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JOINT MEETING OF THE SENATE REAPPORTIONMENT COMMITTEE
AND HOUSE SELECT POLICY COUNCIL ON STRATEGIC AND
ECONOMIC PLANNING

Held on February 11, 2010

Transcribed by:
CLARA C. ROTRUCK
Court Reporter

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2 REPRESENTATIVE CANNON: And Senators and
3 Representatives, we are now going to convene the
4 Joint Meeting of the House Select Policy Council on
5 Strategic and Economic Planning and the Senate
6 Committee on Reapportionment and ask Tamara and
7 Michelle to commence our activities by calling the
8 role.

9 A VOICE: Senator Haridopolis.

10 SENATOR HARIDOPOLIS: Here.

11 A VOICE: Senator Smith.

12 SENATOR SMITH: Here.

13 A VOICE: Senator Bennett.

14 SENATOR BENNETT: Here.

15 A VOICE: Senator Dean.

16 SENATOR DEAN: Here.

17 A VOICE: Senator Gardiner. Senator Lawson.
18 Senator Negrón.

19 SENATOR NEGRÓN: Here.

20 A VOICE: Senator Ring.

21 SENATOR RING: Here.

22 A VOICE: Senator Siplin. Senator Storms.
23 Senator Thrasher.

24 SENATOR THRASHER: Here.

25 A VOICE: Senator Wilson.

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1 A VOICE: Chairman Cannon.

2 REPRESENTATIVE CANNON: Here.

3 A VOICE: Vice Chair Grimsley. Representative
4 Aubuchon.

5 REPRESENTATIVE AUBUCHON: Here.
6 A VOICE: Brisé.
7 REPRESENTATIVE BRISE: Here.
8 A VOICE: Carroll.
9 REPRESENTATIVE CARROLL: Here.
10 A VOICE: Chestnut.
11 REPRESENTATIVE CHESTNUT: Here.
12 A VOICE: Fitzgerald. Holder.
13 REPRESENTATIVE HOLDER: Here.
14 A VOICE: Hudson.
15 REPRESENTATIVE HUDSON: Here.
16 A VOICE: Hukill.
17 REPRESENTATIVE HUKILL: Here.
18 A VOICE: Jones.
19 REPRESENTATIVE JONES: Here.
20 A VOICE: Kreegel.
21 REPRESENTATIVE KREEGEL: Here.
22 A VOICE: McKee.
23 REPRESENTATIVE MCKEEL: Here.
24 A VOICE: Porth. Proctor.
25 REPRESENTATIVE PROCTOR: Here.

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1 A VOICE: Thurston.
2 REPRESENTATIVE THURSTON: Here.
3 A VOICE: Weatherford.
4 REPRESENTATIVE WEATHERFORD: Here.
5 A VOICE: A quorum is present, Mr. Chairman.
6 REPRESENTATIVE CANNON: All right, thank you,
7 Tamara and Michelle, and Chairman Haridopolis and
Page 3

8 Members.

9 Today we are again meeting jointly to further
10 discuss the two proposed Constitutional amendments
11 to Florida's reapportionment process proposed by
12 Fair Districts.

13 As you know this is a subject that our
14 respective committees have talked about in detail,
15 beginning last October 2009, up until the present
16 time.

17 You may recall, Members, that both in October
18 and November, our respective legal counsel gave us
19 initial reports that the language of the Fair
20 Districts' petitions may constrain the
21 Legislature's constitutional duty to redraw the
22 District boundary lines with potentially mutually
23 exclusive requirements.

24 In December of last year, our respective legal
25 counsel and staff provided us with presentations to

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1 help us address similar concerns to our own that
2 were raised by Florida Congresswoman Corrine Brown
3 and Florida Congressman Mario Diaz-Blart.

4 The Congress persons primary concern was the
5 impact of the U.S. Supreme Court case of Bartlett
6 versus Strickland and how the terms of these
7 petitions may affect the ability and the discretion
8 of the Legislature to create minority access or
9 so-called crossover districts.

10 Last month we met jointly in order to
Page 4

11 facilitate a public dialogue with Congresswoman
12 Brown and Congressman Diaz-Blart so that they could
13 share their concerns with us. And during that
14 meeting both of the Congress-persons stressed that
15 they felt that the petitions were unworkable, and
16 that the petitions would potentially dilute
17 minority representation in the Florida Legislature
18 and in Florida's Congressional delegation.

19 Just recently the Fair Districts' petitions
20 achieved the signature threshold necessary for
21 placement on the 2010 general election ballot, and
22 with that milestone behind them the principles from
23 Fair Districts have agreed to meet with us here
24 today, present their proposed amendments to
25 Florida's Constitution and address our questions on

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1 this very important topic.

2 To Ms. Freidin, to our guests from Fair
3 Districts, please know that we are very grateful
4 for your presence today and your indulgence of our
5 questions.

6 while political preferences and viewpoints do
7 sometimes divide us, there is certainly no reason
8 that we should ever miss an opportunity to at least
9 understand each other better.

10 while our committees have tried to be very
11 deliberative, we hope that your remarks today and
12 responses can fill in some of the missing details
13 and perhaps close the door on some unanswered

14 questions and give us the opportunity to better
15 understand your intentions as the crafters of these
16 potential amendments to Florida's Constitution.

17 I think I speak for both Chairman Haridopolis
18 and myself when I say that we treat the
19 constitutional process with the utmost of respect,
20 and if these petitions do become part of Florida'
21 Constitution we intend to fully perform our duties
22 to carry out the requirements of those petitions
23 fully.

24 As we all know, redistricting is not an
25 overnight assignment and many years of both

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1 planning, coordinating with the census and a lot of
2 work will go into doing the reapportionment and the
3 redistricting.

4 So if these pass we need your help to
5 determine the manner in which we can best execute
6 our constitutional duties.

7 Members, with that, before we invite Fair
8 Districts to begin their presentation, I would like
9 to briefly call your attention to the Power Point
10 presentation on the monitor. I believe you are
11 fairly familiar with these slides.

12 After the title slide, the first substantive
13 slide, these are the general redistricting
14 standards, the federal standards being one person,
15 one vote.

16 Obviously Section II and Section V of the
Page 6

17 voting Rights Act, and then the Florida standard
18 that they be contiguous.

19 The next slide has copies of the Fair
20 Districts' petitions, one for the Congressional
21 districts and the other for the legislative
22 district boundaries.

23 And then the last slide shows a comparison of
24 both the current standards and then the proposed
25 additional standards for the petitions in question.

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1 Those materials are also in your packets, Members,
2 and with that we would like to call on and
3 recognize Ms. Ellen Freidin, the Campaign Chair for
4 Fair Districts.org.

5 Ms. Freidin, again, we very much appreciate
6 your taking the time to be with us today and you
7 are recognized to address the Joint Meeting.

8 MS. FREIDIN: Thank you, Mr. Chairman.
9 Mr. Chairman, Members of the Committee, I am Ellen
10 Freidin, and I am here today to talk with you on
11 behalf of close to a million voters who signed 1.7
12 million petitions to earn the Fair Districts
13 amendments, positions five and six on the November
14 2nd ballot coming up. So thanks to the wonders of
15 the podcast, which I compliment you for making
16 available to the public.

17 I have been able to listen to the many, many
18 hours of hearings that you have had, both the
19 Senate and the House Committee and the Committees

20 jointly together with your many, many lawyers
21 raising what seem, at least seemed to me to be
22 endless questions about our amendments.

23 So let's make one thing clear when we start.
24 Our amendments which are simply intended to
25 establish common sense, fairness standards for you

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1 to follow when you redraw the legislative and
2 district lines.

3 These two amendments were certified because
4 voters exercised their constitutional right to sign
5 petitions so that they and others in our state
6 could have the opportunity to put these standards
7 in the Florida Constitution.

8 The signers of these petitions who are
9 Republicans, who are Democrats and who are
10 Independents are part of an effort by thousands
11 Floridians of all political persuasions, who are
12 committed to eliminating Florida's historical
13 distinction as one of the most politically
14 gerrymandered states in the Union, that this
15 probably exist is absolutely undeniable.

16 Those who are working tirelessly on this
17 monumental project are supported and they are
18 encouraged by the unanimous opinions of Florida's
19 newspaper editorial boards, which clearly explain
20 why we must take this unique opportunity to make a
21 very necessary, fundamental change in this state
22 which I know that all of us love so much.

23 Now, I want to just go over with you a few of
24 the comments that have been made by some of the
25 editorial boards in this state.

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1 The Orlando Sentinel said, "This is a campaign
2 to restore some integrity to the now corrupt system
3 of drawing legislative and Congressional districts.
4 Unless the process is changed, voters won't get the
5 choices that they deserve."

6 The St. Pete Times said, "The current system
7 for drawing legislative and Congressional districts
8 is broken."

9 The Gainesville Sun said, "There is nothing
10 state lawmakers guard more jealously than their
11 power to rig legislative and congressional
12 districts to serve their own interests and their
13 party's desire for control."

14 The Tampa Tribune said, "The redistricting
15 process needs to be overhauled. It is critical to
16 remove selfish political motives from the process."

17 The Tallahassee Democrat said, "The present
18 rules of redistricting serve the interest of
19 politicians more than voters. The intent of the
20 amendments is sound and that is to give voters more
21 power and the powerful politicians less power."

22 The Florida Times Union said, "Fortunately a
23 group called Fair Districts Florida is seeking a
24 constitutional ban on gerrymandering. Lines
25 shouldn't go drawn to help a party, an incumbent or

1 anyone else."

2 Florida Today, "End the political
3 gerrymandering that harms democracy."

4 The Sarasota Herald Tribune, "Gerrymandering
5 by either party is an affront to democracy and to
6 the expectation that all men and women are equal
7 under the law."

8 The Daytona News Journal said, "Many
9 Legislators are outraged at proposals that would
10 strip them of the ability to rig districts to
11 benefit parties or individual, but Fair Districts
12 can only be good for Florida. Here is hoping that
13 the voters see through the distractions and vote to
14 protect their interests."

15 The South Florida Sun Sentinel said,
16 "Opponents of the amendments should just be honest
17 about it and admit that they don't want to change a
18 system that helps them hold onto power."

19 The Palm Beach Post said, "This bipartisan
20 campaign deserves broad bipartisan support."

21 The Bradenton Herald said, "Florida's voters
22 now have the monumental opportunity to end the
23 patently unfair practice of gerrymandering."

24 And the Miami Herald said, "Amendments V and
25 VI will give control of elections back to Florida's

1 voters where it belongs."

2 Florida presently has absolutely no
3 prohibitions against drawing districts for partisan
4 reasons or incumbency protection. It never has.
5 This is evidenced by the bizarrely shaped Rorschach
6 like districts that often snake through as many as
7 five or as many as eight counties over more than
8 100 miles, splintering communities and confusing
9 voters.

10 Some very small towns, like Winter Park and
11 Temple Terrace are represented in this state by as
12 many as four different members of Congress.

13 You know, I have been traveling through this
14 state for three years now talking about -- talking
15 to Florida citizens about this subject, and I often
16 start my talks by asking citizens, people in the
17 audience to raise their hand if they know who their
18 state legislators are. I almost never see a hand
19 raised.

20 The same thing happens when I ask them if they
21 know who represents them in Congress, and it is no
22 surprise, they don't know the answer to that. And
23 it is because communities are divided, neighbors
24 often don't have the same representative.

25 It is no wonder that the Florida League of

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1 Cities, the Florida League of Mayors and the
2 Florida Black Caucus of local elected officials are

3 part of the local coalition supporting amendments V
4 and VI. They are tired of having their town
5 splintered and having Representatives that live far
6 away.

7 I don't know, is Rebecca O'Hare here today? I
8 think she was planning on being here to represent
9 those organizations.

10 In the last 10 years, Mr. Chairman, and
11 Members of the Committee, out of hundreds of
12 legislators up for reelection, only 10 incumbent
13 State Representatives and one incumbent State
14 Senator have been defeated.

15 No wonder Florida is considered to have among
16 the least competitive legislative elections of any
17 state in the Union. We are third from the bottom
18 on the competitiveness scale.

19 The need for change in our state and the
20 solution that we are now proposing is nothing new.
21 The effort to reform the way Florida draws its
22 district maps as far as I know started in 1978,
23 when the Constitution Revision Commission took up
24 the matter and suggested the creation of standards,
25 very much like the ones that are contained in

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1 Amendments V and VI.

2 That effort didn't succeed, but then in the
3 earlier '90s, when both Houses were controlled by
4 Democrats, a bipartisan group led by then State
5 Senator and now Congressman Ander Crenshaw and

6 including our Governor Charlie Crist, who was in
7 the Senate then, proposed a constitutional
8 amendment with standards almost identical to the
9 ones that voters will have a chance to approve this
10 coming November.

11 It passed the Senate unanimously, but it died
12 in the House. In other words, this solution to a
13 long existing problem is something that was
14 embraced and has been embraced for years by
15 Republicans and Democrats alike.

16 In the 1998 Constitution Revision Commission,
17 which is where I learned about the urgent need for
18 these reforms, former State Representative Marilyn
19 Evans-Jones, a Republican from Melbourne,
20 introduced a similar proposal.

21 It came very close, but failed to pass the
22 Commission by the narrowest of margins, and then
23 there were a couple of other citizen efforts, one
24 of them led by Marilyn Evans-Jones and the other by
25 the non partisan organizations of common cause and

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1 League of Women Voters.

2 In fact, the League of Women Voters has been
3 fighting these reforms for decades, and their State
4 President, Deira McNabb is here, Deira, stand up
5 and let everybody know you are here, and she is
6 here with a whole host of other members of the
7 League today that are all part of her leadership
8 team.

9 So should -- so it really should be clear that
10 this is something that Republicans and Democrats
11 have proposed many, many times over the years.

12 We at Fair Districts Florida are not the
13 originators of this idea, but 2010 is the time that
14 it is going to become a reality. It is obvious to
15 us because of the spontaneous reaction of thousands
16 of Floridians that our amendments are very, very
17 popular with people all over the state, from the
18 panhandle to Key West.

19 This decade the people of Florida want to see
20 districts in our state that make sense, that are
21 compact and that keep communities together.
22 Districts that are drawn fairly and free of
23 intentional partisan favoritism, and maps that
24 ensure that minority voters are protected from
25 diminished representation.

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1 In other words, districts that will permit the
2 people to fairly choose their Representatives. The
3 practice of gerrymandering is not unique to
4 Florida. National leaders of all political
5 persuasions have recently spoken out about the
6 problem and the need for change.

7 Mayor Michael Bloomberg, who you all know is
8 an Independent in New York City. He said, "There
9 is a partisanship that has paralyzed our country."
10 Both parties have redistricted themselves, such
11 that they don't have to worry about a challenge

12 across the aisle, but they worry about a challenge
13 from their flanks so that the Conservatives are
14 less willing to move to the middle, the Liberals
15 are less willing to move to the middle and we have
16 got to get over that and we have got to understand
17 that we are all in this together.

18 unless we have bipartisan legislation and
19 bipartisan government at the federal, state and
20 city levels we are just going to have one problem
21 after another and the future is not as bright as I
22 think it should be for America.

23 Senator John McCain says that we need to stop
24 politicians in both parties from drawing rigged
25 districts that they can never lose. And President?

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1 Barack Obama says, the fact of the matter is that
2 we have now a system where too often our
3 Representatives are selecting there voters as
4 opposed to the voters selecting the
5 Representatives.

6 That isa situation that I think the American
7 people should not accept. But while there has been
8 historic broad support for redistricting reform
9 here and elsewhere, elsewhere, in the many, many
10 hours of hearings these committees have had in the
11 last few months we have heard little, but criticism
12 of these reforms.

13 There has been no explanation or even mention
14 of why these reforms are needed. And it is

15 understandable that some would be concerned about a
16 citizen's effort to place limits on political
17 gerrymandering where none have existed before.

18 Some of the questions that have been raised by
19 your lawyers and your Members, Mr. Chairman, have
20 been complicated and sometimes confusing, but I am
21 here today to try and answer them as best I can and
22 to describe the fundamental goals of these citizen
23 initiatives. The many questions raised seem to
24 fall into three categories.

25 First, will these amendments interfere with

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1 the rights of minority voters and will minority
2 voters be worse off when the amendments are in the
3 Constitution.

4 Second, aren't the standards so conflicting
5 and confusing that they simply cannot be applied?

6 And third, won't these new requirements lead
7 to increased litigation?

8 The answer to each of these questions is an
9 emphatic no. I cannot possibly address every
10 nuance of every question that has been asked, so I
11 will address each of these categories and explain
12 to the best of my ability the intent of the
13 amendment.

14 These amendments will not in any way reduce
15 the rights of minority voters, and in fact, they
16 will add a guarantee to the Florida Constitution
17 that the ability of minority voters to elect

18 representatives of their choice will not be
19 diminished.

20 Presently minority voters are protected by the
21 Voting Rights Act, you all know that. A federal
22 statute that exist at the pleasure of Congress and
23 is constantly being eroded by the courts. When
24 these amendments are embedded in the Florida
25 Constitution protection from discrimination and

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1 redistricting will become a lasting commitment to
2 the people of Florida.

3 Because of this, leaders of minority
4 communities support the Fair Districts' amendments.
5 I have pleased to announce today that the Florida
6 State Conference of NAACP branches after studying
7 the benefits of these amendments has unanimously
8 approved and endorsed Amendments V and VI, and here
9 today representing the NAACP is Charlie Burr, stand
10 up Charlie.

11 They have joined the Fair Districts' team
12 because they agree that in addition to reducing
13 partisan gerrymandering, the amendments will add
14 permanent protections for minority voters that are
15 greater than what exist today in Florida or any
16 other state.

17 Just look at the language. The language says,
18 "Districts shall not be drawn with the intent or
19 result of denying or abridging the equal
20 opportunity of racial or language minorities to

21 participate in the political process or to elect --
22 or to diminish their ability to elect
23 representatives of their choice."

24 That last phrase prohibits the drawing of any
25 district or plan that will reduce the ability of

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1 minorities to elect minority representatives.
2 Plain and simple.

3 Now there has been a lot of talk at these
4 hearings about the impact of Bartlett versus
5 Strickland on our standards.

6 Some of your lawyers have questioned whether
7 after Bartlett our standards will permit you to
8 draw crossover districts. The language, the
9 Bartlett opinion specifically addresses that
10 question, and I don't believe that this part of
11 Bartlett has been raised in these hearings.

12 Let me read it to you. From the Bartlett case
13 directly, "Section II allows states to choose their
14 own method of complying with the Voting Rights Act
15 and we have said that that may include drawing
16 crossover districts. States that wish to draw
17 crossover districts are free to do so where no
18 other prohibition exist."

19 In other words, there is nothing in Bartlett
20 versus Strickland or in the language of the
21 amendments that would change your previous ability
22 to draw crossover districts.

23 "However, with the amendments expressed

24 prohibition of diminishing ability to elect
25 representatives of choice, you would be free after

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1 Bartlett to refuse to draw crossover districts." I
2 am sorry, I made a mistake there and I want to
3 start that sentence over again, because I want to
4 make this very, very clear.

5 "However, without the amendments expressed
6 prohibition of diminishing ability to elect
7 representatives of choice, you would be free after
8 Bartlett to refuse to draw crossover districts, but
9 with the addition of the new language you will be
10 required to use every tool you have, including the
11 drawing of crossover districts to be sure that the
12 rights of minority voters are not taken away."

13 Another question has been raised about how
14 some of the other standards interact with the
15 provisions for protection of minority voters.

16 It has been asked whether it would be
17 impossible to draw minority districts while
18 complying with the requirements of compactness and
19 utilization of local boundaries.

20 The answer is, no. This question ignores the
21 plain wording of the amendments. Protection of
22 minority voters is expressly given priority over
23 these requirements. Compactness and utilization of
24 local boundaries only come into play to the extent
25 that they can without conflicting with the

1 protection of minority voters.

2 It has also been asked whether it is
3 impossible to draw minority districts without
4 violating the prohibition against favoring a party
5 or an incumbent. This question again ignores the
6 plain wording of the amendments.

7 Let me make this very, very clear. The
8 prohibition against drawing districts -- the
9 prohibition is against drawing districts with
10 intent to favor or disfavor a party or an
11 incumbent.

12 That means that you will be prohibited from
13 drawing districts or plans for the intended purpose
14 of attaining a particular partisan result. If you
15 are drawing a district in order to protect minority
16 voters against discrimination, there can be no
17 violation unless you design the district for the
18 specific purpose of favoring or disfavoring a party
19 or an incumbent, and there is no prohibition
20 against using voting data in order to accomplish
21 the permissible goal of protecting minority rights.
22 In fact, you would have to.

23 I want to remind you that Senator Smith and
24 Representative Thurston requested the opinion of
25 voting rights lawyers at Jenner and Block who

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1 specialize in redistricting, and that letter is in
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2 the record of these proceedings.

3 They are top lawyers in the country on voting
4 rights and redistricting. To my knowledge they are
5 completely neutral and certainly not involved --
6 haven't been involved in the drafting or the
7 promotion of the Fair Districts amendments.

8 Their letter supports every one of these
9 answers. It is their unbiased opinion that with
10 the amendments in place, Bartlett, and I quote
11 them, "In no way restricts Florida in drawing
12 districts in which minorities are able to elect
13 representatives of their choice."

14 So with these amendments you will not only be
15 free, but you will actually be required to create
16 minority access seats to the extent necessary to
17 ensure that the ability of minority voters to elect
18 representatives of their choice is not diminished.

19 In fact, the lawyers at Jenner and Block
20 conclude that our amendments would, and I am
21 quoting from their letter, "would dramatically
22 improve the redistricting process in Florida and
23 make Florida's elections fairer for all political
24 parties and candidates."

25 They also go onto say that the amendments

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1 would also protect and indeed enhance the ability
2 of minorities to participate in the political
3 process and elect representatives of their choice.

4 Now, other questions have been asked about
Page 21

5 whether the new standards are in conflict with each
6 other, and therefore, would be impossible to apply
7 them.

8 The implication is that you cannot as a
9 practical matter apply so many standards. I cannot
10 emphasize this enough. The standards don't
11 conflict and a good faith common sense approach
12 will allow you to comply with the standards and
13 create districts that are fairer and more
14 understandable to the citizens of Florida.

15 Fair Districts Florida did not manufacture
16 these standards. These are the same standards that
17 have been proposed in Florida numerous times
18 before.

19 I want to point out the fact that Florida has
20 fewer requirements as you see -- well, on the slide
21 that was shown earlier, the only state requirement
22 in Florida is that the districts be contiguous.

23 Florida has fewer requirements than almost any
24 other state. There are only two other states in
25 the Union that have as few requirements as Florida.

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1 But more importantly, 36 states require
2 compactness, 44 states require adherence to local
3 boundaries, 12 prohibit protecting incumbents, 27
4 have their own protections for minority voters, and
5 of course, all 50 states have to comply with the
6 Federal voting right laws.

7 Many states actually have the same combination

8 of standards as Amendments V and VI. These states
9 all managed to get their maps drawn.

10 I have no doubt that this Legislature has the
11 expertise, the intelligence and the talent to be
12 able to apply these standards fairly and without
13 confusion.

14 Now, the lawyers for these committees and some
15 members have asked whether the amendments will lead
16 to lengthy and expensive litigation.

17 It has been suggested that we should remove
18 the Fair Districts designation and rename
19 Amendments V and VI, the lawyers' relief act.

20 Our answer is, if the Legislature follows the
21 standards there is not going to be need for anymore
22 litigation than in previous years.

23 The Legislature already made this argument to
24 the Florida Supreme Court and the Court held that
25 any prediction of increased litigation must be

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1 based on the assumption, and now I am quoting from
2 the Florida Supreme Court, "Must be based on the
3 assumption that the Legislature will fail to adhere
4 to guidelines and fail to fulfill its
5 constitutional duty."

6 It also said, the Supreme Court also said,
7 "That it is dubious and highly speculative to try
8 and establish that there will be more litigation if
9 these amendments are in the Constitution."

10 I cannot stress enough to you that if the

11 Legislature follows the standards and the
12 Legislature can follow the standards, there will be
13 no need for increased litigation. I am confident
14 that this Legislature can follow these standards.

15 These amendments make absolutely no change in
16 the role of the courts in redistricting. That role
17 is simply to be sure that the districts are drawn
18 in compliance with the law, nothing else.

19 The Supreme Court is constitutionally required
20 to review the legislative plans and there is a
21 clear time frame for that to happen. There is no
22 change in that.

23 Citizens are free presently without these
24 amendments to challenge districts or plans in other
25 courts and that is nothing new and it does nothing

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1 is added that will change that. And lawsuits have
2 always varied in number and in length from decade
3 to decade.

4 Now, some have asked specifically whether the
5 prohibition of intent to favor or disfavor in
6 Section I of the amendments will make litigation
7 more likely.

8 There have been many questions about how
9 intent or lack of intent will be proved. Intent is
10 an element of all kinds of statutes that you
11 consider and you pass every single session, and it
12 is an integral part of applying the Voting Rights
13 Act.

14 It is not unusual to have to prove intent in
15 litigation. Lawyers and courts deal with it every
16 day. If districts do intend to be drawn with such
17 intent, proof will be made as it always is by
18 testimony and all of the surrounding circumstances.

19 A clear example of intent to favor or disfavor
20 has been recently reported in the press and can
21 serve as one example of what the citizens of
22 Florida want to eliminate.

23 It is well known, for example, that certain
24 legislators who are about to leave the Legislature
25 have designed Congressional districts that they can

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1 run in after their terms are up. It is that sort
2 of blatant favoritism that Florida voters want to
3 end.

4 Now, there has been a big red heron raised in
5 the form of a question about public testimony and
6 its impact on proof of intent.

7 I believe that one of the Committee Members
8 asked what would happen if a voter testified that
9 she liked her district just the way it was and then
10 you drew that district just as she wanted it.

11 well, without more, that would not be evidence
12 of intent to favor or disfavor. Such evidence
13 comes from your thoughts, your actions, your words
14 and the maps that you draw.

15 If someone suggest that you draw a district to
16 be sure that it is safely democratic or safely

17 Republican, that doesn't provide evidence of
18 intent. The issue is what you do.

19 So there is no chilling of free speech, no
20 reason to stop public comment, and in fact, we hope
21 with these standards the public will become more
22 involved in the process, because with clear
23 standards they will understand that redistricting
24 is no longer a free for all in political
25 preservation and that they can actually have an

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1 impact in creating districts that make sense.

2 Mr. Chairman, I have done my best to answer
3 the questions that you, your many lawyers and your
4 Members have posed about our fairness amendments.
5 I hope I have satisfied your concerns.

6 On behalf of the Floridians who signaled their
7 dissatisfaction with the status quo by signing 1.7
8 million petitions, and the thousands of others who
9 have worked and contributed to bring these
10 amendments to the ballot, I urge you to remember
11 the first line of the Florida Constitution.

12 The first line of the Florida Constitution
13 says, "All political power is inherent in the
14 people." If these amendments pass the Legislature
15 will be called upon to exercise good faith, common
16 sense and balance to accomplish the goals that the
17 people have told you that they want.

18 I have every belief that you will respect the
19 right of the people of Florida to decide if they

20 want to end the blatant political favoritism that
21 has long pervaded redistricting in our state.

22 when the voters put the standards in the
23 Constitution we have every confidence that you will
24 follow them.

25 REPRESENTATIVE CANNON: First of all,

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1 Ms. Freidin, thank you for the excellent
2 presentation. I know Members, several Members have
3 expressed an intention in asking questions. I will
4 begin with Representative Kreegel.

5 REPRESENTATIVE KREEGEL: Thank you, Mr. Chair,
6 and thank you for being here today to explain that
7 to us.

8 I am looking at the first part of the Section
9 I there where it says, "No apportionment plan shall
10 be drawn with the intent to disfavor."

