important, too, to look at
3 the variety of public input that this Committee
4 received during the summer. And as I page
5 through these next few slides, what I want you
6 to all harken back to is which of those
7 hearings were the ones that you attend, and
8 think back on the constituents and voters in
9 those areas that you heard from and what they
10 had to say. I know that Chairman Gaetz went to
11 every single one of these hearings and listened
12 to every one of the constituents and voters who
13 came to state their best wishes and desires for
14 how the new districts be drawn, and in
15 counseling me as we have sat around the
16 computer screen in the weeks -- in recent
17 weeks, Chairman Gaetz time and time has come
18 back to, "Well, what you are doing here, tell
19 me how it complies with federal and state law,
20 and tell me how it complies with what I
21 remember about what we heard at all of these
22 hearings," and there are many, many cases where
23 his -- the Chairman's recollections, based on
24 his notes, has actually had an effect on
25 drawing the lines in a manner that is even

1 better responsive to what the public is looking
2 for here.

3 So we -- our tours -- or our redistricting
4 hearings were broken into five tours. The
5 first was in the Panhandle. The second was in
6 northeast Florida, Jacksonville, St. Augustine,
7 Daytona Beach, The Villages and Gainesville.
8 Then later in July, we went to central Florida,
9 Lakeland, Wauchula, Wesley Chapel, Orlando and
10 Melbourne. The Orlando hearing with 621 people
11 actually recording -- the attendance in all
12 cases were more than what we are showing here,
13 but these are the people who actually filled
14 out the attendance card and left a record of
15 their attendance -- with 621 recorded attendees
16 and 153 speakers, Orlando had -- was sort of
17 the high water mark of public participation.
18 Next we had our southeast hearings in Stuart,
19 Boca Raton, Davie, Miami, South Miami and Key
20 West, and finally the southwest tour in August
21 and ending on September 1st, again, a couple
22 months earlier than we finished the public
23 hearings ten years ago. We had stops in Tampa,
24 Largo, Sarasota, Naples, Lehigh Acres and
25 Clewiston.

1 All in all, as the Chairman mentioned, 26
2 locations, almost 5,000 people signed in forms
3 recording that they were there. Most of those
4 got on our mailing list, and we have continued
5 keeping them apprised of the work of this
6 Committee, and we heard from more than 1,600
7 speakers at the public hearings.

8 A record of all of the hearings is posted
9 on the Senate redistricting website. We are
10 now, Jay, I believe just one transcript short,
11 and we expect by the end of today or tomorrow
12 to finish out and have transcripts as well as
13 audio recordings and the videos that The
14 Florida Channel provided for us for all of
15 these hearings. So any of us, any of your
16 constituents can go back and refresh yourselves
17 on exactly what occurred at each of those
18 public hearings.

19 We also set new marks nationally. No one
20 anywhere has ever seen the level of public
21 participation in terms of submitting maps for
22 consideration by the Legislature. One hundred
23 fifty-seven maps were submitted before -- by
24 the November 1 deadline that was set by this
25 Committee. One map has been submitted after

1 the deadline. It was in reaction to the PCB
2 that was filed by the Senate, and what it does
3 is reconstitutes some of the Senate districts
4 in the north central Florida area.

5 The opportunity remains out there, so if
6 the public would like to communicate their
7 input to us by suggesting alternative plans,
8 that is an option that the public has and
9 continues to have.

10 The Chairman mentioned that we have not
11 missed a beat in terms of the timeline this
12 Committee set out for itself. We now are in
13 December of 2011, at the end of the time for
14 our interim committee meetings. As the
15 Chairman said, the goal for the committee today
16 will be to get the joint resolution of
17 apportionment and the congressional
18 redistricting bill both moved as committee
19 bills from this Committee, which would be way,
20 way ahead of where we have ever been before.
21 As you see, looking ahead to 2012, that
22 promises to be an even busier year for this
23 Committee, so it is important that we stick to
24 our schedule.

25 And let's take a look again at the slide

1 we saw several months ago of how the time frame
2 set forth in Article III, Section 16, of the
3 Florida Constitution might play out for
4 redistricting session. As the Chairman said,
5 it is his goal to, and the Committee's goal to
6 report the bills out of committee on the 11th
7 of January and off the floor of the Senate by
8 the -- by the second week of session. That
9 would be easily two months ahead of the
10 schedule that we've ever had in the Legislature
11 in terms of completing this work, and it is
12 necessary that we get it done sooner than ever
13 before, because federal and state qualifying is
14 sooner than ever before, and we need to allow
15 the time required by the Department of Justice
16 and the Florida Supreme Court to complete their
17 legal reviews.

18 The predicate for redistricting in
19 2011-2012 is the 2010 census. Based on the
20 2010 census, we learned that the resident
21 population in Florida is 18.8 million people,
22 and what that means is that a size of a
23 congressional district now is going to be
24 696,345 people, and the Committee remembers
25 well that with congressional districts, we

1 strive for basically zero deviation. So in the
2 proposed committee bill that we have submitted
3 to you for your consideration today, we have 23
4 districts that have zero deviation relative to
5 the target of 696,345, we have four districts
6 that have a deviation of one person, and that
7 is because the state population is not an exact
8 multiple of 696,345, so there was a remainder
9 of four, which we -- which we spread into four
10 of the districts.

11 For Senate and House districts, the
12 requirement for exactitude is not quite as
13 strong. The target population for a Senate
14 district is about 470,000 persons, and the
15 target population for a House district is about
16 157,000 persons. But the U.S. Census is the
17 basis for the geography and the population
18 figures that are used for redistricting.

19 Also, you may have noticed in your meeting
20 packet we've got now detailed census
21 demographics for all of the proposed and
22 current districts, and these same statistics
23 now are -- yes, now are available on the Senate
24 website for all of the 158 plans that have been
25 submitted by the public. So a huge amount of

1 demographic census information is available for
2 your consideration as you are reviewing all of
3 these plans. And it is really that census data
4 that were the metrics that were used by your
5 professional staff in putting together the
6 proposals that we recommend to you today.

7 So where did we end up? And what was our
8 approach with congressional and legislative
9 districts? For congressional districts, there
10 are four overriding points that I want to make.
11 Number one is that it was a collaborative
12 effort between your professional staff and the
13 professional staff of the House Redistricting
14 Committee.

15 Secondly, always in our mind was following
16 the standards in federal and state law. We
17 considered the public hearing testimony and the
18 submitted plan, and we received from leadership
19 direction that, if possible, we should add an
20 opportunity district for Hispanic voters in the
21 central Florida area. So those were the
22 guiding principles of your professional staff
23 as we worked at putting together a recommended
24 congressional plan.

25 How did we do? And I said earlier that

1 Amendments 5 and 6, new Sections 20 and 21 of
2 Article III of the Florida Constitution, made a
3 huge difference. It also made a huge
4 difference in the metrics of these plans.

5 Looking at it, at the plan as a whole, our
6 congressional plan, the delegation has grown
7 based on the apportionment of the United States
8 Congress from 25 members of Congress to 27, a
9 change of eight percent. The number of whole
10 counties in the proposed plan was increased
11 from 37 to 44, a 19 percent increase. The
12 number of split counties in the plan decreased
13 from 30 to 23, a decrease of more than
14 23 percent. The number of county splits -- and
15 what I mean by a county split is if a county is
16 split into two districts, we count that as two;
17 if a county is split into three districts, that
18 counts as three; if it is split into four
19 districts, that counts as four; and we add all
20 those numbers up for all of the counties. The
21 number of county splits in the benchmark or the
22 2002 plan was 83. The number of county splits
23 in the proposed plan is 64, a decrease of
24 23 percent.

25 The number of city splits, which we figure

1 the same way, how many times are cities split
2 by districts, decreases from 254 in the
3 benchmark plan to 144 in the proposed committee
4 bill, a decrease of 43 percent.

5 And the average perimeter of a district,
6 and that is walking around the entire district
7 boundaries, so if the district is bordered by a
8 river, that means following every little nook
9 and turn of the river, but tracing -- you know,
10 sort of walking around the entire outer
11 perimeter of the entire district, the average
12 perimeter of congressional districts in the
13 benchmark 2002 plan was 403 miles. The average
14 perimeter in the proposed plan is 313 miles.
15 That is a decrease of 22 percent.

16 So on the -- the congressional plan, we
17 were -- and I would ask you to turn to the
18 S000C9002, the proposed plan in your meeting
19 packet, and I can flip to it here on the screen
20 for you to see -- we were able to create an
21 opportunity district for Hispanic voters in the
22 central Florida area. That is the -- that is
23 the first objective or the first highlight that
24 I would like to mention here.

25 Secondly, we used to have a congressional

1 district that extended from Jacksonville all
2 the way over almost to Tallahassee. That
3 district has been considerably changed so that
4 it is now only in Duval, Nassau and Baker
5 Counties.

6 Thirdly, we eliminated down in south
7 Florida the coast-to-coast District 16 in
8 response to what we heard from the voters and
9 from a lot of the folks who testified it at our
10 public hearings.

11 Number four, we were able to keep the
12 opportunity district, in fact, make a
13 majority-minority district for African-American
14 voters who live in the Jacksonville, Palatka,
15 Gainesville, Orlando area. And the proposed
16 committee bill does not have any retrogression
17 in Section 5 areas. That would include
18 Congressional District 11 in Hillsborough, a
19 covered county, Hillsborough, Pinellas and
20 Manatee Counties. It also would include
21 District 23, a majority African-American
22 district, which is partially in Hendry County,
23 as well as Palm Beach and Broward Counties.
24 That would include District 21, a Hispanic
25 majority district in Hendry, Collier, two

1 Section 5 counties, and Miami-Dade County, and
2 it would include Congressional District 18, a
3 Hispanic majority district in Miami-Dade and
4 Monroe Counties.

5 So with the proposal that is before you, I
6 think we have met the -- or we have made ever
7 effort to follow federal and state law, to heed
8 the advice provided by the public in the 26
9 public hearings and the 157 map submissions
10 that were supplied to us, and to listen to the
11 direction that we got from this Committee
12 during the interim committee meetings that you
13 have provided.

14 Turning now to the Senate plan, what were
15 the objectives of staff as we tackled this
16 assignment? Again, number one, follow the
17 standards in federal and state law; number two,
18 consider public hearing testimony and the
19 submitted plans; and, again, just like with the
20 congressional plan, there was a direction we
21 got from leadership to, if possible, add an
22 opportunity district for Hispanic voters in the
23 central Florida area.

24 Based on that advice, we put -- we came up
25 with a proposal that is in your meeting packet.

1 It is called Senate plan S000S9004, and it is
2 attached to the PCB that this Committee will be
3 considering at its meeting today.

4 How do the overall statistics rate on this
5 plan? Well, the old plan had 40 districts, the
6 proposed committee bill has 40 districts, no
7 change there.

8 In terms of whole counties, there were 22
9 whole counties in the benchmark 2002 plan. In
10 the proposed committee bill, there are 36 whole
11 counties, an increase of more than 63 percent.

12 Split counties. In the benchmark plan,
13 there were 45 counties that were split. In the
14 proposed plan, there are 31 counties that are
15 split, a decrease of 31 percent.

16 County splits, the number of times the
17 counties get split by districts. In the
18 benchmark 2002 plan, there were 129 county
19 splits. In the proposed committee bill, there
20 are 87, a decrease of 33 percent.

21 City splits, same story, 300 in the 2002
22 plan, 179 in the proposed committee bill, a
23 decrease of 40.3 percent.

24 And the average perimeter of Senate
25 districts decreased from the benchmark

1 287 miles to 249 miles in the proposed
2 committee bill, a decrease of more than
3 13 percent.

4 If you could turn to -- let's all turn to
5 the Senate plan in our meeting packet, and I
6 will pull it up on your screen if you are
7 following along here. So here's the statewide
8 map of the proposed committee bill for Senate
9 districts. A few highlights that I want to
10 bring to your attention here.

11 Number one, on the Emerald Coast, the
12 professional staff followed geographic
13 boundaries to draw a district that respected
14 the coastal and rural interests of northwest
15 Florida.

16 Number two, in the Capital region, we were
17 able to find a way to piece together whole
18 counties, entire whole counties; in fact, there
19 are 11 whole counties in this -- in this
20 proposed district, which comes to about the
21 target population for a Senate district. We
22 also, with District 14 in the proposal found
23 three whole counties that nearly -- or that
24 approximated the target population for a Senate
25 district, so we have a district made entirely

1 of whole counties there.

2 Along the Nature Coast, we heard testimony
3 in our committee meeting that Jefferson,
4 Taylor, Levy -- Dixie, Levy and Citrus and
5 Hernando Counties made up the Nature Coast. We
6 were able to come up with a district. We
7 couldn't put Jefferson and Taylor Counties in,
8 because they were already being used up by
9 District 6 and there really was no reasonable
10 way to include those districts -- or those
11 counties in the district, and so we -- we fit
12 between these two whole county districts and
13 still were able to hold together three of the
14 Nature Coast counties in their entirety in
15 Congressional District 3.

16 With District 5, we've got a district that
17 is entirely in Nassau and Duval County. With
18 District 8, we have a district that ties
19 together the Jacksonville beaches along with
20 beach and coastal interests in St. Johns,
21 Flagler and Volusia Counties. With District
22 20, we have The Villages pretty well held
23 together in a single senate district, which was
24 one of the messages we heard loud and clear at
25 our public hearings.

1 With congressional -- or Senate District
2 number 19, we were able to increase the
3 minority voting age population of that district
4 from 33 percent to 40 percent.

5 With District 15 here I mentioned is your
6 new Hispanic opportunity district in central
7 Florida. District -- District 24, excuse me,
8 is your new Hispanic opportunity district.

9 Districts 15 and 17 are both predominantly
10 rural districts in the Kissimmee/Lake
11 Okeechobee agricultural region.

12 Senate -- going back down, or going down
13 to the bottom of the state, Senate District 39
14 currently is in Section 5 counties of Hendry,
15 Collier and Monroe Counties. We were able to
16 retain that as a strong majority influence
17 district. In fact, the black voting age
18 population of that district increases from
19 29 percent to 35 percent.

20 We were able to keep three Hispanic
21 majority districts in Miami-Dade County. We
22 were able to keep a beaches district along the
23 coast in Miami-Dade County. That beaches
24 district is now just over 50 percent Hispanic,
25 but it still holds together -- as we heard from

1 many of the citizens that they wanted us to do,
2 holds together those coastal interests in
3 Miami-Dade County. And, yes, Chairman, it does
4 include the city of -- oh, my mind is --

5 SENATOR GAETZ: Miami Shores.

6 MR. GUTHRIE: Miami Shores is held
7 entirely intact and is part of District 35.
8 Thank you.

9 District 29, another majority-minority
10 district in the benchmark plan, that district
11 was 73,000 under-populated based on the 2010
12 census. What we have done in the proposed
13 committee bill is added areas of Lauderhill,
14 brought that district up to the requisite
15 population without undermining the minority
16 voting opportunities in -- or diminishing
17 minority voting opportunities in that district.

18 Senate District 25 in Broward and Palm
19 Beach Counties is a coastal district to the
20 east of District 29. Districts 30, 31 and 32
21 hold together retirement communities in the
22 Palm Beach and Broward County areas, and I am
23 very happy with the way that those districts
24 sort of came together. District 34 includes
25 the western communities in Palm Beach and

1 Broward County, some retirement communities,
2 plus the Everglades agriculture area.

3 And then moving to the west coast of
4 Florida, you see that District 39, our Section
5 5 county -- or Section 5 district where we did
6 not want to take out any of the voters who
7 currently are participating in electing
8 candidates of their own choosing, so District
9 37, its borders were largely dictated by 39.
10 We included also coastal areas in Lee County,
11 particularly the city of Cape Coral.

12 District 27 used to be a coast-to-coast
13 district, which at our public hearings we heard
14 was something the public would just as soon not
15 see in the future plan, so District 27 is
16 compactly figured in just Lee and Charlotte
17 Counties. District 23 is in Sarasota and
18 Charlotte Counties.

19 And up to the Tampa Bay area, we got
20 direction from this Committee that Pasco was a
21 county that had eastern interests that were
22 different than the coastal community, so most
23 of the coastal community is put in a district
24 with Hernando and Sumter County, whereas the
25 bedroom communities to Tampa are put into a

1 district with North Tampa.

2 District 10 is put entirely in
3 Hillsborough County in a way that it ties
4 together Temple Terrace, other communities in
5 northern Tampa, as well as greater Sun City
6 Center and Apollo Beach and some of the
7 requirement communities in south -- south
8 Hillsborough County.

9 District 18 remains in this Section 5
10 area, a minority opportunity district, avoided
11 retrogression with that.

12 And District 21 ties -- it ties together
13 the communities of Bradenton and Lakeland,
14 Plant City and rural communities in between.
15 That is a district that is -- kind of fits in
16 between the Section 5 interests that we were
17 pursuing in the Tampa Bay area and the Section
18 5 interests that we were following in southwest
19 Florida. So we got a lot of tidy districts.
20 That is not our most tidy district, I will
21 concede that at the outset, but I think it does
22 have a clear advantage of putting together
23 communities that are not too far apart and
24 not -- and putting them together in a way that
25 neither Lakeland nor Bradenton clearly

1 dominates that district. So we've got a good
2 balance in the area between the Lakeland
3 area -- Lakeland/Plant City area and the
4 Bradenton area, both of which ought to have
5 influence over the elected representative.

6 The focus here on both your -- the
7 proposed Senate plan and the proposed
8 congressional plan was us trying to come up
9 with ways to follow what we heard from the
10 public about answering their request that these
11 district give them effective representation in
12 the United States Congress, in the Florida
13 Senate, and give every community a voice and --
14 so that through their ballots, they will be
15 able to elect somebody who will carry their
16 interests to Tallahassee and to Washington, DC.

17 So that is my presentation, Mr. Chairman.

18 SENATOR GAETZ: Thank you very much, Mr.
19 Guthrie.

20 And now we will turn to public testimony.
21 We are delighted that we have had a large
22 number of people who have come. Every time we
23 have had a meeting of the reapportionment
24 committee, we have had very active citizen
25 participation. We are grateful for that

1 participation today.

2 I will call these individuals forward in
3 the order in which their appearance requests
4 were turned in to the secretary of the
5 Committee. The only privilege that the Chair
6 will take is to place lobbyists toward the end
7 of the process so that we are sure that we have
8 an opportunity for all citizens who don't
9 typically lobby the Legislature to be heard
10 today, and I would like to call folks by
11 threes; that way, you know who is next and you
12 can be on deck. And we would like to ask
13 individuals who are testifying today, in
14 respect and deference to those who are behind
15 you who also would like to have a chance to
16 speak, if you could keep your comments to the
17 point, as brief as possible, and if you could
18 keep the comments within about a three-minute
19 range, that would be very helpful to those
20 behind you who would like to speak.

21 With that said, our first three speakers
22 will be Catherine Baer and Joe Wicker and
23 Steven Hunnicutt.

24 And so Catherine Baer, are you here,
25 please, ma'am? Thank you for coming to the

1 Florida Senate. Please come forward right
2 there where Mr. Guthrie was speaking. The
3 floor is yours, and we are anxious to hear your
4 views. You are recognized, ma'am.

5 MS. BAER: Thank you very much for taking
6 the time to listen to the concerns of your
7 constituents. I would also like to express my
8 appreciation for the redistricting hearing and
9 the time and effort that you guys spent in
10 listening to all of our concerns about our
11 representation.

12 I have taken a -- my opportunity to look
13 over the proposed maps and to research and
14 educate myself on what is going on with this,
15 and overall, to me, it looks like a good faith
16 effort and within the limits of the federal and
17 state statutes. County lines appear to be
18 followed whenever possible, and I see more
19 contiguous districts than I have seen in the
20 past.

21 The areas along the Panhandle, which I
22 were a little bit concerned about the -- I
23 understand why it was done that way in order to
24 reflect the distinctive communities in that
25 area. I understand that there is no such thing

1 as a perfect scenario or a perfect map, but
2 this proposal seems to do a good job of
3 protecting minority districts, not favoring
4 incumbents, and following the county lines when
5 possible, so I express my support of this
6 proposal. Thank you for your time.

7 SENATOR GAETZ: Thank you very much,
8 Ms. Baer. Ms. Baer comes from Tallahassee.

9 And now coming from Apollo Beach is Joe
10 Wicker. Mr. Wicker, thank you for driving all
11 this way to be with the Florida Senate today,
12 and you are recognized, sir.

13 MR. WICKER: Thank you, Mr. Chairman and
14 members of the Committee. I was actually
15 traveling back on business, so I just rerouted
16 myself and I am going to catch a ride back with
17 a buddy to Tampa.

18 So I am Joe Wicker. I am a resident of
19 Hillsborough County and a constituent in Senate
20 District 10. And in 2008, I left military
21 service to enter back into the private sector
22 where I was fortunate to be hired by what
23 *Fortune* magazine calls as one of the most
24 admired companies in the forestry industry,
25 International Paper, and we proudly employ

1 hundreds of people throughout this state.

2 I can't say that I envy you for being the
3 ones to hold office at this time of
4 redistricting, because I know that it is a
5 difficult process. I will say that while I do
6 expect to see transparency in government, it is
7 kind of rare to see that in practice in some
8 places throughout the country. Take Illinois,
9 for example, where they drew maps behind closed
10 doors, sent it off, it was signed and that was
11 that. The people in that state should --
12 should be outraged. So I was proud to see that
13 we had a statewide public discourse over this
14 issue.

15 Ironically, there are people that are
16 saying that our meetings were a fraud, or your
17 meetings were a fraud and they were a mockery
18 of our system. Yet those very same groups had
19 nothing to say about the short
20 behind-the-scenes process that took place in
21 states like Illinois.

22 So after attending one of those
23 redistricting hearings that you conducted, I
24 realized this was probably one of those times
25 that as an elected official, you are just

1 darned if you do and darned if you don't. The
2 districts are compact in many areas, using
3 county lines effectively, and, of course, some
4 people said that they would only want one
5 Senator in their county, and others like the
6 idea of having two, so it is hard to please
7 everybody.

8 But in Hillsborough County specifically,
9 given the county lines and the population
10 densities, I will have to say that I feel like
11 it is sufficiently a compact district. You
12 have the difficult task of adhering to the
13 Voting Rights Act, as well as the new state
14 constitutional amendment, and you also manage
15 to recognize a growing Hispanic population in
16 central Florida.

17 So thank you for taking the time to make
18 this process as transparent as possible, and if
19 we find our Legislature's work before the
20 courts, I would implore that the courts to
21 recognize the extent to which the Legislature
22 went to involve the public and adhere to the
23 laws and use common sense. Thank you for your
24 time.

25 SENATOR GAETZ: Thank you very much,

1 Mr. Wicker.

2 Next, Steven Hunnicutt, who is a City
3 Commissioner for the City of Winter Haven.
4 Commissioner, thank you for your service to the
5 people of your community, and you are
6 recognized before the Senate.

7 COMMISSIONER HUNNICUTT: Thank you,
8 Mr. Chair.

9 Mr. Chair and gentlemen and ladies of this
10 Committee, first of all and foremost, I think
11 you all should be commended for your hard work,
12 your openness and the speed of the process that
13 you have done so far with the maps.

14 I would currently like to show my support
15 with my fellow commissioners and residents of
16 the city for the proposed Senate map District
17 15 in which we are in.

18 One of the hearings that I attended was
19 back on July the 25th at Polk State College in
20 Lakeland where there was a discussion of
21 keeping Winter Haven whole. I believe that
22 after that discussion you have done just that,
23 and we agree.

24 Taking a page out of the guide to
25 redistricting, there are comments in there that

1 says, "What do communities of interest play in
2 a redistricting process? A community that
3 would benefit from being maintained in a single
4 district because of shared interests, views and
5 characteristics, so, therefore, we should be
6 kept together." And this proposed Senate map
7 for that district does just that, and that
8 shows that you listened.