11 My question to you would be short of wiring
12 the Legislature up to a polygraph, how do you plan
13 on dividing the intent?

14 MS. FREIDIN: well, if you look at the current
15 map of Florida districts, it is -- it is so
16 blatantly obvious that the districts were drawn
17 with intent to favor or disfavor a political party
18 or an incumbent because of the way the districts
19 look.

20 They are drawn -- they go for hundreds of
21 miles. They split up communities, they travel
22 through multiple cities and counties and that would

23 certainly be the first and the very best evidence
24 of intent.

25 You know, you could think of yourselves when

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1 you are drawing the lines of the districts as
2 judges, because every day judges have matters that
3 come before them, and when they have those -- when
4 they have matters that come before them they know
5 that they have to decide the case, whatever it is
6 that is before them, on the facts and on the law.

7 So they apply the facts and the law and they
8 come up with a decision. Now, that decision is
9 going to favor somebody and it is going to disfavor
10 somebody, but the judge's job is to do it
11 impartially and your job would be to do it
12 impartially in the same way.

13 You will have before you all the information
14 that you need to draw districts. You will have the
15 laws that would be -- the new law which would be
16 what Amendments V and VI will put into the
17 Constitution, and if you follow the law and you
18 apply the fact that you have before you to the law,
19 I have confidence that you will be able to come up
20 with districts that are not -- that do not
21 intentionally favor or disfavor an incumbent or a
22 political party.

23 REPRESENTATIVE CANNON: For a follow up,
24 Representative Kreegel.

25 REPRESENTATIVE KREEGEL: Thank you,

1 Mr. Chairman. And thank you for that answer by the
2 way.

3 I did have the pleasure of being able to
4 interact with several of the petition gatherers
5 outside of our courthouse and county buildings and
6 was able to speak with them a bit about it.

7 Most of them didn't -- they weren't too
8 informative because most of them were paid petition
9 gatherers, and seeing that your organization did
10 such an excellent job statewide of gathering these
11 petitions, I figured there must be a lot of
12 petition gatherers paid and other finances there.

13 Could you tell us something about who funded
14 your organization?

15 MS. FREIDIN: Well, it is all public record
16 and you, I am sure you know it probably better than
17 I do.

18 REPRESENTATIVE CANNON: Actually, Ms. Freidin,
19 there is some lack of familiarity with that. Could
20 you answer Representative Kreegel's question?

21 MS. FREIDIN: Yes, we have over -- over almost
22 3,000 people who have contributed to Fair Districts
23 Florida, and they are people who are Republicans,
24 they are people who are Democrats, they are
25 businesses, they are organizations, they are, you

1 know, it is a wide variety of people.

2 REPRESENTATIVE CANNON: For follow up,
3 Representative Kreegel.

4 REPRESENTATIVE KREEGEL: Thank you,
5 Mr. Chairman. You mentioned organizations. Are
6 there political action committees, electionary
7 communication organizations, CCEs who have
8 contributed and could you tell us who the large
9 contributors are?

10 MS. FREIDIN: I actually don't know what --
11 what -- who falls into what category, so I can't.

12 REPRESENTATIVE KREEGEL: That is all, thank
13 you.

14 REPRESENTATIVE CANNON: Okay, Representative
15 Hukill for a question.

16 REPRESENTATIVE HUKILL: Mr. Chair, back here,
17 thank you. For a series of questions, Mr. Chair.

18 REPRESENTATIVE CANNON: For a series.

19 REPRESENTATIVE HUKILL: Thank you very much.
20 Thank you, Ms. Freidin, and we are so happy that
21 you came here today to share your thoughts with us.

22 I have just a few questions for the record
23 before we begin. I want to confirm, you are the
24 Chairperson for Fair Districts Florida.org
25 Campaign, is that correct?

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1 MS. FREIDIN: I am the Campaign Chair for Fair
2 Districts Florida.

3 REPRESENTATIVE HUKILL: The Campaign Chair?

4 MS. FREIDIN: Yes.

5 REPRESENTATIVE HUKILL: Is that different from
6 chairperson?

7 MS. FREIDIN: well, I am not officially the
8 Chair of the committee. So the answer would be,
9 yes, I guess, if that is what -- if that is what
10 you are asking.

11 REPRESENTATIVE HUKILL: All right. Also, you
12 are an attorney duly admitted to practice law in
13 the state of Florida, is that correct?

14 MS. FREIDIN: I am.

15 REPRESENTATIVE HUKILL: And you were a member
16 of the 1998 Constitutional Revision Commission, is
17 that correct?

18 MS. FREIDIN: I was.

19 REPRESENTATIVE HUKILL: And you are
20 frequently, as you have been here today, a
21 spokesperson for the Fair Districts Florida.org
22 Campaign as you are often quoted in newspapers
23 articles.

24 MS. FREIDIN: Yes.

25 REPRESENTATIVE HUKILL: Is that correct? Yes.

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1 So would it be fair to say that your views on the
2 Fair Districts Florida.org petitions are very
3 relevant to people who may still be considering
4 whether or not they would support these amendments?

5 MS. FREIDIN: well, I think that the language

6 of the amendments speak for themselves and I hope
7 that most people would make their decision based on
8 a reading of the amendments and a decision of their
9 own, whether they would want to support the
10 amendments or not, but I am a spokesperson and I do
11 frequently speak.

12 REPRESENTATIVE HUKILL: All right. would you
13 concede, assuming that people make decisions on
14 their own, which I am sure they do, would you agree
15 that there will be people who will rely upon the
16 positions that you espouse either publicly in the
17 paper, on the website that are attributed to you?

18 MS. FREIDIN: I -- I have -- I would assume
19 so, but I don't know.

20 REPRESENTATIVE HUKILL: well, thank you very
21 much. I have a question for you.

22 In your opening remarks you stated that the
23 Fair Districts Florida petitions.org petitions
24 enhances the Voting Rights Act, is that correct?

25 MS. FREIDIN: No, I think that what I said was

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1 it enhances the law that actually doesn't expressly
2 exist in the Florida Constitution today.

3 REPRESENTATIVE HUKILL: would you repeat that?

4 MS. FREIDIN: I think that I said that it
5 enhances the law as it exist in Florida today
6 under -- under the -- in the Florida Constitution.

7 REPRESENTATIVE HUKILL: All right, well then
8 let's go back a bit. In some press accounts

9 oftentimes through statements that you have made
10 through the press, Fair Districts has suggested
11 that the petitions merely inshrine the voting
12 Rights Act.

13 And then in other statements oftentimes also
14 attributed to you that have been made to the press,
15 Fair Districts has stated the petitions enhance
16 minority rights.

17 In fact, Former Speaker John Mills circulated
18 in March 2009, a two-page informational sheet on
19 behalf of Fair Districts with their paid political
20 advertisement disclaimer at the bottom which
21 stated, "That while minority voting rights are
22 presently guaranteed by Federal statute, the new
23 standards will inshrine them in the Florida
24 Constitution."

25 Since I seem to have misunderstood what you

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1 have said in your opening remarks, which is it, do
2 the petitions duplicate the Voting Rights Act, or
3 do they confer broader rights than the voting
4 Rights Act?

5 MS. FREIDIN: well, I don't think that what
6 you read to me from Chairman Mills -- that Speaker
7 Mills said or shall we call him Dean Mills or
8 Professor Mills, I don't think that any of those
9 what you read is not exactly -- doesn't exactly
10 follow with what I understand your question to be.

11 But if you are asking me flat out do I think

12 that these -- that what our amendments do -- is
13 what you are asking do I -- do I think that what
14 our amendments do increases Voting Rights Act,
15 voting rights for our Florida minority voters, is
16 that what you are asking?

17 REPRESENTATIVE HUKILL: Does it inshrine the
18 rights provided by the Voting Rights Act or does it
19 enhance, increase the rights that are provided by
20 the Voting Rights Act?

21 MS. FREIDIN: well, I think that if, you know,
22 there are -- I think that you need to look at the
23 language, itself. The language, itself, doesn't
24 exactly mirror, it is not the same exact language
25 that is in the Voting Rights Act, nor is it -- and

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1 it does enhance voting rights.

2 You know there was a letter from -- that you
3 all have and that I referred to earlier from Jenner
4 and Block and actually says, their letter and they
5 are voting rights expert lawyers, I am not, and it
6 says that they would protect and indeed enhance the
7 ability of minorities to participate in the
8 political process and elect representatives of
9 their choice.

10 Now, what our rights, what our amendments do
11 is they guarantee to minority voters that they
12 will, and this is a constitutional guarantee that
13 will be permanently in the Florida Constitution,
14 not subject to being chipped away by -- by Federal

15 courts, nor subject to being repealed or reduced by
16 the Congress, because they will be permanently in
17 our Constitution.

18 And what the language says is, that districts
19 shall not be drawn with the intent or result of
20 denying or abridging the equal opportunity of
21 racial or language minorities to participate in the
22 political process, or to diminish their ability to
23 elect representatives of their choice.

24 Now, that is very clear language. There is
25 nothing unclear about that. It is there in black

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1 and white and if it is in the Florida Constitution,
2 that is exactly what it is going to say.

3 Minority's ability, the ability of minority
4 voters to elect representatives of their choice is
5 not going to be diminished with this amendment.

6 REPRESENTATIVE HUKILL: All right, let's
7 follow up on that. You didn't specifically answer
8 my question, but the Voting Rights Act already
9 provides protections for minorities in
10 redistricting.

11 And my question is whether the petitions adopt
12 the Voting Rights Act or add protections beyond the
13 Voting Rights Act and in your opinion?

14 MS. FREIDIN: I am not an expert redistricting
15 lawyer and I really don't have an opinion. What I
16 do know is that these amendments will very clearly
17 by their language forbid any legislator or any

18 Legislature I should say, to adopt any plan that
19 diminishes the ability of minority voters to elect
20 representatives of their choice.

21 REPRESENTATIVE HUKILL: A follow up on that,
22 Ms. Freidin.

23 There are certain statements that have been
24 attributed to you in various press sources.

25 For instance, in the Orlando Sentinel,

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1 November 18, 2009, you are quoted as saying that
2 these would not in any way conflict with the Voting
3 Rights Act.

4 In November 27, 2009, the Herald Tribune you
5 said, "Our amendment will not dilute minority
6 representation and it will add a right to the
7 Florida Constitution that doesn't exist in any
8 other state in the Union." Is that your statement?

9 MS. FREIDIN: Not the second part of it. I
10 don't think I have ever said that exactly.

11 REPRESENTATIVE HUKILL: So you disagree with
12 the statement written in the Tribune of
13 November 27, 2009, that was attributed to you?

14 MS. FREIDIN: No, I think what I said was they
15 will put into the Florida Constitution rights that
16 don't exist in other state Constitutions.

17 REPRESENTATIVE HUKILL: All right. In the
18 Tampa Tribune, January 12, 2010, attributed to you
19 is a statement that says, "It will provide greater
20 protection that exist today in Federal law."

21 Is that a statement that you attribute that
22 you made?

23 MS. FREIDIN: Well, again, every statement
24 that I have made about these rights, first of all,
25 we can't have an impact on Federal law. Federal

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1 law is Federal law. That much -- that is basic
2 law, I know that.

3 But as far as the statements I have made about
4 these amendments is that there will now be in the
5 Florida Constitution rights that are there
6 permanently.

7 That is in and of itself, the permanency in
8 the Florida Constitution is in and of itself a
9 difference than from the Federal Voting Rights Act,
10 and I am certain that that is what I have been
11 saying all along.

12 REPRESENTATIVE HUKILL: Thank you, Ms.
13 Freidin, I am not trying to be contentious about
14 this, but the citizens read a petition and they
15 have to look to statements that are made,
16 representations that are made in order to help
17 understand what they are voting for, and it is very
18 important that it be clear and precise and that a
19 citizen knows what they are voting for.

20 So I am just trying to work with you and
21 understand if these statements that are attributed
22 to you, that you acknowledge have been made by you
23 and that I feel that the citizens at some point

24 will rely upon as a representative, you being a
25 representative of Fair Districts Florida.org.

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1 So can you tell me that you disagree with
2 those statements or you agree that they are
3 correct?

4 MS. FREIDIN: I told you that -- I already
5 told you that I -- that I don't think that one of
6 them was exactly what I said. And what I have
7 repeatedly told you is that what all of those
8 statements say is that I have and are consistent
9 with what I am telling you right now.

10 That this inshrines in the Florida
11 constitution voting rights that don't exist today.

12 REPRESENTATIVE HUKILL: So my original
13 question of do the petitions inshrine what is in
14 the Voting Rights Act or do they extend beyond what
15 is in the Voting Rights Act?

16 My understanding is you are now saying that it
17 extends beyond. As you said, it inshrines rights
18 that do not exist today. So to me that is
19 extending beyond.

20 MS. FREIDIN: You know, with all due respect,
21 Mr. Chairman, I believe that my words are getting
22 twisted here and I don't -- and, you know, I came
23 here at my own expense. I am here to represent all
24 of the people, the thousands and thousands and
25 hundreds of thousands of people who want to see

1 this on the ballot today.

2 I am not going to be badgered by this. I
3 apologize, but I just -- I just can't do that. I
4 think I have made my position very clear. I am --
5 my position is that and has been with all of these
6 press statements, is that there are now -- if the
7 voters pass this and put it into the Florida
8 Constitution, there will be rights that are in our
9 Florida Constitution that aren't there today.

10 And this language is not exactly the same as
11 the Voting Rights Act and that is, you know, there
12 should be no more conflict about that.

13 REPRESENTATIVE CANNON: And Ms. Freidin,
14 actually there is and with all due respect we
15 represent the 18 million Floridians who elected us
16 to come here and make policy and we have a
17 constitution duty to redraw the House seats and the
18 Senate seats according to the precise language of
19 the Constitution.

20 And so I am sorry it is frustrating, it is
21 equally as frustrating for us, because there are
22 statements, in your introductory remarks commented
23 that newspapers have made this or that statement.

24 well, I think what Representative Hukill is
25 trying to get to is, there have been two different

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1 types of articulations of what these mean as a
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2 matter of law, and I am sure a fellow member of the
3 Bar and somebody who was on the Constitution
4 Revision Commission you can appreciate that words
5 have meaning, particularly when they are in the
6 Constitution.

7 So I think what Representative Hukill was
8 trying to ask is, and as a precursor to this
9 question and I will try and ask it another way.

10 we are well familiar with the concept of
11 Federal preemption, at the Federal law we cannot
12 diminish, but we can as a State Legislature or our
13 Constitution can go beyond what the Federal
14 Constitution or the Federal laws provide. Do you
15 agree with that statement?

16 MS. FREIDIN: Yes.

17 REPRESENTATIVE CANNON: Okay. In the same way
18 that certain of the Federal First Amendment some
19 states confer extra First Amendment protections
20 beyond those guaranteed by Federal law. Are you
21 familiar with that?

22 MS. FREIDIN: Right.

23 REPRESENTATIVE CANNON: Okay. And in Florida
24 we have extra protections to protect, for example,
25 against eminent domain takings for economic

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1 development beyond the Federal law. Are you
2 familiar with that?

3 MS. FREIDIN: Of course.

4 REPRESENTATIVE CANNON: Okay. So what
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5 Representative Hukill is asking is, would the
6 language of your proposed amendments provide extra
7 protections beyond those assured today by Federal
8 law in the voting rights environment? It is a yes
9 or no question.

10 MS. FREIDIN: The language -- the language
11 says that districts cannot be drawn or plans cannot
12 be drawn to diminish the ability of minority voters
13 to elect representatives of their choice.

14 That is not presently part of the Voting
15 Rights Act, except to the extent that it might be
16 somewhat similar to what is in Section V.

17 REPRESENTATIVE CANNON: Okay. But --

18 MS. FREIDIN: So that would be an additional
19 protection.

20 REPRESENTATIVE CANNON: Thank you. Senator
21 Storms for a question.

22 SENATOR STORMS: Thank you, thank you,
23 Mr. Chair, and I just want to encourage you, ma'am,
24 to sort of toughen up there because this is going
25 to be -- it is going to be a rocky ride and if you

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1 are getting a little frustrated and feeling a
2 little sensitive in this very mild environment,
3 then I encourage you to go to a couple of public
4 meetings where you have some fired up voters on
5 your hands as they're talking about it.

6 So I just really encourage you to, you know,
7 not take this --

8 MS. FREIDIN: Well, thank you, Senator, for
9 that encouragement.

10 SENATOR STORMS: Okay, you are welcome, you
11 are welcome. I just wanted to -- I have some
12 concerns about -- about the minority district.

13 I represent Beeville. I have been an elected
14 official for 12 years, and I have had a wonderful
15 experience representing Beeville. Beeville is an
16 area of my district that was settled by emancipated
17 slaves when Lincoln signed the emancipation
18 proclamation and I have had a very tight
19 relationship with my district, and particularly
20 with Beeville over the years.

21 And so I am very sensitive to anything that
22 would diminish the ability of minority folks in my
23 district and in other districts to participate in
24 the process.

25 And so I looked -- I read your letter that you

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1 referenced in your comments and I just wanted to go
2 over some of those with you, because I am also an
3 attorney by training and you are, too.

4 So I read the language directly that you
5 pointed to as not diminishing the minority
6 participation, and I just wondered if you could
7 look at that with me.

8 It says, "The districts shall not be drawn to
9 deny racial nor language minorities the equal
10 opportunity to participate in the political process

11 and elect language minorities the equal -- and
12 elect representatives of their choice."

13 MS. FREIDIN: well, that is the -- that is the
14 ballot language, but that is not the constitutional
15 language. So which are we talking about?

16 REPRESENTATIVE HUKILL: So that would be the
17 ballot summary. I guess this is your sheet that I
18 am reading from. So it is the ballot summary that
19 I am reading.

20 And then if you drop down to the full text, in
21 subparagraph (1) it says, "No apportionment plan or
22 district shall be drawn with the intent to favor or
23 disfavor a political party or an incumbent and
24 districts shall not be drawn with the intent or
25 result of denying or abridging the equal

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1 opportunity of racial or language minorities to
2 participate."

3 Again, it is the same language, "to
4 participate in the political process or to diminish
5 their ability to elect representatives of their
6 choice." That is the language.

7 MS. FREIDIN: That is the constitutional
8 language.

9 REPRESENTATIVE HUKILL: And so in your letter
10 that you referenced it is saying that it would
11 provide more protection --

12 MS. FREIDIN: When you are referring to my
13 letter, I don't know what you are talking about.

14 REPRESENTATIVE HUKILL: The letter and your
15 comments about the attorney, Jenner and Block.

16 MS. FREIDIN: Let me -- let me make one thing
17 clear.

18 REPRESENTATIVE HUKILL: Excuse me just for a
19 second, Mr. Chair.

20 REPRESENTATIVE CANNON: Senator Storms.

21 SENATOR STORMS: So I recognize you are not
22 saying that this is your -- I am not saying your
23 name is on it, but it is a letter you referenced.
24 Is that better for you? In your statements you
25 referenced this letter. Mr. Chair.

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1 MS. FREIDIN: May I answer?

2 REPRESENTATIVE CANNON: Ms. Freidin, sure.

3 MS. FREIDIN: I referenced the letter because
4 it is something that was requested by Senator Smith
5 and Representative Thurston.

6 It is a letter that is in the record of your
7 proceedings. It is not a letter that I requested,
8 and frankly the first time I saw it was when they
9 turned it to you and I had nothing to do with it.
10 It is not my letter.

11 So I would just simply disagree with your
12 characterization of it as my letter.

13 SENATOR STORMS: Okay. well, I didn't mean
14 for you to take it personally, it is okay, peace.

15 MS. FREIDIN: I am not -- I am not taking it
16 personally. I just want to make sure that the

17 voters of Florida understand what is going on here.

18 SENATOR STORMS: Okay.

19 MS. FREIDIN: Because that is a letter that
20 was written by -- by your -- at the request of your
21 colleagues by neutral observers who are lawyers in
22 Washington.

23 SENATOR STORMS: Mr. Chair. I understand,
24 okay.

25 REPRESENTATIVE CANNON: Representative Storms.

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1 SENATOR STORMS: I am sorry, peace, stand
2 down, I am not saying it is your letter. What I
3 mean is the letter you referenced and you said it
4 supported the position that minorities would not be
5 diminished.

6 And I would say to you, I look at page 4 of it
7 and it clearly says under subparagraph (8) that
8 within these two bounds the Legislature would have
9 substantial discretion. And it is talking about
10 drafting minority districts.

11 It specifically says, "It will be able to, but
12 would not have to formulate a plan under which
13 minorities would be able to elect more
14 representatives of their choice compared to the
15 status quo."

16 And so -- and in another place it says, "The
17 scenario envisioned by this question, a non compact
18 majority controlled district abutting a non compact
19 district in which a minority can elect a

20 representative of its choice would therefore be
21 extremely rare. In any event, under such a
22 scenario the same factors that justified the
23 creation of the minority controlled district would
24 also shield the minority controlled district, the
25 majority controlled district from attack.

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1 In other words, the non compact majority
2 controlled district would be an inevitable and
3 permissible byproduct of the protection of
4 minorities' ability to elect representatives of
5 their choice."

6 Now if you go down to paragraph 11 it says,
7 "But it is clear that there were alternatives
8 presented at that time that maintained a comparable
9 ability of minorities to elect candidates of choice
10 while avoiding some of the other ills, like undue
11 non compactness that are among the targets of the
12 amendments."

13 And then finally I want to reference this
14 point before I ask the question, another question.
15 "If however the Legislature did withdraw a district
16 and therefore destroyed a minority group's current
17 ability to elect the representatives of its choice,
18 then that could indeed be a violation of the
19 amendment, but not necessarily."

20 So -- so as you read this you say that this
21 letter supports your position. I read this letter
22 and say, no, what it says is the Legislature has

23 wide discretion. And so the result is a
24 diminishment of the minority participation by a
25 minority district.

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1 REPRESENTATIVE CANNON: Ms. Freidin.

2 MS. FREIDIN: I am not sure what the question
3 is.

4 REPRESENTATIVE CANNON: Senator Storms.

5 SENATOR STORMS: Mr. Chair, the question is,
6 you talked about the intent and when my colleague
7 here from the House asked what the intent was,
8 could you restate how you were able to devine the
9 intent.

10 MS. FREIDIN: The intent is to ensure that
11 districts in the state of Florida are drawn for the
12 people instead of for political preservation, while
13 also ensuring that there is no impingement or
14 infringement on minority voting rights.

15 SENATOR STORMS: Mr. Chair.

16 MS. FREIDIN: May I finish?

17 SENATOR STORMS: You are not answering the
18 question that I asked.

19 MS. FREIDIN: May I finish?

20 SENATOR STORMS: I just want to get to the
21 point. He asked you how you devine the intent of
22 the Legislature under the current districts and you
23 said, just look at any of the districts, they are
24 all over the place. That is how you devine intent,
25 because you can look at -- according to what you

1 said just a few minutes ago he asked you how do you
2 know what we intended to do.

3 And you said, well, anybody could look at the
4 maps and see that they are all over the place. So
5 we can tell your intent that it was done to protect
6 the political party. That was my understanding of
7 what you just said. I am not trying to engage in
8 gotcha. I am just trying to help you understand
9 where I am coming from.

10 MS. FREIDIN: I did say that.

11 SENATOR STORMS: Yes, okay.

12 MS. FREIDIN: So I don't understand what that
13 relates to the Jenner and Block letter.

14 SENATOR STORMS: Here is how that relates.
15 Because according to this then if -- one way or the
16 other we can say it is our intent to protect
17 minority districts, right?

18 Then we can keep all of the districts exactly
19 like they are, because if it is our intent right
20 now to protect the minority districts, all of the
21 districts could stay the same. So that all we have
22 to do is articulate one intent.

23 We want to protect minority districts and we
24 going to protect that representation. Therefore,
25 we are not going to deviate because all of the

1 districts are the same.

2 Or is it that the Legislature has more
3 discretion than that, and if they have more
4 discretion than that, isn't it true that we could
5 and possibly would be forced to reduce those
6 minority districts, because if all we have to do is
7 say it is our intent to preserve those districts
8 and we do nothing else, then we can settle that by
9 saying, we are keeping the status quo just like it
10 is today, because we are going to protect those
11 minorities districts, that is our intents.

12 And so long as we say that on the record, you
13 say that, you say that, you say that, you say that,
14 everybody says that, there is no problem. How else
15 do you determine intent?

16 MS. FREIDIN: Well, first of all, I think -- I
17 think this is a multi part question and I am going
18 to try and answer it. But the first thing you
19 asked was, can we keep all the districts the same.

20 The answer is, we can't possibly know today
21 what the census data and what the other data that
22 is necessary to draw minority districts is going to
23 be in 2012, when you are charged with the awesome
24 responsibility of drawing those districts.

25 So we don't know if the districts today can be

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1 the same as what they are today. We have no idea
2 and -- and it is highly unlikely that every

3 district or even many districts could remain
4 exactly the same.

5 However, given that and given the language
6 that is in our amendment, you cannot diminish the
7 ability of representatives -- of minority voters to
8 elect representatives of their choice.

9 So that is a protection that will be in the
10 Florida Constitution. You will be violating the
11 Constitution if you diminish the ability of
12 minority voters to elect representatives of their
13 choice.

14 Now, the point, you know, you went very fast
15 on that letter, but the one thing that you did
16 point out was you were saying that within the
17 bounds, within these two bounds the Legislature
18 would have substantial discretion. It would be
19 able be to, but would not have to formulate a plan
20 under which minorities would be able to elect more
21 representatives.

22 Now that is not what we are claiming nor is it
23 what the language says. What our language says is
24 that you cannot write -- make districts or create a
25 plan that diminishes the ability of minority voters

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1 to elect representatives of their choice.

2 It would be illegal to have a quota or
3 anything in our Constitution that says you have got
4 to have a certain number -- you have got to make
5 sure that there ends up being a certain number of

6 minority voters. That is not the issue.

7 The issue is the ability of minority voters to
8 elect representatives of their choice. You have
9 done a very good job of ensuring that those
10 districts exist today, and I am sure that you can
11 continue doing that and making sure that that
12 ability is not diminished.

13 SENATOR STORMS: Mr. Chair, if I could --

14 REPRESENTATIVE CANNON: For a follow up,
15 Senator Storms.

16 SENATOR STORMS: Thank you, Mr. Chair. But
17 that really goes to the essence, because see I
18 guess where you and are differing on this is that
19 you talk about the intent as though -- and I think
20 the best description of it is devining intent.

21 And my question is, goes to how -- how
22 somebody if it is not going to be challengeable at
23 every turn, how do you devine intent.

24 Because if you look at say Tony Hill's seat in
25 the Senate, are you familiar with Senator Tony

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1 Hill's seat?

2 MS. FREIDIN: No, I am not. I must confess to
3 not really being familiar with any individual or
4 specific seats.

5 SENATOR STORMS: Okay, well, that is an
6 important point, because Senator Hill is a minority
7 representative and his district is very
8 gerrymandered. I mean, it goes, it is a shoestring

9 and goes all the way down.
10 Okay, so -- so if we start here, if the
11 Members here say, we are going to start by
12 protecting, we don't want to diminish any minority
13 seats and minority representatives and that is
14 Congressional, State and House, Senate and House.
15 So we are doing to start with that
16 perspective. All of the minority seats are going
17 to still be gerrymandered. That means all of the
18 seats that are minority seats that are touching
19 them have to within some way gerrymandered also to
20 accommodate that sort of gerrymandering, but then
21 that goes to intent to do what.
22 How do you measure intent, because according
23 to what you said that that gerrymandering is
24 de-facto bad intent. That is de-facto bad intent.
25 You said the outcome. When he asked you how

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1 do you measure intent, how do you devine intent,
2 although it is not the exactly words, you said, by
3 looking at the map and they are all gerrymandering,
4 therefore, you know.
5 That means that outcome is de-facto intent,
6 and I don't know how you protect those minority
7 seats that are gerrymandered without necessarily
8 having majority seats that touch them also be
9 gerrymandered in order to protect them.
10 I don't know how you could that without
11 subjecting it to a challenge. And so I guess what

12 my question to you is, besides outcome, which you
13 have already enumerated, what else are you going to
14 use as a tool to determine intent? How else will
15 you use it besides outcome?