9 I understand that this process is very
10 difficult for our citizens to understand as it
11 sets the landscape for our democracy for the
12 next ten years. The meetings that were
13 proposed and were held show the utmost of
14 transparency and was a benefit to all.

15 I also agree that what is proposed with
16 the Senate map, making us whole is fair,
17 sensible and faithful to the law, and I also
18 believe that is in line with the Voting Rights
19 Act and consistent with the State Constitution
20 Fair District amendments, and, again, that is
21 to do to the Committee's understanding of this
22 process and hard work that you all have put
23 into this.

24 The other two cities, I do have letters
25 here, Mr. Chair, that I would like to leave

1 with you.

2 SENATOR GAETZ: Please do, sir.

3 COMMISSIONER HUNNICUTT: The City of Lake
4 Alfred is also in support of that, as well is
5 the City of Auburndale.

6 Again, like I said, I appreciate your
7 time, I appreciate you listening, and you all
8 are to be commended. Thank you very much.

9 SENATOR GAETZ: Thank you, Commissioner.
10 Thank you for your testimony.

11 Next we will hear from Darryl Register --
12 thank you, Commissioner -- and then from Graham
13 Stacy and then from Josh, I believe it is
14 Burgin, from Plant City.

15 Mr. Register, thank you for coming to the
16 Florida Senate all the way from Macclenny, and
17 welcome.

18 MR. REGISTER: Good afternoon. Thank you,
19 Mr. Chair, Committee members.

20 I come here today simply to say thank you.
21 I was in Jacksonville at the public listening
22 session that was held there, and as I waited my
23 turn to speak along with several others from
24 Baker County, I heard the request, and in some
25 cases, the demands that was made on this

1 Committee. But I am here today because I
2 believe this Committee has listened to the
3 request of the people of Florida, and I believe
4 you have acted in the best interest possible of
5 the people of Florida.

6 In a small rural county like Baker, it
7 would have been easy to shuffle us to one area
8 or the other, but you didn't do that. You
9 listened to our concerns and you addressed them
10 in a way that benefits us and benefits others
11 in our region. Again, I just come here today
12 to say thank you.

13 SENATOR GAETZ: Thank you, Mr. Register,
14 and for the record, Mr. Register is Executive
15 Director of the Baker County Chamber of
16 Commerce.

17 Next, Graham Stacy. Mr. Stacy is from
18 Brandon, Florida. And thank you for being
19 here, sir.

20 MR. STACY: Thank you. Mr. Chairman and
21 members of the Committee, thank you for the
22 opportunity to address you today.

23 Over the summer, I followed the work of
24 this Committee and your counterparts in the
25 Florida House of Representatives. As a school

1 assignment, I took upon the task of developing
2 maps for the Florida Legislature, which I
3 presented at your meeting in Tampa. As I
4 worked on the maps, I realized the careful
5 balance required to incorporate the guidelines
6 of the Voting Rights Act and Amendments 5 and
7 6.

8 I live in Brandon, and I find the
9 districts in this map that represent
10 Hillsborough County are very fair and do a
11 sufficient job at keeping the communities
12 together. Having reviewed the Senate's
13 proposed map for the future, I believe that
14 this map meets the requirements, and I am here
15 to support the committed proposed map. Thank
16 you very much.

17 SENATOR GAETZ: Thank you very much,
18 Mr. Stacy, and just for the record, I remember
19 your testimony. Could you recall to the
20 Committee -- and I don't mean to put you on the
21 spot -- what is your age, please?

22 MR. STACY: Fourteen.

23 SENATOR GAETZ: Fourteen years old?

24 MR. STACY: Yes.

25 SENATOR GAETZ: And how many -- how many

1 maps -- you drew statewide maps, as I recall?

2 MR. STACY: I drew two Florida House of
3 Representatives statewide maps, yes.

4 SENATOR GAETZ: Thank you very much.
5 Thank you for taking it on as a school
6 assignment and thank you for being here today,
7 and believe me, your community and your family
8 ought to be very proud of you, young man.

9 MR. STACY: Thank you.

10 SENATOR GAETZ: Thank you, sir.

11 Next is Josh, and I apologize, sir, is it
12 Burgin?

13 MR. BURGIN: It is Burgin.

14 SENATOR GAETZ: Mr. Burgin is from Plant
15 City, and you are recognized, and we are
16 delighted to have you before the Senate today.

17 MR. BURGIN: Thank you, Mr. Chairman and
18 members of the Committee. I appreciate the
19 opportunity to speak with you today.

20 I watched Mr. Stacy with a bit of grin,
21 because I started in the process of let's say
22 politics at about the same age. And watching
23 this redistricting process over the years, I
24 know with absolute certainty that this has been
25 the most open, accessible -- I am not sure what

1 other superlative sort of words to use, but
2 possible for people like me to get engaged and
3 participate, whether submitting a map as
4 Mr. Stacy did, or others just to follow what
5 you guys are doing as opposed to the old way,
6 which was quiet meetings behind closed doors
7 that never got heard. For that, I want to
8 thank you all, because that took hard work on
9 your part.

10 I went to some of those meetings. I know
11 how tedious they were. But in reflecting on
12 that, because of that investment that you guys
13 made, you have made for something that's never
14 happened before, and for that, I want to
15 express my gratitude.

16 But beyond that, I want to point to some
17 of the things that have been alluded to so far.
18 You did have a hard task, beyond just
19 listening, balancing out what exists in federal
20 statute, as well as our new Constitutional
21 requirements. And I think we have come to a
22 point where the map you have put together
23 reflects that well. It has eliminated
24 gerrymandering to a degree we have never seen
25 before. It does take into consideration county

1 boundaries and compactness, and for that reason
2 and for these reasons combined, I am supporting
3 your proposal and I wanted to let you guys know
4 that. Thank you.

5 SENATOR GAETZ: Thank you very much, sir.
6 We appreciate your testimony.

7 Our next speakers will be Lesley McKinney
8 and Michael Yost and Stephen, I believe it is
9 Fernez.

10 Lesley McKinney here? Ms. McKinney, thank
11 you very much for being here. We look forward
12 to your testimony.

13 MS. MCKINNEY: Thank you. I wish to
14 address the proposed Florida Third
15 Congressional District. In Miller, the Supreme
16 Court flatly rejected a purely race-based
17 method of redistricting, regardless of any
18 Gingles conditions, in holding that the
19 district boundary was so bizarre on its face
20 that it was inexplicable on any grounds other
21 than race and that therefore the highest
22 standard of equal protection issues applied,
23 which is strict scrutiny. In other words, not
24 only is it well-known that the government
25 nearly always loses a strict scrutiny

1 challenge, but to survive strict scrutiny, must
2 be able to show a distinct and specific harm,
3 and show that the remedy is narrowly tailored
4 to address that specific harm.

5 The drawing of the proposed Florida Third
6 does not pass the eyeball test. It flies in
7 direct derogation of the requirements of
8 compactness and contiguity and consideration of
9 natural boundaries. When it is overlaid by
10 census data on racial demographics, it is
11 plainly obvious that the boundaries were drawn
12 merely on the races of base -- excuse me, the
13 basis of race.

14 The Equal Protection Clause's central
15 mandate is that neutrality is required in
16 governmental decision-making. Racial and
17 ethnic distinctions are inherently suspect and
18 cannot be upheld unless narrowly tailored to
19 achieve a compelling state interest. The State
20 must have convincing evidence that remedial
21 action is necessary before implementing any
22 affirmative action. And claiming that mere
23 compliance with federal anti-discrimination
24 laws such as the VRA cannot justify race-based
25 districting.

1 The heart of the Equal Protection Clause
2 is the command that the government treat all
3 citizens as individuals, not simply as
4 components of any racial or any other class.
5 To do otherwise would be a violation of the one
6 man, one vote ideal.

7 When the shape of the proposed Florida
8 Third is considered in conjunction with its
9 racial and population densities, it creates a
10 textbook example of racial gerrymandering, and
11 while bizarreness of shape is not necessary
12 element proof in racial gerrymandering cases,
13 it can provide circumstantial evidence that
14 race, for its own sake, and not other
15 districting principles controlled the
16 Legislature's dominant rationale.

17 There are no other defenses to the Florida
18 Third boundaries. Your choice is race-based
19 districting, which would be violation of the
20 14th Amendment's Equal Protection Clause, or
21 what you have denied is political
22 gerrymandering, which would be in violation of
23 Section 20 of Article III of the Florida
24 Constitution.

25 You are faced with a political Sophie's

1 choice: Faithfulness to the United States
2 Constitution and the true equality embodied in
3 the 14th Amendment, or adherence to the Florida
4 Constitution and the trust that the people of
5 Florida have placed in you. I want to believe
6 that you will do the right thing. I want to
7 have faith in my government. I want to know
8 that my government is color blind and more
9 interested in the protection of individual
10 rights than political expediency. I want to go
11 back to the Florida Third and let the people
12 there know that after all these years, their
13 voice will be heard, they are represented, and
14 one man truly does equal one vote and the fight
15 need go no further. Thank you.

16 SENATOR GAETZ: Thank you, Ms. McKinney.
17 Ms. McKinney comes from Jacksonville. She is
18 an attorney there.

19 Next, Michael Yost, also from
20 Jacksonville. Mr. Yost, thank you for being
21 here, and we look forward to any testimony you
22 may have for us today, sir.

23 MR. YOST: Thank you, Chairman Gaetz. It
24 is good to be back in front of the Committee
25 again. As you know, I testified in July of

1 last year, and I am pleased to say that it is a
2 privilege to be here today.

3 As you've probably already discovered,
4 this is not an easy process. Redistricting
5 faces many challenges and also much effort to
6 prepare maps that are fair, equitable, meeting
7 the challenges of the law and to fulfill the
8 constitutional requirements.

9 Please let me remind you that as elected
10 officials of the State of Florida, you swore an
11 oath to uphold and defend the Constitution of
12 the United States as being the Supreme Court of
13 this land.

14 One of the primary reasons that the
15 constitutional Amendments 5 and 6 were passed
16 overwhelmingly, I might say, by voters, lies in
17 the fact that the 2002 redistricting efforts
18 resulted in a heavily gerrymandered districts
19 that resulted in predetermined outcomes for
20 candidates and incumbents. None was more
21 glaring than the Third Congressional District.
22 The Jacksonville hearings in July, several
23 spoke against the continuation of this
24 currently drawn district. One gentleman even
25 stated that he did not feel represented as a

1 resident of that district, and in no manner of
2 misunderstood he requested that this
3 legislative body address his concerns.

4 The question arises then, is the Third
5 Congressional District a racially gerrymandered
6 district? From your own videos and transcripts
7 of these meetings of this Committee, drawing
8 minority districts took precedent over all
9 other factors. Further, on the advice of your
10 own counsel, you also determined that the new
11 state amendments not only permitted that
12 action, but required it.

13 Let me submit to you there is a clause in
14 Section III, Article 20, of the Florida
15 Constitution that states specifically, "c: The
16 order in which the standards within subsections
17 1a and b of this section are set forth shall
18 not be read to establish that any priority of
19 one standard over the other within that
20 subsection."

21 Now, in order to determine on its face
22 whether this district in which race became the
23 primary factor in drawing it, one only needs to
24 look at your own maps. Simply take an overlay
25 of where the racial minorities lie and the

1 concentrations thereof are there, and you will
2 find that I've also found a census map, which
3 shows the population density of the entire
4 state of Florida. Florida district has been
5 drawn to reach from Jacksonville to Orlando
6 once again, and into both Alachua and Seminole
7 Counties, and included only those areas of
8 Duval, Alachua, Seminole and Orange Counties
9 where there are as many minority voters as
10 possible, and to exclude as many other voters
11 as possible. What few minority race voters are
12 -- or majority race voters are included, they
13 are located in some of the most sparsely
14 populated areas of the entire state of Florida.
15 Nothing is more blatant than that little small
16 stretch that runs through Clay County, and that
17 there's only -- and the only reason that it is
18 there is to reduce majority voters' access to
19 candidates of their choice, and to reach into
20 the minority access areas in Putnam and Alachua
21 Counties and further south.

22 The entire western edge of Duval County
23 fully excludes any voters who are not
24 minorities, with the exception of two or three
25 precincts.

1 SENATOR GAETZ: Mr. Yost, I am going to
2 have to ask you to kind of bring it in for a
3 landing just out of respect for the people
4 behind you.

5 MR. YOST: I am getting there.

6 Also, if you look in Duval County, you
7 will also find that the river was not used.
8 Areas in the Avondale area, Arlington area,
9 excluded natural boundaries from its possible
10 drawing of these boundaries.

11 I want to reference a ruling in Bartlett
12 v. Strickland, and I think it is very proper to
13 read this. Justice Kennedy, writing in the
14 plurality, stated, "Reading Section 2 to define
15 dilution as any failure to maximize tends to
16 obscure the very object of the statute and to
17 run counter to its textually-stated purpose.
18 One may suspect vote dilution from political
19 famine, but one is not entitled to suspect,
20 much less infer, dilution from real failure to
21 guarantee a political feast." He further
22 states in his opinion, "Racial gerrymandering,
23 even for remedial purposes, may balkanize us
24 into competing racial factions. It threatens
25 to carry us further from the goal of a

1 political system in which race no longer
2 matters, a goal that the 14th and 15th
3 Amendments embody and to which this nation
4 continues to aspire."

5 And even writing in the dissenting
6 opinions, Justice Souter states very plainly in
7 the Bartlett V. Strickland ruling, "Not
8 surprisingly, we have conclusively rejected
9 this approach," speaking of racially
10 gerrymandered districts.

11 SENATOR GAETZ: Mr. Yost, I am going to
12 give you ten seconds to finish up.

13 MR. YOST: Thank you.

14 The VRA was passed to guarantee minority
15 voters a fair game, not a killing.

16 Ladies and gentlemen, you all were
17 entrusted with the opportunity to draw
18 congressional districts that were fair and were
19 for equitable and followed the Constitution and
20 the 14th Amendment of the United States. I
21 challenge you to look back at this Third
22 Congressional District and please redraw this
23 map. Thank you.

24 SENATOR GAETZ: Thank you, Mr. Yost. We
25 are grateful for your testimony.

1 And next is Stephen, I believe it is
2 Fernez. Is that correct, sir?

3 MR. FERNEZ: That is correct.

4 SENATOR GAETZ: And you have come all the
5 way from Melbourne on Whipple Hollow Road --

6 MR. FERNEZ: Yes, sir.

7 SENATOR GAETZ: -- which sounds like a
8 fascinating address.

9 MR. FERNEZ: It is --

10 SENATOR GAETZ: Nice place to live.

11 MR. FERNEZ: It is, it is.

12 SENATOR GAETZ: You are recognized, sir.

13 MR. FERNEZ: Thank you, sir. I took the
14 day off to travel here today because this is a
15 very important issue to the needs of my county.
16 I came here today to personally thank each of
17 you for keeping the districts compact.
18 Specifically coming from a large and very
19 diverse county like Brevard, it is very
20 appropriate that the lines were drawn to
21 properly tend to the needs of the north and to
22 the south end of the county.

23 Many residents of Brevard County also
24 appreciate the speed and openness during the
25 redistricting process, and are thankful that

1 you took Amendments 5 and 6 seriously and
2 worked hard in keeping the maps close to the
3 new rules.

4 Finally, we want to thank you for making
5 sure the military installations such as Cape
6 Canaveral and Patrick Air Force Base were kept
7 together in the redistricting and not divided.
8 And that's all I have to say.

9 SENATOR GAETZ: Thank you very much, sir.
10 Thank you for coming to be with us today from
11 Melbourne.

12 Our next three speakers will be Robert
13 Foster, Jr., from Jacksonville, and Edward
14 Lewis from Gainesville and then Patricia
15 Sullivan, who is from Eustis.

16 Mr. Foster, are you here, sir? Thank you
17 for coming to visit with us today.

18 MR. FOSTER: Thank you for letting me
19 speak.

20 SENATOR GAETZ: And we are delighted to
21 have you, sir.

22 MR. FOSTER: In an effort to be brief and
23 not pedantic and repeat everybody, I just
24 wanted to say thank you. I think it is easy to
25 pull any district, any of the 27 congressional

1 or 40 Senate districts out and say it doesn't
2 pass the eyeball test without any context, but
3 in the context of municipal boundaries,
4 geographical boundaries, state statute and
5 federal statute, y'all have done a remarkably
6 amazing job, and the finished product is just
7 remarkable.

8 But not only that, I think the most
9 remarkable thing is the process. I have never
10 -- I have never seen a more open government
11 than the last several months. Something as
12 unsexy as redistricting was all over the
13 *Florida Times Union*, was all over the local
14 news channels, and you could not have possibly
15 not known about the meeting at FCCJ.

16 So y'all have just done a great job as
17 servants to your constituents, and I thank you.

18 SENATOR GAETZ: Thank you very much, sir.
19 We appreciate your being with us.

20 Next we will hear from Edward Lewis, who
21 is the Deputy Clerk in Gainesville. Is that
22 right?

23 MR. LEWIS: Yes.

24 SENATOR GAETZ: That's what it says here.

25 MR. LEWIS: Yes.

1 SENATOR GAETZ: Excuse me, can we have
2 order, please? Thank you.

3 Mr. Lewis, you are recognized, and thanks
4 for being here.

5 MR. LEWIS: Thank you, Mr. Chairman and
6 members of the Committee for allowing me this
7 opportunity to address this Committee and
8 express my viewpoints.

9 This Committee was faced with a pretty
10 tall order. It had to march through some
11 uncharted territory. While the Fair Districts
12 amendment offered good guidelines on keeping
13 districts more compact and intuitive, the
14 questions on how to draw the minority access
15 districts that Section 5 of the Voter Rights
16 Act and court precedence demand from Florida
17 remain unanswered.

18 This Committee attempted to answer these
19 questions in the best way possible by offering
20 these proposed committee bills, which sustain
21 and may even increase the representation of
22 racial and language minority access districts
23 in Florida's congressional delegation and State
24 Senate.

25 This explains the complaints of some

1 people speaking today that there are still some
2 oddly-drawn districts in the proposed maps,
3 which will always bring up the charges of
4 gerrymandering. But, in truth, those maps are
5 drawn to ensure that minority representation is
6 not diluted, as called for by the amendments to
7 prevent retrogression, a term nobody really
8 seems to have a definition for yet.

9 But in trying to balance the need for more
10 compact and more wisely-drawn districts, you
11 will look at the rest of the state and see that
12 Amendments 5 and 6 were followed very well.
13 Districts, even those around minority access
14 districts, follow county lines much better than
15 the current maps do, avoid breaking up cities
16 into multiple districts, and put an end to the
17 random jeux, jukes and jives that were seen and
18 the maps we usually called gerrymandered.

19 I would argue that given the dual
20 challenge of meeting Fair Districts' clear
21 guidelines for district boundaries and
22 answering the unanswered questions of what to
23 do with minority access seats, the proposed
24 committee bill is a key first step to meeting
25 those challenges. If the Chairman is right

1 about this being the first inning of a long
2 ball game, these maps are proof that the
3 Committee has found the strike zone and is on
4 the path to drawing maps the people of Florida
5 will be very comfortable with. Thank you.

6 SENATOR GAETZ: Thank you, Mr. Lewis.

7 Next we will here from Patricia Sullivan
8 from Eustis. Ms. Sullivan, thank you for
9 coming all this way and for sharing your views
10 with the Florida Senate. You are recognized.

11 MS. SULLIVAN: Thank you, Chairman, and
12 thank you, Committee, for the opportunity to be
13 here this morning. I have been participating
14 in the process since the beginning, and I was
15 able to take time away and speak at The
16 Villages when the Committee was there at the
17 hearing, and I have tinkered with the maps, and
18 I have to say that after the maps did come out
19 last week, I was the one that went on and
20 submitted my own version, even though I was
21 extremely tempted to not do that, because Mr.
22 Guthrie and his team and you have done an
23 excellent job at redistricting. It -- when
24 compared to the districts that we have now, it
25 is clear that you have followed what we have

1 asked for and that you have mostly followed the
2 spirit of Fair Districting, but I did go ahead
3 and take a stab at it anyway.

4 It did take me five hours. I did make
5 four phone calls to your office. I would like
6 to report that three of those calls were
7 immediately picked up and I was helped, and one
8 I left a message and got a call back in 15
9 minutes. So what you are doing works, and I
10 appreciate it. It is excellent.

11 There are two points I would like to make
12 on a Senate map and a congressional map, if I
13 may.

14 SENATOR GAETZ: And just for
15 clarification, Mr. Guthrie, are we looking at
16 this young lady's proposal now?

17 Okay. Go ahead, please, ma'am.

18 MS. SULLIVAN: Thank you very much.

19 I do reside in Senate District 20, and in
20 Lake County, I was tempted to selflessly not
21 speak or create another map for the good of the
22 state. However, I feel as a citizen of Lake
23 County, I must do my duty and speak for the
24 other residents of Lake County, and we did get
25 the short end of the stick.

1 So I did do a little recreating, and at
2 the same time, I did do some work in Districts
3 1, 16 and 24, and as -- and 9, and as I was
4 doing that, I did keep in mind the Fair
5 Districts language that we are not to diminish
6 the ability for a minority to elect a
7 representative of their choice.

8 I do a lot of precinct walking, and I have
9 a lot of friends that go out with me to do
10 precinct walkings in several counties, and it
11 became a thought that perhaps by making some of
12 these districts as long, and if you want to use
13 the word "gerrymandered" as they are, that
14 perhaps we are in fact diminishing a citizen's
15 ability to walk in the communities that they
16 live in and influence their peers through this
17 precinct walking to vote for the representative
18 of their choice. So I had a different
19 interpretation of diminish than you did, and I
20 did want to throw that out there to you for
21 your consideration.

22 In the congressional map, I would like to
23 state that the fabulous residents of Lake
24 County, who have been a very, very tiny portion
25 of District 3 for the last ten years, have

1 suffered enough. And I would request that the
2 17,000 people, which is a very small percentage
3 out of that county and a very small percentage
4 of District 3, be allowed to go back into a
5 Lake County congressional district and have
6 representation. I think ten years of not
7 having representation, of being a minute part
8 of a district, is long enough, and it is just
9 17,000 people. And given what Mr. Guthrie has
10 done, and his team, I know and I have great
11 faith that you will be able to accomplish this
12 small task. And kudos to, again, Mr. Guthrie
13 and this Committee and the transparency at
14 which this whole project has taken place, and
15 thank you so much.

16 SENATOR GAETZ: Thank you very much, and
17 thanks for hanging with us throughout the whole
18 process.

19 Our next speakers will be Emilio Perez
20 from Goldenrod and the Honorable John Quiñones.
21 It is nice to see you back, Representative, now
22 a county commissioner. And then we will
23 have -- we will take those two, and then we
24 will go from there.

25 Mr. Perez, thank you for being here today,

1 and we are grateful for your testimony.

2 MR. PEREZ: Thank you, and good afternoon,
3 distinguished elected officials. How are you?
4 On behalf of the Central Florida Redistricting
5 Council, we want to say thanks, and also job
6 well done.

7 The last time we met it was back in August
8 when we -- at the Orlando public hearing, and
9 we proposed to this Committee a congressional
10 district with majority Latino. I notice that
11 of all the presentation made that day, ours was
12 the only one that -- with an actual proposed
13 district, and not only you listened to us, but
14 you acted on it, and we really appreciate that.

15 It was important that we get recognized
16 for our growth, because as I mentioned back in
17 August, it was because of the growth of the
18 Latino community in central Florida that
19 Florida gained two new congressional seats.

20 Again, we, the Central Florida
21 Redistricting Council, will support you in all
22 your efforts to make sure that this seat will
23 be protected against any potential lawsuits or
24 any other suggested violations that anyone can
25 mention against it. We will see this as an

1 attack against our community.

2 That said, I would like to make a quick
3 correction, if it is possible, to District 27
4 on the north side. It will take about two
5 minutes. So that it looks more cleaner -- I am
6 talking about District 8 specifically, that
7 corner right here of -- yes, keep going up.
8 And what I would like to do is to add an area
9 of District 27 to eliminate that corner of 8,
10 that top corner of 8, makes it more compact, it
11 makes 8 more compact, 27 more compact,
12 everything much cleaner. And I would like to
13 add 27 all the way to University Boulevard,
14 which is probably three streets up, and then
15 24, take it down. So they will meet halfway
16 through that top square that you have up there.
17 That way, it will look more compact and it
18 would really be more representative of all
19 communities around the area. That is my only
20 suggestion.

21 Other than that, we really, really
22 appreciate what you have done. Thank you for
23 listening to us. A lot of people bet against
24 it and -- but they lost. Thank you very much.
25 Thank you.

1 SENATOR GAETZ: Thank you, Mr. Perez.
2 Thank you for coming all the way from central
3 Florida.

4 Commissioner Quiñones, and following the
5 commissioner, Patricia Sullivan, please, and
6 then Delena May.

7 It is good to see you back.

8 COMMISSIONER QUINONES: Thank you, and it
9 is an honor to be here, and I am happy to be
10 back and see some faces that I recognize. And,
11 actually, I didn't expect to hear so many
12 supporters and -- but I guess I should have
13 known better.

14 Typically when we were in Orlando and I
15 spoke, there was a lot of people that were
16 skeptic about the ability to listen and draw
17 districts. I was not. I saw the openness that
18 you all conducted yourselves. And I am here in
19 my capacity as an individual, even though I do
20 represent a district in District 2 in Osceola
21 County, I am the Chairman of the county
22 commission.

23 The fact is that for Osceola purposes, for
24 Osceola County, the way that the maps have been
25 drawn are appropriate and one that I personally

1 support, and I want to thank you for taking
2 into account the residents of Osceola County.

3 I was also at the central Florida
4 redistricting meeting and when we spoke about
5 the growth that had taken place not only in
6 Osceola, but southern Orange, and, boy, did you
7 listen. I mean, it is, to me, so rewarding,
8 Mr. Chairman, specifically you and the others
9 that were there, how intently you listened to
10 the testimony, and I believe you have taken it
11 into account. I believe that in the spirit of
12 Madison and Jefferson and Franklin and all
13 those founders that were there during the
14 constitutional convention, you have followed
15 the spirit. And unlike the secrecy that they
16 had to undergo because of the oppression that
17 they were under, you did not take into -- that
18 secrecy into account. You were as open as you
19 could have been, and it really has shown in the
20 way that this district has -- has developed in
21 central Florida.

22 And so I am here just as a humble servant
23 to support you and to say that you have done a
24 good job in taking into account the growth and
25 the constituency in the area that I represent.

1 Thank you very much.

2 SENATOR GAETZ: Thank you, Commissioner.

3 And John Guthrie worked with Madison, Jefferson
4 and Hamilton on the first redistricting maps,
5 so I know he appreciates hearing from his old
6 friends.

7 Next we will have Patricia Sullivan, and
8 following Ms. Sullivan, Delena May and then
9 Jeffrey Carman.

10 Patricia Sullivan, are you here? I'm
11 sorry, I -- we are giving you a second chance.
12 No, that is -- I'm sorry, I reshuffled my deck
13 here.

14 Delena May. Ms. May, thank you very much
15 for coming and spending time with us today.

16 MS. MAY: No, thank you. Thank you for
17 coming to Gainesville in July. I had the
18 privilege of speaking before you. I put aside
19 anything I had in mind to say when I saw how
20 rude so many people were, to just say thank
21 you, thank you.

22 I am amazed at the transparency that this
23 state is enjoying when we see, as someone
24 mentioned, in Illinois, when we see what is
25 happening in Washington. I am just thrilled to

1 be a part of Florida at this time and what you
2 have done.

3 I really wanted to come today to make that
4 trip back to Tallahassee from Gainesville,
5 because I expected some of those rude people
6 that were in Gainesville to be here, and I
7 thought I might be the lone voice to stand up
8 and say well done, thank you. Actually, I am
9 pleased that I haven't seen any of those
10 people. And if any of them are here, I will
11 come back and say a word after they give you
12 what for.

13 But it is, it is amazing to look at the
14 maps and see how much better they are. Living
15 in Gainesville, I am unfortunately on the cusp
16 in that District 3. I have suffered for that.
17 I am one mile from Cliff Stearns' office, and
18 one and a half hours from the District 3
19 offices. I have managed fine, cliff has taken
20 me under his wing like a stepchild, and I do
21 follow what happens in the Congress through his
22 office. So I can -- I can only say that that
23 is -- that's worked all right for me, and I
24 guess if I need anything, I will just run over
25 there to Cliff's office and see what happens,

1 and whoever makes his -- gets his district,
2 gets Gainesville, I am sure -- you know, we all
3 work together, we are all Americans and we've
4 got a lot to do that doesn't include any
5 bickering over the maps.

6 A well-done job, I am just thrilled, and
7 thank you.

8 SENATOR GAETZ: Thank you, ma'am, thank
9 you.

10 MS. MAY: And if anybody stands up and
11 harasses you, I will be back.

12 SENATOR GAETZ: That is okay. We get paid
13 to be harassed, too.

14 MS. MAY: Not enough.

15 SENATOR GAETZ: Not harassment or not
16 enough pay? It depends on your point of view.

17 Jeffery Carman from Longboat Key is our
18 next speaker, and then Lee Ann Thomas from Polk
19 County.

20 Mr. Carman, thank you for being here
21 today, and you are recognized, sir.

22 MR. CARMAN: Thank you, Mr. Chairman,
23 members of the Committee and staff. The reason
24 why I mentioned I am from Longboat Key is I am
25 in one of those weird circumstances where we

1 have a municipality that is split in two
2 counties, one of three in the state. And some
3 of the concerns I have regarding the Senate
4 district -- for the Senate maps concern that.

5 I will just make a quick comment and say
6 that as far as the congressional districts go,
7 I was the author of three proposals, which I
8 sent to you, and I am amazed that Mr. Guthrie
9 and staff would get down to within four people
10 of having all of the districts the same, so I
11 think mine came out to be like 291 or 300
12 people. So he has done an amazing job, and you
13 should commend him for that.

14 Regarding the Senate districts, I like
15 what I see. I like that you call it that there
16 is an opportunity district for Hispanics in
17 central Florida, and that we have the three
18 Cuban (inaudible) that will be representative
19 in Miami-Dade. Most districts follow county
20 lines, and with the representation that staff
21 member Guthrie gave, I can see why some of the
22 districts have to be the way they are based on
23 certain mandates that are given by the state
24 and federal government.

25 And as far as the Senate districts go --

1 they said Congressional District 13, which I
2 currently reside, and we like to have our
3 congressional districts compact, and
4 Congressional District 13 has both Sarasota and
5 Manatee County, and we like that. As far as
6 the State Senate districts, which would be
7 Districts 21 and 23, I like currently the way
8 the proposal is, because it is split. District
9 21 and 23 are now more compact than they have
10 been, District 23 in particular. And as an
11 example of representation, Ms. May, who just
12 spoke before me, was talking about her House
13 member for the Congress being an hour and a
14 half away. In our Senate district, I am in
15 that -- the one district of Manatee County that
16 is in current District 23, and Senator Detert,
17 who is my Senator, has her offices 20 miles
18 away, where Senator Bennett has his offices in
19 District 21, five miles away. So I think the
20 current plan does compensate for that, even
21 though it does have to count -- or even though
22 it has to split our municipality in two, which
23 the county lines do already, I do see the
24 proposals both in the Senate district and the
25 congressional districts a big improvement over

1 what we have had in the past, and I commend you
2 and your staff for the great job you have done,
3 and I would like to say that I like the
4 districts you have and congratulate you for
5 your work.

6 SENATOR GAETZ: Thank you very much, sir,
7 and thank you for your submission of maps.

8 Next we will hear from Lee Ann Thomas, who
9 is the Assistant County Manager in Polk County,
10 and she comes from Bartow. Ma'am, thank you
11 for your service to your community, and you are
12 recognized.

13 MS. THOMAS: Thank you, and good
14 afternoon.

15 Senators, having been involved in the
16 redistricting of our county commission seats, I
17 appreciate the work involved in this process, I
18 know it is not easy, and obviously it is on a
19 much larger scale. And, Mr. Guthrie, I enjoyed
20 your presentation, well done. However, Polk
21 County is one of the untidy counties that you
22 mentioned.

23 The Board of County Commissioners passed a
24 resolution drafted in conjunction with our
25 delegation requesting the Legislature pursue a

1 redistricting plan that results in Polk County
2 keeping a minimum of two Polk County-based
3 State Senators and keeping a minimum of one
4 Polk County-based U.S. Congressman. This
5 proposal does not allow for either two Polk
6 County-based State Senators or one Polk
7 County-based U.S. Congressman. Therefore,
8 while Polk County supports, along with our
9 friends in Winter Haven, Auburndale and Lake
10 Alfred who spoke earlier in support of State
11 Senate District 15, we request consideration of
12 a way to make Polk County a tidy county for the
13 State Senate and our U.S. congressional
14 districts. Thank you for your time.

15 SENATOR GAETZ: Is there anyone else who
16 would like to testify publicly and who did not
17 have the opportunity to fill out an appearance
18 card? Is there anyone else who would like to
19 testify publicly? If not -- sir, if you will
20 come forward, we would be delighted to hear
21 from you, and we would ask that you fill out an
22 appearance card and maybe if you would tell us
23 your name and where you are from just when you
24 get started. You are recognized, sir.

25 MR. FREEMAN: Mr. Chairman, my name is

1 Clarence Shahid Freeman, and I am from Palm
2 Beach County. I had the privilege of going
3 before this Committee at the beautiful Lynn
4 University. And, Mr. Chairman, I want to say
5 that I know that this job is very, very hard,
6 and I know that you all took a lot of flack. I
7 was there that day, and I saw the bombs coming
8 from Republicans and Democrats and everybody
9 else.

10 But in the final analysis of things, I
11 want to say that I appreciate the communication
12 that I got. When I had some questions to be
13 asked, I got my answers back the same day,
14 which is sometimes very unusual when you are
15 dealing with politicians.

16 I want to say that we are pleased to see
17 that there is a -- everybody is not happy, but
18 I believe the majority is happy. And I just
19 wanted to come before this Committee and say
20 thank you very, very much for the professional
21 job that you have done. I am glad to see
22 people that's talking for once that government
23 is open to the public. So thank you very, very
24 much. That is a big win for the state of
25 Florida.

1 SENATOR GAETZ: Thank you very much, sir,
2 appreciate your testimony.

3 Is there anyone else who did not have the
4 opportunity to testify who would like to
5 testify before the Committee on this topic?

6 If not, then the next order of business
7 will be The Florida Channel's compilation of
8 comments and critiques that we received over
9 the Internet and by phone and other electronic
10 means, and while that is being keyed up,
11 President Margolis moves that we stand in
12 recess until the hour of 3:15 to give members
13 an opportunity to return phone calls and to tee
14 up The Florida Channel presentation. Without
15 objection, that motion is adopted.

16 (Brief recess taken.)

17 SENATOR GAETZ: Committee members, please
18 take your seats. Members of the audience,
19 please take your seats.

20 Our next order of business is a video
21 presentation of comments, suggestions and
22 criticisms we have received through e-mail,
23 voice mail, Twitter, Facebook and other
24 electronic means. All together more than 500
25 Floridians chose to accept our invitation to

1 provide additional comments. And to put that
2 in perspective, at our public hearings this
3 summer, we heard from an average of 67 speakers
4 at each public hearing.

5 President Haridopolos has given us a
6 mandate that we be as open and transparent as
7 possible. I hope there has been ample evidence
8 that that has been the case.

9 Staff tells me that feedback during the
10 past eight days was split between those who
11 favored the proposed plans and those who
12 objected, with an edge going to those who
13 supported the PCBs. However, we will show you
14 a sampling that was developed and produced by
15 The Florida Channel so that there will be a
16 fair representation of the comments that have
17 been received.

18 Because we received more feedback than we
19 have time to hear today, we have asked
20 professional staff to give priority to the more
21 specific suggestions and the more pointed
22 criticisms, and then to provide a balance
23 sampling of general comments for and against
24 the proposed plans, and that is what you will
25 see.

1 Many of the more specific comments were
2 directed at particular areas, and a portion of
3 the presentation will focus on the Panhandle,
4 proposed Congressional District 3, the Tampa
5 Bay area, Polk County, Orange and Osceola
6 Counties, the Space Coast and Charlotte County,
7 and then we will conclude with more general pro
8 and con submissions.

9 I wish to underscore for members of the
10 public, as well as the Committee, that comments
11 sent to us -- all comments sent to us, pro or
12 con, no matter in how -- in what fashion they
13 were phrased, will be posted on the Senate's
14 redistricting web page by next week. We also
15 will post the transcripts from our interim
16 meetings, as Mr. Guthrie explained. So I would
17 encourage all committee members to please visit
18 the site. I know you have been reviewing all
19 of the transcripts and documents that we have
20 had available, but please review all of the new
21 public comments that have come in as well.

22 Thanks to our friends of The Florida
23 Channel for helping our professional staff put
24 together this video record of the testimony we
25 have received on the PCBs, and I would like to

1 ask Mr. Guthrie if he would introduce any other
2 comments on The Florida Channel presentation,
3 and then we will watch it. Mr. Guthrie?

4 MR. GUTHRIE: Thank you, Mr. Chairman. I
5 believe the video is ready to run. It kind of
6 speaks for itself. What we did is sent out a
7 request to, as you said earlier, to all of the
8 citizens who had participated in the 26 public
9 hearings, as well as most local officials in
10 Florida, inviting them to communicate by
11 e-mail, by Twitter, by Facebook, by YouTube
12 videos or by calling 1-855-FLAMAPS. We've got
13 something on the order of 500 responses. We
14 are going to hear a sampling of about 140, 150
15 of those today. The ones you are going to hear
16 today are, I think, the -- a best -- best of
17 breed of the comments that have come in to
18 date, and as you said, the others will all be
19 available on the website.

20 So I think we can listen to the
21 presentation. Thanks again to The Florida
22 Channel for helping us put it together.

23 SENATOR GAETZ: Well, then let's listen to
24 The Florida Channel presentation, these are our
25 constituents, and following that we will open

1 for debate prior to taking up these matters and
2 voting them. And so let the cameras roll.

3 (Whereupon, the video presentation began.)

4 MR. CAMPBELL: My name is Joe Campbell. I
5 am the Supervisor of Elections in Highlands
6 County. I live in Sebring, Florida.

7 And I am looking at the plans for the
8 State Senate and congressional, State Senate
9 plan number S000S9004 and congressional
10 S000C9002. I love both plans. It keeps
11 Highlands County all intact, all in one
12 congressional and one state Senate district,
13 and I think it is a great plan. I just wanted
14 to let you know that, and I thank you for the
15 hard work y'all have been doing. I know it has
16 been a lot of work going on all around the
17 state like you have been doing, and I
18 appreciate it. Thank you, bye.

19 MR. KULSCAR: Hi, there. My name is David
20 Kulscar, I am from Tampa. I (inaudible) of the
21 Third District and the district of south
22 Florida, the 23rd.

23 Your districts are drawn simply to try and
24 make sure that African-Americans have a
25 majority of the population. I would say that

1 those districts, you know, they are against the
2 amendments, the Constitution, State
3 Constitution, the Fair Districting amendment,
4 and you've (inaudible) seriously forget the
5 case of Georgia v. Ashcroft that affirmed that
6 blacks and other minority groups would best be
7 served if they were put into the same
8 districts, that they can possibly vote for a
9 candidate of their choosing, and it doesn't
10 have to be a district that has to be a majority
11 of the population that the minorities are, it
12 can simply just be a district that doesn't have
13 a chance of electing people or income level.

14 And also it seems like you guys are using
15 the Fair Districts simply as a vote
16 (inaudible), and that district is not compact,
17 and it is all done for the enrichment of, I
18 think, the incumbents. So please consider
19 redrawing these districts.

20 For the most part, I think you guys did an
21 all right job representing some districts, like
22 the one -- the new 26 and new 27. I do think
23 that you should try harder to try and get rid
24 of the Third District and the 23rd and the
25 Tampa district needs to be made to be in

1 Hillsborough only. Thank you, bye.

2 MS. WIGGINS: This e-mail from Carolyn
3 Wiggins: Looking at your map of State Senate
4 districts S000S9004, it looks reasonable.

5 As a Jacksonville resident, I haven't been
6 happy with the way our districts are currently
7 drawn, but I do like what your new maps do. It
8 looks as though you've tried to follow the
9 county lines whenever possible. As a voter, I
10 appreciate your respecting our communities and
11 keeping us together. Thank you for listening
12 to us at your hearings earlier this year.

13 MR. CARLINER: From Facebook, this from
14 Louis Carliner: The initial maps that appeared
15 in today's *St. Petersburg Times* is a gross
16 perversion of the spirit and letter of the
17 constitutional amendment. It does to Lakeland
18 what the last redistricting plan did to Temple
19 Terrace. It is obvious that the current Senate
20 cannot be trusted to obey the law, and
21 responsibility for devising the plan needs to
22 be rested from the Florida Senate and House and
23 given to a truly independent body set up by the
24 Florida Supreme Court.

25 MR. PATTON: An e-mail from Alex Patton:

1 First, thank you for allowing citizens to
2 participate in this redistricting process. As
3 a person that submitted a map for review after
4 hours of fun, I appreciate the chance to have
5 my voice heard. I also appreciate how tedious
6 and difficult this work is, so I would like to
7 send a special thank you to all the staff and
8 to the members of the Committee.

9 When I started to draft my own maps for
10 submission, it was important to me to predict
11 the gains made by minorities over the past 20
12 years and to ensure compliance with the Voting
13 Rights Act. It is from personal experience
14 that I understand just how important minority
15 access seat is to Florida's minority
16 communities. Therefore, my goal was to draw
17 these seats first, protecting minority voting
18 rights. I believe the proposed map achieves
19 this goal.

20 Next I started in the Panhandle and drew
21 districts eastward. My one criticism of the
22 proposed maps is the splitting of the Panhandle
23 counties into beach and non-beach districts. I
24 think people of a county have more in common,
25 especially when it comes to a funding

1 mechanism, such as federal funding, than people
2 of a split county into north-south districts as
3 in the proposed Districts 2 and 4.

4 I think the proposal does an adequate job
5 in the very difficult areas of Hillsborough and
6 south Florida, and I especially appreciate the
7 elimination of districts that transverse the
8 entire peninsula of Florida as currently
9 exists.

10 In summary, I think the proposed maps meet
11 the goal of protecting minority voting rights,
12 and for that I again thank the Committee and
13 staff for their work.

14 MR. YODER: From John Yoder: I am looking
15 over the map proposed for redistricting
16 Florida, and I'm wondering if the Committee
17 really listened to the participants and
18 speakers when it met with Sarasota citizens
19 recently. The fact that they did not may be
20 expected given the Committee's obvious bias,
21 but to fail to respond to the legal mandate of
22 the voter-approved constitutional amendment is
23 a disappointing in the extreme.

24 The proposed map seems designed to
25 perpetuate Florida's reputation as the most

1 gerrymandered state in the Union. You can do
2 better. You could start by separating Manatee
3 and Sarasota Counties as separate, independent
4 voting districts.

5 MS. GRAVES: From Jacksonville, this
6 e-mail from Cindy Graves: You have done an
7 excellent job in redistricting Florida. I
8 attended the meeting in my area and can see
9 that you have addressed the concerns of my
10 fellow citizens and helped to ensure a fair
11 election process for Florida's future.

12 Our family is especially impressed with
13 your adherence to Amendment 5 and 6. We also
14 appreciate that you seemed to follow the county
15 lines where you could. Most especially, I
16 can't recall any public measure that requested
17 so much input.

18 Thank you for your time and effort and
19 especially for keeping this entire process in
20 the sunshine. I enjoyed participating in this
21 historic moment using technology and the public
22 hearings. You are to be commended as our
23 community has been well served.

24 MR. GILMAN: Good day, my name is James
25 Gilman. I am in Duval County, I live in

1 Jacksonville. I am -- have been a resident
2 here for the last ten plus years. I am calling
3 in reference to the congressional districts. I
4 was in District 3. It appears that I am still
5 in District 3.

6 District 3 is -- it doesn't matter whether
7 I am in 3, 4 or 5; however, I voted for the
8 Fair Districts amendment, and if I am reading
9 this map correctly, it seems no different than
10 it was before, even to we might have a few more
11 congressional districts, but it is -- I would
12 say you did not listen to the voters in drawing
13 these things, and I am quite displeased with
14 it. If at anything, it looks more
15 gerrymandered than before.

16 MS. WHITE: From Imogene White in Orlando:
17 I have reviewed the proposed redistricting maps
18 for the Florida Senate and the Florida
19 congressional districts. I think that these
20 proposed maps appear to be fair representation
21 of Florida's population.

22 The proposed districts in both of these
23 maps appear to be compact. These districts
24 follow county lines and geographical landmarks,
25 which are very sensible.

1 This has been a daunting task, and I think
2 the Senate Committee on Reapportionment
3 produced two well-balanced plans in Senate plan
4 S000S9004. Thank you for your efforts.

5 MR. STEFFENS: Nick Steffens Tweeted: I
6 am glad Florida Dems are upset now about
7 redistrict 2012 and Florida Senate maps, but
8 how great would it have been if we'd have had a
9 map of our own?

10 MS. STEVENS: Sandy Stevens writes:
11 Comments regarding district lines drawn in the
12 Panhandle area. District 6 lines are fully
13 inclusive of the counties to which it
14 represents. The Senate has done its due
15 diligence in creating a solid district that
16 does not split representation within
17 communities. Tallahassee and surrounding areas
18 will be well represented.

19 MR. BRITON: Yes, this is Kenny Palm
20 Briton in Perry, Florida. I am calling in
21 reference to the Senate congressional map and
22 the Senate redistricting map. Both of them are
23 out of proportion for the big view. You are
24 giving Leon County 58 percent of the vote in
25 the Senate map. That is unfair to the small

1 rural counties.

2 If you are going to draw a district in the
3 big population centers, you need to give the
4 small counties an equal opportunity to make the
5 candidate of their choice and not have to live
6 with what one county decides they want to
7 elect.

8 The congressional map also you have given
9 between Bay County and Leon County almost
10 60 percent of the vote, and it gives one-third
11 to the small rural counties, and that should be
12 addressed also. The big population centers,
13 again, should be busted up so the small
14 counties can have a voice to say in who they
15 want to elect as their representative and not
16 have to have -- put up with a choice somebody
17 else makes.

18 Also, Taylor County has more in common in
19 Lafayette, Dixie, Madison, Hamilton, Suwannee
20 Counties than we do with Franklin, Wakulla,
21 Leon, Gadsden, Jackson, Liberty and Calhoun
22 Counties and Gulf Counties, and it doesn't make
23 sense to put us in a district with them. It is
24 unfair. You can do better. Thank you.

25 MR. HAGAN: Morgan Hagan from Tallahassee

1 writes: I really, really liked how you drew my
2 home district, 6. I mean, it is a perfectly
3 drawn, fair district, no county lines broken,
4 whole district following county lines, keeps
5 Leon County together. I have no complaints
6 here. Really good job.

7 MR. MARSH: My name is Stephen Marsh, and
8 I would like to voice my dissatisfaction with
9 congressional redistricting plan S000C9002. I
10 consider District 3 to be an affront to the
11 integrity of the redistricting process. I am
12 truly appalled by the lack of willingness to
13 follow the voters' intent and the Florida
14 Constitution to redistrict with regard to
15 continuity and compactness of districts. Even
16 other submitted plans which have preserved the
17 elongation and likely the majority-minority
18 nature of District 3, like congressional plan
19 SPUBC0154, have trended toward compactness in
20 other areas.