16 MS. FREIDIN: well, first of all it is not --
17 as I told you, it is -- it is the province of the
18 Legislature in terms of intent, it is the province
19 of the Legislature to avoid intent, and the way the
20 Legislature would avoid intent would be to look at
21 the facts, would be the geographical information,
22 if it is a race district, if it is a racial or
23 language minority district it is going to be a very
24 different calculus than it is going to be if it
25 is a -- if it is a non minority district.

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1 So, you know, if you have a non minority
2 district that is -- that is -- that is what I was
3 referring to when I said, just look at the map,
4 because I was being asked how do you devine intent
5 to favor or disfavor a political party or a
6 candidate.

7 That was the question that I was being asked.
8 I was not being asked at the time about minority
9 districts.

10 REPRESENTATIVE THURSTON: Mr. Chair.

11 SENATOR STORMS: Mr. Chair.

12 REPRESENTATIVE CANNON: Let's do this, if it
13 is all right with you Senator Storms, I have got
14 Representative Thurston, Representative Carroll, I

15 think I heard Senator Thrasher. Let's start there
16 and then we will come back as necessary.

17 So Representative Thurston for a question.

18 REPRESENTATIVE THURSTON: Thank you,
19 Mr. Chair. Thank you for being here this
20 afternoon. I want you to know that this does not
21 necessarily have to be a rocky road though. This
22 can be more gentle.

23 But I want to thank you because a couple of
24 occasions it was referenced that Fair Districts
25 were not present and I did receive a letter from

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1 you a while back saying that once you reach the
2 signature threshold that you would come forward and
3 I am glad that you are here.

4 My first question and I only have two
5 questions. My first question is, you have
6 indicated that there have been a number of prior
7 efforts to get the same language passed or added to
8 the Constitution.

9 And we are making a big deal about the
10 language that we are utilizing here. Can you tell
11 me, because I am not familiar with what the
12 Constitution Revision Commission said or the prior
13 efforts of Congressman Mario Diaz-Blart was.

14 was that language substantially different than
15 the language in your petition, and if so, tell me
16 what that was?

17 MS. FREIDIN: well, the language of the

18 earlier efforts actually all included a
19 redistricting commission which we chose not to do,
20 because we believe that this Legislature has the
21 ability and will have the will when it is in the
22 Florida Constitution, and in good faith can draw
23 these districts in a fair manner.

24 But in terms of the standards, which all of
25 those efforts included as well, the standards were

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1 essentially identical to -- I mean, with slight
2 changes in wording. So that for example, the one
3 that was in 1993, and it was sponsored by Ander
4 Crenshaw with co-sponsorship by our Governor,
5 Charlie Crist, and other Democrats and Republicans
6 together, it contained requirements of compactness.

7 It contained requirements of contiguousness.
8 It required -- it required that no district be
9 drawn to protect an incumbent's or a party, and it
10 also required that voting rights not be diminished.

11 And it had -- it had all of the components
12 that our amendment has. So this is nothing new
13 what we are doing here today.

14 REPRESENTATIVE THURSTON: Follow up,
15 Mr. Chair.

16 REPRESENTATIVE CANNON: Follow up.

17 REPRESENTATIVE THURSTON: Thank you. When you
18 began you summarized the issues that you have heard
19 in watching the previous hearings, and you listed
20 the three as a protection or interfering with

21 minorities ability to elect representatives of
22 their choice, confusion and also more litigation.

23 And I am glad you had as your number one the
24 representation, preservation of minority
25 representation. I, like many of the other members

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1 on this Commission, are truly concerned about that.

2 So I guess my question is, is there anything
3 that would -- is there any intent in your petitions
4 as it relates to continued minority representation?
5 And there has been a reference saying that there
6 could be diminishment of minority representation.
7 Is there anything prohibiting that in your
8 petitions?

9 MS. FREIDIN: There is nothing in our
10 petitions that would prohibit you as a legislator
11 from continuing to create minority opportunities
12 for minority voters, nothing.

13 And not only that, there is a requirement that
14 you not diminish the ability of minority voters to
15 elect representatives of their choice. So I think
16 that that -- the establishment of the intent is in
17 the language, it is in public and private
18 statements that are made by -- by all of you and
19 all of us.

20 REPRESENTATIVE THURSTON: Thank you,
21 Mr. Chairman.

22 REPRESENTATIVE CANNON: Ms. Freidin, next we
23 have Representative Carroll and then

24 Representative -- I mean Senator Thrasher.

25 Before we do that, I just want to make sure I

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1 understood your answer to Representative Thurston's
2 question.

3 Is it your testimony that we -- that the
4 Legislature would be permitted to draw non compact
5 disks -- non compact districts that would allow
6 minority access even -- even though they could not
7 be protected by the Federal Voting Rights Act? In
8 other words, that you could draw a non compact
9 district to allow a minority crossover --

10 MS. FREIDIN: Are you talking about an under
11 50 percent district?

12 REPRESENTATIVE CANNON: Correct.

13 MS. FREIDIN: Absolutely.

14 REPRESENTATIVE CANNON: Okay.

15 MS. FREIDIN: But that is not from our
16 amendments. I want to make it clear. That is not
17 only -- there is nothing in our amendments that
18 would prohibit that, but remember what I read to
19 you from the Bartlett case.

20 The United States Supreme Court says that
21 there is nothing to stop a state from dropping --
22 from continuing to draw minority access districts
23 as opposed to majority, minority districts.

24 Our amendments simply don't -- we can't change
25 what the United States Supreme Court says. What

1 our amendments say is that with regard to -- with
2 regard to ability to elect representatives of
3 choice, the Legislature cannot do anything to
4 diminish that ability. So that -- that would be
5 the answer to that question I believe.

6 REPRESENTATIVE CANNON: Okay, Representative
7 Carroll, then Senator Thrasher, then Representative
8 Proctor.

9 REPRESENTATIVE CARROLL: Thank you,
10 Mr. Chairman. Thank you so much for being here
11 today and for your passion to bring about fairness.

12 I am getting a bit confused with regards to
13 what this will do with regards to litigation. If
14 anyone of the adopted standards are infringed upon.

15 For example, we have heard a discussion with
16 regards to compactness, but yet still it seems to
17 be an oxymoron with regard to the minority access
18 in majority, minority districts.

19 So if we were to draw lines per the additional
20 standards and stay within the compactness and all
21 of the districts are compact defined by whoever is
22 supposed to define that term, and then we diminish
23 minority access and majority, minority seats, then
24 this will stand for another litigation, because it
25 goes against the compactness, because we will have

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1 to redraw those lines. Can you explain that?

2 MS. FREIDIN: Well I don't know -- I don't
3 know -- I am not sure that I understand it. Are
4 you asking me if you make minority districts, I
5 mean, you as a body, if you -- if the Legislature
6 were to make minority districts that were -- if
7 they were to make minority districts more compact,
8 and therefore, have fewer ability to elect --

9 REPRESENTATIVE CARROLL: Mr. Chair, just to
10 clarify my question.

11 REPRESENTATIVE CANNON: Sure, for a follow up.

12 REPRESENTATIVE CARROLL: Not so much -- take
13 away the minority from drawing the line. We draw
14 the lines with blinders on and we make the district
15 compact according to whatever the definition of
16 compact may be.

17 And it so happened that after drawing those
18 lines of compactness according to the additional
19 standards that may be voted on, that diminishes
20 minority seats.

21 That could stand a legal challenge, because
22 now we have gone away from the other part of the
23 Voting Rights Act and the other part of the
24 additional standards in keeping minority seats. So
25 how do we do both?

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1 MS. FREIDIN: You have -- you have in the
2 language very clear directive with regard to that.
3 If you look at the -- at the beginning of Section
4 II of the amendment it says, "Unless compliance

5 with the standards in this subsection conflicts
6 with standards in the subsection (1) or Federal
7 law."

8 So that then -- then you have to go on with --
9 with the compactness and the adherence to local
10 boundaries.

11 So first you have to have the minority
12 districts drawn. Once you have those districts
13 drawn you go ahead and you make the other districts
14 to the extent that you can, compact and utilizing
15 existing boundaries.

16 REPRESENTATIVE CARROLL: So it kind of
17 conflicts what you said earlier about having
18 gerrymandered districts. So we can have
19 gerrymandered districts for minority seats, but we
20 cannot have gerrymandered districts for non
21 minority seats?

22 MS. FREIDIN: Well, the definition of
23 gerrymander, the definition of gerrymander is to
24 draw district to end up with a particular political
25 result, and that isn't the same as ending up with a

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1 particular constitutionally required fairness
2 result for minority voters.

3 REPRESENTATIVE CARROLL: Interesting you
4 brought up that point, too, because fairness, are
5 we going to have that defined as to what fair
6 means, because it could be subjective?

7 For example the terms of compact, fair

8 geographical boundaries. Those are ambiguous
9 terms. So is there going to be some point where
10 those terms are defined?

11 MS. FREIDIN: Well, those -- are you asking me
12 if compactness is defined?

13 REPRESENTATIVE CARROLL: Well, you brought up
14 fairness as well, because as a minority voter I can
15 say that I don't have an opportunity if I don't
16 have an incumbent, let's say Representative Holder
17 is my incumbent and I want to elect him as a
18 minority to represent me in whatever seat, then I
19 could say that you are taking away my fair choice
20 to elect him.

21 So how do we then define what is the voter's
22 choice; what is fair in this; what is compactness;
23 what is geographical boundaries? Is that going to
24 be in definitions that we are going to be able to
25 use?

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1 MS. FREIDIN: These are not -- we haven't --
2 these are not unusual standards. These are
3 standards that are applied in the vast majority of
4 other states and they are -- the definitions are
5 very clear. There is no question about -- about
6 how if you read the cases from the other states,
7 they are very clear.

8 REPRESENTATIVE CARROLL: So Mr. Chairman,
9 follow up.

10 REPRESENTATIVE CANNON: Sure.

11 REPRESENTATIVE CARROLL: Then if our voters
12 may be confused as I am as to what is going to be
13 fair, what is fair for Representative Holder and
14 Thurston may not be fair for me.

15 would that confusion to the voters then, are
16 they supposed to be go look to other states for the
17 definition of fair?

18 MS. FREIDIN: No.

19 REPRESENTATIVE CARROLL: If they wanted to
20 bring a legal challenge?

21 MS. FREIDIN: And let me -- let me go back to
22 that, because I am not saying that fairness is a
23 standard in any state, nor is it -- I don't believe
24 it is mentioned anywhere in our amendments.

25 The word fairness is not -- is not there. The

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1 question that I thought you were asking is, if you
2 draw some districts compactly and other districts
3 not compactly, is that -- is that fair. Is that
4 not what you are asking?

5 REPRESENTATIVE CARROLL: well, in combination,
6 because throughout your presentation you also
7 brought about what is fair, and if that is the
8 dialogue that we are going to have in a
9 conversation we are having with our voters and we
10 are informing them that this is going to be about
11 fair districting, then fairness to almost everyone
12 may be a little bit different.

13 So we need to either define the term what fair
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14 means or to have that as clarity that fair may mean
15 130,000 voters, or fair may mean that the borders
16 are going to include a river and a lake or fair may
17 mean -- whatever it may be, but I just don't want
18 our voters to be confused with regards to thinking
19 that they are getting one thing and get something
20 else just to answer your question.

21 I also want to know, early on you made a
22 mention that the petitions were signed by
23 Democrats, Independents and Republicans, and I am
24 curious to know how do you know that since the
25 petition doesn't ask for your political

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1 affiliation?

2 MS. FREIDIN: Because there is a record on the
3 voting rolls of every person who signs.

4 REPRESENTATIVE CARROLL: So you guys go look
5 at who signed the petition and get a tally, that
6 sort of thing?

7 MS. FREIDIN: No, I don't have a tally, but I
8 know that they -- I know that there are many
9 Republicans who are very much involved, actively
10 involved and many Independents who are actively
11 involved, many Democrats who are actively involved
12 who I know personally who have signed. There
13 are -- we also, it is public record who signs.

14 That is easy, but, Mr. Chairman, may I respond
15 on the fairness issue that she is raising?

16 REPRESENTATIVE CANNON: Certainly.

17 MS. FREIDIN: Fairness in this context means a
18 lot of different things, but the one thing that
19 these -- there are two things that these amendments
20 were intended to do, and they both involve
21 fairness.

22 These intent -- these amendments are intended
23 to stop districts from being drawn for political
24 purposes by the legislators, to particularly to
25 advance the political goals of the legislators who

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1 are drawing the districts. That is an unfair
2 situation that is intended to be stopped here.

3 The other part of the fairness that is being
4 sought here is to ensure that these amendments do
5 not create any situation that would be unfair in
6 any way or disadvantaged in any way minority
7 voters. Those are the things that we are trying to
8 accomplish here.

9 We are trying to accomplish districts that
10 make sense, districts that aren't strung out over
11 multiple counties from coast to coast in the state
12 of Florida.

13 We are trying to stop districts from dividing
14 small communities into four and five different
15 districts.

16 We are trying to stop a situation where
17 neighbors don't vote in the same district. We are
18 trying to keep communities together. All of that
19 relates to the fairness that Representative Carroll

20 was referring to.

21 And we want to make sure that in doing all
22 that there is no harm done and no diminution of
23 minority -- of the rights of minority voters.

24 REPRESENTATIVE CANNON: Okay, Senator Thrasher
25 for a question.

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1 SENATOR THRASHER: Thank you, Mr. Chairman.
2 Hello, Ms. Freidin, good to see you begin.

3 MS. FREIDIN: Hello, Senator.

4 SENATOR THRASHER: I don't think I have seen
5 you since 1989.

6 MS. FREIDIN: A long time.

7 SENATOR THRASHER: It has been.

8 MS. FREIDIN: Well, maybe the early '90s
9 anyway.

10 SENATOR THRASHER: Thank you for being here.
11 I have a more direct question, more specific
12 question in respect to some of the testimony you
13 have given.

14 And I have asked, we have had as I am sure you
15 are aware of, you said you watched it, testimony
16 and references to districts in the state of Florida
17 and I am asking, I asked the staff if they had and
18 they said they did, if they would mind putting up
19 Congressional District III and I would like to ask
20 you a question about that in respect to the fair
21 district plan.

22 This is -- you said -- you said you were not
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23 intimately familiar with the districts, but you
24 have used the word gerrymandering.

25 when I hear the word gerrymandering this

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1 district comes to mind, I guess in terms of what I
2 have heard people quote.

3 Under the Fair Districts' plan I would just
4 like to ask you this question. Can we legally draw
5 Congressional District III or something I guess
6 similar to it in order to protect minority
7 representation in Congress?

8 MS. FREIDIN: I know that it was deemed to be
9 legally drawn in 2002. I have no idea what will
10 happen in 2012, because there is no data available.
11 So it is impossible for me.

12 I am not avoiding the comments on District
13 III, but it would be impossible for me, it would be
14 impossible for you or anybody else in this room or
15 this building to today say what can be done with
16 any particular district, because we don't have the
17 data. You know, in order to draw a district you
18 have got to have --

19 SENATOR THRASHER: Let me stop you. I get
20 that, I heard you say that earlier. In all due
21 respect, assuming we had the data and we wanted to
22 draw that district, assuming we spread the data of
23 the population consensus around the state and we
24 wanted to redraw that district, you are saying we
25 could or couldn't redraw it --

1 MS. FREIDIN: I have no idea.

2 SENATOR THRASHER: -- under your testimony?

3 MS. FREIDIN: I have no idea.

4 SENATOR THRASHER: So in your opinion then, I
5 guess, if it is no, the minority representation
6 would diminish then under the Fair Districts' plan,
7 is that correct?

8 MS. FREIDIN: You would have to be able to
9 have the data for the entire state. You would have
10 to have voting data in minority districts, in
11 minority areas. You would also have to have a
12 census data which isn't available. I can't answer
13 that question.

14 SENATOR THRASHER: Okay, fair enough. Let me
15 ask you just in a follow up then to that if I may,
16 Mr. Chairman.

17 REPRESENTATIVE CANNON: Absolutely.

18 SENATOR THRASHER: Since -- since we know the
19 shape of the district and the current partisan
20 makeup who is represented by Corrine Brown, who is
21 a Democrat, would we if we had the correct census
22 and we still wanted to draw that district, would we
23 be intending to a favor her if we drew that
24 district in a similar way or the same way?

25 MS. FREIDIN: It depends on the reasons you

1 are drawing the district for that -- for that --
2 for that purpose. I really -- I really cannot
3 comment on any particular district, but I can say
4 this.

5 That with regard to any district, I know the
6 question has been asked, if we draw a district
7 identical to the prior district, does that mean
8 that we are -- that we are favoring or disfavoring
9 a particular -- a particular incumbent, and the
10 answer is, it depends on why you are drawing the
11 district that way.

12 SENATOR THRASHER: Let me ask you.

13 MS. FREIDIN: And you know that. I can't.

14 SENATOR THRASHER: Let me ask you another
15 question then if I may, Mr. Chairman.

16 REPRESENTATIVE CANNON: Sure.

17 SENATOR THRASHER: I heard your testimony
18 earlier about, and I tried to write it down,
19 particularly about the public hearings, and I think
20 the Legislature has had a history of holding public
21 hearings around the state to hear the views of
22 citizens.

23 Suppose and your testimony I think was
24 directed that it would be okay if somebody in one
25 of those hearings said, she liked or he liked a

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1 particular district.

2 what if they said, we like our particular

3 Representative or Senator or Congressman, would
4 that testimony provide improper intent for us I
5 guess?

6 MS. FREIDIN: I think it would depend on what
7 you do. The intent is yours, not -- public comment
8 is very, very important in this context. There
9 will be lots of public comment and it will be very
10 varied and certainly there is no reason for -- for
11 you as members of the committees that are dealing
12 with it or the entire Legislature to ever except
13 public comment. There is nothing wrong with that.

14 The question is what do you do when you go
15 into -- into the map drawing room and you draw the
16 map.

17 SENATOR THRASHER: I mean, say we get a bunch
18 of comments that somebody likes Senator Storms as
19 their Representative or their Senator and we go
20 back in and we draw a district, you know, similar
21 to what it is now.

22 I guess that is my dilemma. You can't answer
23 these questions. How in the world and you are the
24 ones who drew the districts -- drew the language in
25 the quote, unquote, Fair Districts of Florida, if

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1 you can't answer them, this was your -- you
2 obviously understood the language you were writing.
3 How in the world do you expect us to answer those,
4 or how in the world do you expect our citizens to
5 understand that?

6 MS. FREIDIN: Well, I think that there are
7 many examples of times, and Senator Thrasher, with
8 all -- with all the experience that you have and
9 the redistricting experience, specific
10 redistricting experience you have, you know that
11 there have been many times in which and probably
12 almost every time in which districts are examined
13 to determine whether they're going to be good for
14 an existing incumbent or not or whether they're
15 going to be for a party or not.

16 We are asking you to not look at that
17 information anymore. To eliminate that
18 consideration from your calculus.

19 SENATOR THRASHER: You want us to go to
20 these --

21 MS. FREIDIN: The public --

22 SENATOR THRASHER: Let me interrupt, in all
23 due respect.

24 REPRESENTATIVE CANNON: Senator Thrasher.

25 SENATOR THRASHER: In all due respect you in

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1 essence are saying, let's go to these hearings and
2 put ear muffs on.

3 MS. FREIDIN: No, I am --

4 SENATOR THRASHER: I am not going to do that,
5 I am not going to do that on behalf of my
6 constituents if I am involved in that.

7 Let me ask you the last question, Ms. Freidin.

8 MS. FREIDIN: Mr. Chairman, he is --

9 SENATOR THRASHER: Ms. Freidin.

10 MS. FREIDIN: -- you are not giving me a
11 chance to answer these questions.

12 REPRESENTATIVE CANNON: Ms. Freidin, I assure
13 you you will have ample time to answer anything you
14 want, but I am going to recognize Senator Thrasher.

15 SENATOR THRASHER: My last question,
16 Mr. Chairman. Has Fair Districts drawn any maps
17 previously that you could show us?

18 MS. FREIDIN: No.

19 SENATOR THRASHER: Okay. So you have gone out
20 then and said you have got 1.7 million signatures
21 to sign petitions and you have never even drawn a
22 map to show it will actually work, is that correct?

23 MS. FREIDIN: There is no question that these
24 are workable standards. This is not rocket
25 science. This is something -- these standards are

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1 applied in almost every other state in the Union.

2 Florida is the only state in the country that
3 only uses contiguity as its only standard. I am
4 sorry, it is one of three that have as few
5 standards as we have. So that -- that would be the
6 answer. This is not a difficult thing to do and I
7 have every confidence that this Legislature is
8 totally capable of drawing maps with these
9 standards.

10 Now, I want to go back though to the question
11 that you were asking before, because I think it is

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a very, very important question.

what these amendments do is they prohibit the drawing of districts with the intent to favor or disfavor a political party or an incumbent.

Now, you -- I think that what you were asking me is if somebody comes before you and says, some member of the public comes before you and says, I want to keep -- Senator Thrasher, I want your district to be exactly the same because I think you are the perfect senator and I want your district to stay the same.

So that would be -- so your question is, if they -- if the Legislature then goes back and draws your district identically, does that mean that --

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that -- that you then or the Legislature then had intent to favor or disfavor.

The answer to that question cannot be devined today, but it could be devined after you draw the districts. And the way that it would be devined was there could be testimony about conversations that were had among legislators.

We want to make sure that we are protecting this particular district. We want to make sure that we are protecting -- we are ensuring that there is as many Democratic seats as possible in the Legislature. That would be one way.

Another way would be the data that you use to rely on to draw a particular district. Now, we --

15 there is no question and this question has been
16 raised time and time again in these hearings.

17 We understand the data must be used in drawing
18 minority districts, but it doesn't have to be used
19 in drawing the non minority districts. So
20 registration and performance data shouldn't and
21 doesn't have to be used.

22 And before and after results also could be
23 used to determine what the intent of the drafters
24 of the districts was, and what the districts
25 actually look at.

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1 So those -- those are the three things that
2 can be used and it is impossible to say that just
3 because somebody came before you that -- and made
4 some comment, that that would be proof of intent.
5 That doesn't make sense.

6 What makes sense is what you say, what you
7 think and what you do when you go and draw those
8 districts.

9 SENATOR THRASHER: Just a final comment,
10 Mr. Chairman.

11 REPRESENTATIVE CANNON: Certainly, Senator
12 Thrasher.

13 SENATOR THRASHER: As I understand your
14 testimony then, what you are saying is that just
15 about any plan we draw that has something to do
16 with intent is going to go challenged in the court.
17 So that is where I am going.

18 People don't understand this, you don't
19 understand it in terms of how we -- it will be
20 reflected in the courts. I don't know whether the
21 courts will have to follow the same standards of us
22 that we do. I don't know what the definition of
23 intent is, you don't. I don't know what the
24 standard of proof is, you don't. We don't know what
25 evidence will be required, you don't.

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1 So to me this sets up what I have said all
2 along, an obstacle for this Florida Legislature to
3 design a plan that obviously meets your criteria,
4 and ultimately it is going to be challenged in the
5 courts and the courts are going to make that
6 determination which I believe is your intent.
7 Thank you, Mr. Chairman.

8 MS. FREIDIN: Mr. Chairman --

9 REPRESENTATIVE CANNON: Senator Haridopolis.

10 MS. FREIDIN: -- may I respond to that,
11 because he just made some comments that -- about
12 things that I don't think are true about what my
13 thought is and I just want to clarify.

14 REPRESENTATIVE CANNON: Sure.

15 MS. FREIDIN: I want to clarify something.

16 REPRESENTATIVE CANNON: Sure.

17 MS. FREIDIN: It is not the intent of Fair
18 Districts Florida to have this end up in the
19 courts, and if the districts are drawn according to
20 the standards there will be no more litigation than

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ever before.

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The Supreme Court of Florida has -- this is an issue that was raised before the Supreme Court of Florida, and the Supreme Court of Florida rejected it soundly that there would even be more

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litigation.

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with regard to intent, I just gave you three standards that we certainly can rely on in terms of whether or not there is intent and we need to be really careful how we are throwing this word intent around, because the only intent here that is -- that we are talking about at this moment is the intent to favor or disfavor a political party or an incumbent.

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And we all know that for the last, and it is not just the last 10 years and it is not just the last 20 years, it is as far as anybody can remember back in Florida districts have been drawn for the purpose of accomplishing a particular political result. And that is the -- it is the intent to that, that Fair Districts Florida is trying to eliminate.

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REPRESENTATIVE CANNON: Ms. Freidin, with all due respect, the word intent and the things you mentioned, testimony, data, evidence, the actual intent could only be determined by a court, could it not, as a matter of law?

MS. FREIDIN: No, I think that the intent

24 starts with you and I think that if you -- if
25 legislators understand that they are not supposed

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1 to be drawing districts to accomplish a particular
2 political result, then -- then it never needs to
3 get to a court.

4 There are many states that have the
5 requirement of drawing districts not to favor a
6 political party or an incumbent, there are many
7 states that do that and they all manage to get
8 their maps drawn.

9 There are many other states that give it to --
10 give the responsibility to a commission and those
11 commissions are not -- are charged with not drawing
12 for a particular political purpose. They manage to
13 get their maps drawn and then the maps, they all
14 have the requirement of no intent.

15 They have no problem getting their maps drawn
16 and their districts in place and having their
17 elections held. There is no reason in the world
18 that Florida can't do that, too.

19 REPRESENTATIVE CANNON: Chairman Haridopolis.

20 CHAIRMAN HARIDOPOLIS: Thank you. I just have
21 a question. I think your words, it doesn't take
22 rocket science to do this, and as far as the
23 records show I think roughly three and-a-half
24 million dollars have been spent, that is a pretty
25 big business enterprise, but it is so easy maybe a

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1 legislator can draw these lines.

2 But let me ask you, we have information from
3 2002, we have a lot of folks here who are very
4 intelligent folks on your side who believe
5 passionately in this and I respect that.

6 we have the ability, what we would like to do,
7 it is a pretty easy thing, you have described it,
8 it is pretty easy to do. We will give you the
9 software, we will give you a week, maybe two weeks
10 if that is enough time because it is so easy to do
11 and we would like you to come back and show us how
12 each of the criteria that are so easy to do, it is
13 not rocket science can be done.

14 Because to this point all of the members,
15 Republican and Democrat who have been up here
16 trying to understand this are having great
17 difficulty and today you are not helping your
18 cause.

19 So to help your cause we would respectfully
20 ask you to come back in a week with the 2002 data
21 that is not rocket science and show us how -- we
22 wouldn't even ask you to do all 120, that is a lot
23 of work, not even 40 Senate districts, have a good
24 25 Congressional seats and draw those for us and
25 show us just how easy that is. Could you help us

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1 do that?

2 MS. FREIDIN: I couldn't do it today and you
3 couldn't do it today, Senator.

4 CHAIRMAN HARIDOPOLIS: I have already admitted
5 that I can't do it. We said --

6 MS. FREIDIN: We all know --

7 CHAIRMAN HARIDOPOLIS: No, don't tell me that.

8 REPRESENTATIVE CANNON: Ms. Freidin, please
9 let Senator Haridopolis speak.

10 CHAIRMAN HARIDOPOLIS: You just described it
11 as rocket science. It is not rocket science, okay.
12 So what I would like to ask, please look at me, I
13 am speaking with you, I am asking you a simple
14 question.