21 I urge you to reconsider the plan and use
22 another model as a template, like congressional
23 plan HPUBC0151, which can be modified after the
24 fact to ensure majority-minority districts.

25 This plan is complete, compact, follows many

1 existing county and river boundaries, and
2 respects the voters' demands and the Fair
3 Districts constitutional reforms.

4 Redistricting requires a sacred trust, as
5 your decisions will outlive any current
6 incumbent's terms. We have given you that
7 trust, and it is time for you to honor it.
8 Stephen Marsh.

9 MR. AND MRS. RICHARDSON: From James Allan
10 Richardson and Dorothy Gayle Richardson,
11 formerly of Jacksonville: Both plans still
12 gerrymander minority and other likely
13 democratic voters into snake-like districts.
14 Congressional District 3 and Senate District 1
15 seem to be unchanged.

16 MR. AFTOORA: Albert Aftoora of Ponte
17 Vedra Beach writes: How can the Florida Senate
18 possibly support the District 3 plan? It is an
19 insult to the people of Florida who voted for a
20 rationally-developed redistricting plan. This
21 gerrymandered district will continue to keep
22 Florida in the political limelight as a
23 laughingstock. I was naïve enough to believe
24 that two constitutional amendments would stop
25 this kind of political favoritism.

1 MJL62: A Tweet from MJL62: I live in
2 Orlando. Why am I still in the same district
3 with people in Jacksonville? This is insanity.

4 MR. BISHOP: From William Bishop in
5 Jacksonville: I have reviewed the proposed
6 senatorial and congressional reapportionment
7 maps, and generally I believe they look very
8 good. However, I would like to point out one
9 area where I hope a change can be made. It is
10 the area in Jacksonville bounded by the
11 Arlington Expressway on the north, the St.
12 Johns River on the west and the Arlington River
13 on the south and east. This is a neighborhood
14 known as Clifton. It is in the heart of my
15 council district and happens to be in my
16 neighborhood. In the proposed congressional
17 map, it remains in District 3, which would doom
18 it for another ten years without congressional
19 representation as it is not aligned in any way
20 with that of the balance of District 3. It
21 would be much better served as a part of
22 District 4.

23 With regards to the proposed State Senate
24 map, it has been shown split between the
25 proposed revised Districts 1 and 5, with the

1 majority of the neighborhood in District 5.
2 This neighborhood has much more in common with
3 District 4 than with 1. The neighborhood as a
4 whole would be much better served by keeping it
5 entirely within District 4.

6 I have a text map showing the proposed
7 revisions discussed above. Please feel to
8 contact me if you have any questions. Your
9 consideration of these proposed changes would
10 be greatly appreciated.

11 MR. GALBRAITH: This e-mail from Pat
12 Galbraith of Satellite Beach: Most districts
13 look to be contiguous. Several could use
14 squaring up. Who drew District 3? Talk about
15 gerrymandering. This is designed to make only
16 one candidate possible. Guess who? That is
17 not the spirit nor intent of Amendments 5 and
18 6.

19 MR. AND MRS. KERN: From Carl and Klara
20 Kern in Port Orange: These three districts
21 look like more of the same old, same old.
22 District 3 in particular looks ready made for
23 someone to be a shoe-in. Southeast Volusia
24 County has zero in common with St. Johns County
25 and for the Putnam area, and only a bit more

1 with Flagler County. District 24 is not bad,
2 except that east jutting finger.

3 MR. ROBERTS: Gerald Roberts of
4 Jacksonville, Florida, writes: How can you
5 think that the redistricting plan for District
6 3, currently represented by Corrine Brown, can
7 possibly meet the requirement of the
8 constitutional amendment passed in 2010?

9 The new amendments require that voting
10 districts, one, not be drawn with the intent of
11 favoring or disfavoring one candidate or
12 political party; two, protect access to the
13 political process for racial and language
14 minorities; three, be as nearly equal in
15 population as practical and contain the entire
16 district in one area, called being contiguous;
17 and four, follow existing, current, city,
18 county and geographic boundaries where
19 feasible.

20 This district looks exactly like it did
21 before and certainly does not meet requirements
22 one or four above. Are you seriously
23 suggesting that you can't draw a district that
24 doesn't gerrymander all the way from
25 Jacksonville to Orlando? This needs to be

1 changed.

2 MR. HOOPER: George Hooper of Orlando
3 writes: Until Corrine Brown's district is
4 entirely redrawn, no supporter of the Fair
5 Districts amendment will take your plans
6 seriously.

7 MR. STEPHENS: Paul Stephens writes: I
8 spent a short time looking at the redistricting
9 maps and spreadsheets. The first thing that I
10 noticed was District 3 in S00C9002, a long,
11 skinny district meandering between several
12 other districts. What a strange shape for a
13 district. No apparent boundaries to make it
14 conform to that shape. Then I look at the
15 spreadsheet and find out that 50 percent of the
16 voting population is black. How many other
17 districts like this one are gerrymandered? I
18 don't have the time to go through each and
19 every district, but if I can find one that is
20 so obvious, how many others would I find if I
21 had the time to look? Can you honestly say
22 that this meets the intent of the language in
23 Amendment 5, quote, compact and as equal in
24 population as feasible, end quote?

25 I would ask that the Commission that took

1 on the task of defining districts go back and
2 do the job that was required of them by the
3 amendments approved in last year's elections.
4 Let's get the politics out of this process once
5 and for all.

6 MR. ARENDALL: Michael Arendall writes:
7 My city, Gulfport, a small municipality of
8 Pinellas County, has just over 12,000
9 residents. It has been in the Tenth
10 Congressional District for a long while. Under
11 your newly released proposal, why do you
12 propose splitting this small city with
13 identical interests and needs straight down the
14 middle into two different congressional
15 districts, the tenth and the eleventh? This
16 idea is puzzling and begs an explanation.
17 Gulfport needs to stay in the Tenth District in
18 its entirety.

19 MR. CUENCA: Hi, my name is Roberto
20 Cuenca. I live in Tampa, here in Hillsborough
21 County, and I fully support the congressional
22 and Senate maps that your committee has put up.
23 Thank you very much, bye.

24 MR. NURSE: Karl Nurse writes: Jumping
25 over Tampa Bay for two State Senate seats and

1 one congressional district flies directly in
2 the face of the Fair Districts requirement of
3 compact districts. The public hearings in
4 Pinellas County were overwhelming in our desire
5 to stop the gerrymandering by having two pieces
6 of districts separated by ten miles of water.

7 MR. ROWLEY: This e-mail from Aiden
8 Rowley: I want to commend you for your Senate
9 plan that was released this week. As someone
10 who lives in Hillsborough County, I was very
11 happy to see a district contained entirely
12 within county boundaries. I am also encouraged
13 by your protection of minority districts as
14 well. Your process was fair and you listened
15 to the voters before you drew your maps. These
16 maps look much better than the ones we
17 currently have. Thank you for your time.

18 MR. McLEAN: Mike McLean writes: Why is
19 northern Manatee County in the southern
20 Hillsborough County district? The people of
21 northern Manatee County are more connected
22 socially and economically and physically to
23 Manatee and Sarasota Counties than they are to
24 St. Pete and Tampa.

25 An amendment was passed to have districts

1 follow geographical boundaries. Instead, this
2 district crosses the large Tampa Bay. Our
3 elected officials continue to represent
4 themselves rather than the citizens. The only
5 course of action is to vote out an incumbent.

6 MS. DeCAMP: Dena DeCamp from Lakeland
7 writes: Thank you so much for all your hard
8 work on the maps. I know this is not an easy
9 job. I have great concerns after seeing that
10 Polk County is being divided up into four
11 different areas. I feel this will lessen any
12 voice Polk County has in any election. I
13 appreciate your attention to this.

14 MR. CONNER: This e-mail from Nat Conner:
15 I have seen the proposed new districts map and
16 once again feel there is something wrong with
17 these ideas from our government. Please think
18 first before making so many obvious discretions
19 for personal gain.

20 I hoped that the lines would be more
21 congruent with whole counties being together or
22 split into two districts, not four as Polk
23 County. I live in Polk County and feel the
24 districts are very easily defined. If you want
25 to split it in four, make a cross and divide

1 into four equal parts.

2 MR. BRUNNOCK: Sean Brunnock writes:

3 Please don't divide Polk into four districts.

4 My Representative is Rich Nugent, and he never
5 visits Lakeland.

6 MS. COAN: Vinette Coan of Solivita

7 writes: I am a resident of Solivita, Polk

8 County, Florida, civically active in my

9 community and county. I am appalled at the

10 proposed District 27 that removes this area of

11 Polk County from District 12 in order to create

12 a minority-majority area.

13 I understand that you heard from 1,600

14 people in 26 cities to get voter insights. You

15 have not heard from those who live in this

16 unincorporated area. We have no interest in

17 becoming part of a district that doesn't

18 account for our best interests.

19 I will repeat to you that I live in Polk

20 County in an unincorporated rural area. The

21 manipulation of the map to assure that future

22 voting is skewed away from us is, at the very

23 least, discrimination. Amendments 5 and 6

24 create districts giving minority blocks a

25 majority in the voting booth.

1 MR. WRIGHT: Donald Wright of Kissimmee
2 writes: I am a resident of Solivita, a 55-plus
3 retirement development in unincorporated Polk
4 County. I recently read where we, Solivita,
5 have been included within a new district, 27,
6 across county lines with Poinciana in Osceola
7 County.

8 I have been active in our community and
9 take exception to being removed from the
10 district and elected officials that I and my
11 neighbors had supported. Please do not group
12 or clump us into Poinciana in Osceola County, a
13 community that we had rigorously opposed during
14 an incorporation cross county line venture back
15 in 2009.

16 We are also considered to be part of
17 Kissimmee, a city that is across the border in
18 Osceola County and is 15 miles away from
19 Solivita. Please follow the county lines in
20 the instance of Osceola and Polk Counties.

21 MR. MARTY: My name is Steve Marty, and I
22 live in eastern Polk County. I work in
23 downtown Orlando in Orange County. Until now,
24 I have not felt truly represented locally and
25 nationally, because I have had to vote very far

1 from where I spend the majority of my time and
2 money. I earn my wage and pay my license taxes
3 in Orange County and have no option for
4 government input regarding policies and fees
5 due to my distant home address.

6 I approve of the redistricting map as
7 shown here in
8 flsenate.gov/session/redistricting since I will
9 now have local and national representation
10 encompassing both my home and work locations.
11 Thank you to all the members of the Florida
12 House and Senate and their staffers for their
13 Herculean task of redistricting. Your efforts
14 are highly appreciated.

15 MR. BUE: Hi, my name is Jamie Bue. I
16 live in Orlando, Florida, currently District
17 24, that would be Congressional District 24,
18 Representative Sandy Adams' District.

19 I am calling about the plans SC00C9002 and
20 S000S9004. I am very confused about how these
21 -- these maps actually fit the Florida
22 constitutional amendments for compactness and
23 preserving county and municipal boundaries. I
24 am looking at the S9004 map and the C9002 map,
25 and both of them gerrymander the crap out of

1 Orlando.

2 The S9004 map also, there's this little
3 sliver of a district that runs from West Palm
4 all the way down to Ft. Lauderdale that I can't
5 even tell how this is supposed to be a compact
6 district. It looks like it runs for a good
7 40 miles at least, but it is all of like three
8 miles across. I am really -- I am at a loss to
9 understand how these districts you think are
10 going to hold up in any kind of Florida Supreme
11 Court case, and especially that C9002 map.
12 There is a district in the middle here that I
13 am guessing from here is District 3. It runs
14 all the way from Orlando through the Ocala
15 National Forest and then up as high as
16 Jacksonville in parts. There is no way that
17 that is holding up in court. You guys are
18 going to have to go back and revisit all this,
19 because, I'm sorry, you can't have
20 gerrymandering like this and think that there
21 is anyway that this is going to hold up. I --
22 you guys have just got to bite the bullet here
23 and realize that when you start drawing
24 districts, you can't be favoring little areas,
25 little pockets, to keep your constituencies.

1 You have got to bite the bullet and hope that
2 you end up winning elections on your own merit,
3 not on which voters you can squeeze in. The
4 purpose of those amendments was so that the
5 voters picked their representatives, not the
6 other way around.

7 Again, my name is Jamie Beau. I live in
8 Orlando, Florida. I vote, I am not afraid to
9 tell you this.

10 MR. URENA: Hello, my name is Matthew
11 Urena. I live in 1220 Oklawaha Drive, Orlando,
12 Florida 32828, and I say I just wanted to let
13 you guys know that I support the congressional
14 maps drawn up by your committee. Thank you,
15 have happy holidays, bye.

16 MR. TART: Michael Tart writes: I live in
17 Mt. Dora, and originally I thought I wouldn't
18 like the new maps, but after looking at them, I
19 do believe you made a great effort to follow
20 the new Fair District requirements. The
21 districts, both congressional and Senate
22 district, look much more compact than before,
23 and I like both the new congressional district
24 that I live in and I like the new Hispanic
25 districts. The minority districts still look

1 awful, but I know that the Constitution
2 requires that they be protected. So be it.

3 MR. SULLIVAN: Patrick Sullivan writes: I
4 want to thank you for Senate plan S000S9004. I
5 was very happy to see you created a Hispanic
6 district in Orange County and in central
7 Florida. With the growth of Latinos in central
8 Florida, it is appropriate for Hispanics to
9 have representation. Thank you, and please
10 support this plan.

11 MS. RENTAS: Hello, my name is Wanda
12 Rentas, R-e-n-t-as, and I am calling in support
13 of the congressional map and also the Senate
14 map.

15 The congressional map that I am in favor
16 of, that I support is S000C9002, and the Senate
17 map that I am also in favor of is S000S9004.

18 I hope that we get good response and that
19 we support this. We need to make sure that our
20 people are heard and that this is something
21 that plays out the right way for the people and
22 not for any special interest. I encourage that
23 we all take a good look at what is happening
24 and we make the right decision and that the
25 support is for the congressional map and the

1 Senate map and which I just referred to. Thank
2 you so much and have a good day, bye.

3 MR. MELENDEZ: This is George Melendez
4 from Kissimmee, Osceola County. I am here in
5 support of both the congressional map and also
6 Senate map that the Committee had decided for,
7 and I just want to let you know that Osceola
8 County for the first time created the proposed
9 maps, especially the congressional map is
10 38 percent of a congressional seat, which can
11 allow it to have somebody potentially, the
12 possibility of a Representative from Osceola
13 County, or to have a greater degree of
14 influence on who that person is going to
15 represent. And also we appreciate the fact
16 that all of Osceola County is as a whole to try
17 to respect the Fair District amendment that the
18 original constitutional amendment was trying to
19 attempt at the state level. So we do
20 appreciate both the congressional and the
21 Senate maps that were created by the Committee.

22 MR. WARREN: Jay Warren of Orange County
23 writes: I wanted to tell the Committee that
24 your proposed maps for Congress and the Florida
25 Senate look much better than the maps we have

1 now.

2 I know you were under a lot of pressure to
3 follow the Fair Districts amendments, and while
4 the minority access seats still look strange,
5 the rest of the districts follow those
6 amendments very, very well, even around the
7 Orlando area where I live.

8 Thanks for the good work, and I hope the
9 final product continues to follow the spirit of
10 Amendments 5 and 6, as you have clearly
11 attempted to do.

12 MR. CARRERO-SUNE: In November 2010,
13 Floridians voted two to one to set new
14 constitutional standards for how lawmakers are
15 to draw fair voting districts. Two Fair
16 Districts amendments require lawmakers to draw
17 voting districts that better reflect the
18 interests of Florida's communities. The new
19 amendments require that voting districts not be
20 drawn with the intent of favoring or
21 disfavoring one candidate or political party,
22 protect access to the political process for
23 racial and language minorities, be as nearly
24 equal in population as practicable and contain
25 the entire district in one area, called being

1 contiguous, follow existing, current city,
2 county or geographic boundaries where feasible.

3 As a Latino voter, I ask that you please
4 adhere to these standards, and in particular
5 that you protect our access to the political
6 process.

7 MR. WEILER: John Weiler e-mails: The
8 redistricting for Brevard County, particularly
9 the State Senate district, is acceptable. I
10 know this was a difficult task, and we
11 appreciate your efforts.

12 MS. PARRATTO-WAGNER: Nanette
13 Parratto-Wagner wrote on Facebook: S000S9004
14 is really not a good idea if you live in the
15 southeast Orange County communities of Avalon
16 Park, Stony Brook and Eastwood.

17 MR. BRAIDER: Tim Braider from Melbourne
18 writes: I wanted to offer my congratulations
19 to the Committee for putting together a good
20 pair of initial maps for Florida's
21 redistricting process. I don't know if they
22 are quite good to go or just lawsuits waiting
23 to happen, but they both do a great job with
24 Brevard County, especially in keeping the
25 county together on the congressional map, and

1 divided along a major highway rather than
2 cutting every which way but loose. I like what
3 you have done with the maps so far and hope
4 things go well in your meeting next week.

5 MR. JOLLETT: Barry Jollett from Punta
6 Gorda writes: Thank you for sending me the
7 proposed S9002 redistricting plan. I am a
8 resident of Punta Gorda in Charlotte County,
9 currently in Congressional District 16.

10 Under the proposed plan, most of Charlotte
11 County has been lumped into new Congressional
12 District 12. Most of the population of
13 Charlotte County is located west of I-75 and is
14 coastal in nature. All of the coastal area
15 from Anna Maria Island to the Everglades is
16 represented by Congressional District 14 and
17 Congressional District 13, except Charlotte
18 County, which is placed in an agricultural
19 district. We have been the stepchild in the
20 current Congressional District 16. Tom Rooney
21 has been great and accessible here, but he is
22 on the east coast of Florida. I really
23 expected that western Charlotte County would be
24 represented along with the other coastal areas
25 of southwest Florida.

1 Please review your plan and give western
2 Charlotte County the local representation it
3 deserves. These are my personal comments, but
4 I am a subcommittee Chairman of the Charlotte
5 County REC and Second Vice-President of the
6 Charlotte County Republican Club. Thank you
7 for your consideration.

8 MS. CANJA: Tess Canja writes: I have now
9 viewed maps S00C9002 and S00S9004, and am
10 stunned that contrary to substantial testimony
11 from Charlotte County citizens at three
12 redistricting meetings, myself included,
13 Charlotte County in the Florida Senate map is
14 still divided into three Senate districts, and
15 the congressional district still spreads across
16 the state, aligning Charlotte County with
17 agricultural interests when our preponderant
18 orientation is to Gulf Coast issues.

19 For a county that has had to live with
20 severe gerrymandering for at least ten years,
21 that has had no State Senator within its
22 boundaries, nor a Congressman on the Gulf side
23 of the state, the time has certainly come to
24 recognize that Charlotte County for its growth,
25 prosperity and well-being needs state and

1 congressional representatives who live among
2 us, are accessible and who understand the
3 unique needs, challenges and potential of our
4 locality. I thank you for this opportunity to
5 comment.

6 HAROLD AND ALETHA: Harold and Aletha
7 write: Why would anyone think that Port
8 Charlotte people would have anything in common
9 with those in the center of the state? Our
10 newspapers cover Punta Gorda, North Port,
11 Venice and Sarasota. Sometimes Arcadia is
12 mentioned, but not very often. We have nothing
13 in common with that part of the state. Please
14 put us in the area with those we have something
15 in common.

16 MTUNA37: This e-mail from MTUNA37:
17 Neither the Senate nor the House redistricting
18 plan is reasonable, because it puts the western
19 half of Charlotte County, which is urban and
20 suburban, in with agricultural communities.
21 Charlotte County, once again, is divided into
22 multiple districts, which was not the intent of
23 the state mandate.

24 MR. STARR: Robert Starr of Charlotte
25 County writes: I have reviewed the proposed

1 redistricting maps. I am totally surprised and
2 disappointed with the results for Charlotte
3 County.

4 Since the last redistricting ten years
5 ago, Charlotte County has dealt with a
6 gerrymandered congressional district,
7 Congressional District 16, which stretched from
8 coast to coast. We were represented by three
9 United States House members. The Florida House
10 and Senate districts produced three Florida
11 House Representatives and three Florida Senate
12 Representatives. This situation resulted in
13 fragmented and ineffective representation for
14 our county. Once again, it appears Charlotte
15 County will be faced with the same situation.

16 The Florida voters mandated compact,
17 sensible districts. The proposed plan for
18 Charlotte County is in direct opposition to
19 this voter mandate. We are not in an
20 agricultural community. We are a coastal
21 community with miles of beach and the
22 second-largest harbor in the state, Charlotte
23 Harbor. Our interests would be better served
24 with a district combined with our coastal
25 neighbors, Sarasota, Lee and Collier County.

1 The Senate proposed action will not only
2 be a disservice to the 160,000 residents of
3 Charlotte County, but will be detrimental to
4 the inland communities with which we are being
5 joined. I would encourage your consideration
6 for redrawing the district lines for Charlotte
7 County.

8 SEYMOUR2012: Seymour2012 Tweets: Please
9 do not put Eustis and Grand Island into FL 26's
10 proposed congressional district. We are
11 nothing like The Villages.

12 MS. PHIPPS: This e-mail from Lisa Phipps:
13 I want to commend your State Senate plan
14 S000S9004. I like the way your new plan
15 respects county and geographical boundaries.
16 The worst part about our current districts too
17 often touch multiple counties in odd ways and
18 split into four or more districts. Your plan
19 is a reasoned attempt to make our districts
20 more understandable. Thank you for your hard
21 work and being fair.

22 MS. McNEW: From Jane McNew: After
23 studying the proposed maps of southwest
24 Florida, I believe the borders, while ever so
25 slightly better, nevertheless have demonstrated

1 that gerrymandering is alive and well. I urge
2 you to stop trying to put out the flame of
3 democracy and instead give it oxygen and a
4 strong wick to burn ever brighter.

5 For example, it is easy to see the
6 continuance of safe seat districts, especially
7 Republican districts. It is easy to see the
8 lines follow large developer interests. I find
9 such continued chicanery a blatant derivation
10 of the law. Needless to say, I think the
11 overall effort is a shabby affront to us all
12 Floridians, 99 percent.

13 MR. SIEGMEISTER: Curt Siegmeister writes:
14 Thank you for your candid and open reception to
15 feedback from us Floridians. The new maps just
16 make sense. You no longer have districts
17 spanning the entire width of the state and
18 grossly transcending geographic and demographic
19 boundaries.

20 As a citizen and a voter, I appreciate the
21 hard work you have put forth and your openness
22 to the concerns of the Floridian public.

23 MR. JIRIK: Good morning. My name is Ron
24 Jirik, J-i-r-i-k. My address is 820 Haulover,
25 H-a-u-l-o-v-e-r, Drive, Altamonte Springs,

1 32714.

2 I am dismayed at the maps that are being
3 drawn for the redistricting. I don't believe
4 you listened to the constituents at all, and I
5 find that appalling. Have a nice day.

6 MS. COLLETTE: Eva Collette writes: Just
7 had a chance to go over all the hard work your
8 team did with the redistricting of Florida. I
9 am so pleased with your efforts. I know you
10 will never please everyone, that is impossible;
11 however, you did a great job in trying to.

12 I have a better understanding of the
13 history of redistricting and think of all the
14 times this has been done, you have managed to
15 stay true to the intent of the process.

16 MS. NEWLIN: I would have expected them to
17 be more even and concise. Although improved,
18 looks like we have a ways to go. Why not
19 simply use roads and/or ZIP codes to make it
20 better? Looking forward to hearing your
21 response. Yours in good reasonable Florida
22 districts, Kim Newlin.

23 MR. GEIGER: Christopher Geiger e-mailed:
24 I understand that no maps will be perfect and
25 be populated with simple geometry due to

1 existing local boundaries and federal
2 decisions, but these newly proposed maps,
3 Senate Bills PCB7032 and 7034 are a step in the
4 right direction. Good job.

5 STEVE: Hello, I am Steve from West
6 Melbourne in Brevard County, Florida. I like
7 the way the current Senate maps are drawn,
8 because -- or the district is drawn, because
9 the old ones are obviously gerrymandered, and
10 currently in Brevard County, the one that you
11 have drawn up now keeps the cities contiguous,
12 so I hope that stays in the final draft. Thank
13 you.

14 MS. GILDEA: Julie Gildea from Ruskin
15 writes: Regarding the above subject, I find
16 your efforts to be somewhat fair to both
17 political parties and voters. The job you did
18 will never have 100 percent approval. However,
19 given the rules governing the process, I don't
20 think you could have done any better, and you
21 could have done a whole lot worse.

22 I really think the districts should always
23 be set up using the county borders only. That
24 is the most fair to all parties. So the rules
25 governing the process would need to be changed,

1 but it would take someone with tremendous
2 courage to challenge the status quo. Not sure
3 anyone like that runs for office. Think of the
4 time, effort, hassle, money, avoiding lawyers'
5 fees and lawsuits, and party bickering that
6 would be avoided.

7 Complicated processes always lead to
8 obfuscation. In fact, in most cases, that is
9 the whole reason for having the complicated
10 processes, and it also keeps lawyers employed.
11 Signed, me, a disillusioned voter.

12 MS. TELFORD: Ellie Telford writes: The
13 new maps are not at all acceptable to me. They
14 are still just favorable to the incumbents.
15 They do not do what the people of Florida voted
16 for in the 2010 election. It would be a
17 disaster if the districts are not changed to be
18 fair to all groups. They need to be redrawn to
19 follow what the people asked for last year.

20 MR. AND MRS. BRIGGS: Gerald and Catherine
21 Briggs write: Looking at the Senate map
22 S000S9004 you released this week, we were
23 pleased to see normal-looking districts that
24 followed county lines. We understand that some
25 were odd-looking because of minority rights.

1 We are particularly pleased with our district
2 here in Leon County.

3 SOCCERCANE19: Soccercane19 Tweets: This
4 is not what the Florida Constitution now
5 demands. No way a state with 500,000 more
6 Democrats should have more Republican seats.
7 Against the law.

8 MR. FRIGERI: My name is Arnold Frigeri.
9 I live in Sun City Center in Hillsborough
10 County, and I am calling to express a very
11 serious negative reaction to the Senate
12 redistricting plan as published in today's
13 newspaper. I think it is terrible and you
14 should go back to work and make a fair, more
15 balanced map than what you have done so far.

16 So my reaction in short is, no good, do it
17 over again.

18 MS. HARTWELL: Mary Hartwell of St. Johns
19 writes: Thank you for all of your hard work on
20 the reapportionment plan for Florida. I have
21 reviewed the plan and map, and agree that this
22 plan looks both fair and balanced. I agree
23 with the boundaries for both the congressional
24 and legislative districts. Thank you for a
25 fair plan for Florida's future.

1 MR. SASIADEK: Alfred Sasiadek in Miami
2 writes: I just got my first looks at the
3 proposed new district that we must live with
4 until the next census. I am very disappointed
5 with this attempt to circumvent the prime
6 directives of Amendments 5 and 6 that the
7 districts be contiguous and compact. With just
8 a very cursory look, one can easily see that
9 these U.S. House districts are not compact: 3,
10 11, 19, 20, 22, 23. District 23 is so bad that
11 it is almost circular, with District 19 in the
12 center.

13 The State Senate districts are almost as
14 bad. These districts are not compact: 1, 18,
15 19, 24, 25, 29 and 39. You must do much better
16 for these to pass muster with the courts.

17 MR. HOOPFER: This e-mail from Matt
18 Hoopfer: I am very pleased with the new
19 district lines that have been drawn. They are
20 very fair and seem to represent Florida's
21 populous well. I look forward to seeing the
22 new districts revealed when it is all said and
23 done.

24 MR. DANVERS: This is Dave Danvers,
25 Gainesville, Florida. I attended the meeting

1 that was held here in the summer. As I stated
2 at that meeting, I appreciate the Committee
3 being able to conduct public forums throughout
4 the state, especially the one here.

5 I have looked over the various suggestions
6 for all of the districts. I encourage the
7 Committee to do everything to get the
8 Legislature to pass the redrawn districts
9 without any lawyers taking it to court. Keep
10 it out of the courts. That is a waste of time
11 and a great deal of money. Thank you for
12 hearing my thoughts.

13 MS. HODGES: This e-mail from Angela: I
14 would like to comment on map S000S9004 for the
15 record. I feel they look fair to both
16 Democrats and Republicans, and they seem to be
17 drawn according to county lines.

18 MR. MARKHAM: This e-mail from Willie
19 Markham: I will keep my comment very brief.
20 The congressional plan looks fair; however, the
21 Senate plan is very unbalanced. The high
22 income areas are consistently separated from
23 the rest of the counties. This will result in
24 homogenous districts, rich or poor, white or
25 colored, which do not represent the actual

1 Florida that I live in. I would like to see
2 that my counties are not divided by income or
3 race. We are one people, and our
4 representatives should represent all of us.
5 This will make the representative's job more
6 challenging, but that is what will bring us
7 together as Floridians, not separate us by
8 income or race. If race and income were
9 factored into the creation of the maps, I would
10 like to see how that was done. Thank you.

11 By the way, I am a resident of St. Lucie
12 County.

13 MR. HOSEY: Jerry Hosey writes: I just
14 wanted to say that I think the maps look great.
15 I was wondering how you guys were going to be
16 able to fit two new districts into the
17 equation, but you did a fine job with it. Good
18 job, everyone.

19 MR. LEO: Hello, this is Frank Leo, a
20 World War II vet who fought for this country to
21 make it free. I am in Ormond Beach, Florida.

22 I am just reading this Florida Hispanic
23 congressional district proposed. I think that
24 is a crime. As a life-long Democrat, I feel
25 this country is going downhill and it is

1 because of things like this. Why are you doing
2 districts based on minorities or anybody else?

3 Districts are districts, and they should
4 be left as districts, not voting districts, but
5 districts. They should be in a very concise,
6 orderly way of distributing the sections so
7 that the equal amount of people are in each
8 district. It makes no difference what you are,
9 we are all Americans, and you people are trying
10 to pull all this junk to put people against
11 each other. We are all Americans, that is why
12 we live here. And stop distinguishing between
13 black and white and other minorities and the
14 Americans. We are all Americans, and make the
15 districts in accordance to that, please do.
16 Thank you.

17 MR. AND MRS. STRASSER: From Julie and
18 Stephan Strasser: I am a citizen of Fernandina
19 Beach. My husband and I just saw the new
20 proposed district lines. We finally see one
21 that seems fair. Please move forward to make
22 these our new Florida voting districts.

23 BORRIS: My name is Borris. I am calling
24 in regards to the congressional map. I live in
25 Tampa, Florida, in U.S. Congressional District

1 11.

2 My question is, I don't see that you have
3 made any changes to Congressional District --
4 U.S. District 11, and I thought you were
5 supposed to make the district 50/50, or close
6 to 50/50, and it looks to me like it is the
7 same thing that it was previously, which was
8 70/30.

9 MR. KRIZNER: From William Krizner, this
10 e-mail: I want to thank you for taking your
11 time and actually talking with real voters
12 before drawing your new maps. After looking at
13 Senate map S000S9004, it looks pretty fair and
14 balanced. You followed county lines as best
15 you could.

16 MR. HUSEREAU: Hello, my name is Robert
17 Husereau. I live in Plant City, Florida, and I
18 don't see where the districts that have been --
19 voting districts that have been drawn on any of
20 the three different map systems are
21 nonpartisan. They have to follow what the new
22 amendments stated when we voted them in. They
23 are not doing that. They are partisan. Change
24 them.

25 MS. BROWN: Marsha Brown of Orlando

1 writes: Just a note to let you know that I
2 approve of the Senate Committee on
3 Reapportionment's initial proposals for
4 redrawing fair and common sense congressional
5 and state legislative district boundaries.
6 Good work, and congratulations to all who
7 participated.

8 MS. GUADALUPE: On Facebook, this comment
9 from Adele Guadalupe: This redistricting plan
10 still separates the wealthy east of the
11 Intracoastal from the rest of the population
12 just like the previous one did. This seems
13 like discrimination to me.

14 MS. SHANK: This e-mail from Constance
15 Shank: You've all done a fine job in keeping
16 districts together, and the maps look fair and
17 balanced. Following county lines when possible
18 is most helpful. Thank you for doing an
19 excellent job.

20 MR. DREXLER: Frank Drexler from St.
21 Petersburg writes: In November 2010,
22 Floridians voted to set new constitutional
23 standards for how lawmakers are to draw fair
24 voting districts. The standards require you as
25 lawmakers to draw voting districts that better

1 reflect the interests of Florida's people. You
2 have not done so in the new maps you have
3 recently released. It is time you set aside
4 your political agenda and did the right thing
5 for Florida. The new amendments require that
6 voting districts be fair. We will remember how
7 you treated this issue and the will of the
8 majority the next time we go to the polls.

9 MS. WALKER: Rebecca Walker from Nassau
10 County writes: Thank you for all your hard
11 work in redistricting. I appreciate all the
12 hard work and effort that this entailed. You
13 have done a fantastic job. Well done.

14 MR. GIBNEY: Ken Gibney from Land O'Lakes
15 writes: The Senate's redistricting plan is
16 outrageous. Using minority representation as
17 an excuse to load up Republican districts
18 elsewhere is scornful of Florida voters.

19 Racial gerrymandering is a magician's
20 trick to hide its true intent. Voters,
21 including myself, will not abide with this
22 heavy-handed deceitfulness. I hope courts,
23 public opinion and the House will send this
24 really bad proposal to the trash heap where it
25 belongs.

1 MS. ANGULO: Lauren Angulo writes: I
2 think the new redistricting lines are very
3 fair. I am pleased with the outcome. Good job
4 for once.

5 JAK613: JAK613 Tweeted: Make sure you
6 redistrict according to the law and the will of
7 the people in a fair, nonpartisan way. Make
8 our votes count.

9 MR. McGEHEE: On Facebook, Paul McGehee
10 posted: Please do not change Highlands,
11 Glades, Hendry and Okeechobee from House
12 District 16. These areas are ag based, and
13 Congressman Rooney represents us very well on
14 the ag committee.

15 MR. BARFIELD: From John Barfield of
16 Deltona: I am writing in favor of
17 redistricting plan S000S9004, which I feel more
18 closely represents the voters' intent in
19 adopting fair districting planning, now
20 challenged by sitting incumbents.

21 I have long been concerned about current
22 House District 3. While noble in intent, it
23 certainly meets all definitions of
24 gerrymandering. The current Senate proposal
25 alleviates that embarrassment while better

1 assuring contiguous population groups are
2 fairly represented.

3 MR. BAYARD: Steve Bayard writes: The
4 districts redrawn seem much more focused on
5 protecting existing legislators and their
6 parties than they do on complying with the
7 requirements of the Fair District amendments
8 approved by two-thirds of the voters.

9 It is time to go back to the drawing
10 boards and do the responsible thing: Honor the
11 direction of the voters. All we ask for is
12 fair elections, not rigged ones.

13 MS. MIRANDA: Angela Miranda writes: I
14 support the Senate map. It is much better than
15 the current map. I particularly like how
16 Hillsborough County is drawn.

17 MS. HENK: My name is Frances Henk. My
18 husband and I, Eugene, suggest to the Senate
19 that they focus on fair districts, not politics
20 as usual. We have had far too much of this
21 gerrymandering, and I want them to be fair and
22 not just political and not try to make it just
23 for the Republicans to vote. Thank you.

24 I live in Bradenton, Florida, and my ZIP
25 is 34203. Thank you.

1 MR. WHITAKER: Ronald Whitaker writes:
2 Just my two cents as a Floridian and a
3 registered voter, I like the Senate maps, they
4 look fair to me. Especially like the Panhandle
5 districts and the split into beach and rural
6 districts. Good work.

7 MR. BLOSSEY: This e-mail from Erich
8 Blossey of Winter Park: Having attended
9 meetings in Orlando on reapportionment and
10 viewing some of the maps that the above bills
11 referenced, I have difficulty in viewing the
12 maps and what the people of Florida passed as
13 reapportionment amendments last election.
14 While some districts have been squished and
15 elongated to appear as though things are
16 different, I can't help but see the artistic
17 work of old gerrymander coming to the rescue of
18 certain political parties in power.

19 For example, S9004, District No. 9 does
20 not appear to be contiguous on my map. This is
21 but one of many districts that do not appear to
22 be drawn according to the spirit of the
23 amendments.

24 The major concern of the electorate last
25 year during the election and this summer with

1 the meetings with the reapportionment committee
2 was that the drawing of boundaries for
3 districts have to be fairly drawn. I am not
4 sure any of the maps seen to date have met the
5 true spirit of what the people of Florida voted
6 for and want enacted. It is unfair to all the
7 groups who worked so hard to enable fair
8 districting that they will have to wait until
9 next election to rectify the situation or to
10 rely on our court system to render a decent
11 outcome.

12 MS. LAWLER: Mary Katharine Lawler sent
13 this from her iPhone: I think the districts
14 should fall on community lines and be fair.

15 STEPHEN: This e-mail from Stephen: I
16 have to say that the maps shown on the news
17 tonight are a clear example of partisan
18 gerrymandering. It is time for you to do the
19 proper job that Florida voters expect of you.
20 Otherwise, you will feel the ramifications at
21 the polls. This latest Republican power grab
22 will continue to highlight Florida as a bad
23 example of democracy.

24 MS. WINGATE: This e-mail from Ashley
25 Wingate: I wanted to let you know that the

1 Palm Beach County Senate districts were very
2 thoughtfully drawn. Coastal areas were kept
3 together while also protecting the more
4 suburban western regions. Kudos.

5 MR. BRAHA: James Braha from Longboat Key
6 e-mails: Will you please do the redistricting
7 of Florida counties in a fair way rather than a
8 political way? This is a horrible mess, what
9 has been done in the past.

10 MS. McKOWN: Mia McKown in Tallahassee
11 writes: First I thank the Senate and its
12 redistricting committee for the very open,
13 transparent and interactive process they
14 adhered to in developing the proposed
15 redistricting maps. From what I have read and
16 reviewed, the proposals are fair, sensible and
17 faithful to the law. In particular, incumbents
18 are not favored, and new seats were created to
19 recognize the rise in Florida's Hispanic
20 population.

21 Again, I thank the Committee for their
22 hard work, and urge you to adopt the proposed
23 redistricting plans.

24 MR. WRIGHT: Bernard Wright of Gulfport
25 writes: I feel that any group that draws up

1 boundaries to suit the outcome of any election
2 is sabotaged against our democracy. Please
3 review this procedure and make this a true
4 democracy. Many have fought and died for this
5 right.

6 MR. WARD: Zac Ward from Tallahassee
7 writes: The current plan you have in place
8 seems to be about as close to optimal that
9 current law allows. Keeping the county lines
10 as intact as possible, and I understand one
11 must work around the minority districts, and
12 having the districts make some geographic sense
13 seems to be the proper approach. Thanks, and I
14 wish you the best of luck.

15 MR. D'ALEMBERTE: From Josh D'Alemberte,
16 this e-mail: Please make sure the new
17 districts for our state are drawn fairly,
18 without favoring any political party, and that
19 the maps attempt to keep communities together.

20 The Florida voters decided to amend our
21 State Constitution because we thought
22 gerrymandering was unfair. As our
23 representatives, you cannot ignore our will in
24 the Constitution. Sixty-three percent of
25 Florida's voters supported Amendments 5 and 6.

1 Our state has received a bad reputation
2 for ignoring the will of the voters recently.
3 By drawing districts that favor one political
4 party, you would add to this negative
5 reputation.

6 You have a chance to change the culture of
7 state politics. Use it. Do not misuse this
8 process to keep your district, your job or
9 favor one political party. If all politics is
10 local, then communities deserve to be
11 represented by one representative.

12 The districts that have been drawn in the
13 past are ridiculous. Any child can look at
14 some of them and see that they are unfair.
15 Districts should not span several counties if
16 they do not need to. If they can be kept in
17 one county or even one city, they should. Each
18 voter deserves to have a choice and to have
19 their vote counted. If you predetermine for me
20 that my district will or should elect someone
21 from one political party or another, you are
22 taking my rights away.

23 Additionally, the representative who is
24 elected can better serve those who he or she
25 represents if the districts are compact and do

1 not span for many unnecessary miles. They can
2 then better travel through the district,
3 communicate with its residents and understand,
4 then represent its issues and concerns to the
5 government. This is how representatives are
6 supposed to work.

7 Draw the districts differently than the
8 unfair way of the past, please. To do so would
9 be to follow the law and the Constitution of
10 this great state and to listen to what the
11 voters, your constituents, have clearly showed
12 you they support.

13 We are watching you during this process,
14 and we who vote will remember if you take
15 advantage of this important process. We know
16 that in the past some districts have been
17 packed full of voters from the minority party
18 to keep them out of the other districts where
19 the majority party can count on winning for the
20 next ten years. Please do the right thing and
21 do not support a district map that is drawn to
22 favor one political party or that unnecessarily
23 divide communities.

24 As a social studies teacher, it is
25 disappointing to have to explain to my students

1 that whichever party is in power usually uses
2 this power to advantage their particular party.
3 It makes them cynical about government and the
4 world around them. I would really enjoy
5 reporting to them soon that the brave leaders
6 of Florida have chosen to break with the unfair
7 practice and advocated for fairness and the
8 rights and interests of all Floridians by
9 drawing compact districts using community
10 borders and without regard to political party.

11 MS. ODOM: Hello, my name is Kelly Odom,
12 and I am calling regarding the Senate map that
13 has been redrawn for Florida, and I want to
14 tell you that it is wonderful. Thank you for
15 listening to the concerns of the constituents
16 here and for taking heed to Amendment 5 and 6.
17 I appreciate your effort and your hard work,
18 and will continue to support this type of fair
19 and balanced action. Thank you.

20 MS. RUSSELL: From Etta Jane Russell in
21 Naples: It does not seem to me that the intent
22 of the voters in Florida have been met by the
23 redistricting as is currently proposed. You as
24 politicians have once again chosen to try to
25 manipulate things so that you can determine how

1 voters in a particular district will vote.
2 Incumbents will be protected and partisan
3 advantages will continue. Where is the
4 independent group that should have done this
5 based on proper population numbers? This needs
6 to be looked at again.

7 MR. HOLZBACH: From Alex Holzbach: After
8 reviewing the redistricting maps, I would like
9 to make it known to the Committee that I like
10 the maps and believe they are most certainly
11 fair.

12 MS. BUCHHOLTZ: Nadine Buchholtz writes:
13 The map I have seen is crazy, makes no sense
14 other than it favors political parties. You
15 can do better.

16 MS. HUEGLI: From Kaytlin Huegli: As a
17 concerned and active participant in politics, I
18 am pleased to inform you that I am happy with
19 the redistricting lines. The lines appear to
20 be fair, which is something that is always
21 needed in the realm of politics. Thank you.

22 MS. JACOBS: From Quida Jacobs: I am very
23 disappointed with the proposed redistricting
24 maps. They are supposed to be drawn
25 geographically, not the same old corny system

1 that these amendments were intended to do away
2 with. Follow the law that was passed by the
3 voters of Florida and not political parties'
4 interests.

5 MR. McCOWN: Good evening. My name is
6 Bobby F. McCown. I live in Tallahassee,
7 Florida, and I am calling to encourage the
8 approval of the congressional and Senate maps
9 for redistricting to be approved as soon as
10 possible.

11 Anyway, I totally support the
12 redistricting. I have been involved in a lot
13 of this over time, I'm recently retired, but
14 anyway, I support the congressional and the
15 Senate redistricting. Thank you.

16 MS. TERRY: This e-mail from Joan Terry:
17 Your maps do not follow the laws passed by the
18 people. They must be redrawn to meet the will
19 of the people.

20 MS. FAIRCLOTH: Lauren Faircloth e-mails:
21 As a concerned voter, I looked at the
22 redistricting plan from the perspective of
23 whether it was fair to voters, that it made
24 districts less gerrymandered and more compact.
25 I think it does, even though I am not an

1 expert. With Florida growing so much, I think
2 a plan that is fair to Republicans and
3 Democrats would look a lot like the plan we see
4 here from the Florida Senate.

5 MR. DE LA CRUZ: From Alberto de la Cruz:
6 The first set of proposed voting district maps
7 for Florida's congressional districts do not
8 meet the new constitutional requirements for
9 Florida local jurisdictions and communities of
10 interest. The new amendments require that
11 voting districts not be drawn with the intent
12 of favoring or disfavoring one candidate or
13 political party, protect access to the
14 political process for racial and language
15 minorities, be as nearly equal in population as
16 practicable, and contain the entire district in
17 one area, called being contiguous, follow
18 existing current city, county and geographic
19 boundaries where feasible. You are violating
20 our votes.

21 MR. CAUTHON: Ray Cauthon, III, writes: I
22 wanted to write to let you know that I like
23 what you did in Alachua County with respect to
24 the redistricting plan. In particular I like
25 the fact that the plan calls for compact

1 districts which follow county lines. I
2 appreciate your effort to keep common
3 communities together. Thank you.

4 MR. MAKASHAY: Ira Makashay from Lake
5 County writes: I looked at the redistricting
6 maps and found a few districts that look like
7 they meet only one requirement: Protect access
8 to the political process for racial and
9 language minorities. They seem to be favoring
10 one candidate or party, are not contiguous, do
11 not follow city, county or geographic
12 boundaries. There should be a better way.

13 If made more compact, perhaps whichever
14 group is trying to be favored would have a
15 chance in two districts instead of being given
16 what I assume is a guarantee to win one
17 district.

18 Congressional District 3 and 23 should be
19 redone, as should Senate Districts 1, 18, 19,
20 24 and 29. This obviously would mean changes
21 to some bad edges in adjacent districts. These
22 look like the worst kind of gerrymandering that
23 existed before the amendments.

24 MR. NEUMAN: From Dave Neuman: I just
25 wanted to let you know that the lines in which

1 the Florida Legislature has drawn for the state
2 are fair for all parties. I think that this
3 new set of districts will make Florida a
4 stronger state based on how elections should be
5 run in the future.

6 Competitive races make our state stronger.
7 They follow the laws that have been created to
8 protect the people, and these lines serve the
9 people of the state of Florida well.

10 MR. POOLE: From Richard Poole in
11 Longwood: What don't you understand about
12 gerrymandering? Get a seventh grade math
13 class, they are obviously more qualified than
14 you.

15 MS. GOSSOM: This e-mail from Joyce Gossom
16 in Ft. Walton Beach: Although slightly
17 different from redistricting plans submitted,
18 snail mailed, but not received, the state and
19 U.S. maps presented make sense and are easily
20 defined. Especially appreciated is the removal
21 of slivers and extensions that were confusing
22 and made no sense.

23 Thank you for the opportunity to have
24 participated in the process. I look forward to
25 seeing the proposed State House map.

1 MS. BENEDIX: Joan Benedix writes: I
2 would really like to be a non-gerrymandered
3 district. Currently I am in a long, skinny
4 district that goes from Palm Beach through to
5 Broward to Pompano Beach the total distance of
6 probably 50 miles. By any stretch of the
7 imagination, this is wrong. A voting district
8 should be centralized. It is time to make it
9 fair. That is what we, the citizens of
10 Florida, voted for, and it is time to listen to
11 your voters. Stop ignoring us since currently
12 through gerrymandered districts you steal
13 elections.