15 You describe it as a very easy process to use
16 the technology that is readily available and draw
17 25 districts that meet your easy to reach criteria
18 and I will give you one week, would you like two
19 weeks, because the people of Florida are going to
20 vote in November, and you have represented certain
21 ideas.

22 would you like one week or two weeks with your
23 team of lawyers, spend three and-a-half million
24 dollars and show us the districts. I don't think
25 it is an unfair request, considering this is an

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1 important process, and remember, this is a
2 constitutional requirement every 10 years. So can
3 you do it or can you not do it?

4 MS. FREIDIN: Nobody can do it.

5 REPRESENTATIVE CANNON: So it is impossible?

6 MS. FREIDIN: May I finish the answer?

7 REPRESENTATIVE CANNON: Sure.

8 MS. FREIDIN: Nobody can do it, and Senator,
9 this is -- it is like this is not really a possible
10 thing that you are asking me to do. You know, I
11 would ask have you all drawn maps.

12 REPRESENTATIVE CANNON: Actually we did in the
13 current districts we all sit in.

14 CHAIRMAN HARIDOPOLIS: And met Federal
15 requirements according to the United States
16 Constitution and Federal law.

17 MS. FREIDIN: Well, but you haven't drawn them
18 with the new criteria.

19 CHAIRMAN HARIDOPOLIS: And that is what we are
20 asking. You came up with the idea, you spent three
21 and-a-half million dollars and now you say I won't
22 do it?

23 MS. FREIDIN: Actually, we didn't come up with
24 the idea. Members of the Legislature who had just
25 gone through a redistricting came up with the idea

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1 in 1993, of these particular standards.

2 The answer is that in order to draw these maps
3 you must have not only data, but you must have
4 census information. You must have voting data, you
5 must have census information, you must have
6 geographical information and you have also got to
7 have a balancing by a legislative body of all of

8 the criteria.

9 And the balancing factor can't be -- can't be
10 applied by me, nor could I possibly draw a map
11 without the data that exist, that doesn't exist
12 today.

13 REPRESENTATIVE CANNON: Senator Haridopolis.

14 CHAIRMAN HARIDOPOLIS: The data exist, the
15 data exist from 2002. It is known data and we can
16 figure that up, we can do it with 2002 data,
17 because as you mentioned before, you said Senator
18 Thrasher had some experience with redistricting.

19 He has zero experience with redistricting. He
20 was not here in 1992, he was not here in 2002, and
21 all we are saying is that I read your newspaper
22 accounts. We have read the hyperbole in the
23 responses and we are saying, it is like health
24 carry form.

25 Everyone is for it, then once it actually

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1 comes to a piece of legislation, people make a
2 decision. If you are the expert on this, you have
3 been dealing with this 1998. You led a campaign
4 which raised over three and-a-half million dollars.
5 You have the editorial support of so many folks and
6 that is impressive.

7 So at the end of the day what matters is that
8 something that works, because theory is one thing,
9 practice is another.

10 You have an outstanding group of folks who got

11 this thing on the ballot, which is not an easy
12 thing to do and we have existing data from 2002,
13 that is so available. It is a yes or no question.

14 Are you willing to draw maps so that we can
15 have a better idea how we can serve our
16 constitutional requirements as members of the
17 Legislature, yes or no?

18 MS. FREIDIN: Are you suggesting, Senator,
19 that maps, that redistricting maps can be drawn
20 simply by plugging information into a computer?

21 REPRESENTATIVE CANNON: Ms. Freidin, the
22 question Senator Haridopolis asked was, if
23 essentially if the language that you are proposing
24 were in the Constitution back pre 2000, and we have
25 got that historical data and Senator Thrasher asked

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1 some questions about it, if the standards that you
2 are proposing be injected into the Florida
3 Constitution had been in place, how could the maps
4 have been drawn. And I think Senator Haridopolis'
5 question is, could you show us that?

6 MS. FREIDIN: I am going to answer your
7 question one more time. To draw a good plan, to
8 draw a map under any criteria you need census data,
9 you need voting performance and registration data
10 for minority districts.

11 You need the input of the public and you need
12 the collegial work of all of the legislative body.
13 The answer is, I can't do that, because I don't

14 have any of that.

15 REPRESENTATIVE CANNON: We will supply you all
16 of the data -- all of the objective data --

17 MS. FREIDIN: And you can't --

18 REPRESENTATIVE CANNON: Ms. Freidin, please
19 excuse me. We will supply you all of that
20 historical voter data, all of the census block
21 tract and number data from 2000, and we would
22 simply ask you to prepare a set of Congressional
23 districts that you contend actually would pass
24 muster under your proposed constitutional
25 amendment, will you do it or not?

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1 MS. FREIDIN: The answer is the data is not
2 available and the -- and the collegial, the
3 collegial work -- I don't have a Legislature to
4 work with me on this, nor do I have public hearings
5 to do this, and I don't have the data and it cannot
6 be done by me and it can't be done by anybody else.

7 It can't be done retrospectively, because we
8 don't know what went into the decision-making in
9 2002, to draw the districts that were drawn.

10 REPRESENTATIVE PROCTOR: Mr. Chairman, I have,
11 I am back in the back.

12 REPRESENTATIVE CANNON: If I may, I have got a
13 long list if it is all right. Representative
14 Proctor for a question. Senator, and then we will
15 go Proctor, Negron, Weatherford and we actually
16 have several from there. Representative Proctor.

17 REPRESENTATIVE PROCTOR: Thank you,
18 Mr. Chairman. Ma'am, I appreciate you being here
19 with us and I would like to address a question to
20 four terms that are used and I am not clear on them
21 and perhaps you will tell me that they have been
22 defined elsewhere and that well may be. I am not
23 aware of that, but first let me ask this.

24 when you use the term, contiguous, you said it
25 shall be contiguous. And when you use the term,

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1 compact, you say, it shall be compact. And when
2 you use boundaries, you say, where feasible. And
3 when you say, equal in population, you say, as
4 practicable.

5 And the term shall, is that synonymous here
6 with should or is it imperative?

7 MS. FREIDIN: It is imperative.

8 REPRESENTATIVE PROCTOR: So it is imperative
9 that the districts be compact?

10 MS. FREIDIN: Yes.

11 REPRESENTATIVE PROCTOR: All districts?

12 MS. FREIDIN: All districts unless to do so
13 would interfere with the criteria that are stated
14 in Section I or Federal law.

15 Now, that Federal law includes the voting
16 Rights Act and it also includes the equality of
17 population requirements.

18 REPRESENTATIVE PROCTOR: So if I am trying to
19 understand the extent to which I must apply the

20 criteria of compactness, I have to temper that with
21 Section I and the Voting Rights Act, is that
22 correct?

23 MS. FREIDIN: Yes.

24 REPRESENTATIVE PROCTOR: So with regard to
25 compactness, is there any analytical tool, standard

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1 that I may use to determine if a district is
2 compact?

3 MS. FREIDIN: I am not sure that I understand
4 your question. Is there any analytical tool? Do
5 you mean is there any formula?

6 REPRESENTATIVE PROCTOR: I might look at a
7 district and believe it to be compact. You might
8 see it otherwise.

9 Is there any quantitative criteria or
10 analytical tool that will tell us whether or not a
11 district is compact? Go ahead.

12 MS. FREIDIN: There are many cases that deal
13 with the question of compactness. It is a term of
14 art in redistricting, and I am not aware of any
15 formula of any sort that would be -- that would be
16 used to -- to --

17 REPRESENTATIVE PROCTOR: So people of good
18 faith could disagree upon whether a district is
19 compact?

20 MS. FREIDIN: I would imagine they could.

21 REPRESENTATIVE PROCTOR: So now let me move
22 just a moment to the word, diminish. Used the

23 sense that we don't want to diminish the rights of
24 minorities to participate.

25 If we have a district that we have, let us say

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1 currently is 29 percent minority and we follow all
2 of the guidelines. We draw, it is contiguous,
3 reasonable people would say it is compact. We have
4 used boundaries where it is feasible and we have
5 something approaching equal population, and we
6 reduce that minority representation from 29 to 27
7 and the results are the loss of the minority seat.
8 Would that be evidence of intention?

9 MS. FREIDIN: I can't possibly comment on any
10 particular hypothetical situation, because there is
11 so much else that goes into it.

12 REPRESENTATIVE PROCTOR: But I just put every
13 standard that you applied in and I said, as a
14 result of using all those standards with good
15 intent, and I had to reduce the minority
16 representation by two percentage points, and as a
17 result we diminished the minority representation.
18 Could we be accused of doing that intentionally?

19 MS. FREIDIN: Okay. You need to look at the
20 language. The language says that -- that districts
21 shall not be drawn to diminish the ability of
22 minority voters to elect representatives of their
23 choice and that is the only thing -- that is the
24 only thing --

25 REPRESENTATIVE PROCTOR: well, we didn't do it

1 for that reason --

2 MS. FREIDIN: That is the only --

3 REPRESENTATIVE PROCTOR: -- we did it to
4 comply with all of the criteria as honestly as we
5 could. Unfortunately it did reduce the minority
6 population by two percent.

7 The results then, would the results be proof
8 of intent to lose that district to the minority?

9 MS. FREIDIN: It is my understanding that
10 the -- and it is the intent of Fair Districts that
11 there can never be a guarantee of a result in a
12 particular election.

13 The issue here is whether you as a legislator
14 decide to draw a plan for a district that
15 diminishes the ability of minority voters to elect
16 representatives of their choice.

17 REPRESENTATIVE PROCTOR: Let me see if I can
18 clarify my question. My intent is quite obvious.
19 I have gone by every criteria you have established.
20 I have used compactness, I have used
21 contiguousness, I have used population and I have
22 used geographical and political boundaries, but
23 unfortunately to achieve all that I had to reduce
24 the minority representation in that district.

25 Let's say, let's take it a little longer.

1 Let's say I reduced it from 29 percent to
2 25 percent. Couldn't someone reasonably claim if
3 the results lost the seat that that was my intent?

4 MS. FREIDIN: Mr. Chairman, I think I have
5 already answered this question two or three times.

6 REPRESENTATIVE CANNON: If you can answer the
7 question, please answer the question, otherwise, I
8 am going to recognize Representative Proctor for a
9 follow up.

10 REPRESENTATIVE PROCTOR: And your answer is
11 nobody can tell what my intent was?

12 MS. FREIDIN: No, that was not my answer.

13 REPRESENTATIVE PROCTOR: I am sorry, what is
14 your answer, ma'am?

15 MS. FREIDIN: My answer is that you need to
16 look at the language of the -- of the amendments.

17 REPRESENTATIVE PROCTOR: I am looking at it.
18 I used all --

19 MS. FREIDIN: The language of the amendment
20 says that you can't draw districts to diminish the
21 ability to elect representatives of choice and that
22 is -- that is the prohibition.

23 REPRESENTATIVE PROCTOR: So my question to
24 you --

25 REPRESENTATIVE CANNON: And if I can help out

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1 Representative Proctor, the language Representative
2 Proctor is talking to you says intent or result.

3 REPRESENTATIVE PROCTOR: That is right.
4 REPRESENTATIVE CANNON: It is not just intent,
5 it is result as well.
6 REPRESENTATIVE PROCTOR: Yes, or results. So
7 based on the results --
8 MS. FREIDIN: We are talking about ability to
9 elect a representative.
10 REPRESENTATIVE PROCTOR: Ma'am, could you put
11 ability into a quantitative term for me? Had I
12 reduced it from 29 to 20, would they have still had
13 the ability?
14 MS. FREIDIN: I -- I cannot.
15 REPRESENTATIVE PROCTOR: Can I move on,
16 Mr. Chairman?
17 REPRESENTATIVE CANNON: Certainly.
18 REPRESENTATIVE PROCTOR: Because I don't think
19 I am getting the clarity I am seeking on this one.
20 REPRESENTATIVE CANNON: Yes, sir.
21 REPRESENTATIVE PROCTOR: Let me ask you about
22 this term, language minorities. Are there a
23 limited number of minorities that have to be
24 protected? Does it extend to all types of
25 minorities?

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1 MS. FREIDIN: Are you asking me if every --
2 every person who speaks a different language is
3 protected?
4 REPRESENTATIVE PROCTOR: well, it says if you
5 read it --

6 MS. FREIDIN: Under the current -- under the
7 current Federal law as that term is defined, it is
8 Hispanic language minority are the minorities that
9 are protected.

10 REPRESENTATIVE PROCTOR: So we would be
11 required to draw districts that we could be assured
12 reasonably represented all language minorities
13 equally with opportunity to elect candidates of
14 their choice?

15 MS. FREIDIN: Under the present -- I think I
16 just answered that question. And it was not what
17 you said. I said under the present state of the
18 law language minority is considered to be Hispanic
19 language minority.

20 REPRESENTATIVE PROCTOR: Just one more
21 question I think.

22 REPRESENTATIVE CANNON: For a follow up,
23 Representative Proctor.

24 REPRESENTATIVE PROCTOR: Ma'am, when you
25 started someone said they thought think would

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1 invite litigation. And I thoroughly agree with
2 that, because so many of the terms I can't get
3 concrete definitions of.

4 So if I sit down and have to put something
5 concrete on a map, I should know what all the
6 operative terms mean. And I have trouble getting
7 those definitions.

8 So let me invite you to do this. You look at

9 this set of standards and you say the intent --
10 Senator Thrasher if I understand him, looks at the
11 exactly the same set of standards and he says the
12 intent is that you assert the legislative authority
13 and put the issue in the court. Now, who is right
14 on intent and how do you decide?

15 MS. FREIDIN: Well, I think the voters are
16 going to decide when they read the language on
17 November 2nd. They're going to go into the voting
18 booths and they're going to make a decision about
19 whether they want to see you eliminate political
20 partisanship from the calculus of your district
21 drawing in 2012.

22 REPRESENTATIVE PROCTOR: Closing statement if
23 I may?

24 REPRESENTATIVE CANNON: Representative
25 Proctor.

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1 REPRESENTATIVE PROCTOR: Exactly my point.
2 You went back to results and the example I gave
3 you, if I diminished the minority by reducing it
4 four points, even though I adhered to all your
5 criteria I would be accused of intent based on
6 results which is just what you used in answer to my
7 question. You said the results proves the intent.
8 Thank you, ma'am.

9 MS. FREIDIN: Chairman --

10 REPRESENTATIVE CANNON: Thank you.
11 Representative Weatherford for a question.

12 REPRESENTATIVE WEATHERFORD: Thank you,
13 Mr. Chairman. I have got a brief series, I will
14 try to keep it brief.

15 Thank you very much for being here. I
16 appreciate your patience in taking all of these
17 questions, I know it is a lot of them, but it is an
18 important issue.

19 MS. FREIDIN: It is taking a lot of patience,
20 sir.

21 REPRESENTATIVE WEATHERFORD: well, we
22 appreciate it, so keep it up. In reference, I want
23 to go back very briefly to a comment that Senator
24 Storms said earlier in regard to the Jenner Block
25 letter.

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1 Is it my understanding that although you
2 didn't write the letter and you stated that, that
3 you agree with the analysis that was in the Jenner
4 Block letter that went to the two Senators?

5 MS. FREIDIN: I agree with some of the
6 analysis, most of the analysis. Actually I agree
7 with the analysis. I don't agree with some of the
8 suppositions that are made.

9 REPRESENTATIVE WEATHERFORD: But is it your
10 opinion that it accurately reflects what the
11 petition actually does?

12 MS. FREIDIN: You know, I can't make a comment
13 on -- I don't want -- I don't want to make such a
14 broad comment because I don't have the letter

15 committed to memory, but what I do agree with is
16 what they say that these amendments would make the
17 elections fairer for all political parties and
18 candidates and that they would also protect and
19 indeed enhance the ability of minorities to
20 participate in the political process and elect
21 representatives of their choice. That is the part
22 I am sure I agree with.

23 If you want to ask me a specific question, I
24 will try and answer it, but if I could ask, if you
25 could go a little slower than Senator Storms went,

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1 because I really was not able to keep up with all
2 of the different quotes she was putting at me.

3 REPRESENTATIVE WEATHERFORD: Senator Storms, I
4 am not as sharp as Senator Storms. So I will
5 certainly be going slower.

6 MS. FREIDIN: Obviously, me either.

7 REPRESENTATIVE WEATHERFORD: I -- I have
8 another question in regard to your website. It
9 states that the voter registration in the state of
10 Florida is 42 percent Democrat, 36 percent
11 Republican and 19 percent Independent in Florida.
12 Is that correct?

13 MS. FREIDIN: That is my understanding of what
14 the voter registration is, and it is on our
15 website.

16 REPRESENTATIVE WEATHERFORD: Yes. And I am
17 assuming that partisan equality and balance are

18 very important principles and probably the genesis
19 for what your petitions -- why you have brought
20 these petitions forth. Would that be correct?

21 MS. FREIDIN: No. I -- I think -- I wouldn't
22 put it that way. I would say that partisan
23 fairness and the lack of partisan rigging of
24 districts is what we are about.

25 REPRESENTATIVE WEATHERFORD: But not partisan

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1 equality?

2 MS. FREIDIN: Not necessarily, no. This is,
3 you know, you have to remember that this is
4 something -- listen, when Democrats were in charge
5 of the Legislature this is something that
6 Republicans introduced.

7 Now the fact -- and it has been -- it has been
8 championed by Republicans and Democrats in Florida
9 for many, many years. I don't think anybody is
10 looking for partisan equality. I think what we are
11 trying to avoid is a situation what exist today
12 where the Legislature draws these maps to
13 accomplish a particular political result where
14 districts are assigned to be, Republicans districts
15 or Democratic districts as opposed to districts for
16 the people and that is what we are trying to
17 accomplish here.

18 REPRESENTATIVE WEATHERFORD: Okay, well then I
19 guess my question is generally trying to figure out
20 what a statistical result or results would meet the

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petitions' intent.

So for example, if a single district was drawn to be 55 percent Democrat or 55 percent Republican, does that district violate the intent of the petition?

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MS. FREIDIN: It depends on why it was drawn that way. If it was drawn for the purpose of making it 55 percent of one party or the other, it absolutely would violate the petition.

If it resulted in -- in being 55 percent one party or the other, then that would not be a violation.

REPRESENTATIVE WEATHERFORD: But given the fact that the state is 42 percent Democrat, 36 percent Republican and 19 percent Independent, by not adhering to those numbers and drawing anything else -- and have any type of other statistical data or registration, wouldn't it be in violation of the petition?

MS. FREIDIN: In order -- are you asking me if the petition prohibits you from setting up a district in a particular partisan way?

REPRESENTATIVE WEATHERFORD: Well, that is what I am trying to figure out, yes.

MS. FREIDIN: The answer is it absolutely does prohibit you from setting up a district in a particular partisan way.

REPRESENTATIVE WEATHERFORD: But if a district

24 is not set up for a particular partisan way, but
25 happens to have 55 percent Democrat and/or

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1 Republican, that doesn't violate any of the
2 principles --

3 MS. FREIDIN: Right.

4 REPRESENTATIVE WEATHERFORD: -- or the
5 classifications within the petition?

6 MS. FREIDIN: Correct.

7 REPRESENTATIVE WEATHERFORD: So, okay, let's
8 suppose there is a Democrat or Republican seat that
9 is at 60 percent Republican or Democrat today, but
10 during the redistricting process goes down to
11 55 percent or 50 percent for that matter.

12 Are you saying that that would not be
13 disfavoring a political party and/or a person's
14 district or a member?

15 MS. FREIDIN: Representative Weatherford, the
16 intent and the language of these amendments is to
17 avoid the situation that exist today when districts
18 are drawn specifically for the purpose of
19 incorporating a certain number of Democrats or a
20 certain number of Republicans in the district.

21 If districts are drawing compactly and they
22 adhere to community boundaries as is required and
23 there is no intent to -- to place a particular
24 number of one party or another or independents into
25 that district, then that would be compliant with

1 the standards.

2 REPRESENTATIVE WEATHERFORD: Okay. I will
3 tell you, Mr. Chairman, it is unfortunate what is
4 happening on the Space Coast and the fact that we
5 have so many scientists that are no longer working
6 on shuttle launches, but I can tell you we are
7 going to need to hire them about a year from now to
8 help us figure out this constitutional amendment if
9 it passes, because it is quite confusing.

10 REPRESENTATIVE CANNON: Senator Negron for a
11 question.

12 SENATOR NEGRON: Thank you, Mr. Chairman. You
13 said earlier, ma'am, in response to a question
14 about determining intent, that you gave the example
15 of, you know, did a legislator or legislators have
16 conversations about this would help my district.

17 So would you agree that it is a reasonable
18 probability that whenever the inevitable court
19 challenge comes to redistricting which has happened
20 and will likely to continue to happen, that it is
21 very probable that all 160 members of the
22 Legislature would be subpoenaed in that case in
23 order to determine intent?

24 And if you agree with that, should we avoid
25 conversations about reapportionment, should we keep

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1 records about all our conversations that we have,
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2 or is it acceptable to you that 160 legislators
3 would have to be called as witnesses in a court
4 proceeding to determine intent?

5 MS. FREIDIN: Well, I think that is a highly
6 unlikely situation, especially because I have full
7 confidence that this Legislature will if the
8 standards are in the Constitution, draw districts,
9 not for the purpose of creating a particular
10 political result, but draw districts that are
11 fairly, geographically fair, that make geographical
12 sense, that don't divide communities and then it
13 will be -- there will be no need for anybody to be
14 called to talk about whether they intended to
15 accomplish a particular political result, whether
16 they intended to favor or disfavor a political
17 party or an incumbent.

18 REPRESENTATIVE WEATHERFORD: But would you
19 agree that some people may not be as willing to
20 just accept our word or accept the benevolence in
21 the process, and if there is litigation, which is
22 probable, you would agree that the only way that
23 you could prove intent would be to actually have a
24 legislator on the stand being examined and cross
25 examined about what was going on in their mind at

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1 the time they made a certain decision?

2 MS. FREIDIN: No, I think if you had -- you
3 would have information about what data was used to
4 draw a particular district. You would also have

5 exactly -- take a look at the district.

6 I mean, if you have a district that goes from
7 one end of the state to the other, one side of the
8 state to the other, then it is going to be --
9 somebody is going to take a look at that district
10 and say, why was that drawn that way, because it
11 doesn't make geographical sense.

12 It crosses the other way, it crosses Lake
13 Okeechobee or goes from the Space Coast to the --
14 to the Tampa Bay area. That is the sort of thing
15 that would cause somebody to look at a district and
16 say, that looks like a gerrymander district. .

17 But if the districts make sense and are
18 understandable to the people geographically there
19 shouldn't be -- there would be very little or no
20 reason to challenge them on the basis of what
21 somebody might have said about them, about their
22 intent in drawing them I should say.

23 REPRESENTATIVE WEATHERFORD: Then I will move
24 on with the Chair's permission to another area.

25 REPRESENTATIVE CANNON: Sure.

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1 REPRESENTATIVE WEATHERFORD: But I am willing
2 to state on the record right now, a prediction that
3 there will be litigation resulting no matter how
4 the lines are drawn.

5 Secondly, ma'am, in your opening remarks you
6 gave the example of Winter Park and an example of a
7 policy that you don't support would that be that

8 there is more than one Representative, separate
9 Representatives for the winter Park area.

10 If I could give you an example in my district,
11 which is Senate District 28. There is a community
12 called Okeechobee, it is a municipality and I
13 represent part of Okeechobee and Senator J. D.
14 Alexander represents part of Okeechobee.

15 would you at least concede that an equally
16 compelling argument could be made that in actuality
17 the residents of Okeechobee, that it is a benefit
18 to them to have two members of the State Senate,
19 particularly one who is new, myself, the other
20 Senator is the Chairman of the ways and Means
21 Committee and in charge of the appropriation
22 process in the Senate, so he is the kind of person
23 you would want to be your State Senator.

24 So would you at least acknowledge that while
25 you -- I understand your point, but there is also a

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1 counter argument that having multiple members
2 represent a community such as Okeechobee, which is
3 a relatively small rural community, that that is
4 actually an advantage for the residents of
5 Okeechobee and something that is good for them?

6 MS. FREIDIN: Senator, I have heard that
7 argument before, but I have also been to the League
8 of Cities, the Leagues of Mayors and the League of
9 Local Black Elected Officials, and all of them, all
10 of those organizations have voted unanimously to

11 support the Fair Districts amendments.

12 They are the people who I would rely on to
13 tell me if it is good to have cities represented by
14 chopped up into pieces so that they are represented
15 by many different people.

16 I can't answer your question other than to say
17 that the experts, the people who are dealing with
18 it from the point of view of the cities and the
19 mayors and the other local, black local elected
20 officials at least, from their point of view they
21 don't apparently want to see that anymore, because
22 they have voted unanimously to support Fair
23 Districts Florida.

24 REPRESENTATIVE WEATHERFORD: I guess I am
25 asking your opinion as the Chairman of the

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1 campaign, Chairperson of the campaign.

2 Are you willing to concede there is any
3 validity in the exact illustration that I just gave
4 you about the city of Okeechobee, or do you
5 discount that that has any merit?

6 MS. FREIDIN: I -- I actually don't an opinion
7 on it.

8 REPRESENTATIVE WEATHERFORD: Okay, that is
9 fine. Could I have one more question,
10 Mr. Chairman?

11 REPRESENTATIVE CANNON: Sure.

12 REPRESENTATIVE WEATHERFORD: There is an
13 article in Creative Loafing dated December 16th,
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14 2009, that has a quote from you saying, let me read
15 it here, "That the state's population is a little
16 more than one-third Republican, yet the Legislature
17 is two-thirds Republicans."

18 And the premises of that observation would
19 seem to me to be that you would assume that
20 Republicans wouldn't vote for Democrats or that
21 Democrats wouldn't vote for Republicans, and there
22 is something amiss when the party registration
23 differs from the results.

24 I just want to give you two quick examples and
25 ask you if you would reconsider the premises in

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1 your statement, at least as I interpret it.

2 Going back again to Okeechobee. That is a
3 county in my district, it is majority Democrat
4 county and I won 71 percent of the district,
5 because apparently a lot of the Democrats decided
6 for whatever reasons to vote for me.

7 I am sure you are aware that when Republicans
8 took over control of the House in 1996, and Speaker
9 webster became Speaker, that was done based on
10 lines that the Democrats drew earlier, four years
11 earlier.

12 So would you be willing to acknowledge that
13 there are national trends, there are many other
14 factors?

15 And so that your contention that because there
16 are more of one party than another based on

17 registration, that you are under estimating or
18 ignoring the individual rights of voters to vote
19 across part lines both ways?

20 MS. FREIDIN: I actually don't have an opinion
21 on that either.

22 REPRESENTATIVE WEATHERFORD: Okay, thank you.

23 REPRESENTATIVE CANNON: All right, Members, we
24 have been doing for a while, since 1:00. I am
25 going to propose that we take a five-minute recess.

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1 Is there any objection to a five-minute recess?

2 Seeing none, we will pick back up with Senator
3 Bennett right after the recess. Please, ladies and
4 gentleman, try to be back in five minutes, thank
5 you. We will stand in recess.

6 (Brief recess.)

7 REPRESENTATIVE CANNON: Ms. Freidin, welcome
8 back. Okay, you are welcome back any time.

9 And Senator Bennett, you are recognized for a
10 question.

11 SENATOR BENNETT: Thank you, Mr. Chairman.
12 welcome. A couple of questions and it really
13 bothers me and I am assuming a lot of people don't
14 want to talk about it because they get really
15 nervous about anything we talk about having racial
16 ideas or something like that, but, you know, you
17 said before that the first thing we would have to
18 do to draw these seats would be to draw the
19 minority seats first. Is that correct pretty much

20 in your estimation?