14 MS. RENCIS: Hi, my name Lauren Rencis. I
15 live in Kissimmee, Osceola County, Florida, and
16 I am in support of congressional map S000C9002
17 and Senate map S000S9004.

18 MR. WILLNER: This e-mail from Gary
19 Willner: I do not understand this proposed map
20 at all. No one at the hearing in Wesley Chapel
21 proposed anything like this. People on the
22 west coast of Pasco have nothing in common with
23 people in Dade City. A more realistic line
24 would have been along the Suncoast Highway.

25 I have no problems with the maps for

1 Congress, except I would not be represented by
2 Gus Bilirakis.

3 MR. FREAS: William Freas from St.
4 Augustine writes: I have been following the
5 redistricting process over the last year, and
6 even attended a hearing that was held in St.
7 Augustine a few months back. As a citizen and
8 a voter, I wanted to write to express my
9 support for Senate plan S000S9004. It is
10 obvious the redistricting committee listened to
11 the voters, because this plan is much more
12 compact and does not gerrymander districts as
13 past maps have.

14 I applaud the Committee for making a good
15 faith effort to adhere to Amendments 5 and 6
16 while at the same time protecting minority
17 outreach seats. I implore all members of the
18 Legislature to put aside partisan differences
19 and support this plan.

20 MR. KEEGAN: On Facebook, Brendan Keegan
21 posted: Maybe the Senate should focus on
22 legislating rather than gerrymandering.
23 Absolutely ridiculous. Do your jobs. Just an
24 idea.

25 MR. ALSID: Brett Alsid side writes: I am

1 writing to voice my support of the recently
2 formatted district lines. The voters of
3 Florida have chosen their respective citizens
4 to represent them in the redistricting process,
5 thus allowing for a fair and just system.
6 Since there appears to be much support in the
7 Legislature for the proposed format, the
8 citizens of the state of Florida have
9 representatively voiced their support as a
10 whole for the legislation, therefore allowing
11 for what should be a smooth and easy transition
12 toward the new district map.

13 MR. JOHNSON: Peter Lars Johnson had this
14 post on Facebook: The gerrymandering of
15 Alachua and Marion County is just the same as
16 in 2002. Who came up with these maps?

17 MR. HAGAN: This e-mail from Roger Hagan
18 of Chipley, Florida: I recommend the subject
19 plan for the following reasons: As surely as
20 we often hear, there are two Floridas,
21 northwest and the rest of the state. Just that
22 surely, there are two Panhandles, District 2
23 and District 4. The division of the Panhandle
24 runs east and west and separates us into north
25 and south.

1 As Public Safety Director for the past 15
2 years, County Manager for 20 years before that
3 and currently as Mayor of the small town of
4 Wausau, I will tell you that on every level I
5 have more in common with Marianna in Jackson
6 County, Bonifay in Holmes County, Paxton in
7 Walton County, Baker in Okaloosa County,
8 Century in Santa Rosa County and Walnut Hill in
9 Escambia County than I do with Pensacola, Ft.
10 Walton Beach, Destin, Panama City Beach and
11 Panama City. They have a strong tourist base,
12 military installations, convention centers and
13 auditoriums, large shopping destinations,
14 high-end restaurants, hotels and motels. We
15 have open spaces, large acreage holdings, as
16 opposed to subdivisions and high-rises, numbers
17 of penal institutions and family farm-related
18 employment.

19 Plan S000S9004 makes a very good divide
20 for these attributes to stay lumped within
21 common interests and identities.

22 I acknowledge one drawback to this plan.
23 The districts would be long, drawn out. But
24 then many of us remember when Bob Sikes and Dan
25 Fuqua covered almost everything from Escambia

1 County to the Suwannee River. They made it
2 work, and so our representatives can today.

3 MR. BRUEN: Jim Bruen of Bradenton writes:
4 I am disappointed that the redistricting work
5 coming out of Tallahassee does not keep with
6 the spirit of the voters' wish for fair
7 districting. What must we do to get your
8 attention to do your job without bias?

9 RENALDA S.: And this e-mail from Renalda
10 S.: Thank you to the Senate redistricting
11 committee for listening to the public and using
12 our input when redrawing the districts. I like
13 the fact that they are more compact and follow
14 geographical boundaries when possible. The
15 newly proposed districts look much fairer and
16 make much more sense than the current ones. I
17 ask that everyone vote for Senate plan
18 S000S9004.

19 MR. TRAUTMANN: Michael Trautmann had this
20 post on Facebook: Please ensure fair
21 redistricting in Florida. Voters should be
22 fairly represented and not apportioned in favor
23 of just the GOP.

24 MR. YORK: Justin York writes: I, Justin
25 York, support the proposed redistricting maps

1 proposed by the redistricting committee, and
2 hope that you support it when it comes to a
3 vote. I believe that the votes are a step in
4 the right direction for Florida and thank you
5 for listening to the people over these past
6 several months. Keep up the good work and God
7 bless.

8 MR. ANDERSEN: And this final e-mail from
9 Mark Andersen: Please see the attached PDF
10 markups of your proposed map. I believe if you
11 take another look, you will result in the same
12 concerns. Contact me anytime. Thank you for
13 your hard work on a very difficult project.

14 (Whereupon, the video presentation ended.)

15 SENATOR GAETZ: And there endeth the input
16 we have received from the public. I appreciate
17 the patience of the Committee, but we had
18 hundreds of people across Florida who cared
19 enough to take a second bite at this apple, and
20 I appreciate the fact that the members of the
21 Committee have cared enough to patiently and
22 thoughtfully listen to this input.

23 Mr. Guthrie, an issue was raised by the
24 very last piece of input, and I am wondering if
25 you could discuss the issues that Mr. Andersen

1 points out in his message before we move into
2 debate?

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

4 The supervisor of Bay County wrote and
5 sent in a graphic, including four maps that he
6 printed off of District Explorer, and here is
7 -- here is the input that he gave us. What I
8 am going to do is walk you through, looking at
9 District Explorer, the kinds of issues that we
10 had to deal with in putting these maps
11 together.

12 So let's flip to District Explorer, and
13 the area where Mr. Andersen was writing about
14 was in the Panama City area of Bay County, and
15 his first area of concern is this peninsula
16 here coming out to the bridge. One side of the
17 district is -- or of the road is in District 4.
18 The other side is in District 2.
19 Mr. Andersen's recommendation is that both
20 sides of the peninsula should be in District 4.
21 This is actually an example of the kind of
22 input that will be very helpful to the
23 Committee.

24 If we look at this area, we see, turning
25 on cities, that the City of Lynn Haven is south

1 of the road. It is all unincorporated property
2 to the north side of the road.

3 The population of the area that -- that we
4 are talking about, let's turn on data labels
5 here, is only about 59 people. So adding that
6 additional territory to the district actually
7 would be sensible. It would be following a
8 different boundary, following the bay instead
9 of the major highway as the basis for the
10 geographic boundary being followed by the
11 district, but that is one that makes sense, and
12 we thank Mr. Andersen for that feedback.

13 He also writes in about this little
14 extrusion coming out of District 4 in this
15 area. If we flip to the map in District
16 Explorer, what we see -- and we will leave on
17 city boundaries here -- is that that extrusion
18 actually is the city boundary of the City of
19 Springfield. So true to the constitutional
20 requirement that district boundaries be drawn
21 in a manner that follows political boundaries,
22 the proposed district line traces the city
23 boundary of the City of Springfield as it
24 exists right now.

25 And the next area that Mr. Andersen looked

1 at was this same -- a similar extrusion. If we
2 look at the map live in District Explorer, we
3 see that it actually, again, is an extension of
4 the municipal boundaries of the City of
5 Springfield. Those of you who have -- have
6 been working with me on the phone as we have
7 looked at some of these districts know that I
8 like to flip out to Google Map, and what we see
9 is that there's actually a developed property
10 that was part of the boundary there of -- or
11 included in the city boundary of Springfield
12 and therefore gets included in the district.

13 So that is an example of some quirks about
14 the lines, and I think you will find those in
15 many places of the map where it seems that the
16 map is not as compact as it could be, but the
17 reason why the lines were drawn as they were
18 was to follow city boundaries.

19 I am going to be talking with the Florida
20 State Association of Supervisors of Elections
21 at their biannual meeting this Saturday. We
22 will look at this and other examples in
23 District Builder and let the Supervisors of
24 Elections know that we are very receptive to
25 their input as this process rolls on.

1 SENATOR GAETZ: Thank you very much, Mr.
2 Guthrie. We will now move into committee
3 questions and discussion, beginning with
4 President Margolis. Madam President, you are
5 recognized.

6 SENATOR MARGOLIS: I don't know whether
7 you did an overlay of the congressional and
8 Senate seats as far as the supervisors are
9 concerned. A lot of them have mentioned as we
10 moved around the state that you should try and
11 keep the precincts together as opposed to
12 having -- you know, and I don't know whether
13 you have ever done an overlay to see how the
14 precincts would respond to congressional and
15 Senate, because that does come into play as the
16 elections get closer.

17 SENATOR GAETZ: Mr. Guthrie, any comment
18 on that, sir?

19 MR. GUTHRIE: We did get a lot of feedback
20 from Supervisors of Elections during the
21 listening tour that they would like for the
22 Legislature to pay attention to what are called
23 Voting Tabulation Districts or the precinct
24 lines that they helped draw as an official
25 layer of census geography.

1 What I can tell you is that similar to
2 what we saw with counties and cities, the
3 proposed plan does a much better job of
4 avoiding splits of VTDs than does the
5 benchmark -- than the benchmark plan, even
6 though the benchmark plan is the one that the
7 precincts were actually drawn to implement.
8 For instance, the congressional plan has 1,339
9 VTD splits, and the proposed plan has 698.

10 We are going to -- over the coming weeks,
11 we are going to be continuing to try to hone
12 those districts and working with supervisors,
13 working with the House staff, coming close --
14 closer to closure on a recommendation for a
15 final Senate and congressional plan. We will
16 try to do even better than we have already.

17 SENATOR GAETZ: Thank you, Mr. Guthrie.

18 Senator Latvala.

19 SENATOR LATVALA: Thank you, Mr. Chairman.

20 First of all, I just want to commend you and
21 the staff for what I think is a very fine job
22 on both of these maps. Having done the job in
23 the past in the old way, I know how hard it has
24 been for you to do it the new way, and that is,
25 you know, trying very, very diligently to abide

1 by the law as well as the public testimony and
2 try to meld that all into one product. And I
3 think you have done a wonderful, wonderful job,
4 all of you.

5 I just have one issue that has been
6 brought to my attention by some of my
7 constituents. It involves a congressional map.
8 And, John, you may want to get the
9 congressional map up for the Tampa Bay area.

10 From the Mayor of St. Petersburg, right on
11 down the line, I have heard from a number of
12 folks in St. Petersburg their concerns about
13 the new alignment of Congressional District 11,
14 and that is a district that is based very --
15 primarily in the City of Tampa, and has in the
16 past gone down along the coast and into
17 Bradenton and Palmetto, and then come back into
18 south St. Petersburg, and is one of the
19 districts that Senator -- that John Guthrie had
20 indicated that there was some concern that we
21 not retrogress in the ability to elect
22 minorities and candidates of their choice.

23 What the staff has done with this plan is
24 they have added a little twist over what the
25 district has been the last ten years, and that

1 is that they have gone across the Gandy Bridge,
2 which is that lower bridge, and that line that
3 goes directly south there adds about 60,000
4 people in the City of St. Petersburg to that
5 district, everybody east of Fourth Street. And
6 there is a lot of concern that what we have
7 effectively done is we have taken the
8 fourth-largest city in the state of Florida and
9 we've divided it in half, and we may have
10 impacted their ability as a city to elect
11 candidates of their choice, and we might not
12 have helped particularly the ability of the
13 people that have been in the Tenth
14 Congressional District for the last ten years
15 to elect a candidate of their choice. And I
16 would just be -- because, you know, I don't
17 live in St. Petersburg, but I represent St.
18 Petersburg, and I am very conscious of my
19 constituents' concerns that they have expressed
20 to me about -- about this particular change in
21 the map that we have made from what they are
22 used to over the last ten years, and I would
23 certainly hope that the staff, when we are
24 doing our next pass and the PCB, you know,
25 committee substitute if we do it, that that be

1 taken into consideration, or if it -- you know,
2 if you can't take it into consideration, let me
3 know, and I will prepare an amendment to do
4 that, but I feel like it is something we really
5 need to look at.

6 SENATOR GAETZ: Thank you, Senator
7 Latvala, and that is, I guess, a good point of
8 departure for me to share with the committee
9 members that as Mr. Guthrie has pointed out,
10 there are technical -- and I realize, Senator
11 Latvala, you are not talking about a technical
12 issue, you are talking about a substantive
13 issue, but there are various technical points
14 that have arisen as we have -- as we have
15 observed the -- all of the descriptions, the
16 narrative descriptions and the maps themselves,
17 and so there will be a Chairman's amendment to
18 deal with technical issues, and we may again,
19 if we can reach consensus on some of these
20 things -- and I realize consensus may be more
21 difficult to reach as we get into higher waves,
22 but if we can reach consensus on issues that
23 are material but noncontroversial, those --
24 those matters could as well be included in a
25 Chairman's amendment that the Committee can

1 consider when we meet again in January.

2 Other questions or comments? Leader Rich.

3 SENATOR RICH: Thank you, Mr. Chair. I
4 just have a couple of questions.

5 Mr. Guthrie, you said that -- we had a
6 conversation at different points about partisan
7 performance data, and you indicated that we
8 were not using that, if I recall correctly?

9 SENATOR GAETZ: Mr. Guthrie.

10 MR. GUTHRIE: Thank you, Mr. Chairman.
11 That is correct. The District Builder/District
12 Explorer applications do not have any voter
13 registration or election results data included
14 in them.

15 SENATOR RICH: Okay. So I guess my
16 question is, you mentioned that the
17 congressional maps were collaborated on by the
18 House and the Senate, and the House has
19 performance data. So I am wondering how it
20 could be, then, that our maps don't have some
21 kind of inclusion. Did they not discuss that?
22 Was that -- I mean, if the House is using that,
23 and we are not, it would appear to me that then
24 that would be a factor in the congressional
25 map.

1 SENATOR GAETZ: Mr. Guthrie, I would ask
2 you to comment in a moment, but Leader Rich,
3 you raise an excellent question. The House has
4 operated somewhat differently as to political
5 data. I can assure you that the House made
6 a -- provided us with one of their maps. I
7 think the House today actually is publishing
8 more than one congressional map. But the House
9 did, I think a couple of weeks ago, provide us
10 with a congressional map as sort of an
11 indication of where they were in their thinking
12 at that time. And one must agree with Leader
13 Rich, that they used all of the data at their
14 disposal in coming up with that map.

15 We did not follow that map. We used it,
16 we accepted it, we paid respectful deference to
17 our partners in the House, but then we went
18 forward and created our own congressional map.
19 And what will occur, I would suspect, is that
20 when the House settles on a congressional map
21 and if we settle on one today, that then our
22 presiding officers would direct us to negotiate
23 as to those two maps to come up with a unified
24 proposal, but I -- I would defer to Mr.
25 Guthrie, but I can tell you that regardless of

1 what inputs the House may have used to come up
2 with an early map that they shared with us,
3 that we did not -- we did not use their
4 political data and we did not use any political
5 data in coming up with our proposed
6 congressional map, which is markedly different
7 from the House's.

8 Mr. Guthrie, would you care to comment?

9 MR. GUTHRIE: I think you have stated
10 where we are perfectly right --

11 SENATOR GAETZ: In your conversations with
12 professional staff on the House side, did they
13 share with you political data that then you
14 used in the production of the congressional map
15 that is before us today?

16 MR. GUTHRIE: At the time they delivered
17 the map, they gave us a one-page spreadsheet
18 which included the registration of Hispanic
19 voters, so Hispanic registered voter
20 information, but that is the only data relating
21 to registration or elections that we have ever
22 received from the House relative to a map.

23 SENATOR GAETZ: Thank you.

24 Leader Rich, did you wish to continue,
25 ma'am?

1 SENATOR RICH: Yes, I just -- thank you,
2 Mr. Chair. I guess I just find it hard -- if
3 people are sitting down together and
4 collaborating, the word was "collaboration"
5 that was used, that all the data that was there
6 on both sides would not have been part of a
7 conversation or a collaboration. So, I mean,
8 that is -- would just be a -- I think it is
9 kind of strange.

10 But let me just follow up with -- Mr.
11 Bardos, at one point, you know, had talked
12 about a functional analysis, I believe, and I
13 would like to just go back to that and ask --
14 because I am still trying to understand how you
15 can draw these maps without having any kind of
16 partisan data, and it appears to be from some
17 of these districts that there was partisan
18 data, but how can you do this? How can you do
19 a functional analysis of a district without --
20 without having partisan data?

21 SENATOR GAETZ: Mr. Bardos.

22 MR. BARDOS: Yes, sir. Yes, functionality
23 does not relate -- doesn't relate to politics.
24 Functionality relates to things such as common
25 interests that we heard about at the public

1 hearings, what sort of economic interests
2 people share, where they -- where they go to
3 school, where they work. Functionality as it
4 has been applied in other states relating to
5 compactness has not been a partisan measure at
6 all.

7 SENATOR GAETZ: Leader Rich, did you wish
8 to continue, ma'am?

9 SENATOR RICH: No, I just have one other
10 -- if you don't mind --

11 SENATOR GAETZ: Of course, ma'am.

12 SENATOR RICH: -- one other question about
13 this. I know that, you know, Mr. Guthrie and
14 others came around and took data information
15 from Senators, I don't know about staff
16 members, but certainly Senators about their
17 districts. So, again, I am trying to get at
18 this issue of partisan performance, because if
19 -- if Senators, you know, commented about what
20 they liked about their district or they didn't,
21 I mean, would not -- I am asking you, I guess,
22 Mr. Guthrie, you know, would not it appear to
23 you that Senators know how their districts
24 perform, and if they had a choice of what to
25 suggest to put in their district, they would

1 put something that an area where they -- that
2 they knew voted for them the last time versus
3 an area that they knew they didn't carry the
4 last time?

5 SENATOR GAETZ: Well, Mr. Guthrie, be
6 prepared to respond, but let me as well
7 respond. We gave an open invitation to any
8 Senators to have access to professional
9 committee staff and to discuss with us how
10 individual Senators felt we could be most
11 faithful to Amendments 5 and 6 and to sound
12 redistricting principles. Every one of the
13 conversations that was held to which I was a
14 party was preceded by sending an e-mail, and
15 that e-mail -- you received one, Senator Rich,
16 in the conversation we had with you. That
17 e-mail stated that our conversations would be
18 governed by strict adherence to no discussion
19 of partisan advantage for any political party
20 and no discussion of any partisan advantage for
21 any incumbent. And at the beginning of the
22 conversations that we held with Democratic
23 Senators and Republican Senators, when we were
24 asking them as individuals who live in these
25 areas and who understand the areas, all of the

1 conversations were preceded by my stating,
2 "Now, you realize we will not be discussing any
3 partisan advantage or any partisan data, any
4 political data, we are not going to be
5 discussing what is good or bad for any
6 incumbent or any challenger," and I would say,
7 Leader Rich, that the members of your caucus
8 were faithful to that admonition, and I would
9 tell Leader Gardiner that the members of his
10 caucus were faithful to that admonition, and
11 every member of this Committee who consulted
12 with professional staff when I was part of the
13 conversation handled themselves very, very well
14 and very professionally and ethically.

15 Now, your question is, do incumbent
16 Senators and do potential challengers have some
17 idea of the areas in which they are running,
18 and do they -- do they have a political
19 grounding? I am sure they do. But did we
20 allow that kind of discussion to be part of any
21 influencing of the drawing of these maps? I
22 would assure you, Leader Rich, and I would give
23 you my word that that was not the case for
24 members of your caucus or members of Leader
25 Gardiner's caucus.

1 But, Mr. Guthrie, I would like to ask if
2 you would respond since you also, and Mr.
3 Bardos, had conversations with Senators when I
4 was not there. And would you give Leader Rich
5 whatever reassurances you believe the facts
6 would sustain?

7 MR. GUTHRIE: Thank you, Mr. Chairman, and
8 what I can assure the Minority Leader, Senator
9 Rich, and I have reassured you time and time
10 again, because you have asked me time and time
11 again, the same rules of engagement applied to
12 the conversations we had at times when you were
13 not present that applied when you were present.
14 So -- so the rule was that no consideration of
15 incumbency or partisan advantage went into how
16 I drew the lines that go into these maps.

17 SENATOR THRASHER: Mr. Chairman?

18 SENATOR GAETZ: Thank you, Mr. Guthrie.
19 Leader Rich still has the floor, if you would
20 like to follow up, ma'am.

21 SENATOR RICH: That is okay. Thank you.

22 SENATOR GAETZ: Thank you. Speaker
23 Thrasher.

24 SENATOR THRASHER: Well, Mr. Chairman, and
25 I direct this somewhat to the Leader, I am

1 sure -- I hope I didn't hear you correctly,
2 Leader, to suggest that in respect to the
3 collaboration issue, that our staff was in any
4 way misrepresenting anything that they have
5 told this Committee. I have the greatest
6 respect for our staff, and I think there is
7 absolutely no evidence that they have indicated
8 that anything they have done was based upon
9 partisan considerations or input from members
10 about partisan considerations.

11 I can tell you from my perspective, I have
12 had one meeting with them, and it was strictly
13 to understand the process and where we were
14 going. And I just hope that that is not what
15 you were suggesting.

16 SENATOR GAETZ: Leader Rich.

17 SENATOR RICH: Thank you, Mr. Chair. That
18 certainly was not what I was suggesting, but I
19 felt the question needed to be asked. When you
20 say you collaborate with somebody on a map, the
21 House and Senate staff together, and one uses
22 partisan performance data, and one doesn't, the
23 question obviously has to be asked, did that
24 factor into the conversation that was had. So
25 that is why the question was asked. Thank you.

1 SENATOR GAETZ: And, Leader Rich, I think
2 your question was entirely appropriate, and I
3 apologize to you if we did not properly define
4 "collaborate." "Collaborate" did not mean that
5 the two staffs sat down together to draw a map.
6 Instead, it meant that our partners in the
7 House had their professional staff deliver an
8 early rendition of a House congressional map to
9 us, together with a -- the single sheet of
10 paper that Mr. Guthrie described, and then, you
11 know, bearing in mind the information that we
12 received from the House, which was their
13 proffered early rendition of a map, our
14 professional staff proceeded to draw a map that
15 was markedly different and relied on no data,
16 partisan or otherwise, furnished by the House
17 of Representatives, and we want to be very,
18 very clear about that for the record.

19 Other comments or questions? Senator
20 Negron.

21 SENATOR NEGRON: Mr. Chairman, just so
22 that our record is clear, I understood Mr.
23 Guthrie specifically to testify and to state to
24 us today that in his discussions with the
25 House, and when they delivered a proposed map

1 that they were looking at for Congress, that he
2 did not receive any data whatsoever from the
3 House about party registration in any
4 particular communities about incumbency or
5 anything else. The only thing that he -- the
6 only document he received from the House was a
7 one-page document that set out percentage of
8 Hispanics in a district, which is already
9 available in the Senate materials. So I just
10 want to make sure that that point is clear,
11 that there is not confusion about what the
12 House provided. They provided us with
13 information we already have about the
14 percentage of Hispanics in a particular
15 community so that we followed 5 and 6 and
16 protected the rights of minorities, and he's
17 been -- he's clearly stated, and he can correct
18 me if I misstate it, that he didn't receive
19 other data.