21 MS. FREIDIN: well, I think that that would be
22 one approach that you could take, but I am not a
23 person who has ever drawn a map.

24 SENATOR BENNETT: It is obvious, it really is.
25 However --

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1 MS. FREIDIN: I am sure it is.

2 SENATOR BENNETT: But let me ask you
3 something. If in fact all but one of the black
4 members of the Florida Legislature are Democrat, if
5 we drew those seats, wouldn't you be, in fact,
6 favoring the Democrat party and somebody could say
7 that, you know, challenge us in court because you
8 have favored the Democrat party, even though you
9 are trying to say, well, we are trying to protect
10 the minority seats, couldn't it be interpreted
11 because of that huge representation of blacks who
12 serve in the Democrat party in the Legislature,
13 wouldn't you, in fact, be favoring the Democrat
14 party?

15 MS. FREIDIN: There are districts that make it
16 possible for minority voters to elect
17 representatives of their choice.

18 SENATOR BENNETT: I don't think what is what
19 it says. I think it says to participate in the
20 political process.

21 MS. FREIDIN: And --

22 SENATOR BENNETT: To participate in the
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23 political process could be as simple as voting. I
24 don't think it means you have got to get elected.

25 MS. FREIDIN: well, but there is a second part

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1 of it that says that -- that we have to have -- we
2 have to ensure that we don't diminish the ability
3 of minority voters to elect representatives of
4 their choice.

5 And that is a permissible consideration. If
6 it turns out that -- that those minority voters are
7 Democratic, then, in fact, that wouldn't be the
8 reason that you are drawing those districts.

9 Now, on the other hand if it turns out that
10 because there are many minority representatives in
11 this body in the House and the Senate who are
12 Republican, who -- and that -- neither would that
13 be favoring them.

14 It would be if you are drawing districts in
15 order to favor minority voters, in order to create
16 the ability of minority voters to elect
17 representatives of their choice, you are not making
18 the decision to favor or disfavor a particular
19 political party.

20 SENATOR BENNETT: But I think you would agree
21 that it could be a subject of a challenge that you
22 have actually drawn those districts --

23 MS. FREIDIN: I would not agree.

24 SENATOR BENNETT: Let me ask you,
25 Mr. Chairman, if I could on the last question. You

1 have been very, very good about representing the,
2 what did you say, one and a half million, 1.7
3 million people who have signed this petition, is
4 that something --

5 MS. FREIDIN: It is close to 1.7 million.

6 SENATOR BENNETT: 1.7 million people. And I
7 appreciate the fact that you are trying to
8 represent them, and obviously you owe a debt to
9 them because of all the efforts that they have gone
10 and taken the time.

11 So since you owe a debt to them, wouldn't you
12 feel that to pay that debt, it would be encumbent
13 upon you all to try to show them that they didn't
14 waste their time and, therefore, by taking up
15 Senator Haridopolis' offer to go ahead and draw the
16 districts, you could show these people that what
17 they signed and what they were purported by your
18 representative was true and just, here is an
19 example of what we have asked you to do, therefore,
20 we have approved it.

21 So don't you feel like you owe them that
22 opportunity, since we are saying we can't do it,
23 don't you feel that some kind of debt to show them
24 that they didn't waste their time?

25 MS. FREIDIN: Every day that you pass laws

1 that you consider laws, you do a balancing of a
2 number of factors and you come up with what you
3 consider to be the proper law.

4 Redistricting is really nothing different.
5 The people of Florida if they agree that these are
6 criteria that they want you to follow, if they want
7 you to stop partisan gerrymandering and to start
8 following these criteria instead, then I have every
9 confidence that this is something that you will be
10 able to do.

11 SENATOR BENNETT: Mr. Chairman, if I could
12 just make a comment. Right now as we know our
13 budget is about three million upside down and I am
14 going to pass legislation this coming week that we
15 are going to get that \$3 million out of heaven,
16 because I am sure somebody is going to do it and I
17 think it is about the same analogy. Just because,
18 you know, you want it doesn't necessarily mean it
19 is going to happen.

20 REPRESENTATIVE CANNON: Representative Hudson
21 for a question.

22 REPRESENTATIVE HUDSON: Thank you,
23 Mr. Chairman. Thank you for your testimony today.
24 Certainly it has been an interesting, interesting
25 day.

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1 But I want to go back and just kind of clarify
2 some of the things that I heard you say. You

3 mentioned a word a number of times and it has been
4 a source of great debate today, but you said that
5 this amendment was simply intended, that it was
6 intentional to avoid party favoritism.

7 You said that -- well, you said quite frankly
8 that it is not unusual to have intent proved in
9 litigation.

10 wouldn't it be easier to understand the intent
11 prior to that so we don't have litigious
12 litigation?

13 MS. FREIDIN: Representative Hudson, you know
14 as well as I do, that from the beginning of
15 redistricting in Florida the intent of the
16 Legislature has been to protect its own seats and
17 those of the party that is in control of the
18 Legislature.

19 Now, all we are trying to do is ask the voters
20 of Florida if they would like to stop that and to
21 create a set of standards that will require that
22 instead of drawing districts with the intent to
23 feather a particular political nest, that the
24 districts be drawn with no intent to do that, and
25 be drawn to make sense, to keep communities

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1 together, to keep cities, counties or other
2 geographical areas together whenever possible.
3 That is all we are asking. And we are confident
4 that this Legislature can do that.

5 REPRESENTATIVE HUDSON: Follow up, Mr. Chair?

6 REPRESENTATIVE CANNON: Follow up.

7 REPRESENTATIVE HUDSON: Thank you. Well, I
8 absolutely would not agree with you and I have no
9 earthly idea what happened at the turn of the
10 century when it comes to redistricting and
11 balancing things, and quite frankly, I don't think
12 anyone else here does as well. And to presume that
13 quite frankly is not right.

14 At the end of the day people elect you because
15 they either like you or they don't. It is just
16 that simple.

17 Now, what is the intent? How do we define
18 intent? When we take public testimony and we
19 ultimately vote on this, will every legislator be
20 called for subpoena? Will we all stand before a
21 judge and say, hey, this is what we were thinking
22 or not thinking?

23 MS. FREIDIN: Representative, I already
24 asked -- answered that question from the other
25 side. I am not sure who it was that answered it,

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1 but I think I have answered that.

2 REPRESENTATIVE HUDSON: No, you didn't. Yes
3 or no?

4 MS. FREIDIN: The answer about did I expect
5 that 170 people would be called? It was no, I
6 already answered that question.

7 REPRESENTATIVE HUDSON: Okay. Let's move to
8 another topic. Our plan ultimately would have to

9 go before the Supreme Court for a review.

10 MS. FREIDIN: As it does now.

11 REPRESENTATIVE HUDSON: Correct, without
12 question. And they have a 30-day period of time in
13 which to review that, correct?

14 MS. FREIDIN: As far as I know, yes.

15 REPRESENTATIVE HUDSON: Okay. Now previously
16 the Supreme Court has indicated that it would be
17 highly problematic for them to be able to review a
18 voters Right Act plan within 30 days.

19 Given the additional things that are up on the
20 screen right now, going from three to a myriad, how
21 could they possibly get that done within 30 days?

22 MS. FREIDIN: They have a constitutional
23 requirement to do it and they will do what they can
24 do, and if the Legislature chooses not to follow
25 the standards, that can be litigated in other

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1 forums. Just like many other issues in
2 redistricting have always been litigated in other
3 forums.

4 REPRESENTATIVE HUDSON: So we are back to
5 litigation. Okay, thank you for your answer.

6 REPRESENTATIVE CANNON: Representative
7 Fitzgerald for a question.

8 REPRESENTATIVE FITZGERALD: Thank you,
9 Mr. Chairman. And I have a few, but I will try to
10 be as quick as I can. I am a little bit confused
11 by some of the confusion.

12 would you agree with me that in characterizing
13 the process of drawing districts, that what
14 implicitly or explicitly a legislator or whatever
15 body has to engage in, is coming up with a set of
16 rules for solving the problem of how to draw the
17 lines on the map? I mean, isn't that what you are
18 doing?

19 MS. FREIDIN: Yes, of course.

20 REPRESENTATIVE FITZGERALD: And the technical
21 term for a set of rules to solve a problem is an
22 algorithm, correct?

23 MS. FREIDIN: I actually don't know the term.

24 REPRESENTATIVE FITZGERALD: That is what it is
25 called.

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1 MS. FREIDIN: But I will accept it if you say
2 it.

3 REPRESENTATIVE FITZGERALD: In evaluating the
4 complexity of solving a problem, does having more
5 criteria make it more complex or does have fewer
6 criteria make it more complex?

7 MS. FREIDIN: I quite frankly think -- I don't
8 want to talk in a vacuum, Representative
9 Fitzgerald, but let's talk about these particular
10 criteria.

11 REPRESENTATIVE FITZGERALD: Okay.

12 MS. FREIDIN: I think these criteria, although
13 I understand that there has been a huge effort here
14 today to make it sound like it is -- that it is

15 very complex, but I think that if you have the
16 more -- the more limits that you have, the easier
17 it becomes to draw the district.

18 REPRESENTATIVE FITZGERALD: So an algorism
19 could be written in the form of a computer program
20 in some cases, correct?

21 MS. FREIDIN: Forgive me, because I don't know
22 about the word, algorism, but I do know that a
23 computer --

24 REPRESENTATIVE FITZGERALD: well, it is what
25 you call a computer program.

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1 MS. FREIDIN: -- that you certainly could put
2 these criteria into a computer and ask the computer
3 to draw districts.

4 REPRESENTATIVE FITZGERALD: And in fact, isn't
5 that what happens in the state of Iowa and a few
6 other states, that they have a nonpartisan
7 commission that defines criteria, they write a
8 computer program and they draw the district lines
9 on that basis?

10 MS. FREIDIN: Yes, but I think also that there
11 is always public input and there is always
12 discussion, even in the states that have
13 redistricting commissions. There is discussion
14 among the members as there would be discussion and
15 debate among the Representatives here.

16 REPRESENTATIVE FITZGERALD: So as I read this
17 and I will start with Amendment V. It says, "No

18 apportionment plan or district shall be drawn with
19 the intent to favor or disfavor a political party
20 or an incumbent."

21 So that is removing two rules or criteria from
22 the problem of drawing the line. Just saying you
23 can't take that into consideration, so in fact, it
24 is simplifying the process, not making it more
25 complex which the drawing of the lines.

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1 MS. FREIDIN: Absolutely.

2 REPRESENTATIVE FITZGERALD: So we do have
3 questions of intent clearly. Is -- is it an
4 unusual, as a lawyer, I am not a lawyer, is there
5 anything unusual in civil or criminal law to have
6 as an aspect the proceedings, findings about intent
7 based on evidence?

8 MS. FREIDIN: Absolutely not. Intent is -- is
9 considered all the time.

10 REPRESENTATIVE FITZGERALD: And with or
11 without these criteria as part of the equation in
12 drawing these boundaries, would a court challenge
13 in all likelihood involve questions of intent?

14 MS. FREIDIN: It certainly could in the Voting
15 Rights Act context.

16 REPRESENTATIVE FITZGERALD: So in fact we have
17 not added complexity, we have removed it by saying
18 we cannot intend to do these, but we certainly have
19 to have some evidentiary finding if someone asserts
20 that that has taken place, a separate process,

21 correct?

22 MS. FREIDIN: Correct.

23 REPRESENTATIVE FITZGERALD: Okay. And so all
24 of these terms that are confusing people, like
25 intent already presently involved in the process,

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1 correct?

2 MS. FREIDIN: Correct.

3 REPRESENTATIVE FITZGERALD: Compactness is a
4 feature of the Florida Constitution, it is not an
5 addition to -- by your amendment.

6 MS. FREIDIN: well, compactness --

7 REPRESENTATIVE FITZGERALD: I mean,
8 compactness --

9 MS. FREIDIN: -- is, contiguity.

10 REPRESENTATIVE FITZGERALD: Contiguity, sorry.
11 So we add compactness. That is a level of
12 complexity.

13 Are there other states that have that as a
14 requirement in their process?

15 MS. FREIDIN: Contiguity?

16 REPRESENTATIVE FITZGERALD: No, compactness.

17 MS. FREIDIN: Compactness, yes, I think that
18 there are 36 other states that use compactness.

19 REPRESENTATIVE FITZGERALD: And is it the case
20 that they all navigate these waters fairly --
21 fairly successfully?

22 MS. FREIDIN: Thirty-six states, they all have
23 districts and they all have -- and they all have

24 representatives elected from the districts.

25 REPRESENTATIVE FITZGERALD: Now I have a

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1 couple of questions more and they may in some ways,
2 I guess dispute a little an answer you gave
3 earlier.

4 You were asked about whether we could do, you
5 could do in a week or two weeks this solution. I
6 think we have heard statements already that this
7 Legislature is already engaged in the process of
8 drawing these districts.

9 So that is not exactly a commensurable
10 standard, but on the other hand if we eliminated
11 party or incumbency as a criterion, isn't it the
12 case that you could write a computer program that
13 would do this?

14 MS. FREIDIN: Well, I think that the very
15 principal of districting and the way it has always
16 been done in the past is to do it after public
17 comment and with collegial collaboration among the
18 members.

19 So do I think that you could come up with some
20 sort of a map, but it would not be necessarily an
21 appropriate map nor would it necessarily be
22 compliant.

23 REPRESENTATIVE FITZGERALD: Right, but my
24 question is --

25 MS. FREIDIN: There is too much that goes into

1 it.

2 REPRESENTATIVE FITZGERALD: If we wanted to
3 give up the value of the collegiality and the input
4 and so forth and maximize speed in order to do
5 this, it is done in other states, it has been done
6 and it probably could be done given a certain
7 commitment of resources.

8 MS. FREIDIN: I am actually not familiar with
9 the answer to that question. It sounds like you
10 are from your question, but I don't know.

11 REPRESENTATIVE FITZGERALD: Let me ask you a
12 final question then.

13 Are you familiar with a study by a couple of
14 authors, one named Jotway (phonetic) Chen and the
15 other Jonathan Rucker, the first from the
16 University of Michigan at Ann Arbor and the other at,
17 I believe Stanford University called Tobler's Law
18 Urbanization Electoral Bias. Have you heard of
19 this study?

20 MS. FREIDIN: No.

21 REPRESENTATIVE FITZGERALD: Are you aware that
22 it is actually done exactly what Senator
23 Haridopolis proposed would be done? In other
24 words, it took the 2000 -- it actually had a unique
25 dataset that used the outcome of the 2000 election,

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1 as opposed to the voter registration files, but it
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2 used that to draw a series of district boundaries
3 in the state of Florida to see what the impact of a
4 applying compact, compactness and contiguity as
5 criteria would be.

6 MS. FREIDIN: I am not aware of it.

7 REPRESENTATIVE FITZGERALD: The study has been
8 done, it exist, it is on line, it is published.
9 The sub title by the way, and this will be my final
10 comment, of that study was, "why compact contiguous
11 districts are bad for Democrats," and that is where
12 I will stop.

13 MS. FREIDIN: I don't know anything about it.

14 REPRESENTATIVE CANNON: Senator Lawson for a
15 question.

16 SENATOR LAWSON: well, I don't know that I
17 have a question. I have had the opportunity to
18 listen to all of the comments and maybe I do have a
19 question. And I also had the opportunity, maybe
20 only one or two of us go through two
21 reapportionments since I have been in the
22 Legislature.

23 And my question probably would center around
24 the fact that -- that when -- when reapportionment
25 took place in 2000, the NAACP, SCLC, the voters

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1 League, League of Women Voters and many groups
2 signed off on -- on the reapportionment that was
3 being proposed.

4 And -- and when we gathered information, we
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5 gathered information based on many of the criteria
6 that are listed up there.

7 And one of the things that occurred is as a
8 result from the first reapportionment to the second
9 that it increased the number of African-Americans
10 serving in the Legislature because of that.

11 And some of the conversation which I was
12 involved very seriously in the Legislature is how
13 do you increase the number of African-Americans.

14 The only concern that has been expressed from
15 some minority groups around the state is that with
16 Fair Districts will that conversation still
17 continue with how to keep the number of
18 African-Americans in the Legislature, because if I
19 understand the way lines were drawn, if the lines
20 are drawn with the perspective that we have now on
21 Fair District, the number of African-Americans in
22 the Legislature certainly would decrease.

23 And I guess the answer would be even though
24 you said earlier in remarks that the NAACP, you
25 know, signed on and so forth and so on, but just

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1 judging from where we are now, there wouldn't be
2 any -- there wouldn't be as many African-Americans
3 in the Legislature, even in Congress without
4 gerrymandering.

5 So it brings you to the point to determine,
6 the question would be probably even though they say
7 those minority districts would be protected, then

8 Fair District would involve with some
9 gerrymandering in order to protect those districts,
10 because some of them are gerrymandering.

11 Do you see that as being a factor, or do you
12 see that that would take place, because I don't see
13 any other way from my perspective in just looking
14 at it that it could happen otherwise?

15 MS. FREIDIN: I absolutely cannot say this
16 more unequivocally. That I do not believe and
17 these amendments are not intended to and the
18 reason, NAACP has signed on after hiring counsel
19 and counsel studying the issue. So they don't
20 believe that there is going to be any problem with
21 maintaining the minority representation in the
22 state of Florida after these amendments are.

23 This is not going to be -- there is not a
24 reason to think that this is going to impact
25 negatively minority representation. In fact, that

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1 is the reason that the language is in there to
2 ensure that the ability to elect minority -- the
3 ability of minority voters to elect representatives
4 of their choice will not be diminished.

5 I mean, that is an absolute requirement that
6 takes priority. So the term gerrymandering is not
7 in these amendments. There is nowhere in these
8 amendments does it say, is that word used.

9 There are two things that we are looking at.
10 One is favoring or disfavoring a particular party

11 or a particular incumbent. The other is ensuring
12 that minority voters don't have their rights
13 diminished in Florida.

14 And there is no reason to think and I have not
15 heard a sustainable legal argument that -- that
16 would indicate in any way that this does reduce
17 minority voting rights.

18 SENATOR LAWSON: Okay, if I may.

19 REPRESENTATIVE CANNON: Certainly.

20 SENATOR LAWSON: The reason why I made that
21 statement is because I was a part of the Democratic
22 majority, and in collaboration with Republican
23 colleagues and I know from the standpoint of being
24 at the table at night and everything else, that in
25 order, and I understand where you are coming from

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1 and I just want to make sure that I am on the
2 record as saying it, but I know that in order for
3 the minorities that are represented here today in
4 this Legislature, if it hadn't been the
5 collaboration between the Democratic leadership and
6 the Republican leadership at the time of what was
7 fair for the state, because they have been left out
8 for 125 years, that they would not be in the
9 Legislature today.

10 My concern stems around, I am for fair
11 districts, how can this collaboration take place?
12 I haven't been able to see by saying that it is
13 just going to happen and you won't take a back

14 seat, but I know what took place at the table at
15 night and looking at the maps and drawing the maps
16 and looking at the population and how people would
17 be affected and what lines you had to go down in
18 order to ensure it and to see where it would really
19 work.

20 we don't have that ability to do that anymore
21 and this is with Democrats at leadership, because I
22 was a part of leadership at that time. If we don't
23 have that opportunity to participate because we are
24 elected, it is a citizen initiative that is given,
25 but we are the ones that write the district.

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1 I have to be concerned even though I support
2 fair district on how to make sure that this
3 continues in the state of Florida and not just say
4 because these districts are going to be drawn, I
5 don't have a minority district, you know, and never
6 have in 28 years.

7 So I would say, well, it really doesn't affect
8 me, but I am concerned about some of the members
9 around the state of Florida that I know that when
10 we analyze and their districts, we drew their
11 districts in a way where they would have the
12 opportunity to get elected and have the opportunity
13 to be represented in those communities.

14 And that is the thing that I am concerned
15 about. It may be something that -- I am not going
16 to ask you to answer that question.

17 MS. FREIDIN: Well, I would like to.

18 SENATOR LAWSON: Okay. You can go ahead, yes.

19 MS. FREIDIN: Not only is there nothing in
20 these amendments that would prohibit all the things
21 that you are talking about, which is sitting around
22 a table and looking at the maps and looking at the
23 census data and looking at all of the information
24 that you need to ensure that minority districts
25 continue to be drawn, but in fact, I think that it

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1 is required.

2 And in part you have answered the question
3 about -- about why it would be impossible for
4 anybody today to just sit down with a computer and
5 draw a map, that would be a map that you would
6 actually put out there and make the law of Florida
7 for the next 10 years.

8 There is nothing that prohibits that. What is
9 prohibited is drawing districts with intent to
10 protect a particular incumbent or a particular
11 political party. There is nothing that prohibits,
12 and in fact, everything protects the right of or
13 the requirement that all of you do everything you
14 can to protect minority voters. Does that answer
15 the question?

16 SENATOR LAWSON: Well, somewhat, and you know,
17 this might be a little bit funny, but when we drew
18 them we thought we were drawing them to protect
19 Democrats and they got defeated, you know.

23 to speak, everybody was working, you know,
24 together. It was members that, you know, were
25 concerned about their geographical location,

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1 somebody didn't want to go here and someone didn't
2 want to go there, but overall, when the gavel went
3 down people were pretty happy.

4 I remember the NAACP saying this is a great
5 plan, you know, and I remember other groups saying
6 it was a great plan. And now that plan is still
7 been in existence, but now when we come back to do
8 reapportionment now, it is obvious that maybe the
9 citizens who signed this would say, well, they
10 really didn't agree with the plan that we had back
11 in 2000, and now we would like to have the plan,
12 make sure we take all these variables out when you
13 are designing the plan.

14 So I think that is thing that we have to
15 wrestle with in the Legislature, because I really
16 want to draw the plans, you know, because I have
17 done it and I know that it is intense and I know to
18 a lot of members who have never done it before, it
19 might seem like it is simple, but it is really not
20 simple. It is very complex. But that is my
21 statement, you know.

22 MS. FREIDIN: Thank you, Senator.
23 Mr. Chairman, having stood up here now for over
24 three hours I must tell you that I really don't
25 think that I have the ability to stay here much

1 longer.

2 So how much longer can we think we could wrap
3 this up?

4 REPRESENTATIVE CANNON: The meeting was
5 noticed to run until 6:00 p.m.

6 MS. FREIDIN: I understand, but you didn't
7 expect me to stand here for all those hours, did
8 you, because I am -- I must admit that it is a long
9 time.

10 REPRESENTATIVE CANNON: Actually, if you need
11 to take another break we will, but, yes, we did.
12 There have been multiple meetings of both the House
13 and Senate Committees and you are the only person
14 who has shown up for Fair Districts so far --

15 MS. FREIDIN: And when --

16 REPRESENTATIVE CANNON: Excuse me one moment.
17 You are the only person who has shown up so far.
18 It may be appropriate at future meetings that we
19 invite Speaker Mills to come as well, because I
20 understand he had some role in authoring the
21 language, but if we need to take a break, we can
22 take them, but I know that I have got a long list
23 and a growing list of Senators and House members
24 who have questions, including myself.

25 So if it is all right with you we are going to

1 continue at least a little bit longer.

2 MS. FREIDIN: Well, I will stay a little bit
3 longer, but I want to also have on the record that
4 when I was asked to come today, I very clearly, I
5 made it very clear that I had somewhere I had to be
6 at 6:00.

7 Actually, I am sorry, at 5:00, because I am
8 trying to catch a 6:00 plane. So it is now a
9 little after 4:00. I am happy to stay a little bit
10 longer, but I hope that we can wrap it up
11 relatively soon.

12 SENATOR THRASHER: Mr. Chairman.
13 Mr. Chairman?

14 REPRESENTATIVE CANNON: Yes, Senator Thrasher.

15 SENATOR THRASHER: And I respect that, I do,
16 but I think along the same lines. We have invited
17 other folks to come. I think Former Speaker Mills
18 was the author of this language or at least
19 attributed to him.

20 He has authored some other pieces of paper. I
21 would love to have him come and hopefully maybe
22 since you couldn't answer a lot of the questions,
23 Ms. Freidin, ask maybe him some of these questions
24 that we have asked today.

25 Now, I would love to that have. I would hope

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1 that you would invite him to come.

2 SENATOR HARIDOPOLIS: Before I give this to

3 Speaker Representative Cannon. I mean, this is a
4 pretty serious matter. I mean, I know you had a
5 5:00 or 6:00 flight, but we are going to change the
6 Florida Constitution and you have worked since 1998
7 to work on that.

8 I would hope that you would be willing to come
9 back and share your expertise or as former speaker
10 Thrasher asked, at least invite the person who
11 created this document to come in and testify.

12 I think the people of Florida deserve that,
13 because there is a reason why the people of Florida
14 raised the standard to 60 percent for a
15 constitutional amendment. And these are very
16 serious questions that the elected representatives
17 of the people would like to ask you.

18 So I hope you would be willing to come back if
19 today is not as convenient for you as you like. I
20 think that might be helpful to all of us.

21 MS. FREIDIN: Well, first of all, let me say
22 this. That John Mills was involved in drafting
23 these amendments, along with probably a dozen, at
24 least a dozen other people. So I just want to make
25 that clear, he is not the drafter of the

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1 amendments.

2 Now as far as me, me coming back, if it is
3 your will to keep me here for another couple of
4 hours I will do it. I am here because I represent
5 all the people in Florida who really want to see

6 the partisanship in redistricting stop.

7 I will stay if that is your will. I will be
8 happy to continue answering your questions as best
9 I can, but I want to make clear that the reason I
10 came at all was because I have been working
11 tireless, really not since 1998, but for the last
12 two or three years.

13 I have put my life into this because it is
14 something that I feel very passionately about. I
15 am a volunteer. Nobody has -- I am not getting
16 paid to do this. I probably work 80 hours a week
17 on this and it is something that I feel so strongly
18 about, that is such an unfair thing in the state of
19 Florida and it is something that needs to be
20 stopped and I --

21 REPRESENTATIVE CANNON: Mr. Chair.

22 MS. FREIDIN: -- will stay if you -- if you
23 want me to stay, I will continue. I thought we
24 could probably wrap it up, but if not, go for it.

25 SENATOR HARIDOPOLIS: Sure, thank you, I

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1 appreciate your comments today. Representative
2 Cannon.

3 REPRESENTATIVE CANNON: Thank you, Chairman
4 Haridopolis. I want to pick up on something that
5 Senator Lawson alluded to.

6 We spent a pretty good amount of time talking
7 about Congressional District III and I would love
8 to know if the staff could bring that map back up,

9 because I just want to make sure that I do
10 understand the things that you have testified to.

11 And again, I share Chairman Haridopolis'
12 concern and I also appreciate both the sincerity
13 and the work that you have put into this and I know
14 what you said you intended to do.

15 The problem is writing words into the Florida
16 Constitution binds all of us in how we draw these
17 maps and we take that duty remarkably seriously.

18 This is Congressional District III. It was
19 drawn as part of the 2000 reapportionment and it
20 had at the time 46 percent African-American
21 population.

22 I think I understood you to say, and we know
23 that Bartlett v. Strickland has clarified that the
24 Federal Voting Rights Act no longer or doesn't
25 require the creation or the drafting of a minority

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1 access seat if it has less than 50 percent minority
2 voting age population. Would you agree with that
3 statement?

4 MS. FREIDIN: Yes, but while -- could I
5 interrupt for one second? Would it be possible to
6 get me a table and a chair to sit at?

7 REPRESENTATIVE CANNON: Absolutely.

8 MS. FREIDIN: So I don't have to stand here
9 any longer.

10 REPRESENTATIVE CANNON: But as you alluded,
11 Bartlett also allows that it states, and I think

12 the quote from the case is, "States that wish to
13 draw crossover districts are free to do so where no
14 other prohibition exist," correct? Or would you
15 agree with that?

16 MS. FREIDIN: Right.

17 REPRESENTATIVE CANNON: So it is your
18 testimony then or at least we agree that while
19 Bartlett says the Federal Voting Rights Act no
20 longer requires or doesn't require states to draw
21 minority access seats with less than 50 percent
22 minority population, we could do that if a
23 different prohibition did not exist.

24 If no other prohibition exist, then let's say
25 we wanted to honor what Senator Lawson spoke about

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1 and we wanted to draw a district that looked like
2 this and it only had 46 percent African-American
3 population.

4 My question to you is, and I think I
5 understand you to say, we are going to need to get
6 Ms. Freidin a microphone and we will take a break
7 if we need to after this.

8 My question is, subsection two of your
9 amendment requires that districts shall be compact,
10 correct?

11 MS. FREIDIN: Correct.

12 REPRESENTATIVE CANNON: And it says unless one
13 of the provisions of subsection one contravenes
14 that.

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MS. FREIDIN: Right.

REPRESENTATIVE CANNON: So is it your testimony that preserving minority representation, such as that currently held by Congresswoman Corrine Brown in a 46 percent access seat, that the preservation of the minority voting rights trumps the compactness requirement?

In other words, it is primary before you get to compactness, first you must not diminish the ability of language or racial minorities to elect the representative of their choice?

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MS. FREIDIN: Okay. First of all, let me make it clear, I am not commenting on any particular district. So my comment, my answer to your question doesn't relate to District III, it relates to a general concept and the answer is yes.

REPRESENTATIVE CANNON: Very good. But you would say that the preservation or to use the language from the amendment, the non diminution of the ability of language in racial minorities to elect representatives in their current capacity can't be diminished and that that trumps compactness?

MS. FREIDIN: It trumps compactness.

REPRESENTATIVE CANNON: Okay, very good. Okay, so it is true that if a district has to be drawn none compact in order to avoid diminution of minority representation, that is okay, that is your

18 intent of the language and that is what you think
19 this language does?

20 MS. FREIDIN: Yes.

21 REPRESENTATIVE CANNON: And let's just use
22 this district. I will grant you that I am not
23 asking you to testify about this specific district,
24 but a district shaped like this. Okay, take a look
25 at the shape. would you say that is compact?

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1 MS. FREIDIN: I am not going to comment on any
2 particular district. I am telling you that right
3 now, I won't.

4 REPRESENTATIVE CANNON: We need certainty, and
5 frankly the voters before they walk into the voting
6 booth in November, to decide whether to vote this
7 in or out of the Constitution are entitled to some
8 certainty.

9 So I am not asking you to comment about this
10 district, just the shape. Assume it is not in
11 Jacksonville, assume it down near Fort Myers. Is
12 that shape compact?

13 MS. FREIDIN: I don't -- I can't comment on
14 any particular district. You have a particular
15 district up on the board. I will not comment on
16 any particular district, but I will agree that
17 compactness is trumped by voting rights.

18 REPRESENTATIVE CANNON: Perfect, okay.

19 MS. FREIDIN: would it be possible to get a
20 microphone so that I could sit down?

21 REPRESENTATIVE CANNON: Yes, we will take a
22 five-minute break until we get a mike and it will
23 be on its way. Thank you very much.

24 Members, we will stand in recess for five
25 minutes.

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1 (Brief recess.)

2 REPRESENTATIVE CANNON: And actually it
3 occurred and I think Chairman Haridopolis makes a
4 very good point, which is if you are feeling tired
5 and not up to testifying, we don't want to extend
6 the meeting beyond that at all.

7 We do appreciate your testimony and your
8 passion and your hard work. So if it is all right
9 with the Members and I have gotten sort of general
10 head nods that they are okay allowing the meeting
11 to end here.

12 We would ask you to come back and I will say
13 that our staff has found both the software and all
14 of the data from the 2000 reapportionment, and not
15 just the data, but as well all of the public
16 hearings, all of the testimony that the Department
17 of Justice used when they reviewed the plan back in
18 2000.

19 We would also as Chairman Haridopolis and I
20 have agreed, be willing to make our staff available
21 and because you are a volunteer, pay for any of the
22 time or staff time necessary to have you draw a set
23 of maps, but we do want to renew the request that

24 we have heard testimony, I know back in 2000, both
25 common cause and the Florida League of Women

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1 Voters, they drew plans.

2 So it is possible and we would sincerely ask
3 you to do that, to demonstrate to us that it is, in
4 fact, possible to draw a set of Congressional maps
5 that you would contend would comport with the
6 language of the amendments.

7 So we will make that available to you and once
8 again, we very, very much appreciate your testimony
9 here today and hope to see you back in conjunction
10 with our staff at a meeting either next week or
11 shortly thereafter.

12 SENATOR SIPLIN: Mr. Chair.

13 REPRESENTATIVE CANNON: Senator Siplin.

14 SENATOR SIPLIN: Yes, thank you. I don't know
15 if it would be an inconvenience, but I would like
16 to request of the Chairmanship if there is other
17 interested parties who were the founders or the
18 originators of this movement, to come and present,
19 too, because I, you know, as a member of the Black
20 Caucus would like to understand the theory and the
21 purpose from which this amendment initiated.

22 And I think it would be relevant under the
23 record concerning the issues that have brought it
24 forward. So I would recommend that those other
25 parties who are a part of this conceptualization or

1 this amendment be invited, also, so we can address
2 the questions to them, also.

3 REPRESENTATIVE CANNON: I think it is a great
4 idea and we will have our staff work with your
5 staff, Ms. Freidin, and once again, we really
6 appreciate your participation today. We will
7 reimburse you for the travel necessary to attend
8 those future meetings as well.

9 MS. FREIDIN: I appreciate that and I just
10 want to make it very clear to everybody in this
11 room and everybody else who is listening, that our
12 goal at Fair Districts Florida is simply to draw
13 districts. To have you all draw districts that
14 benefit the people of Florida and not the
15 politicians of Florida.

16 We want to see brakes put on the political
17 favoritism in redistricting. We want to give
18 voters a choice, a real choice. We want to have
19 districts that make sense geographically. We want
20 to have districts that voters can understand.

21 We want to end this crazy quilt of Rorschach
22 districts that exist in the state today, and we
23 want to make sure that there is equal opportunity
24 for minority voters in all of Florida. We want to
25 stop the legalized conflict of interest. And I

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1 thank you for having me here today.

2 REPRESENTATIVE CANNON: And Ms. Freidin, we
3 look forward to you demonstrating to us that that
4 is possible and we will see you at the next
5 meeting. With that Senator Negrón moves we rise.
6 without objection, show that motion approved.
7 (whereupon, the meeting was concluded.)

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FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

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1 C E R T I F I C A T E

2 STATE OF FLORIDA)

3 COUNTY OF LEON)

4 I hereby certify that the foregoing transcript
 Page 135

5 is of a tape-recording taken down by the undersigned,
6 and the contents thereof were reduced to typewriting
7 under my direction;

8 That the foregoing pages 2 through 149
9 represent a true, correct, and complete transcript of
10 the tape-recording;

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

15 Dated this 18th day of February, 2010.

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CLARA C. ROTRUCK

Notary Public

State of Florida at Large

FOR THE RECORD REPORTING TALLAHASSEE FLORIDA 850.222.5491

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The Journal OF THE House of Representatives

Number 12

Friday, February 3, 2012

The House was called to order by the Speaker at 1:00 p.m.

Prayer

The following prayer was offered by the Reverend A. D. Lenoir, Sr. of Westview Baptist Church of Miami, upon invitation of Rep. Campbell:

Dear gracious Creator of the Universe, we come to You now in the most humblest way that we know how—asking for Your forgiveness of our sins of commission. Those we had in our minds and hearts, set on doing and did, and then the sins of omission—those we were clueless of committing.

Then, Creator, we thank You for Your allowing us to be able to make a difference in our communities, one person a time, that makes a difference in our world, one family at a time. We also thank You for the joy we share in doing this great work You have commissioned us to do.

We also thank You for all Your great blessings, even those that come through the trials, tests, and troubles we face. Thank You, for always thinking of us when we so often forget about You.

Loving and Caring Creator, we pray for Your grace and mercy this session and all sessions to come—that Your presence will overshadow our indifferences and variations of ideas and viewpoints on matters.

We praise You, thank You, and need You now and forever more. In the most excellent, most encouraging name that is above all names we pray, and the House said Amen.

The following members were recorded present:

Session Vote Sequence: 663

Speaker Cannon in the Chair.

Abruzzo	Campbell	Gaetz	Julien
Adkins	Cannon	Garcia	Kiar
Ahern	Chestnut	Gibbons	Kriseman
Albritton	Clarke-Reed	Glorioso	Legg
Artiles	Clemens	Gonzalez	Logan
Aubuchon	Coley	Goodson	Lopez-Cantera
Baxley	Corcoran	Grant	Mayfield
Bembry	Costello	Grimsley	McBurney
Berman	Crisafulli	Hager	McKeel
Bernard	Cruz	Harrison	Metz
Bileca	Davis	Holder	Moraitis
Boyd	Diaz	Hooper	Nehr
Brandes	Dorworth	Horner	Nelson
Brodeur	Drake	Hudson	Nuñez
Broxson	Eisnaugle	Hukill	O'Toole
Bullard	Ford	Ingram	Oliva
Burgin	Fresen	Jenne	Pafford
Caldwell	Frishe	Jones	Passidomo

Patronis	Reed	Snyder	Van Zant
Perman	Rehwinkel Vasilinda	Soto	Waldman
Perry	Renuart	Stafford	Watson
Pilon	Roberson, K.	Stargel	Weatherford
Plakon	Rogers	Steinberg	Weinstein
Porter	Rooney	Steube	Williams, A.
Porth	Rouson	Taylor	Williams, T.
Precourt	Saunders	Thompson, G.	Wood
Proctor	Schenck	Thurston	Workman
Randolph	Slosberg	Tobia	Young
Ray	Smith	Trujillo	

(A list of excused members appears at the end of the *Journal*.)

A quorum was present.

Pledge

The members, led by the following, pledged allegiance to the Flag: Andrew Meyer of Tallahassee at the invitation of Rep. Gaetz; Skylar Miles of Ocala at the invitation of Rep. Lopez-Cantera; Jaynie Mitchell of Tallahassee at the invitation of Rep. A. Williams; Pavlina Osta of Port Orange at the invitation of Rep. Taylor; Cailynn Saulsberry of Fairfield at the invitation of the Speaker; Brian Sciba of Tallahassee at the invitation of Rep. Coley; Anita Seiter of Ocoee at the invitation of Rep. Nelson; Imani Thomas of Tallahassee at the invitation of Rep. G. Thompson; and Darrion Williams of Tampa at the invitation of the Speaker.

Correction of the *Journal*

The *Journal* of February 2 was corrected and approved as corrected.

Bills and Joint Resolutions on Third Reading

CS/HB 483—A bill to be entitled An act relating to the Uniform Commercial Code; revising and providing provisions of the Uniform Commercial Code relating to secured transactions to conform to the revised Article 9 of the Uniform Commercial Code as prepared by the National Conference of Commissioners on Uniform State Laws; amending s. 679.1021, F.S.; revising and providing definitions; amending s. 679.1051, F.S.; revising provisions relating to control of electronic chattel paper; amending s. 679.3071, F.S.; revising provisions relating to the location of debtors; amending s. 679.3111, F.S.; making editorial changes; amending s. 679.3161, F.S.; providing rules that apply to certain collateral to which a security interest attaches; providing rules relating to certain financing statements; amending s. 679.3171, F.S.; revising provisions relating to interests that take priority over or take free of a security interest or agricultural lien; amending s. 679.326, F.S.; revising priority of security interests created by a new debtor; amending ss. 679.4061 and 679.4081, F.S.; revising application; amending s. 679.5021, F.S.; revising when a record of a mortgage satisfying the requirements of chapter 697 is effective as a filing

statement; amending s. 679.5031, F.S.; revising when a financing statement sufficiently provides the name of the debtor; amending s. 679.5071, F.S.; revising the effect of certain events on the effectiveness of a financing statement; amending s. 679.515, F.S.; revising the duration and effectiveness of a financing statement; amending s. 679.516, F.S.; revising instances when filing does not occur with respect to a record that a filing office refuses to accept; amending s. 679.518, F.S.; revising requirements for claims concerning an inaccurate or wrongfully filed record; amending s. 679.607, F.S.; revising recording requirements for the enforcement of mortgages nonjudicially outside this state; creating part VIII of chapter 679, F.S., relating to transition from prior law under the chapter to law under the chapter as amended by this act; creating s. 679.801, F.S.; providing scope of application and limitations; creating s. 679.802, F.S.; providing that security interests perfected under prior law that also satisfy the requirements for perfection under this act remain effective; creating s. 679.803, F.S.; providing that security interests unperfected under prior law but that satisfy the requirements for perfection under this act will become effective July 1, 2013; creating s. 679.804, F.S.; providing when financing statements effective under prior law in a different jurisdiction remain effective; creating s. 679.805, F.S.; requiring the recording of a financing statement in lieu of a continuation statement under certain conditions; providing for the continuation of the effectiveness of a financing statement filed before the effective date of this act under certain conditions; creating s. 679.806, F.S.; providing requirements for the amendment of financing statements filed before the effective date of this act; providing requirements for financing statements prior to amendment; creating s. 679.807, F.S.; providing person entitled to file initial financing statement or continuation statement; creating s. 679.808, F.S.; providing priority of conflicting claims to collateral; amending s. 680.1031, F.S.; conforming a cross-reference; providing a directive to the Division of Statutory Revision; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 664

Speaker Cannon in the Chair.

Yeas—116

Abruzzo	Diaz	Legg	Roberson, K.
Adkins	Dorworth	Logan	Rogers
Ahern	Drake	Lopez-Cantera	Rooney
Albritton	Eisnaugle	Mayfield	Rouson
Artiles	Ford	McBurney	Saunders
Aubuchon	Fresen	McKeel	Schenck
Baxley	Frishe	Metz	Slosberg
Bembry	Gaetz	Moraitis	Smith
Berman	Garcia	Nehr	Snyder
Bernard	Gibbons	Nelson	Soto
Bileca	Glorioso	Nuñez	Stafford
Boyd	Gonzalez	O'Toole	Stargel
Brandes	Goodson	Oliva	Steinberg
Brodeur	Grant	Pafford	Steube
Broxson	Grimsley	Passidomo	Taylor
Bullard	Hager	Patronis	Thompson, G.
Burgin	Harrell	Perman	Thurston
Caldwell	Harrison	Perry	Tobia
Campbell	Holder	Pilon	Trujillo
Cannon	Hooper	Plakon	Van Zant
Chestnut	Horner	Porter	Waldman
Clarke-Reed	Hudson	Porth	Watson
Clemens	Hukill	Precourt	Weatherford
Coley	Ingram	Proctor	Weinstein
Corcoran	Jenne	Randolph	Williams, A.
Costello	Jones	Ray	Williams, T.
Crisafulli	Julien	Reed	Wood
Cruz	Kiar	Rehwinkel Vasilinda	Workman
Davis	Kriseman	Renuart	Young

Nays—None

Votes after roll call:

Yeas—Fullwood, Kreegel, Schwartz

So the bill passed and was certified to the Senate.

HB 103—A bill to be entitled An act relating to the transfer of tax liability; amending s. 213.758, F.S.; providing definitions; revising provisions relating to tax liability when a person transfers or quits a business; providing that the transfer of the assets of a business or stock of goods of a business under certain circumstances is considered a transfer of the business; requiring the Department of Revenue to provide certain notification to a business before a circuit court shall temporarily enjoin business activity by that business; providing that transferees of the business are liable for certain taxes unless specified conditions are met; requiring the department to conduct certain audits relating to the tax liability of transferors and transferees of a business within a specified time period; requiring certain notification by the Department of Revenue to a transferee before a circuit court shall enjoin business activity in an action brought by the Department of Legal Affairs seeking an injunction; specifying a transferor and transferee of the assets of a business are jointly and severally liable for certain tax payments up to a specified maximum amount; specifying the maximum liability of a transferee; providing methods for calculating the fair market value or total purchase price of specified business transfers to determine maximum tax liability of transferees; excluding certain transferees from tax liability when the transfer consists only of specified assets; amending s. 213.053, F.S.; authorizing the Department of Revenue to provide certain tax information to a transferee against whom tax liability is being asserted pursuant to s. 213.758, F.S.; repealing s. 202.31, F.S., relating to the tax liability and criminal liability of dealers of communications services who make certain transfers related to a communications services business; repealing s. 212.10, F.S., relating to a dealer's tax liability and criminal liability for sales tax when certain transfers of a business occur; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 665

Speaker Cannon in the Chair.

Yeas—115

Abruzzo	Diaz	Logan	Rogers
Adkins	Dorworth	Lopez-Cantera	Rooney
Ahern	Drake	Mayfield	Rouson
Albritton	Eisnaugle	McBurney	Saunders
Artiles	Ford	McKeel	Schenck
Aubuchon	Fresen	Metz	Slosberg
Baxley	Frishe	Moraitis	Smith
Bembry	Gaetz	Nehr	Snyder
Berman	Garcia	Nelson	Soto
Bernard	Gibbons	Nuñez	Stafford
Bileca	Glorioso	O'Toole	Stargel
Boyd	Gonzalez	Oliva	Steinberg
Brandes	Grant	Pafford	Steube
Brodeur	Grimsley	Passidomo	Taylor
Broxson	Hager	Patronis	Thompson, G.
Bullard	Harrell	Perman	Thurston
Burgin	Harrison	Perry	Tobia
Caldwell	Holder	Pilon	Trujillo
Campbell	Hooper	Plakon	Van Zant
Cannon	Horner	Porter	Waldman
Chestnut	Hudson	Porth	Watson
Clarke-Reed	Hukill	Precourt	Weatherford
Clemens	Ingram	Proctor	Weinstein
Coley	Jenne	Randolph	Williams, A.
Corcoran	Jones	Ray	Williams, T.
Costello	Julien	Reed	Wood
Crisafulli	Kiar	Rehwinkel Vasilinda	Workman
Cruz	Kriseman	Renuart	Young
Davis	Legg	Roberson, K.	

Nays—None

Votes after roll call:

Yeas—Fullwood, Goodson, Kreegel, Schwartz

So the bill passed and was certified to the Senate.

CS/HB 517 —A bill to be entitled An act relating to reducing and streamlining regulations; amending ss. 455.271, 468.4338, 468.525, 468.8317, 468.8417, 475.615, 475.617, 475.6175, 477.0212, 481.209, 481.211, 481.213, 481.217, 481.315, 489.116, and 489.519, F.S.; revising certain licensure requirements and continuing education requirements for reactivating a license, certificate, or registration to practice certain professions and occupations regulated by the Department of Business and Professional Regulation or a board or council within the department, including community association management, employee leasing, home inspection, mold-related services, real estate appraisal, cosmetology, architecture and interior design, landscape architecture, construction contracting, and electrical and alarm system contracting; amending s. 469.002, F.S.; providing an exemption from licensure as an asbestos consultant or contractor for activities involving pipe or conduit used for gas service; amending s. 475.6235, F.S.; revising registration requirements for appraisal management companies; amending ss. 468.391, 475.25, 475.42, 475.624, 475.6245, 475.626, 476.194, and 477.0265, F.S., relating to auctioneering, real estate brokering and appraisal, barbering, and cosmetology; revising language with respect to certain penalties; revising grounds for discipline to which penalties apply; amending s. 475.628, F.S.; requiring the Florida Real Estate Appraisal Board to adopt rules establishing professional practice standards; amending s. 373.461, F.S.; requiring certain appraisers to follow specific standards of professional practice in appraisals involving the restoration of the Lake Apopka Basin; amending s. 468.841, F.S.; exempting landscape architects from complying with provisions related to mold assessment; amending s. 474.202, F.S.; revising the definition of the terms "limited-service veterinary medical practice" and "veterinary medicine"; providing an effective date.

—was read the third time by title.

Representative Grant offered the following:

(Amendment Bar Code: 769789)

Amendment 5 (with title amendment)—Between lines 532 and 533, insert:

Section 31. Paragraphs (c) and (d) of subsection (1) of section 475.611, Florida Statutes, are amended, paragraphs (t) through (x) are redesignated as paragraphs (u) through (y), respectively, and a new paragraph (t) is added to that subsection, to read:

475.611 Definitions.—

(1) As used in this part, the term:

(c) "Appraisal management company" means a person who performs appraisal management services regardless of the use of the term "appraisal management company," "appraiser cooperative," "appraiser portal," "mortgage technology company," or other term.

(d) "Appraisal management services" means the coordination or management of appraisal services for compensation by:

1. Employing, contracting with, or otherwise retaining one or more licensed or certified appraisers to perform appraisal services for a client; or

2. Acting as a broker or intermediary between a client and one or more licensed or certified appraisers to facilitate the client's employing, contracting with, or otherwise retaining the appraisers.

(t) "Subsidiary" means an organization that is owned and controlled by a financial institution that is regulated by a federal financial institution regulatory agency.

Section 32. Subsection (4) of section 475.6171, Florida Statutes, is amended to read:

475.6171 Issuance of registration or certification.—The registration or certification of an applicant may be issued upon receipt by the board of the following:

(4) If required, proof of passing a written examination as specified in s. 475.616. ~~No certification shall be issued based upon any examination results obtained more than 24 months after the date of examination.~~

Section 33. Subsection (1) of section 475.6235, Florida Statutes, is amended, and subsection (9) is added to that section, to read:

475.6235 Registration of appraisal management companies required; exemptions.—

(1) A person may not engage, or offer to engage, in appraisal management services for compensation in this state, advertise or represent herself or himself as an appraisal management company, ~~or use the titles "appraisal management company," "appraiser cooperative," "appraiser portal," or "mortgage technology company," or any abbreviation or words to that effect,~~ unless the person is registered with the department as an appraisal management company under this section. However, an employee of an appraisal management company is not required to obtain a separate registration.

(9) This section does not apply to:

(a) Any financial institution, as defined in s. 655.005, that owns and operates an internal appraisal office, business unit, or department; or

(b) An appraisal management company that is a subsidiary owned and controlled by a financial institution, as defined in s. 655.005, regulated by a federal financial institution regulatory agency.

TITLE AMENDMENT

Remove line 36 and insert:

medical practice" and "veterinary medicine"; amending s. 475.611, F.S.; revising the definition of the terms "appraisal management company" and "appraisal management services"; amending s. 475.6171, F.S.; revising requirements for the issuance of registration or certification upon receipt of proper documentation; amending s. 475.6235, F.S.; revising provisions relating to titles an appraisal management company must be registered to use; providing exemptions from registration requirements; providing an

Rep. Grant moved the adoption of the amendment, which was adopted by the required two-thirds vote.

Representative Grant offered the following:

(Amendment Bar Code: 791331)

Amendment 6 (with title amendment)—Between lines 532 and 533, insert:

Section 31. Subsection (12) is added to section 455.213, Florida Statutes, to read:

455.213 General licensing provisions.—

(12) The department shall waive the initial licensing fee, the initial application fee, and the initial unlicensed activity fee for a military veteran who applies to the department for a license, in a format prescribed by the department, within 24 months after discharge from any branch of the United States Armed Forces. To qualify for this waiver, the veteran must have been honorably discharged.

TITLE AMENDMENT

Remove line 36 and insert:

medical practice" and "veterinary medicine"; amending s. 455.213, F.S.; waiving initial licensing, application, and unlicensed activity fees for certain military veterans; providing an

Rep. Grant moved the adoption of the amendment, which was adopted by the required two-thirds vote.

Representative Grant offered the following:

(Amendment Bar Code: 769059)

Amendment 7 (with title amendment)—Between lines 532 and 533, insert:

Section 31. Paragraph (c) of subsection (2) of section 475.451, Florida Statutes, is amended, present subsections (4) through (8) are renumbered as subsections (5) through (9), respectively, and a new subsection (4) is added to that section, to read:

475.451 Schools teaching real estate practice.—

(2) An applicant for a permit to operate a proprietary real estate school, to be a chief administrator of a proprietary real estate school or a state institution, or to be an instructor for a proprietary real estate school or a state institution must meet the qualifications for practice set forth in s. 475.17(1) and the following minimal requirements:

(c) "School instructor" means an individual who instructs persons in the classroom in noncredit college courses in a college, university, or community college or courses in a career center or proprietary real estate school.

1. Before commencing to provide such instruction, the applicant must certify the applicant's competency and obtain an instructor permit by meeting one of the following requirements:

a. Hold a bachelor's degree in a business-related subject, such as real estate, finance, accounting, business administration, or its equivalent and hold a valid broker's license in this state.

b. Hold a bachelor's degree, have extensive real estate experience, as defined by rule, and hold a valid broker's license in this state.

c. Pass an instructor's examination approved by the commission.

2. Any requirement by the commission for a teaching demonstration or practical examination must apply to all school instructor applicants.

3. The department shall renew an instructor permit upon receipt of a renewal application and fee. The renewal application shall include proof that the permitholder has, since the issuance or renewal of the current permit, successfully completed a minimum of 7 classroom or distance learning hours of instruction in real estate subjects or instructional techniques, as prescribed by the commission. The commission shall adopt rules providing for the renewal of instructor permits at least every 2 years. Any permit that which is not renewed at the end of the permit period established by the department ~~shall~~ automatically reverts ~~revert~~ to involuntarily inactive status.

The department may require an applicant to submit names of persons having knowledge concerning the applicant and the enterprise; may propound interrogatories to such persons and to the applicant concerning the character of the applicant, including the taking of fingerprints for processing through the Federal Bureau of Investigation; and shall make such investigation of the applicant or the school or institution as it may deem necessary to the granting of the permit. If an objection is filed, it shall be considered in the same manner as objections or administrative complaints against other applicants for licensure by the department.

(4) A real estate school may offer any course through distance learning if the course complies with s. 475.17(2).

TITLE AMENDMENT

Remove line 36 and insert: medical practice" and "veterinary medicine"; amending s. 475.451, F.S.; authorizing distance learning courses as an acceptable alternative to classroom instruction for renewal of a real estate instructor permit; providing that distance learning courses are under the discretion of the school offering the real estate course; requiring distance learning courses to adhere to certain requirements; providing an

Rep. Grant moved the adoption of the amendment, which was adopted by the required two-thirds vote.

The question recurred on the passage of CS/HB 517. The vote was:

Session Vote Sequence: 666

Speaker Cannon in the Chair.

Yeas—90

- | | | | |
|------------|-----------|---------------|---------------------|
| Adkins | Dorworth | Legg | Ray |
| Ahern | Drake | Logan | Reed |
| Albritton | Eisnaugle | Lopez-Cantera | Rehwinkel Vasilinda |
| Artiles | Ford | Mayfield | Renuart |
| Aubuchon | Fresen | McBurney | Roberson, K. |
| Baxley | Frishe | McKeel | Rooney |
| Bembry | Gaetz | Metz | Rouson |
| Bernard | Gibbons | Moraitis | Schenck |
| Bileca | Glorioso | Nehr | Smith |
| Boyd | Gonzalez | Nelson | Snyder |
| Brandes | Goodson | Nuñez | Stargel |
| Brodeur | Grant | O'Toole | Steube |
| Broxson | Grimsley | Oliva | Tobia |
| Burgin | Hager | Passidomo | Trujillo |
| Caldwell | Harrell | Patronis | Weatherford |
| Cannon | Harrison | Perman | Weinstein |
| Coley | Holder | Perry | Williams, A. |
| Corcoran | Hooper | Pilon | Williams, T. |
| Costello | Horner | Plakon | Wood |
| Crisafulli | Hudson | Porter | Workman |
| Cruz | Hukill | Porth | Young |
| Davis | Ingram | Procourt | |
| Diaz | Julien | Proctor | |

Nays—26

- | | | | |
|-------------|----------|-----------|--------------|
| Abruzzo | Garcia | Rogers | Thompson, G. |
| Berman | Jenne | Saunders | Thurston |
| Bullard | Jones | Slosberg | Van Zant |
| Campbell | Kiar | Soto | Waldman |
| Chestnut | Kriseman | Stafford | Watson |
| Clarke-Reed | Pafford | Steinberg | |
| Clemens | Randolph | Taylor | |

Votes after roll call:

- Yeas—Kreegel
- Nays—Fullwood, Schwartz
- Yeas to Nays—Rouson

So the bill passed, as amended, and was certified to the Senate after engrossment.