20 So to create an inference that somehow
21 because staff is working together, that
22 everything staff A knows, staff B, that is
23 guilt by association, that is unfair to our
24 professional staff to imply something, well, I
25 don't know how we could collaborate, we didn't

1 know everything. Well, people can work
2 together in a collegial manner and have
3 separate information and separate databases,
4 and unless there's proof that our Senate staff
5 looked at partisan performance or looked at
6 incumbency, then the burden of proof is on the
7 person making that allegation, and if that -- I
8 don't think this should be left out in the air,
9 because that is how -- that is how reputations
10 are tarnished and that is how things that
11 aren't true are made to appear to be true.

12 The truth is they got information from the
13 House on Hispanic numbers. That's what our
14 staff director testified, and until somebody
15 has evidence of something else, that is what I
16 am going to rely on.

17 SENATOR GAETZ: Other comments or
18 questions? Yes, Senator Braynon, and then --
19 I'm sorry, Mr. Guthrie, did you wish to be
20 recognized before we go to Senator Braynon?

21 MR. GUTHRIE: Just for one tiny bit of
22 clarification.

23 SENATOR GAETZ: Of course.

24 MR. GUTHRIE: There was a little -- the
25 data that we got from the House did include a

1 Hispanic registered voter counts, which is data
2 that we do not have as part of our
3 redistricting system. So we are looking at the
4 population and the voting age population. They
5 gave us in addition to that the counts of
6 registered voters broken down by Hispanic
7 persons.

8 SENATOR GAETZ: Thank you for that.

9 Senator Braynon. Senator Braynon, you are
10 recognized, sir.

11 SENATOR BRAYNON: Thank you. On the same
12 -- along the same lines -- maybe I need to ask
13 this question first: In the past when we
14 talked about minority districts and how their
15 performance is done, or in the past with
16 redistricting or even traditionally in
17 redistricting, what information is
18 traditionally used to figure out the
19 performance of a minority district in
20 traditional redistricting?

21 SENATOR GAETZ: Mr. Guthrie.

22 MR. GUTHRIE: That gets to a very
23 technical discussion. Voting age population is
24 one of the factors that is typically used to
25 gauge opportunities for minorities to elect

1 candidates of their own choosing, but in voting
2 rights litigation, you typically have expert
3 witnesses who are engaging in voting right
4 analyses and looking at homogenous precincts
5 and ecological regressions and making
6 inferences from voting behaviors as well, or in
7 addition to just using the voting age
8 population. Those additional levels of
9 analyses are not anything that we have done to
10 this point in time.

11 SENATOR GAETZ: Senator Braynon.

12 SENATOR BRAYNON: Just to clarify, so we
13 only use voting age population only to create
14 our seats -- or this map, excuse me?

15 SENATOR GAETZ: Mr. Guthrie.

16 MR. GUTHRIE: The data we used are the
17 data that came from the United States Census,
18 which includes, yes, the voting age population,
19 the total population. We have not factored
20 into the building of districts or our analysis
21 of districts to this point any kind of analyses
22 based on registered voters or election results.

23 SENATOR GAETZ: Senator Braynon.

24 SENATOR BRAYNON: We've spoke a few times,
25 and we've used the word "performance" in a

1 district. So when we use the word
2 "performance," we're not actually talking about
3 performance, we're talking about only the
4 actual population?

5 SENATOR GAETZ: Mr. Guthrie.

6 MR. GUTHRIE: If I have used the word
7 "performance," it's -- I have been guilty of
8 being less exact than I like to be. I use the
9 word "opportunity" a lot, and that is based on
10 just a -- the fact that we have significant
11 numbers of persons who happen to live in
12 neighborhoods where you have a large number of
13 minority persons living. That -- shorthand for
14 that is "minority opportunity," and I have used
15 that term. I really am not qualified at this
16 point in time to talk about whether a district
17 is going to perform or not perform in terms of
18 who -- who will be elected, because I have not
19 conducted those analyses.

20 SENATOR GAETZ: Senator Braynon.

21 SENATOR BRAYNON: So I guess then that
22 leads to the question of, well, how do we know
23 that this district will elect a minority? I
24 mean, are we only using -- and let me not
25 answer the question for you. Go ahead.

1 SENATOR GAETZ: Please, Mr. Guthrie, and
2 Counselor, if you wish to chime in, too.

3 MR. BARDOS: Sure. I think an important
4 point to be made is that, in general, where we
5 have had districts with the ability to -- that
6 have shown that they have the ability to elect
7 minority preferred candidates, we've generally
8 preserved the core of the existing district, we
9 have not made substantial changes to those.
10 And so we have ten years of election results in
11 a sense that we know who won those elections.
12 So we know that in the existing district, a
13 certain person was elected, or that that person
14 was the candidate of choice of the minority
15 groups. And so the fact that those districts
16 are not undergoing great change gives us a
17 pretty good level of assurance that those
18 districts will continue to perform for minority
19 voters.

20 SENATOR GAETZ: Senator Braynon, did you
21 wish to follow up, sir?

22 SENATOR BRAYNON: Yes. That kind of
23 confused me, because -- and maybe I
24 misunderstood, so maybe you can clarify for me.
25 But you said that by using the performance in

1 the past ten years which led to the person in
2 the seat, which is the incumbent, then we know
3 that that seat would perform for a minority.
4 It sounds like we just crossed -- I mean, how
5 does that not violate the things that we have
6 been saying that we are not trying to violate?

7 MR. BARDOS: Right, we don't have that
8 data in the system, we don't have that
9 information there, but we know how the
10 districts -- whether minorities in those
11 districts have been able to elect the
12 candidates of their choice just by common
13 knowledge. That is something that is not in
14 the redistricting application. And so because
15 we have preserved the cores of those district
16 -- districts, because there is a certain
17 continuity there, it gives us a level of
18 assurance that the Tier 1 requirements have
19 been satisfied.

20 SENATOR GAETZ: Other comments?

21 SENATOR BRAYNON: Mr. Chair, I am going to
22 allow other people to speak, because I've got a
23 lot more questions, because it was on another
24 subject, but I just heard them talking about
25 that one, so I will --

1 SENATOR GAETZ: If you have a follow-up on
2 this matter, Senator Braynon --

3 SENATOR BRAYNON: Keep going.

4 SENATOR GAETZ: Otherwise, we will go to
5 Senator Storms and then come back to you if you
6 have a different question.

7 SENATOR BRAYNON: I have a -- I don't know
8 if anybody wants to talk about this topic, but
9 I wanted to go to another topic, which was
10 counties.

11 SENATOR GAETZ: Would you allow Senator --
12 I promise we will come back to you. Senator
13 Storms, you are recognized.

14 SENATOR STORMS: Thank you, Mr. Chair. I
15 just have a couple of observations that I don't
16 know if it is helpful to stay on the record or
17 not, and forgive me if it is not helpful, and
18 yea for me if it is helpful, or yea for the
19 record, whichever.

20 But, you know, when staff came and talked
21 to me -- the first time I think, Mr. Guthrie,
22 when you came to talk to me about the bill,
23 about proposed maps and what would be helpful,
24 I don't know if I was very helpful to you or
25 not. I think I recall saying to you, you know,

1 I am trying to do what is best for the
2 community. And at that time, it was just you,
3 I think Jay was there at the time and maybe one
4 other person was with you, I think there were
5 maybe three people in the room, so I hope that
6 everybody has the same recollection, but I
7 don't think that, for instance, I gave you any
8 direction on party affiliation or anything. I
9 think at that time I said, "I just want what is
10 best -- what is in the best interest for my
11 district historically, and I want to make sure
12 that the communities that are together continue
13 in those same -- continue in those same
14 districts."

15 I think some of the ideas that you were
16 showing divided up Hillsborough County four
17 different ways or had a finger coming down
18 I-75, and one of the ways to protect the
19 minority population was to come down I-75 and
20 to swing down 674 in some like little balloon
21 and balloon out (inaudible), and I was like I
22 don't think that is defensible from -- from a
23 legal perspective. So I just, you know, wanted
24 to say that in the follow-up meeting that when
25 you came back to talk to me, we talked about

1 the two minority -- the two competing minority
2 districts, and at that time, Senator Gaetz was
3 on the phone with me, and I said, "So as I
4 understand it, my district is being compressed
5 by the minority access seat to my -- to my east
6 and then the minority access seat to the west,"
7 the newly-created minority access seat being
8 the one to the east, the Hispanic minority
9 access seat. And so because of that, since my
10 population, since my district had to lose, I
11 was -- and because there were these two
12 competing -- not competing, but compressing
13 minority access seats, I was given a couple of
14 places to lose from. I had to lose Pasco
15 County, I had to lose from somewhere, I lost
16 Polk County, and then I was given the choice to
17 lose more from the southern part of the
18 district or more from the eastern part of the
19 district. And as you know, I mean, I was not
20 happy about for -- on behalf of my
21 constituents, losing, although for me
22 personally, and I think I said this on the
23 record, that either one of the seats, I
24 think -- you know, call me arrogant, call me
25 overconfident or call me foolish, I thought if

1 I ran in any one of those seats, I would be
2 okay, so it is not a personal issue to me. I
3 am not saying, okay, this one and not that one,
4 because I felt like anyplace in Hillsborough
5 County, if I ran as a candidate, you know, I
6 think that I could give it a good shot.

7 So instead I made the argument based on
8 what was in the best interest of that
9 community. And if a community had a whole
10 city, and in that case it was Plant City, the
11 City of Plant City, it was in the best interest
12 of that city to be in there whole as a city,
13 whereas the unincorporated part of the county
14 didn't have a city available to it, and so it
15 seemed to me that it was in that unincorporated
16 part's best interest to stay with the
17 unincorporated part. To me, that argues for 5
18 and 6, and not against 5 and 6.

19 So for the benefit of the Leader, I am
20 just trying to give you a perspective of how I
21 made my analysis. When staff came to me, I
22 certainly never said anything about -- about
23 party affiliation or what was in the best
24 interest, and I think that probably everybody
25 did that. Staff never at anytime said to me,

1 "Hey, stop that, you can't talk like that," and
2 said, "You know, you are straying off the
3 record." So I just -- I think it is all
4 helpful for people on the record to hear that.

5 Now, having said that, Mr. Chair, if there
6 is any way from a technical modification, if
7 there is any way for all of my communities to
8 still be in my district, or to still be in
9 Hillsborough County, I would like that too so
10 nobody has their feelings hurt. So there you
11 go.

12 SENATOR GAETZ: I think that may fall
13 outside the term "technical modification."

14 Senator Siplin, you are up next.

15 SENATOR SIPLIN: Thank you, Mr. Chair,
16 and, you know, I think it is incumbent upon the
17 staff in compliance with Amendments 5 and 6 to
18 make sure that there is no diminution of black
19 or racial minority's or language minority's
20 seats, that you must consider some aspect of
21 those -- those characteristics.

22 So my question is, what did you consider
23 in order to make sure that you didn't diminish
24 African-American votes or Hispanic votes --

25 SENATOR GAETZ: Mr. Guthrie.

1 SENATOR SIPLIN: -- or the population in
2 terms of those seats?

3 MR. GUTHRIE: Yes, in terms -- in terms of
4 diminishment, we were looking at the voting age
5 population, black and Hispanic.

6 SENATOR SIPLIN: Mr. Chair?

7 SENATOR GAETZ: Yes, sir.

8 SENATOR SIPLIN: And, sir, when you -- who
9 devised this District Builder?

10 MR. GUTHRIE: That was developed by Senate
11 Reapportionment Committee staff.

12 SENATOR SIPLIN: Okay. Did y'all require
13 or request any information about voting --
14 votes or performance in the devising of this
15 District Builder?

16 MR. GUTHRIE: Because -- Mr. Chairman?

17 SENATOR GAETZ: Of course.

18 MR. GUTHRIE: Because the software was
19 developed internally, we could -- we decided
20 what to include and what to not include in the
21 software, and consulting with leadership, we
22 determined not to include any registration or
23 election results information in District
24 Builder or District Explorer.

25 SENATOR SIPLIN: So there's no numbers

1 about the election returns and performance or
2 anything like that in the District Builder?

3 MR. GUTHRIE: There is none.

4 SENATOR GAETZ: Senator Hays.

5 SENATOR HAYS: Thank you, Mr. Chairman.

6 My experience was somewhat like that of
7 Senator Thrasher. When professional staff came
8 to visit with me, it was early, early, early in
9 the process. They simply explained to me how
10 to get onto District Builder -- I mean, this
11 was before District Builder was even up and
12 running, or it was right as it came up to run,
13 and -- and that is the last time I had a
14 conversation with them about my district and
15 its boundaries, et cetera.

16 Now, I recognize the fact that since my
17 district currently has the greatest population
18 of any Senate district in the state, 576,000
19 people, I am going to have to divest myself of
20 106,000 very good constituents. And -- and if
21 you -- John, if you could put that map -- the
22 new -- the proposed map for Senate District 20
23 up there, I would like to point out a few
24 things that will verify that we had no
25 conversations about political affiliation or

1 voting records or anything of the sort.

2 In -- in that district right there, you
3 can see it has a very small part of the
4 northern third of Lake County, a smidgen of
5 Sumter County, and then we go all the way up
6 there to include the eastern two-thirds of
7 Marion County. I probably know two dozen
8 people in Marion County. I have no idea
9 whether they are Republican, Democrat or
10 what-not. In Putnam County, I can give you the
11 name of one person that I know in Putnam
12 County, and the entire county almost is
13 included in my district.

14 So there was nothing that this
15 professional staff did that they got input from
16 me, anyhow, relating to political affiliation
17 or personal affiliation or anything of the
18 sort. That was just purely a numerical
19 district that fell out into my lap.

20 SENATOR GAETZ: Thank you, Senator Hays.
21 Senator Braynon.

22 SENATOR BRAYNON: I guess we are moving to
23 some new things, so I'm --

24 SENATOR GAETZ: Of course, sir, you are
25 recognized.

1 SENATOR BRAYNON: Okay. If you could go
2 to -- I guess let's just pick Orange County for
3 an -- as an example. It has, I think, six --
4 is it six Senate seats in Orange County? And
5 is that -- and my question is, because I know
6 one of the things we tried to stick to was
7 staying with counties and making sure that some
8 counties would remain whole and cities, and I
9 was just wondering how we got six Senate seats
10 in Orange -- it is about six, am I wrong?

11 MR. GUTHRIE: It is six, that is correct.

12 SENATOR BRAYNON: How we got six in there.
13 And there's other examples similar to that, but
14 I assume we used some logic to get to that, or
15 there was some reason how we got to that, and I
16 guess I am asking how we got to that.

17 SENATOR GAETZ: Well, Senator Braynon, I
18 asked Mr. Guthrie to give you specifics. You
19 can start with the fact that there are too many
20 people in Orange County for one Senate
21 district. You can start with that. And Mr.
22 Guthrie can, if you would like, give you the
23 population of Orange County.

24 The second consideration is that we were
25 following the Unanimous Consent Agreement of

1 this Committee to establish a Hispanic Senate
2 district in that county in response to the
3 overwhelming amount of testimony that we have
4 received.

5 Third, we have a minority district, a
6 preexisting minority district, which, you know,
7 those who were here at the time can correct me,
8 but I understand the courts had a good bit to
9 do with ordering, that also invades Orange
10 County.

11 So those are three reasons why Orange
12 County couldn't just be neatly considered as
13 one Senate district.

14 Mr. Guthrie.

15 MR. GUTHRIE: Yes, I think it is fair to
16 say that it -- what you have in Orange County
17 is partially a result of what is going on with
18 the districts to the north, partially a result
19 of what is going on to the district -- with the
20 districts to the south and partially as a
21 result of what is going on with districts to
22 the west, as well as the fact that we have not
23 one, but two minority districts in the Orange
24 County area, the existing black opportunity
25 district, Senate District 19, plus the new

1 Hispanic opportunity district, District 24.

2 So with redistricting, we work from every
3 direction, and it just turned out that even
4 though one of our objectives was following
5 county boundaries and avoiding splits of
6 counties, that Orange County ended up with six
7 Senate districts.

8 SENATOR BRAYNON: I guess a follow-up.

9 SENATOR GAETZ: Of course, Senator
10 Braynon.

11 SENATOR BRAYNON: The -- so when we are
12 protect -- and I know we went over this, but I
13 just want to clarify, because I didn't know we
14 would go to -- it would get exactly like this,
15 but are we saying that because of minority
16 districts, we can maybe slip into what could be
17 considered gerrymandering? Because --

18 SENATOR GAETZ: Well, Senator Braynon, I
19 think the word "gerrymander," if we struck it
20 from the language, there would be a lot of
21 people who couldn't talk about this issue. It
22 is -- it is a verb and a noun which has been
23 abused a great deal. I think the answer to
24 that question is no. You know, one person's
25 gerrymander is the next person's court-ordered

1 district.

2 SENATOR BRAYNON: I guess that is my
3 question then, that is the answer to my
4 question, is the court ordered -- because I
5 heard an hour of -- however long of people
6 saying that we gerrymandered districts already
7 and on the things being read --

8 SENATOR GAETZ: Well, "gerrymander" may be
9 a synonym for "I didn't get what I wanted."

10 SENATOR BRAYNON: Okay. And the next
11 question I will ask is, did we use also -- did
12 we use -- what was -- there was a term that was
13 used, "areas of interest" or "communities of
14 interest" or something. Did we use those in
15 making these maps at all?

16 SENATOR GAETZ: Mr. Guthrie.

17 MR. GUTHRIE: The principal considerations
18 that went into drawing these maps was -- as I
19 stated earlier, was number one, following
20 federal and state law; number two, paying
21 attention to what we heard listening to voters
22 and constituents all over the state; and number
23 three, taking the direction that we got from
24 this Committee, mostly in the meetings that you
25 have had during the interim.

1 So those were the principal factors that
2 went into me and my staff sitting down and
3 saying, "Okay, we've gotten all of this input.
4 Now how do we start drawing lines on the page?"
5 And the truth is we -- we didn't start in
6 Pensacola and work our way down to Key West, we
7 didn't start in Key West and work our way to
8 Pensacola. We started at all of the various
9 corners of the state and kind of worked our way
10 toward the middle, and in this case, it looks
11 like the middle might have been Orange County.

12 SENATOR GAETZ: Senator -- I'm sorry,
13 Senator Braynon, did you wish to follow up?

14 SENATOR BRAYNON: So I guess the answer is
15 you didn't use areas -- because, I mean, people
16 mentioned it a million times in our committee.

17 SENATOR GAETZ: Well, Senator Braynon, I
18 would just say this: "Communities of interest"
19 is also a term that has come to mean many
20 things.

21 SENATOR BRAYNON: Like "gerrymandering."

22 SENATOR GAETZ: There are those who use
23 the term "communities of interest" to talk
24 about a community that may share the same
25 ethnic makeup or racial or Latin -- language

1 minority makeup. There are others who use the
2 term "community of interest" to discuss people
3 who may be retired and be living in high-rises
4 and appear to some folks to have the same kind
5 of interests perhaps economically or
6 culturally.

7 So I -- it would be hard to answer your
8 question without having every Senator here and
9 all of those who testified using the term
10 "communities of interest," and I grant you, it
11 was used a great deal. At one hearing, I
12 counted it being used over a hundred times. I
13 don't know what everyone meant by that, but I
14 can tell you that we followed the unanimous
15 consent direction that was articulated by
16 Speaker Thrasher in giving direction to our
17 committee staff, and I believe our staff has
18 been faithful to that.

19 Now, will you find that there are
20 circumstances where it seemed logical after you
21 had used all of the legal requirements and then
22 you are down to -- and you divide it by all
23 those legal requirements, and then you are down
24 to the question, well, is there any -- is there
25 any kind of common threads that define this

1 particular set of neighborhoods as opposed to
2 dividing them or trisecting them or bisecting
3 them. And we listened to local officials, we
4 listened to people who live in those
5 neighborhoods give us their input. Now, if you
6 want to call that "communities of interest,"
7 you may, but I think it is a term that came to
8 many things to different people.

9 Senator Lynn.

10 SENATOR LYNN: Thank you, Mr. Chairman.

11 If we could get to the congressional
12 districts, a number of the comments spoke to
13 the congressional district that we have heard
14 so many things about over the years that starts
15 in Duval County, I believe, and then sort of
16 snakes its way down. I guess it ends maybe in
17 Volusia, I can't really tell. Where does it
18 come down to?

19 MR. GUTHRIE: The southern boundary of
20 that district is in Orange County in the City
21 of Orlando.

22 SENATOR LYNN: And I guess -- I know it is
23 a minority district and certainly attempts to
24 maintain that, and I was wondering if there was
25 no other way to expand it to the east and west

1 in some way to still maintain it in a more
2 compact way?

3 SENATOR GAETZ: Mr. Guthrie.

4 MR. GUTHRIE: Among the proposals that --
5 the 157 maps that were submitted to the
6 Committee was one by Reverend Spooney, which
7 had an orientation of a Jacksonville district
8 heading west through Baker, Columbia, I believe
9 it included parts of Union and Bradford,
10 Hamilton, Madison, Jefferson, Leon, Gadsden,
11 and in fact all of the way over to Jackson
12 County, and that came up slightly over
13 40 percent African-American voting age
14 population.

15 I am not aware of any proposals -- the
16 NAACP submitted a map similar to what you see
17 the orientation here is of this proposed
18 Congressional District 3 extending from Duval
19 to Orange County. It was almost 50 percent
20 African-American VAP. I am not aware of any
21 proposals that were at or near 50 percent
22 African-American voting age population that did
23 not include both Jacksonville and Orlando for
24 the northeast central Florida area.

25 SENATOR GAETZ: Senator Lynn.

1 SENATOR LYNN: Thank you. I understand
2 the Jacksonville. I guess it is a 50 percent,
3 is that what you are saying, minority is
4 50 percent?

5 MR. GUTHRIE: Right about, yes, I don't
6 know --

7 SENATOR LYNN: Because I was looking and
8 asking about it being more than 50 percent
9 without going way down as far as it has gone,
10 that is the one that we have had so much
11 criticism about, and I guess -- I mean, if
12 there was no other way to do it, perhaps -- but
13 it seems to me that there are other minority
14 areas that would perhaps make that even a
15 larger minority district that would not have to
16 come down as far. Or go up as far, I mean, I
17 guess it could go either way.

18 SENATOR GAETZ: Mr. Guthrie, any comment?

19 MR. GUTHRIE: All I can say is that I and
20 your professional staff have looked at those
21 scenarios, we have not found a way to do it
22 that does not involve both Orlando and
23 Jacksonville and gets close to or exceeds
24 50 percent.

25 SENATOR LYNN: Thank you.

1 SENATOR GAETZ: Senator Joyner.

2 SENATOR JOYNER: I guess it relates to
3 that, because my question to you is going to
4 be, what is the rationale for creating a
5 minority district in excess of 50 percent, I
6 mean, if -- if there is a possibility that we
7 would violate the criteria to stand within 5
8 and 5?

9 A VOICE: I am chairing for a moment.

10 MR. GUTHRIE: Thank you, Madam Chairman.

11 The current Congressional District 3 has a
12 black voting age population of 49.9 percent.
13 Consistent with what we heard from the
14 Committee and consistent with reading the
15 provisions of Sections 20 and 21 of Article III
16 of the Florida Constitution, our aim was not to
17 diminish minority opportunities in those
18 districts, so it was at 49.9 percent in the
19 proposed plan, it is at 50.0 percent.

20 SENATOR JOYNER: Follow-up, Madam Chair.
21 And I did say "minority districts." I was not
22 speaking specifically to 3. There are other
23 minority districts where the numbers exceed --
24 at 50 or more. And then there are minority
25 districts like mine that are in the 30s.

1 So I just want to know why is it necessary
2 in the creation of the minority districts that
3 some have to be at 50? Are you saying that if
4 it was at 49 or 50 for the last ten years, that
5 it's got to continue to be 49 or 50 in order
6 for the minority persons who live in that
7 district to elect a person of their choice?

8 MR. GUTHRIE: Perhaps Mr. Bardos will want
9 to comment on this, but what I can say is that
10 our aim in drawing these districts was not to
11 dismantle existing opportunities for
12 minorities. Our aim was not to dismantle those
13 communities.

14 MR. BARDOS: And I think there is no --
15 there is no single number. I don't think that
16 we can say that not diminishing the ability to
17 elect means 30 percent or 35 percent or
18 50 percent. So there is no single number.

19 I think that the -- the word "diminish" is
20 a relative term. It relates to what was there
21 in the past plan that is consistent with the
22 way that the Department of Justice has
23 interpreted Section 5. We don't know how the
24 Florida Supreme Court will interpret our
25 Amendments 5 and 6, but we thought that the

1 safest course was not to make these districts
2 less likely to elect minority preferred
3 candidates, and so that is why you see some of
4 the districts that you do.

5 I think it is also important to make the
6 point that just as we got the instruction that
7 consistent with Amendments 5 and 6, the
8 preservation of minority voting strength is a
9 principle to be followed, we also received
10 instruction that we should take into account in
11 doing that, traditional redistricting
12 principles. And I think if you look at some of
13 the socioeconomic data that Mr. Guthrie
14 referred to at the beginning of our
15 presentation, you will find that the districts
16 are bound together by more than just race, and
17 that race was not the predominant factor in
18 this, and that -- and that that's consistent
19 with the Equal Protection Clause of the U.S.
20 Constitution.

21 SENATOR GAETZ: Other comments, or other
22 questions?

23 SENATOR JOYNER: Mr. Chair?

24 SENATOR GAETZ: Yes, Senator Joyner.

25 SENATOR JOYNER: As it relates to packing

1 then, doesn't -- I am trying -- it appears that
2 if you exceed the 50 -- I mean, 50 percent
3 black voting population, voting age population,
4 you can assume that they can -- that district
5 can elect a person of their choice. But it
6 appears to me that at some point it gets where
7 you don't need 50 -- 60 percent, 70 percent
8 if -- because, hey, 70, and that only levers
9 30 percent out there, and you've got the
10 performance and they have always elected
11 someone, why -- I still am on this -- I can't
12 understand why is it that we are fixed at
13 maintaining the number where it was when in
14 fact we have minority districts like mine that
15 don't have these 50 and over numbers that
16 people elect people of their choice. So do you
17 consider the minority districts in the map
18 that -- in the maps that we have seen, are they
19 unnecessarily packed with minorities where the
20 number is very high?

21 SENATOR GAETZ: Well, why don't we do a
22 little fact-checking here just to get ourselves
23 back onto reality. Facts are stubborn things.
24 Are there any African-American districts with
25 70 percent?

1 MR. GUTHRIE: No.

2 SENATOR GAETZ: How about 60 percent?

3 MR. GUTHRIE: No.

4 SENATOR GAETZ: Thank you. That --
5 perhaps those facts will help.

6 Senator Siplin.

7 SENATOR SIPLIN: Yes, thank you,
8 Mr. Chair, and I saw on the calendar events for
9 January and February, we had a time period for
10 the Supreme Court to rule on the maps, is that
11 correct?

12 SENATOR GAETZ: Mr. Guthrie.

13 MR. GUTHRIE: That is correct. The joint
14 resolution of apportionment for legislative
15 districts will be reviewed by the Florida
16 Supreme Court after adoption by the
17 Legislature.

18 SENATOR SIPLIN: And is this the first
19 time the Supreme Court will review it, or did
20 they review it in 2000?

21 MR. GUTHRIE: That has been a provision of
22 the Florida Constitution since 1968.

23 SENATOR SIPLIN: So did the Supreme Court
24 review the seven black Senate seats and the
25 three Hispanic Senate seats in 2000?

1 MR. GUTHRIE: The current Senate districts
2 and House districts were reviewed and validated
3 by the Florida Supreme Court.

4 SENATOR SIPLIN: Were they considered
5 packing?

6 SENATOR GAETZ: Mr. Guthrie.

7 MR. GUTHRIE: I --

8 SENATOR GAETZ: That calls for a legal
9 conclusion. Why don't we defer to counsel.

10 MR. BARDOS: Packing would be a claim
11 brought under Section 2. The Florida Supreme
12 Court declined to analyze Voting Rights Act
13 claims ten years ago, but we did not have any
14 packing challenges to our maps over the last
15 ten years, and certainly no successful ones.

16 SENATOR SIPLIN: That was my question.
17 Thank you, sir.

18 SENATOR GAETZ: Thank you, Senator Siplin.
19 Any other comments or questions?

20 SENATOR JOYNER: Mr. Chair, just for --

21 SENATOR GAETZ: Yes, Senator Joyner, of
22 course.

23 SENATOR JOYNER: I would like to know,
24 what are the numbers in Districts 40, 38 and 36
25 as --

1 SENATOR GAETZ: Could you articulate those
2 numbers one more time, ma'am? Forty what?

3 SENATOR JOYNER: Forty, 38 and 36. I
4 thought that I saw numbers in -- they are
5 Hispanic districts where the numbers exceeded
6 all 50 percent. And so since, you know, you
7 asked about 50 and you asked about 60 and 70, I
8 did talk about 50 also, so I would just like to
9 know if there are any in the 50s, because I
10 know I saw somewhere that there were districts
11 that exceeded --

12 SENATOR GAETZ: So is your question --
13 just so we can get your question down, is your
14 question, are there African-American seats that
15 approach 50 percent?

16 SENATOR JOYNER: No, minority seats,
17 African-American or Hispanic.

18 SENATOR GAETZ: Yes, and having lived in
19 Miami for ten years and owning a business there
20 for 20, I would defer to our other colleagues
21 from Miami-Dade, but I think it is a -- it is a
22 largely Hispanic community now, is it not? To
23 not have -- to not have districts with 60 or
24 70 percent Hispanic would require deportation,
25 would it not?

1 SENATOR DE LA PORTILLA: Mr. Chairman?

2 SENATOR GAETZ: Yes, Senator Diaz de la
3 Portilla.

4 SENATOR DE LA PORTILLA: If I may, I think
5 you are absolutely correct on that. It is
6 almost impossible to draw a district in
7 Miami-Dade County that isn't overwhelmingly
8 Hispanic.

9 SENATOR GAETZ: Other questions?

10 SENATOR JOYNER: One follow-up.

11 SENATOR GAETZ: Yes, Senator Joyner.

12 SENATOR JOYNER: Congressional district
13 that is presently occupied by Senator Frederica
14 Wilson, 17, what is the number there as it
15 relates --

16 SENATOR GAETZ: Congressional -- the
17 congressional district that Senator -- or that
18 Congresswoman Wilson has? What is the
19 African-American percentage in that district?

20 MR. GUTHRIE: The benchmark district that
21 was enacted in 2002, the current district, it
22 has a black voting age population of 57.7
23 percent. The district in the proposed
24 committee bill has a black voting age
25 population of 56.3 percent.

1 SENATOR GAETZ: So actually a reduction?

2 MR. GUTHRIE: Yes.

3 SENATOR GAETZ: Any other questions,
4 Senator Joyner? If not, by previous agreement,
5 the Majority Leader will close and then the
6 Minority Leader will close and then we will go
7 to the vote.

8 Mr. Majority Leader.

9 SENATOR GARDINER: Thank you,
10 Mr. Chairman, and members, I will be very
11 brief.

12 As I stated at the beginning, thank you,
13 Chairman, for your leadership on this. I have
14 often joked with you that you should get a
15 special plaque for perfect attendance at every
16 one of the public hearings around the state.
17 To those of you that weren't able to attend
18 every one of them, our Chairman took notes the
19 entire time, and I think that this product is
20 an example of listening to the voters and being
21 prepared.

22 What I would say to you, members, and to
23 the colleagues of our caucus and I would say to
24 the Minority Leader as well is I hope that we
25 will have a unanimous vote to move forward in

1 the presentation of a PCB, and here is why:
2 Even if there are issues in this particular
3 proposal that you may not necessarily agree
4 with, this gives us the opportunity to come
5 back with an actual bill, hear amendments, hear
6 public testimony and discuss further. To walk
7 away from the opportunity to -- just to present
8 the PCB says to all those individuals that came
9 before the hearings and said you are taking too
10 much time, you are not going to give the courts
11 the opportunity to review, I think that that
12 would be a complete tragedy, and I hope that
13 you will give us the opportunity to move
14 forward.

15 Members, we have all worked at unanimously
16 when issues have come forward, when we have
17 talked about minority access seats, when we
18 have talked about how we wanted these districts
19 to look, and each one of the issues that have
20 come forward, each one -- each time we have
21 come to some type of an agreement as a
22 committee. That is how the Senate works. And
23 I hope that you will move this bill forward.

24 And, again, thank you, Chairman, for your
25 leadership, and thank you, members, for your

1 participation with us.

2 SENATOR GAETZ: Thank you, Senator
3 Gardiner.

4 Senator Rich, our Minority Leader.

5 SENATOR RICH: Thank you, Mr. Chair, and
6 I, again, appreciate the way you have conducted
7 these meetings, and as I mentioned to you
8 before, we may not all come out on the same
9 side all the time, but I agree with Senator
10 Gardiner that we are a collegial body that does
11 try to work together.

12 However, I will say that I will be voting
13 against the map at this time, because I believe
14 that it does not comply with the specific
15 standards that are now in our Constitution as a
16 result of the vote of 63 percent of Florida's
17 voters. They told us that they did not like
18 the way we created the districts in the past,
19 and we were directed by them, I believe, to
20 make sure that we comported with these
21 standards that are in the Constitution, such
22 things and terms that have been probably
23 overused, but favoring or disfavoring
24 incumbents, political parties, gerrymandering,
25 compactness and so forth.

1 I think we were directed by them to allow
2 the voters to select their elected officials,
3 not the other way around, and, unfortunately, I
4 don't think we have made it to that standard.

5 I have to say that I do agree with a
6 recent comment that was attributed to Senator
7 Gaetz, actually in an *Orlando Sentinel* article.
8 He was referring to a former colleague, someone
9 that was in the -- in the State Senate ten
10 years ago when he said that he voted for one of
11 the most gerrymandered redistricting proposals
12 in state history ten years ago, and I totally
13 agree with that.

14 My problem is that these maps, I believe,
15 are tremendously familiar and similar to those
16 maps because we started out with the 2002 maps.
17 I think that the voters told us that they
18 wanted a clean slate, not a map making
19 adjustments to gerrymandered maps from ten
20 years ago.

21 I am just going to mention three specific
22 districts quickly that would, I think,
23 substantiate my point. District 14 I believe
24 now favors an incumbent by the addition of a --
25 of Clay County, which is a -- has a 90 percent

1 voter registration and is 54 percent
2 Republican, and it would pretty much determine
3 that Alachua County would probably not be able
4 to elect a Democrat in the next ten years. The
5 other one would be District 9, which I think,
6 if people look at the map, is clearly
7 gerrymandered. And then I come to the district
8 that I will no longer be representing, so I
9 feel comfortable stating this, because I am
10 speaking on behalf of constituents and people
11 in Broward County, that District 34, now
12 instead of being gerrymandered all the way down
13 to the southern tip of Broward County, will now
14 be gerrymandered all the way up to the northern
15 tip of Palm Beach County. And I think that no
16 one at the Broward hearings or the Palm Beach
17 hearings, to my knowledge, suggested or
18 requested that they be part of an
19 agricultural-based district in the western part
20 of Palm Beach County, and we, therefore, have
21 eliminated this idea of compactness, and when
22 you look at the cities within that district,
23 they are split, with the exception of two, and
24 then go all the way up, as I said, to the
25 northern end of Palm Beach County.

1 So we -- I believe that we have some
2 serious problems with the maps. The only look
3 -- districts that I believe really look
4 different are the ones where these seats are
5 termed out and where there is no incumbent. So
6 I believe that we need to do better than this
7 and to gain the confidence of the voters who
8 told us that they were not happy with the way
9 we did things in the past, and I believe that
10 we need to go back to work and to figure out a
11 way to do what the voters mandated us to do.

12 SENATOR GAETZ: Thank you very much,
13 Leader.

14 President Margolis.

15 SENATOR MARGOLIS: I had an amendment to
16 fix that Palm Beach issue, and I agreed with
17 the Minority Leader to wait until later on
18 to -- until the bill comes back to do something
19 about that amendment, and I continue to do
20 that, but I do have an amendment that will be
21 helpful to that Palm Beach/Broward issue.

22 SENATOR GAETZ: Thank you very much, Madam
23 President, and that is a -- I think a good
24 opportunity for us -- and I realize there's one
25 or two other people who wish now recognition.

1 I think it is a good opportunity for us to
2 point out that the PCB, which is being voted on
3 today, was open for amendment. We called for
4 amendments. We laid out an amendment deadline
5 and schedule. No amendments were filed, for
6 whatever reason. So if there is a better way
7 to do some of the things that were discussed
8 today, sadly, no one proposed that way thus
9 far.

10 And I would just mention, as the President
11 has, that January 11th will be the next meeting
12 of this Committee, at which time we suppose
13 that the President, President Haridopolos, and
14 Rules Chair Thrasher will have referred this
15 matter back to us for a final vote, and at that
16 time, amendments will also be in order. We
17 will follow an amendment deadline that this
18 Committee has agreed to unanimously, no
19 surprises, no midnight amendments, but, rather,
20 a 48-hour notice to Senators and the public so
21 that everyone will have an opportunity to see
22 President Margolis' amendment, if she files it,
23 or any other amendment fully debated, fully
24 vetted and its consequences for other districts
25 throughout the state.

1 Senator Negron wished recognition and then
2 Leader Gardiner and then we will be up on the
3 vote time.

4 Senator Negron.

5 SENATOR NEGRON: Thank you very much,
6 Mr. Chairman. Just in brief response to the
7 Minority Leader, whose views I respect and her
8 representing her point of view, but it is one
9 thing to make arguments, and it is another
10 thing to have facts to back up the argument.
11 And I just want to say I have not heard any
12 facts today from the Minority Leader or from
13 anyone else showing that Amendments 5 and 6
14 were not scrupulously followed, any evidence
15 that there were factors taken into
16 consideration that should not have been taken
17 into consideration. And to suggest that
18 somehow we are violating the Constitution
19 because of a county line that could be easily
20 fixed through an amendment, that is hardly
21 evidence of some endemic corruption in the
22 process, and just to make a wholesale statement
23 condemning something without having specific
24 facts to back it up, I just think that we
25 should look at what do the facts show. And the

1 facts show that this was done through hearings,
2 done through public testimony, done through
3 having our staff look at nothing except what
4 was following the law and what was in the best
5 interest of Florida. There has been no
6 evidence that our process has been tainted in
7 any way by political considerations. So I just
8 wanted to make that clear on the record.

9 SENATOR GAETZ: Thank you, Senator Negron.
10 Leader Gardiner, and then we will close.

11 SENATOR GARDINER: Thank you,
12 Mr. Chairman. I will be very brief.

13 Again, members, as the Chairman has
14 stated, this is about offering a PCB that will
15 come back to this Committee. This happens all
16 the time in other committees, and in many
17 respects, it is just a procedural move and
18 rarely are they voted down.

19 If the Minority Leader had her way, the
20 amendment that Senator Margolis would like to
21 run, to fix, wouldn't be allowed to be offered
22 if we did not have a PCB moving forward in this
23 process.

24 Members, I hope that -- you know, former
25 President Jeff Atwater used to say, "Don't fear

1 the debate." Don't fear the debate. We have
2 heard the discussions around this state to get
3 moving and get this thing coming forward. It
4 is two months earlier than it ever has been,
5 and this is a great opportunity for us to bring
6 this bill back, offer the amendments. And to
7 be quite honest, Leader, if you have issues
8 with the bill before us, then there is an
9 amendment process to try to fix those, but
10 let's come back here with a bill that we can
11 actually vote on. Thank you.

12 SENATOR GAETZ: Thank you, Leader.

13 SENATOR RICH: Mr. Chair? Mr. Chair?

14 SENATOR GAETZ: Yes, Leader Rich, you have
15 just a couple of minutes, ma'am.

16 SENATOR RICH: Thank you. I just would
17 like to comment on the fact that I actually
18 gave three specific districts that I felt
19 violated the Amendments 5 and 6. That was only
20 on the Senate map. Because I didn't want to
21 prolong it, I didn't go in to the congressional
22 map, which was mentioned multiple times today
23 when you look at Congressional District 3. So
24 I did use specifics. And I hope that when we
25 come back in the -- in January that we will

1 have a map that we can bring to you and maybe
2 correct some of these things. But I am
3 entitled, I believe, to the fact that I don't
4 believe this comports with Amendments 5 and 6,
5 I have used specific districts to point that
6 out, and that is why I have decided not to
7 support this proposed committee bill.

8 SENATOR GAETZ: As is your right, Leader,
9 and it is also your right to come forward with
10 your own map, and I have been waiting for five
11 months to say this: Show us the map.

12 And with that, Senator Thrasher, you are
13 recognized for a motion.

14 SENATOR THRASHER: Thank you,
15 Mr. Chairman. I move that SPB 7032
16 establishing the congressional districts of the
17 State of Florida be introduced.

18 SENATOR GAETZ: Senator Thrasher has moved
19 the introduction of the committee bill. The
20 administrative assistant will call the roll on
21 introduction of SPB 7032, the congressional
22 map.

23 THE CLERK: Senator Altman?

24 SENATOR ALTMAN: Yes.

25 THE CLERK: Senator Benacquisto?

1 SENATOR BENACQUISTO: Yes.

2 THE CLERK: Senator Braynon?

3 SENATOR BRAYNON: No.

4 THE CLERK: Senator Bullard?

5 Senator Dean?

6 SENATOR DEAN: Yes.

7 THE CLERK: Senator Detert?

8 SENATOR DETERT: Yes.

9 THE CLERK: Senator Diaz de la Portilla?

10 SENATOR DE LA PORTILLA: Yes.

11 THE CLERK: Senator Evers?

12 SENATOR EVERS: Yes.

13 THE CLERK: Senator Flores?

14 SENATOR FLORES: Yes.

15 REPRESENTATIVE CLARK: Senator Garcia?

16 SENATOR GARCIA: Yes.

17 THE CLERK: Senator Gardiner?

18 SENATOR GARDINER: Yes.

19 THE CLERK: Senator Gibson?

20 SENATOR GIBSON: Yes.

21 THE CLERK: Senator Hays?

22 SENATOR HAYS: Yes.

23 THE CLERK: Senator Joyner?

24 SENATOR JOYNER: No.

25 THE CLERK: Senator Latvala?

1 SENATOR LATVALA: Yes.

2 THE CLERK: Senator Lynn?

3 SENATOR LYNN: Yes.

4 THE CLERK: Senator Montford?

5 SENATOR MONTFORD: Yes.

6 THE CLERK: Senator Negron?

7 SENATOR NEGRON: Yes.

8 THE CLERK: Senator Rich?

9 SENATOR RICH: No.

10 THE CLERK: Senator Sachs?

11 SENATOR SACHS: Yes.

12 THE CLERK: Senator Simmons?

13 SENATOR SIMMONS: Yes.

14 THE CLERK: Senator Siplin?

15 SENATOR SIPLIN: Yes.

16 THE CLERK: Senator Sobel?

17 SENATOR SOBEL: Yes, and I am going to

18 vote this proposed committee bill today to

19 move --

20 SENATOR GAETZ: Senator Sobel, I'm sorry,

21 ma'am, you can't -- by Senate rules, you can't

22 make a statement while you are voting, so it is

23 a yes or a no.

24 SENATOR SOBEL: Yes.

25 THE CLERK: Senator Storms?

1 SENATOR STORMS: Yes.

2 THE CLERK: Senator Thrasher?

3 SENATOR THRASHER: Yes.

4 THE CLERK: Senator Margolis?

5 SENATOR MARGOLIS: Yes.

6 THE CLERK: Senator Gaetz?

7 SENATOR GAETZ: Yes.

8 And by your vote, the motion is adopted
9 and Senate SPB 7032 is introduced. And, Senator
10 Thrasher, you are recognized for another
11 motion.

12 SENATOR THRASHER: Thank you,
13 Mr. Chairman. I move that SPB 7034, joint
14 resolution of apportionment, be introduced.

15 SENATOR GAETZ: Senator Thrasher has moved
16 the introduction of the joint resolution having
17 to do with Senate districts. The
18 administrative assistant will now call the roll
19 on the introduction of SPB 7034.

20 THE CLERK: Senator Altman?

21 SENATOR ALTMAN: Yes.

22 THE CLERK: Senator Benacquisto?

23 SENATOR BENACQUISTO: Yes.

24 THE CLERK: Senator Braynon?

25 SENATOR BRAYNON: No.

1 THE CLERK: Senator Bullard?
2 Senator Dean?
3 SENATOR DEAN: Yes.
4 THE CLERK: Senator Detert?
5 SENATOR DETERT: Yes.
6 THE CLERK: Senator Diaz de la Portilla?
7 SENATOR DE LA PORTILLA: Yes.
8 THE CLERK: Senator Evers?
9 SENATOR EVERS: Yes.
10 THE CLERK: Senator Flores?
11 SENATOR FLORES: Yes.
12 THE CLERK: Senator Garcia?
13 SENATOR GARCIA: Yes.
14 THE CLERK: Senator Gardiner?
15 SENATOR GARDINER: Yes.
16 THE CLERK: Senator Gibson?
17 SENATOR GIBSON: Yes.
18 THE CLERK: Senator Hays?
19 SENATOR HAYS: Yes.
20 THE CLERK: Senator Joyner?
21 SENATOR JOYNER: No.
22 THE CLERK: Senator Latvala?
23 SENATOR LATVALA: Yes.
24 THE CLERK: Senator Lynn?
25 SENATOR LYNN: Yes.

1 THE CLERK: Senator Montford?

2 SENATOR MONTFORD: Yes.

3 THE CLERK: Senator Negron?

4 SENATOR NEGRON: Yes.

5 THE CLERK: Senator Rich?

6 SENATOR RICH: Yes.

7 THE CLERK: Senator Sachs?

8 SENATOR SACHS: Yes.

9 THE CLERK: Senator Simmons?

10 SENATOR SIMMONS: Yes.

11 THE CLERK: Senator Siplin?

12 SENATOR SIPLIN: Yes.

13 THE CLERK: Senator Sobel?

14 SENATOR SOBEL: Yes.

15 THE CLERK: Senator Storms?

16 SENATOR STORMS: Yes.

17 THE CLERK: Senator Thrasher?

18 SENATOR THRASHER: Yes.

19 THE CLERK: Senator Margolis?

20 SENATOR MARGOLIS: Yes.

21 THE CLERK: Senator Gaetz?

22 SENATOR GAETZ: Yes.

23 And by your action, the motion is approved

24 and SPB 7034 is introduced.

25 Before we conclude for the day, let me

1 remind you that the next meeting will be
2 January 11th when we come back from our
3 Hanukkah and Christmas break, and then the
4 President has scheduled January 17th for
5 introduction and second reading of our work
6 product on the floor of the Senate, and we will
7 vote -- if all goes well, we will vote on the
8 18th of January on Senate and congressional and
9 House redistricting.

10 I wish to thank Majority Leader Gardiner
11 and Minority Leader Rich for their diligent and
12 cooperative efforts to keep us on schedule, on
13 time, and having procedures that are open and
14 transparent and inclusive.

15 We have reached a point now where we begin
16 to see that there will be differences of
17 opinion expressed in votes. These differences
18 of opinion are understandable, they are honest,
19 they are expected, but we walk out of here
20 today with thanks to members of both parties
21 for their cooperation, for their civic
22 mindedness and for their faithfulness to the
23 law.

24 And with that, President Margolis moves we
25 rise.

1 (Whereupon, the proceedings were
2 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 220 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 20th day of December, 2011.

CLARA C. ROTRUCK

Notary Public

State of Florida at Large

Commission Expires:

November 13, 2014