HB 693—A bill to be entitled An act relating to business and professional regulation; amending s. 455.271, F.S.; deleting a provision requiring business and nonmedical professional licensees of the Department of Business and Professional Regulation to complete a licensure cycle on active status before returning to inactive status; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 667

Speaker Cannon in the Chair.

Yeas—116

- | | | | |
|-----------|-------------|----------|---------------|
| Abruzzo | Cannon | Gibbons | Kriseman |
| Adkins | Chestnut | Glorioso | Legg |
| Ahern | Clarke-Reed | Gonzalez | Logan |
| Albritton | Clemens | Goodson | Lopez-Cantera |
| Artiles | Coley | Grant | Mayfield |
| Aubuchon | Corcoran | Grimsley | McBurney |
| Baxley | Costello | Hager | McKeel |
| Bembry | Crisafulli | Harrell | Metz |
| Berman | Cruz | Harrison | Moraitis |
| Bernard | Davis | Holder | Nehr |
| Bileca | Diaz | Hooper | Nelson |
| Boyd | Dorworth | Horner | Nuñez |
| Brandes | Drake | Hudson | O'Toole |
| Brodeur | Eisnaugle | Hukill | Oliva |
| Broxson | Ford | Ingram | Pafford |
| Bullard | Fresen | Jenne | Passidomo |
| Burgin | Frishe | Jones | Patronis |
| Caldwell | Gaetz | Julien | Perman |
| Campbell | Garcia | Kiar | Perry |

Pilon	Renuart	Soto	Van Zant
Plakon	Roberson, K.	Stafford	Waldman
Porter	Rogers	Stargel	Watson
Porth	Rooney	Steinberg	Weatherford
Precourt	Rouson	Steube	Weinstein
Proctor	Saunders	Taylor	Williams, A.
Randolph	Schenck	Thompson, G.	Williams, T.
Ray	Slosberg	Thurston	Wood
Reed	Smith	Tobia	Workman
Rehwinkel Vasilinda	Snyder	Trujillo	Young

Nays—None

Votes after roll call:

Yeas—Fullwood, Kreegel, Schwartz

So the bill passed and was certified to the Senate.

CS/HB 387—A bill to be entitled An act relating to electronic filing of construction plans; amending s. 468.604, F.S.; providing a legislative finding; providing for certain documents to be electronically signed and sealed by the licensee and electronically transmitted to a building code administrator or building official for approval; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 668

Speaker Cannon in the Chair.

Yeas—115

Abruzzo	Diaz	Logan	Rogers
Adkins	Dorworth	Lopez-Canera	Rooney
Ahern	Drake	Mayfield	Rouson
Albritton	Eisnaugle	McBurney	Saunders
Artiles	Ford	McKeel	Schenck
Aubuchon	Fresen	Metz	Slosberg
Baxley	Frishe	Moraitis	Smith
Bembry	Gaetz	Nehr	Snyder
Berman	Gibbons	Nelson	Soto
Bernard	Glorioso	Nuñez	Stafford
Bileca	Gonzalez	O'Toole	Stargel
Boyd	Goodson	Oliva	Steinberg
Brandes	Grant	Pafford	Steube
Brodeur	Grimsley	Passidomo	Taylor
Broxson	Hager	Patronis	Thompson, G.
Bullard	Harrell	Perman	Thurston
Burgin	Harrison	Perry	Tobia
Caldwell	Holder	Pilon	Trujillo
Campbell	Hooper	Plakon	Van Zant
Cannon	Horner	Porter	Waldman
Chestnut	Hudson	Porth	Watson
Clarke-Reed	Hukill	Precourt	Weatherford
Clemens	Ingram	Proctor	Weinstein
Coley	Jenne	Randolph	Williams, A.
Corcoran	Jones	Ray	Williams, T.
Costello	Julien	Reed	Wood
Crisafulli	Kiar	Rehwinkel Vasilinda	Workman
Cruz	Kriseman	Renuart	Young
Davis	Legg	Roberson, K.	

Nays—None

Votes after roll call:

Yeas—Fullwood, Garcia, Kreegel, Schwartz

So the bill passed and was certified to the Senate.

CS/SJR 1176—A joint resolution of apportionment; providing for the apportionment of the House of Representatives and the Senate (plans _____ and S000S9008); adopting the United States Decennial Census of 2010 for use in such apportionment; providing for the inclusion of omitted areas; providing contiguity for areas specified for inclusion in one district which are noncontiguous; specifying that the apportioned districts constitute

the legislative districts of the state; providing for severability of invalid portions; providing for application beginning in 2012.

—was read the third time by title.

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 669].

The question recurred on the passage of **CS for SJR 1176**. The vote was:

Session Vote Sequence: 670

Speaker Cannon in the Chair.

Yeas—80

Adkins	Dorworth	Ingram	Precourt
Ahern	Drake	Legg	Proctor
Albritton	Eisnaugle	Logan	Ray
Artiles	Ford	Lopez-Canera	Renuart
Aubuchon	Fresen	Mayfield	Roberson, K.
Baxley	Frishe	McBurney	Rooney
Bileca	Gaetz	McKeel	Schenck
Boyd	Glorioso	Metz	Smith
Brandes	Gonzalez	Moraitis	Snyder
Brodeur	Goodson	Nehr	Stargel
Broxson	Grant	Nelson	Steube
Burgin	Grimsley	Nuñez	Tobia
Caldwell	Hager	O'Toole	Trujillo
Cannon	Harrell	Oliva	Van Zant
Coley	Harrison	Passidomo	Weatherford
Corcoran	Holder	Patronis	Weinstein
Costello	Hooper	Perry	Williams, T.
Crisafulli	Horner	Pilon	Wood
Davis	Hudson	Plakon	Workman
Diaz	Hukill	Porter	Young

Nays—37

Abruzzo	Garcia	Randolph	Steinberg
Bembry	Gibbons	Reed	Taylor
Berman	Jenne	Rehwinkel Vasilinda	Thompson, G.
Bernard	Jones	Rogers	Thurston
Bullard	Julien	Rouson	Waldman
Campbell	Kiar	Saunders	Watson
Chestnut	Kriseman	Schwartz	Williams, A.
Clarke-Reed	Pafford	Slosberg	
Clemens	Perman	Soto	
Cruz	Porth	Stafford	

Votes after roll call:

Yeas—Kreegel

Nays—Fullwood

So the bill passed, as amended, and was certified to the Senate.

CS for SB 1174—A bill to be entitled An act establishing the congressional districts of the state; amending s. 8.0001, F.S.; revising definitions; amending s. 8.0002, F.S.; redistricting the state's congressional districts in accordance with the United States Decennial Census of 2010 (plan S004C9014); amending s. 8.0111, F.S., relating to the inclusion of unlisted territory in contiguous districts; updating a reference; reenacting s. 8.031, F.S., which provides for the election of representatives to the United States House of Representatives; amending s. 8.0611, F.S.; providing for severability; amending s. 8.07, F.S.; providing for applicability; providing effective dates.

—was read the third time by title.

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 671].

The question recurred on the passage of **CS for SB 1174**. The vote was:

Session Vote Sequence: 672

Speaker Cannon in the Chair.

Yeas—80

Adkins	Dorworth	Ingram	Precourt
Ahern	Drake	Legg	Proctor
Albritton	Eisnaugle	Logan	Ray
Artiles	Ford	Lopez-Cantera	Renuart
Aubuchon	Fresen	Mayfield	Roberson, K.
Baxley	Frishe	McBurney	Rooney
Bileca	Gaetz	McKeel	Schenck
Boyd	Glorioso	Metz	Smith
Brandes	Gonzalez	Moraitis	Snyder
Brodeur	Goodson	Nehr	Stargel
Broxson	Grant	Nelson	Steube
Burgin	Grimsley	Nuñez	Tobia
Caldwell	Hager	O'Toole	Trujillo
Cannon	Harrell	Oliva	Van Zant
Coley	Harrison	Passidomo	Weatherford
Corcoran	Holder	Patronis	Weinstein
Costello	Hooper	Perry	Williams, T.
Crisafulli	Horner	Pilon	Wood
Davis	Hudson	Plakon	Workman
Diaz	Hukill	Porter	Young

Nays—37

Abruzzo	Garcia	Randolph	Steinberg
Bembry	Gibbons	Reed	Taylor
Berman	Jenne	Rehwinkel Vasilinda	Thompson, G.
Bernard	Jones	Rogers	Thurston
Bullard	Julien	Rouson	Waldman
Campbell	Kiar	Saunders	Watson
Chestnut	Kriseman	Schwartz	Williams, A.
Clarke-Reed	Pafford	Slosberg	
Clemens	Perman	Soto	
Cruz	Porth	Stafford	

Votes after roll call:

Yeas—Kreegel
Nays—Fullwood

So the bill passed, as amended, and was certified to the Senate.

HB 7013—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; repealing s. 119.071(1)(g), F.S., which provides an exemption from public records requirements for United States Census Bureau address information; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 673

Speaker Cannon in the Chair.

Yeas—117

Abruzzo	Caldwell	Fresen	Hukill
Adkins	Campbell	Frishe	Ingram
Ahern	Cannon	Gaetz	Jenne
Albritton	Chestnut	Garcia	Jones
Artiles	Clarke-Reed	Gibbons	Julien
Aubuchon	Clemens	Glorioso	Kiar
Baxley	Coley	Gonzalez	Kriseman
Bembry	Corcoran	Goodson	Legg
Berman	Costello	Grant	Logan
Bernard	Crisafulli	Grimsley	Lopez-Cantera
Bileca	Cruz	Hager	Mayfield
Boyd	Davis	Harrell	McBurney
Brandes	Diaz	Harrison	McKeel
Brodeur	Dorworth	Holder	Metz
Broxson	Drake	Hooper	Moraitis
Bullard	Eisnaugle	Horner	Nehr
Burgin	Ford	Hudson	Nelson

Nuñez	Proctor	Slosberg	Van Zant
O'Toole	Randolph	Smith	Waldman
Oliva	Ray	Snyder	Watson
Pafford	Reed	Soto	Weatherford
Passidomo	Rehwinkel Vasilinda	Stafford	Weinstein
Patronis	Renuart	Stargel	Williams, A.
Perman	Roberson, K.	Steinberg	Williams, T.
Perry	Rogers	Steube	Wood
Pilon	Rooney	Taylor	Workman
Plakon	Rouson	Thompson, G.	Young
Porter	Saunders	Thurston	
Porth	Schenck	Tobia	
Precourt	Schwartz	Trujillo	

Nays—None

Votes after roll call:

Yeas—Fullwood, Kreegel

So the bill passed and was certified to the Senate.

HB 4079—A bill to be entitled An act relating to alcoholic beverages; repealing s. 562.34, F.S., relating to seizure and forfeiture of certain alcoholic beverage containers; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 674

Speaker Cannon in the Chair.

Yeas—117

Abruzzo	Dorworth	Lopez-Cantera	Rouson
Adkins	Drake	Mayfield	Saunders
Ahern	Eisnaugle	McBurney	Schenck
Albritton	Ford	McKeel	Schwartz
Artiles	Fresen	Metz	Slosberg
Aubuchon	Frishe	Moraitis	Smith
Baxley	Gaetz	Nehr	Snyder
Bembry	Garcia	Nelson	Soto
Berman	Gibbons	Nuñez	Stafford
Bernard	Glorioso	O'Toole	Stargel
Bileca	Gonzalez	Oliva	Steinberg
Boyd	Goodson	Pafford	Steube
Brandes	Grant	Passidomo	Taylor
Brodeur	Grimsley	Patronis	Thompson, G.
Broxson	Hager	Perman	Thurston
Bullard	Harrell	Perry	Tobia
Burgin	Harrison	Pilon	Trujillo
Caldwell	Holder	Plakon	Van Zant
Campbell	Hooper	Porter	Waldman
Cannon	Horner	Porth	Watson
Chestnut	Hudson	Precourt	Weatherford
Clarke-Reed	Hukill	Proctor	Weinstein
Clemens	Ingram	Randolph	Williams, A.
Coley	Jenne	Ray	Williams, T.
Corcoran	Jones	Reed	Wood
Costello	Julien	Rehwinkel Vasilinda	Workman
Crisafulli	Kiar	Renuart	Young
Cruz	Kriseman	Roberson, K.	
Davis	Legg	Rogers	
Diaz	Logan	Rooney	

Nays—None

Votes after roll call:

Yeas—Fullwood, Kreegel

So the bill passed and was certified to the Senate.

HB 4101—A bill to be entitled An act relating to the Department of Transportation; repealing s. 479.28, F.S., relating to the rest area information panel or device program; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 675

Speaker Cannon in the Chair.

Yeas—117

Abruzzo	Dorworth	Lopez-Canera	Rouson
Adkins	Drake	Mayfield	Saunders
Ahern	Eisnaugle	McBurney	Schenck
Albritton	Ford	McKeel	Schwartz
Artiles	Fresen	Metz	Slosberg
Aubuchon	Frishe	Moraitis	Smith
Baxley	Gaetz	Nehr	Snyder
Bembry	Garcia	Nelson	Soto
Berman	Gibbons	Nuñez	Stafford
Bernard	Glorioso	O'Toole	Stargel
Bileca	Gonzalez	Oliva	Steinberg
Boyd	Goodson	Pafford	Steube
Brandes	Grant	Passidomo	Taylor
Brodeur	Grimsley	Patronis	Thompson, G.
Broxson	Hager	Perman	Thurston
Bullard	Harrell	Perry	Tobia
Burgin	Harrison	Pilon	Trujillo
Caldwell	Holder	Plakon	Van Zant
Campbell	Hooper	Porter	Waldman
Cannon	Homer	Porth	Watson
Chestnut	Hudson	Precourt	Weatherford
Clarke-Reed	Hukill	Proctor	Weinstein
Clemens	Ingram	Randolph	Williams, A.
Coley	Jenne	Ray	Williams, T.
Corcoran	Jones	Reed	Wood
Costello	Julien	Rehwinkel Vasilinda	Workman
Crisafulli	Kiar	Renuart	Young
Cruz	Kriseman	Roberson, K.	
Davis	Legg	Rogers	
Diaz	Logan	Rooney	

Nays—None

Votes after roll call:

Yeas—Fullwood, Kreegel

So the bill passed and was certified to the Senate.

HB 4141—A bill to be entitled An act relating to the Strategic Intermodal System; amending s. 339.64, F.S.; removing provisions creating and providing duties of the Statewide Intermodal Transportation Advisory Council; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 676

Speaker Cannon in the Chair.

Yeas—111

Abruzzo	Clemens	Hager	Moraitis
Adkins	Coley	Harrell	Nehr
Ahern	Corcoran	Harrison	Nelson
Albritton	Costello	Holder	Nuñez
Artiles	Crisafulli	Hooper	O'Toole
Aubuchon	Cruz	Homer	Oliva
Baxley	Davis	Hudson	Passidomo
Bembry	Dorworth	Hukill	Patronis
Berman	Drake	Ingram	Perman
Bernard	Eisnaugle	Jenne	Perry
Bileca	Ford	Jones	Pilon
Boyd	Fresen	Julien	Plakon
Brandes	Frishe	Kiar	Porter
Brodeur	Gaetz	Kriseman	Porth
Broxson	Garcia	Legg	Precourt
Burgin	Gibbons	Logan	Proctor
Caldwell	Glorioso	Lopez-Canera	Ray
Campbell	Gonzalez	Mayfield	Reed
Cannon	Goodson	McBurney	Rehwinkel Vasilinda
Chestnut	Grant	McKeel	Renuart
Clarke-Reed	Grimsley	Metz	Roberson, K.

Rogers	Snyder	Thurston	Weinstein
Rooney	Stafford	Tobia	Williams, A.
Rouson	Stargel	Trujillo	Williams, T.
Saunders	Steinberg	Van Zant	Wood
Schenck	Steube	Waldman	Workman
Slosberg	Taylor	Watson	Young
Smith	Thompson, G.	Weatherford	

Nays—5

Bullard	Randolph	Soto
Pafford	Schwartz	

Votes after roll call:

Yeas—Diaz, Fullwood, Kreegel

Yeas to Nays—Rehwinkel Vasilinda

So the bill passed and was certified to the Senate.

HB 4143—A bill to be entitled An act relating to transportation corridors; repealing s. 341.0532, F.S., relating to statewide transportation corridors; removing the definition of "statewide transportation corridors"; removing provisions that specify certain transportation facilities as statewide transportation corridors; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 677

Speaker Cannon in the Chair.

Yeas—107

Abruzzo	Davis	Julien	Reed
Adkins	Diaz	Kiar	Renuart
Ahern	Dorworth	Kriseman	Roberson, K.
Albritton	Drake	Legg	Rooney
Artiles	Eisnaugle	Logan	Rouson
Aubuchon	Ford	Lopez-Canera	Saunders
Baxley	Fresen	Mayfield	Schenck
Bembry	Frishe	McBurney	Slosberg
Berman	Gaetz	McKeel	Smith
Bernard	Garcia	Metz	Snyder
Bileca	Gibbons	Moraitis	Stargel
Boyd	Glorioso	Nehr	Steinberg
Brandes	Gonzalez	Nelson	Steube
Brodeur	Goodson	Nuñez	Taylor
Broxson	Grant	O'Toole	Thurston
Burgin	Grimsley	Oliva	Tobia
Caldwell	Hager	Passidomo	Trujillo
Campbell	Harrell	Patronis	Van Zant
Cannon	Harrison	Perman	Waldman
Chestnut	Holder	Perry	Weatherford
Clarke-Reed	Hooper	Pilon	Weinstein
Clemens	Homer	Plakon	Williams, A.
Coley	Hudson	Porter	Williams, T.
Corcoran	Hukill	Porth	Wood
Costello	Ingram	Precourt	Workman
Crisafulli	Jenne	Proctor	Young
Cruz	Jones	Ray	

Nays—10

Bullard	Rehwinkel Vasilinda	Soto	Watson
Pafford	Rogers	Stafford	
Randolph	Schwartz	Thompson, G.	

Votes after roll call:

Yeas—Fullwood, Kreegel

So the bill passed and was certified to the Senate.

CS/HB 7027—A bill to be entitled An act relating to unemployment compensation; amending s. 443.011, F.S.; revising a short title to rename "unemployment compensation" as "reemployment assistance"; amending s. 443.012, F.S.; renaming the Unemployment Appeals Commission as the

Reemployment Assistance Appeals Commission; amending s. 443.036, F.S.; providing a definition for the term "reemployment assistance"; revising references to conform to changes made by the act; amending s. 443.071, F.S.; revising the requirements for establishing prima facie evidence of transaction history and payment; revising references to conform to changes made by the act; amending s. 443.091, F.S.; providing scoring requirements relating to initial skills reviews; providing for workforce training for certain eligible claimants; providing reporting requirements; providing work search requirements for certain claimants; providing for the applicability of certain exceptions relating to benefits based on employment with a private employer under contract with an educational institution effective July 1, 2013; revising references to conform to changes made by this act; amending s. 443.101, F.S.; clarifying how a disqualification for benefits for fraud is imposed; revising references to conform to changes made by this act; reviving, readopting, and amending s. 443.1117, F.S., relating to temporary extended benefits; providing for retroactive application; establishing temporary state extended benefits for weeks of unemployment; revising definitions; providing for state extended benefits for certain weeks and for periods of high unemployment; providing for application of specified provisions of the act; amending s. 443.131, F.S.; prohibiting benefits from being charged to the employment record of an employer that is forced to lay off workers as a result of a manmade disaster of national significance; revising references to conform to changes made by this act; amending s. 443.1216, F.S.; providing that employee leasing companies may make a one-time election to report leased employees under the respective unemployment account of each leasing company client; providing procedures and application for such election; revising references to conform to changes made by the act; amending s. 443.151, F.S.; revising the statute of limitations related to the collection of unemployment compensation benefits overpayments; revising references to conform to changes made by this act; amending s. 443.171, F.S.; deleting an exemption from public records requirements for unemployment compensation records and reports; revising references to conform to changes made by this act; amending s. 443.1715, F.S.; revising an exemption from public records requirements for unemployment compensation records and reports; revising references to conform to changes made by this act; amending ss. 20.60, 27.52, 40.24, 45.031, 55.204, 57.082, 61.046, 61.1824, 61.30, 69.041, 77.041, 110.205, 110.502, 120.80, 125.9502, 212.096, 213.053, 216.292, 220.03, 220.181, 220.191, 220.194, 222.15, 222.16, 255.20, 288.075, 288.1045, 288.106, 288.1081, 288.1089, 334.30, 408.809, 409.2563, 409.2576, 414.295, 435.06, 440.12, 440.15, 440.381, 440.42, 443.051, 443.111, 443.1113, 443.1116, 443.1215, 443.1312, 443.1313, 443.1315, 443.1316, 443.1317, 443.141, 443.163, 443.17161, 443.181, 443.191, 443.221, 445.009, 445.016, 446.50, 448.110, 450.31, 450.33, 468.529, 553.791, 624.509, 679.4061, 679.4081, 895.02, 896.101, 921.0022, 946.513, 946.523, 985.618, 1003.496, 1008.39, and 1008.41, F.S.; revising references to conform to changes made by the act; providing for severability; providing a declaration of important state interest; providing effective dates.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 678

Speaker Cannon in the Chair.

Yeas—116

Abruzzo	Brodeur	Crisafulli	Glorioso
Adkins	Broxson	Cruz	Gonzalez
Ahern	Bullard	Davis	Goodson
Albritton	Burgin	Diaz	Grant
Artiles	Caldwell	Dorworth	Grimsley
Aubuchon	Campbell	Drake	Hager
Baxley	Cannon	Eisnaugle	Harrell
Bembry	Chestnut	Ford	Harrison
Berman	Clarke-Reed	Fresen	Holder
Bernard	Clemens	Frishe	Hooper
Bileca	Coley	Gaetz	Horner
Boyd	Corcoran	Garcia	Hudson
Brandes	Costello	Gibbons	Hukill

Ingram	O'Toole	Rehwinkel	Vasilinda	Steube
Jenne	Oliva	Renuart		Taylor
Jones	Pafford	Roberson, K.		Thompson, G.
Julien	Passidomo	Rogers		Thurston
Kiar	Patronis	Rooney		Tobia
Kriseman	Perman	Rouson		Trujillo
Legg	Perry	Saunders		Van Zant
Lopez-Cantera	Pilon	Schenck		Waldman
Mayfield	Plakon	Schwartz		Watson
McBurney	Porter	Slosberg		Weatherford
McKeel	Porth	Smith		Weinstein
Metz	Precourt	Snyder		Williams, A.
Moraitis	Proctor	Soto		Williams, T.
Nehr	Randolph	Stafford		Wood
Nelson	Ray	Stargel		Workman
Nuñez	Reed	Steinberg		Young

Nays—None

Votes after roll call:

Yeas—Fullwood, Kreegel

So the bill passed, as amended, and was certified to the Senate.

CS/HB 7023—A bill to be entitled An act relating to regional workforce boards; amending s. 445.003, F.S.; requiring certain funds to be expended on Individual Training Accounts; revising items that qualify as account expenditures; amending s. 445.007, F.S., and reenacting subsections (10) and (11), relating to restrictions on the use of state and federal funds provided to regional workforce boards and contracts between regional workforce boards and members of regional workforce boards; providing for maximum board membership; providing additional membership requirements; requiring certain board members to file a statement of financial interests; authorizing the Governor to remove board members for cause; requiring the Department of Economic Opportunity to assign staff for performance and compliance review; prohibiting regional workforce boards from restricting the choice of training providers based on certain factors; authorizing a board to restrict the amount of training resources available to any one client under certain conditions; providing requirements for the procurement and expenditure of certain funds; providing grounds for removal for cause; deleting an obsolete expiration date for provisions relating to restrictions on the use of state and federal funds provided to regional workforce boards; revising procedures relating to the approval of contracts between regional workforce boards and members of regional workforce boards; deleting an obsolete expiration date for provisions relating to such contracts; requiring each board to develop a budget for certain purposes, subject to the approval of the chief elected official, and submit the budget to Workforce Florida, Inc.; requiring Workforce Florida, Inc., to evaluate the means to establish a single, statewide workforce-system brand for the state; providing reporting requirements; amending s. 445.009, F.S.; deleting the expiration of a provision providing that participants in adult or youth work experience activities are employees of the state for purposes of workers' compensation coverage; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 679

Speaker Cannon in the Chair.

Yeas—95

Abruzzo	Boyd	Coley	Ford
Adkins	Brandes	Corcoran	Fresen
Ahern	Brodeur	Costello	Frishe
Albritton	Broxson	Crisafulli	Gaetz
Artiles	Burgin	Cruz	Glorioso
Aubuchon	Caldwell	Davis	Gonzalez
Baxley	Cannon	Diaz	Goodson
Berman	Chestnut	Dorworth	Grant
Bernard	Clarke-Reed	Drake	Grimsley
Bileca	Clemens	Eisnaugle	Hager

Harrell	McKeel	Porter	Soto
Harrison	Metz	Precourt	Stargel
Holder	Moraitis	Proctor	Steube
Hooper	Nehr	Randolph	Tobia
Horner	Nelson	Ray	Trujillo
Hudson	Núñez	Rehwinkel Vasilinda	Van Zant
Hukill	O'Toole	Renuart	Weatherford
Ingram	Oliva	Roberson, K.	Weinstein
Julien	Passidomo	Rogers	Williams, A.
Kriseman	Patronis	Rooney	Williams, T.
Legg	Perman	Rouson	Wood
Lopez-Cantera	Perry	Schenck	Workman
Mayfield	Pilon	Smith	Young
McBurney	Plakon	Snyder	

Nays—19

Bembry	Jones	Saunders	Taylor
Bullard	Kiar	Schwartz	Thompson, G.
Campbell	Pafford	Slosberg	Thurston
Gibbons	Porth	Stafford	Watson
Jenne	Reed	Steinberg	

Votes after roll call:

Yeas—Kreegel, Waldman
Nays—Fullwood

So the bill passed, as amended, and was certified to the Senate.

CS/CS/HB 245—A bill to be entitled An act relating to the depopulation programs of Citizens Property Insurance Corporation; amending s. 627.351, F.S.; providing that eligible surplus lines insurers may participate, in the same manner and on the same terms as an authorized insurer, in depopulation, take-out, or keep-out programs relating to policies removed from Citizens Property Insurance Corporation; providing certain exceptions, conditions, and requirements relating to such participation by a surplus lines insurer in the corporation's depopulation, take-out, or keep-out programs; authorizing information from underwriting files and confidential files to be released by the corporation to specified entities that are considering writing or underwriting risks insured by the corporation under certain circumstances; specifying that only the corporation's transfer of a policy file to an insurer, as opposed to the transfer of any file, changes the file's public record status; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 680

Speaker Cannon in the Chair.

Yeas—66

Adkins	Dorworth	McBurney	Roberson, K.
Ahern	Eisnaugle	McKeel	Rooney
Albritton	Ford	Metz	Smith
Aubuchon	Glorioso	Moraitis	Snyder
Baxley	Grant	Nelson	Stargel
Bembry	Grimsley	O'Toole	Steube
Boyd	Hager	Passidomo	Tobia
Brandes	Harrell	Patronis	Van Zant
Brodeur	Harrison	Perry	Weatherford
Broxson	Holder	Pilon	Weinstein
Burgin	Hooper	Plakon	Williams, A.
Caldwell	Horner	Porter	Williams, T.
Cannon	Hudson	Precourt	Wood
Coley	Hukill	Proctor	Workman
Costello	Ingram	Ray	Young
Crisafulli	Julien	Rehwinkel Vasilinda	
Davis	Mayfield	Renuart	

Nays—48

Abruzzo	Bernard	Campbell	Clemens
Artiles	Bileca	Chestnut	Corcoran
Berman	Bullard	Clarke-Reed	Cruz

Diaz	Jones	Perman	Slosberg
Drake	Kiar	Porth	Soto
Fresen	Kriseman	Randolph	Stafford
Frishe	Legg	Reed	Steinberg
Gaetz	Lopez-Cantera	Rogers	Taylor
Garcia	Nehr	Rouson	Thompson, G.
Gonzalez	Núñez	Saunders	Thurston
Goodson	Oliva	Schenck	Trujillo
Jenne	Pafford	Schwartz	Watson

Votes after roll call:

Nays—Fullwood

So the bill passed, as amended, and was certified to the Senate.

Remarks

The Speaker recognized Rep. Garcia, who made brief farewell remarks.

Bills and Joint Resolutions on Third Reading

HB 4149—A bill to be entitled An act relating to the preferred worker program; amending s. 440.49, F.S.; deleting a preferred worker program for permanently impaired workers who are unable to return to work; conforming cross-references; amending ss. 440.50 and 624.4626, F.S.; conforming cross-references; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 681

Speaker Cannon in the Chair.

Yeas—116

Abruzzo	Diaz	Legg	Rogers
Adkins	Dorworth	Lopez-Cantera	Rooney
Ahern	Drake	Mayfield	Rouson
Albritton	Eisnaugle	McBurney	Saunders
Artiles	Ford	McKeel	Schenck
Aubuchon	Fresen	Metz	Schwartz
Baxley	Frishe	Moraitis	Slosberg
Bembry	Gaetz	Nehr	Smith
Berman	Garcia	Nelson	Snyder
Bernard	Gibbons	Núñez	Soto
Bileca	Glorioso	O'Toole	Stafford
Boyd	Gonzalez	Oliva	Stargel
Brandes	Goodson	Pafford	Steinberg
Brodeur	Grant	Passidomo	Steube
Broxson	Grimsley	Patronis	Taylor
Bullard	Hager	Perman	Thompson, G.
Burgin	Harrell	Pery	Thurston
Caldwell	Harrison	Pilon	Tobia
Campbell	Holder	Plakon	Trujillo
Cannon	Hooper	Porter	Van Zant
Chestnut	Horner	Porth	Waldman
Clarke-Reed	Hudson	Precourt	Watson
Clemens	Hukill	Proctor	Weatherford
Coley	Ingram	Randolph	Weinstein
Corcoran	Jenne	Ray	Williams, A.
Costello	Jones	Reed	Williams, T.
Crisafulli	Julien	Rehwinkel Vasilinda	Wood
Cruz	Kiar	Renuart	Workman
Davis	Kriseman	Roberson, K.	Young

Nays—None

Votes after roll call:

Yeas—Fullwood, Kreegel

So the bill passed and was certified to the Senate.

HB 4061—A bill to be entitled An act relating to a uniform home grading scale; repealing s. 215.55865, F.S., relating to the required adoption by the

Financial Services Commission of a uniform home grading scale to grade the ability of a home to withstand the wind load from certain tropical storms or hurricanes; amending s. 215.5586, F.S., to conform; providing an effective date.

—was read the third time by title.

THE SPEAKER PRO TEMPORE IN THE CHAIR

The question recurred on the passage of **HB 4061**. The vote was:

Session Vote Sequence: 682

Representative Legg in the Chair.

Yeas—114

Abruzzo	Dorworth	Mayfield	Rouson
Adkins	Drake	McBurney	Saunders
Ahern	Eisnagle	McKeel	Schenck
Albritton	Ford	Metz	Schwartz
Artiles	Fresen	Moraitis	Slosberg
Aubuchon	Frishe	Nehr	Smith
Baxley	Gaetz	Nelson	Snyder
Bembry	Garcia	Nuñez	Soto
Berman	Gibbons	O'Toole	Stafford
Bernard	Glorioso	Oliva	Stargel
Bileca	Gonzalez	Pafford	Steinberg
Boyd	Goodson	Passidomo	Steube
Brandes	Grant	Patronis	Taylor
Brodeur	Grimsley	Perman	Thompson, G.
Broxson	Hager	Perry	Thurston
Bullard	Harrell	Pilon	Tobia
Burgin	Harrison	Plakon	Trujillo
Caldwell	Holder	Porter	Van Zant
Campbell	Hooper	Porth	Waldman
Chestnut	Hornor	Precourt	Watson
Clarke-Reed	Hudson	Proctor	Weatherford
Clemens	Hukill	Randolph	Weinstein
Coley	Ingram	Ray	Williams, A.
Corcoran	Jones	Reed	Williams, T.
Costello	Julien	Rehwinkel Vasilinda	Wood
Crisafulli	Kiar	Renuart	Workman
Cruz	Kriseman	Roberson, K.	Young
Davis	Legg	Rogers	
Diaz	Lopez-Cantera	Rooney	

Nays—1

Jenne

Votes after roll call:

Yeas—Fullwood, Kreegel

So the bill passed and was certified to the Senate.

HB 4059—A bill to be entitled An act relating to property and casualty insurance; repealing s. 627.3519, F.S.; deleting a requirement that the Financial Services Commission provide an annual report to the Legislature consisting of specified data and analysis related to the aggregate net probable maximum losses, financing options, and potential assessments of the Florida Hurricane Catastrophe Fund and Citizens Property Insurance Corporation; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 683

Representative Legg in the Chair.

Yeas—95

Adkins	Aubuchon	Bernard	Brandes
Ahern	Baxley	Bileca	Brodeur
Artiles	Bembry	Boyd	Broxson

Bullard	Gonzalez	Metz	Roberson, K.
Burgin	Goodson	Moraitis	Rooney
Caldwell	Grant	Nehr	Rouson
Cannon	Grimsley	Nelson	Saunders
Chestnut	Hager	Nuñez	Schenck
Coley	Harrell	O'Toole	Smith
Corcoran	Harrison	Oliva	Snyder
Costello	Holder	Passidomo	Stargel
Crisafulli	Hooper	Patronis	Steube
Cruz	Hornor	Perman	Tobia
Davis	Hudson	Perry	Trujillo
Diaz	Hukill	Pilon	Van Zant
Dorworth	Ingram	Plakon	Waldman
Drake	Jones	Porter	Weatherford
Eisnagle	Julien	Porth	Weinstein
Ford	Legg	Precourt	Williams, A.
Fresen	Logan	Proctor	Williams, T.
Frishe	Lopez-Cantera	Ray	Wood
Gaetz	Mayfield	Reed	Workman
Garcia	McBurney	Rehwinkel Vasilinda	Young
Glorioso	McKeel	Renuart	

Nays—21

Abruzzo	Jenne	Schwartz	Thompson, G.
Berman	Kiar	Slosberg	Thurston
Campbell	Kriseman	Soto	Watson
Clarke-Reed	Pafford	Stafford	
Clemens	Randolph	Steinberg	
Gibbons	Rogers	Taylor	

Votes after roll call:

Yeas—Albritton, Fullwood, Kreegel

So the bill passed and was certified to the Senate.

HB 4055—A bill to be entitled An act relating to the Supreme Court; repealing s. 25.151, F.S., relating to restricting the practice of law by a retired justice; repealing s. 25.191, F.S., relating to the requirement to appoint a Clerk of the Supreme Court; repealing s. 25.211, F.S., relating to the requirement that the clerk have an office in the Supreme Court Building; repealing s. 25.231, F.S., relating to the requirement that the clerk perform duties as directed by the court; repealing s. 25.371, F.S., relating to provision by which rules of the court supersede statutes; providing an effective date.

—was read the third time by title.

THE SPEAKER IN THE CHAIR

The question recurred on the passage of **HB 4055**. On passage, the vote was:

Session Vote Sequence: 684

Speaker Cannon in the Chair.

Yeas—81

Adkins	Davis	Hornor	Perry
Ahern	Diaz	Hudson	Pilon
Albritton	Dorworth	Hukill	Plakon
Artiles	Drake	Ingram	Porter
Aubuchon	Eisnagle	Julien	Precourt
Baxley	Ford	Legg	Proctor
Bileca	Fresen	Lopez-Cantera	Ray
Boyd	Frishe	Mayfield	Renuart
Brandes	Gaetz	McBurney	Roberson, K.
Brodeur	Garcia	McKeel	Rooney
Broxson	Glorioso	Metz	Schenck
Burgin	Gonzalez	Moraitis	Smith
Caldwell	Goodson	Nehr	Snyder
Cannon	Grant	Nelson	Stargel
Coley	Grimsley	Nuñez	Steube
Corcoran	Hager	O'Toole	Tobia
Costello	Harrell	Oliva	Trujillo
Crisafulli	Holder	Passidomo	Van Zant
Cruz	Hooper	Patronis	Weatherford

Weinstein Williams, T. Wood Workman Young

—was read the third time by title. On passage, the vote was:

Nays—35

Abruzzo Fullwood Randolph Stafford
Bembry Gibbons Reed Steinberg
Berman Jenne Rehwinkel Vasilinda Taylor
Bernard Jones Rogers Thompson, G.
Bullard Kiar Rouson Thurston
Campbell Kriseman Saunders Waldman
Chestnut Pafford Schwartz Watson
Clarke-Reed Perman Slosberg Williams, A.
Clemens Porth Soto

Session Vote Sequence: 686

Speaker Cannon in the Chair.

Yeas—118

Abruzzo Dorworth Logan Rooney
Adkins Drake Lopez-Cantera Rouson
Ahern Eisnaugle Mayfield Schenck
Albritton Ford McBurney Schwartz
Artiles Fresen McKeel Slosberg
Aubuchon Frishe Metz Smith
Baxley Fullwood Moraitis Snyder
Bembry Gaetz Nehr Soto
Berman Garcia Nelson Stafford
Bernard Gibbons Nuñez Stargel
Bileca Glorioso O'Toole Steinberg
Boyd Gonzalez Oliva Steube
Brandes Goodson Pafford Taylor
Brodeur Grant Passidomo Thompson, G.
Broxson Grimsley Patronis Thurston
Bullard Hager Perman Tobia
Burgin Harrell Perry Trujillo
Caldwell Harrison Pilon Van Zant
Campbell Holder Plakon Waldman
Cannon Hooper Porter Watson
Chestnut Horner Porth Weatherford
Clarke-Reed Hudson Precourt Weinstein
Clemens Hukill Proctor Williams, A.
Coley Ingram Randolph Williams, T.
Corcoran Jenne Ray Workman
Costello Jones Reed Young
Crisafulli Julien Rehwinkel Vasilinda
Cruz Kiar Renuart
Davis Kriseman Roberson, K.
Diaz Legg Rogers

Votes after roll call:

Yeas—Harrison, Kreegel

So the bill passed and was certified to the Senate.

HB 4091—A bill to be entitled An act relating to the Governor's private secretary; repealing s. 14.03, F.S., relating to the Governor's authority to appoint and commission a private secretary; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 685

Speaker Cannon in the Chair.

Yeas—118

Abruzzo Dorworth Logan Rooney
Adkins Drake Lopez-Cantera Rouson
Ahern Eisnaugle Mayfield Saunders
Albritton Ford McBurney Schenck
Artiles Fresen McKeel Schwartz
Aubuchon Frishe Metz Slosberg
Baxley Fullwood Moraitis Smith
Bembry Gaetz Nehr Snyder
Berman Garcia Nelson Soto
Bernard Gibbons Nuñez Stafford
Bileca Glorioso O'Toole Stargel
Boyd Gonzalez Oliva Steinberg
Brandes Goodson Pafford Steube
Brodeur Grant Passidomo Taylor
Broxson Grimsley Patronis Thompson, G.
Bullard Hager Perman Thurston
Burgin Harrell Perry Tobia
Caldwell Harrison Pilon Trujillo
Campbell Holder Plakon Van Zant
Cannon Hooper Porter Waldman
Chestnut Horner Porth Watson
Clarke-Reed Hudson Precourt Weatherford
Clemens Hukill Proctor Weinstein
Coley Ingram Randolph Williams, A.
Corcoran Jenne Ray Williams, T.
Costello Jones Reed Wood
Crisafulli Julien Rehwinkel Vasilinda Workman
Cruz Kiar Renuart Young
Davis Kriseman Roberson, K.
Diaz Legg Rogers

Nays—None

Votes after roll call:

Yeas—Kreegel

So the bill passed and was certified to the Senate.

HB 7051—A bill to be entitled An act relating to rules establishing numeric nutrient criteria; exempting specified rules from legislative ratification under s. 120.541(3), F.S.; requiring the Department of Environmental Protection to publish certain notice; requiring legislative ratification of certain subsequent rules or amendments; directing the department to submit specified rules to the United States Environmental Protection Agency for review under the federal Clean Water Act; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 687

Speaker Cannon in the Chair.

Yeas—118

Abruzzo Brandes Corcoran Fullwood
Adkins Brodeur Costello Gaetz
Ahern Broxson Crisafulli Garcia
Albritton Bullard Cruz Gibbons
Artiles Burgin Davis Glorioso
Aubuchon Caldwell Diaz Gonzalez
Baxley Campbell Dorworth Goodson
Bembry Cannon Drake Grant
Berman Chestnut Eisnaugle Grimsley
Bernard Clarke-Reed Ford Hager
Bileca Clemens Fresen Harrell
Boyd Coley Frishe Harrison

Nays—None

Votes after roll call:

Yeas—Kreegel

So the bill passed and was certified to the Senate.

HB 4145—A bill to be entitled An act relating to the continuing education advisory board; repealing s. 626.2815(6), F.S.; deleting authority for the creation of the continuing education advisory board whose purpose is to advise the Department of Financial Services in determining standards by which courses for certain persons licensed to solicit or sell insurance may be evaluated and categorized; deleting all requirements and procedures with respect to the board; providing an effective date.

Holder	Moraitis	Ray	Steube
Hooper	Nehr	Reed	Taylor
Horner	Nelson	Rehwinkel Vasilinda	Thompson, G.
Hudson	Nuñez	Renuart	Thurston
Hukill	O'Toole	Roberson, K.	Tobia
Ingram	Oliva	Rogers	Trujillo
Jenne	Pafford	Rooney	Van Zant
Jones	Passidomo	Rouson	Waldman
Julien	Patronis	Saunders	Watson
Kiar	Perman	Schenck	Weatherford
Kriseman	Perry	Schwartz	Weinstein
Legg	Pilon	Slosberg	Williams, A.
Logan	Plakon	Smith	Williams, T.
Lopez-Cantera	Porter	Snyder	Wood
Mayfield	Porth	Soto	Workman
McBurney	Precourt	Stafford	Young
McKeel	Proctor	Stargel	
Metz	Randolph	Steinberg	

Nays—None

Votes after roll call:

Yeas—Kreegel

So the bill passed and was certified to the Senate.

HB 4087—A bill to be entitled An act relating to repeal of a workers' compensation independent actuarial peer review requirement; repealing s. 627.285, F.S., relating to the duty of the Financial Services Commission to contract for a periodic report regarding an actuarial peer review and analysis of the ratemaking process of any licensed rating organization that makes rate filings for workers' compensation insurance; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 688

Speaker Cannon in the Chair.

Yeas—118

Abruzzo	Dorworth	Logan	Rooney
Adkins	Drake	Lopez-Cantera	Rouson
Ahern	Eisnaugle	Mayfield	Saunders
Albritton	Ford	McBurney	Schenck
Artiles	Fresen	McKeel	Schwartz
Aubuchon	Frishe	Metz	Slosberg
Baxley	Fullwood	Moraitis	Smith
Bembry	Gaetz	Nehr	Snyder
Berman	Garcia	Nelson	Soto
Bernard	Gibbons	Nuñez	Stafford
Bileca	Glorioso	O'Toole	Stargel
Boyd	Gonzalez	Oliva	Steinberg
Brandes	Goodson	Pafford	Steube
Brodeur	Grant	Passidomo	Taylor
Broxson	Grimsley	Patronis	Thompson, G.
Bullard	Hager	Perman	Thurston
Burgin	Harrell	Perry	Tobia
Caldwell	Harrison	Pilon	Trujillo
Campbell	Holder	Plakon	Van Zant
Cannon	Hooper	Porter	Waldman
Chestnut	Horner	Porth	Watson
Clarke-Reed	Hudson	Precourt	Weatherford
Clemens	Hukill	Proctor	Weinstein
Coley	Ingram	Randolph	Williams, A.
Corcoran	Jenne	Ray	Williams, T.
Costello	Jones	Reed	Wood
Crisafulli	Julien	Rehwinkel Vasilinda	Workman
Cruz	Kiar	Renuart	Young
Davis	Kriseman	Roberson, K.	
Diaz	Legg	Rogers	

Nays—None

Votes after roll call:

Yeas—Kreegel

So the bill passed and was certified to the Senate.

HB 4187—A bill to be entitled An act relating to cattle; repealing s. 585.155, F.S., relating to the inspection and vaccination of cattle for brucellosis; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 689

Speaker Cannon in the Chair.

Yeas—118

Abruzzo	Dorworth	Logan	Rooney
Adkins	Drake	Lopez-Cantera	Rouson
Ahern	Eisnaugle	Mayfield	Saunders
Albritton	Ford	McBurney	Schenck
Artiles	Fresen	McKeel	Schwartz
Aubuchon	Frishe	Metz	Slosberg
Baxley	Fullwood	Moraitis	Smith
Bembry	Gaetz	Nehr	Snyder
Berman	Garcia	Nelson	Soto
Bernard	Gibbons	Nuñez	Stafford
Bileca	Glorioso	O'Toole	Stargel
Boyd	Gonzalez	Oliva	Steinberg
Brandes	Goodson	Pafford	Steube
Brodeur	Grant	Passidomo	Taylor
Broxson	Grimsley	Patronis	Thompson, G.
Bullard	Hager	Perman	Thurston
Burgin	Harrell	Perry	Tobia
Caldwell	Harrison	Pilon	Trujillo
Campbell	Holder	Plakon	Van Zant
Cannon	Hooper	Porter	Waldman
Chestnut	Horner	Porth	Watson
Clarke-Reed	Hudson	Precourt	Weatherford
Clemens	Hukill	Proctor	Weinstein
Coley	Ingram	Randolph	Williams, A.
Corcoran	Jenne	Ray	Williams, T.
Costello	Jones	Reed	Wood
Crisafulli	Julien	Rehwinkel Vasilinda	Workman
Cruz	Kiar	Renuart	Young
Davis	Kriseman	Roberson, K.	
Diaz	Legg	Rogers	

Nays—None

Votes after roll call:

Yeas—Kreegel

So the bill passed and was certified to the Senate.

HB 4189—A bill to be entitled An act relating to the Florida Agricultural Exposition; repealing s. 570.071, F.S., relating to the Florida Agricultural Exposition and the authority of the Department of Agriculture and Consumer Services and the Department of Corrections to receive donations of funds and expend funds for the exposition; amending ss. 570.53 and 570.54, F.S.; deleting cross-references to conform to the repeal by the act of s. 570.071, F.S.; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 690

Speaker Cannon in the Chair.

Yeas—117

Abruzzo	Bernard	Campbell	Cruz
Adkins	Bileca	Cannon	Davis
Ahern	Boyd	Chestnut	Diaz
Albritton	Brandes	Clarke-Reed	Dorworth
Artiles	Brodeur	Clemens	Drake
Aubuchon	Broxson	Coley	Eisnaugle
Baxley	Bullard	Corcoran	Ford
Bembry	Burgin	Costello	Fresen
Berman	Caldwell	Crisafulli	Frishe

Fullwood	Kiar	Plakon	Stargel
Gaetz	Kriseman	Porter	Steinberg
Garcia	Legg	Porth	Steube
Gibbons	Logan	Precourt	Taylor
Glorioso	Lopez-Cantera	Proctor	Thompson, G.
Gonzalez	Mayfield	Randolph	Thurston
Goodson	McBurney	Ray	Tobia
Grant	McKeel	Reed	Trujillo
Grimsley	Metz	Renuart	Van Zant
Hager	Moraitis	Roberson, K.	Waldman
Harrell	Nehr	Rogers	Watson
Harrison	Nelson	Rooney	Weatherford
Holder	Nuñez	Rouson	Weinstein
Hooper	O'Toole	Saunders	Williams, A.
Horner	Oliva	Schenck	Williams, T.
Hudson	Pafford	Schwartz	Wood
Hukill	Passidomo	Slosberg	Workman
Ingram	Patronis	Smith	Young
Jenne	Perman	Snyder	
Jones	Perry	Soto	
Julien	Pilon	Stafford	

Nays—1

Rehwinkel Vasilinda

Votes after roll call:

Yeas—Kreegel

Nays to Yeas—Rehwinkel Vasilinda

So the bill passed and was certified to the Senate.

Motion

Rep. Aubuchon moved that, pursuant to Rule 8.2, the presentation and remarks portion on CS for SJR 1176 and CS for SB 1174, made on Thursday, February 2 and Friday, February 3, 2012, be spread upon the *Journal*. The motion was agreed to.

Remarks on CS for SJR 1176 and CS for SB 1174

Speaker Cannon: Members, we are about to consider the Senate's redistricting bills, but before we do that I wanted to ask Chair Weatherford to share with us the good work that he and his committee and subcommittees have done during the last eight months. Chair Weatherford will then yield to the subcommittee chairs and vice chairs to explain each of our plans, accompanied by a presentation, which has also been emailed to each one of you. Upon completion of the presentations, we will move into consideration of the bills. We will be taking up several amendments and you will have the opportunity to ask questions. In order to streamline and facilitate debate on the amendments, please notify your respective leader if you wish to be recognized to speak in debate.

With that, Representative Weatherford, you are recognized.

Rep. Weatherford: Thank you, Mr. Speaker. And Mr. Speaker, thank you for this opportunity to address the membership on this very important matter. Members, this is going to take a little bit of time to walk through this presentation. I think we sent an email out, but basically—as the Speaker stated, before we actually get to the amendatory process, we're going to walk you through each bill—so, each map. So we'll walk through the House map, the Congressional map, and the Senate map, and we're going to start that process in just a moment. So, it is going to take a little bit of time. We ask you please to keep the noise down so everyone can hear all the details that are being spoken of.

For the sake of your questions, your debate, and the process, we will go through, as I said, the House floor, we're going to have the opportunity to hear individually, all 120 House districts, all 27 Congressional districts, and the 40 proposed state Senate districts. Prior to that, I'm going to walk everyone through the process and the events that led to today. In order that we are all on the same page regarding what went into the redistricting process and, most importantly, how the results have impacted us.

It was in late 2010 that we had the first opportunity to publicly unveil the technology that the House has utilized in developing this redistricting process. That application, as you all know, is known as MyDistrictBuilder™. Early in 2011, our staff began a process of outreach, prior to even receiving the census data, by means of a social media and direct communications with likely stakeholders. For example, we outreached to supervisors of elections, civil rights organizations, and local government officials. In March of 2011, Florida received its census data. By April of 2011, our committee and subcommittees began meeting, learning about the application of the Federal and State redistricting laws and learning about the results of the census and announcing our 26-city tour.

Starting in June and all the way through September of 2011, we began what many of us called a 'listening tour.' We had the opportunity to listen and hear from nearly 5,000 people who attended those 26 public meetings in 25 different cities throughout our state. Those summer meetings generated more than 70 hours of public testimony. They helped encourage 177 submissions of redistricting maps—compare that to four, 10 years ago—and they helped encourage thousands of other emails, letters, phone calls, and faxes that we've received since then.

For last summer's public input meetings, we conducted outreach, including Spanish language outreach, via various newspapers, radio, and television outlets, and other estimates and other means with an estimated reach of greater than 4 million Floridians. On most days, if you Google or Bing to search the phrase 'Florida redistricting,' our website, www.floridaredistricting.org, is the number one website. In addition, the House's MyDistrictBuilder™ online redistricting application averages over 200 visitors per day who utilize it.

Our goal, as everybody in here knows, was to cast a wide net and to allow different ways for Florida's residents to participate in this process, and that's exactly what has taken place. What could be difficult about a process like this is that people often look first before they tell you how to go forward—they look back first before they tell you how to go forward, and that's also exactly what happened. Because we, as a legislature, had to confront the reality that the districts were to serve, that were served, and today could be redrawn in a more meaningful and a more legal and appropriate manner. We had to confront the reality that the redistricting process should and would be held to a higher set of standards than we've ever held ourselves before.

Then our subcommittees and our redistricting committees went through a process of narrowing down legislative produced options, while at the same time amending those options with additional public feedback—receiving all that along the way. With that, members, we have three maps to present to you today, and I believe they are framed by the standards of the law. They are influenced by the public and the input that we received, and they are supported by the documented record of our subcommittees and our full committee.

Members, as we go through this presentation you will see the district, or districts, being discussed on the screen. We have also emailed this presentation to everyone, so you should have it in front of you. So when we formally take up the bills later, you can use the emailed version of this presentation if you need a reference point for the map or for districts that we're discussing during second reading. And with that, Mr. Speaker, I'd like to please recognize Representative Schenck, who is co-chair of the House committee, to start the presentation of the House map.

Speaker Cannon: Thank you, Chair Weatherford. Members, please be reminded that we will entertain questions once all the presentations have concluded and we take up the Senate bills. Representative Schenck, you are recognized to begin explanation of the State House map.

Rep. Schenck: Thank you, Mr. Speaker, and I know you asked to go through them thoroughly, so I thought maybe I'd take 30 minutes on each House district—we'd get through it sometime next week. Let me thank you,

let me thank Chairman Weatherford about giving us the most open process we've had in redistricting. Members, HJR 6011, which redraws all 120 House districts, represents Florida's 18.8 million residents. The map drawers, which I could not say enough good things about, were Mr. Jeff Takacs—who we called 'the machine'—and Mr. Alex Kelly, who spent many, many hours in front of computers drawing these. The total range of population deviation for the districts is just under 4 percent. We use this range because it was particularly helpful in keeping counties whole and also drawing districts wholly within boundaries of counties.

Two points that were very important to our subcommittee were keeping districts whole and within boundaries of our county. The State House map drawn 10 years ago only kept 21 counties whole. This proposed State House map keeps 37 counties whole. By population and geography, it is only possible—it is only possible to keep a maximum of 38 counties whole, and we keep 37. The State House map drawn 10 years ago split 170 of Florida's 411 incorporated municipalities. This proposed State House map only splits 75 of those municipalities. In terms of the various ways that you can measure compactness, this proposed State House map is dramatically more compact than the State House map drawn 10 years ago. As State and Federal law guide us in terms of opportunities for racial and language minorities, this proposed State House map fulfills our legal obligations and even creates what we believe are some new opportunities. And in doing so, most of the minority districts are even compact. With that, members, let's start looking at the districts.

As you can see up on the big board, taking a look at Districts 1 to 4, the population of Escambia, Santa Rosa, and Okaloosa counties is nearly equal to that of four State House districts. Accordingly, each of these districts is largely anchored to one of the three counties, with Districts 1 and 4 being entirely located within a single county.

Districts 5 to 6 represent the populations of Walton, Bay, Holmes, Jackson, and Washington counties. Bay County has a district entirely within its borders and the remaining four counties are kept whole.

Districts 7, 8, and 9 keep several counties whole, only splitting Leon County. However, I think we did so in a meaningful way, ensuring that the city of Tallahassee, which is larger than the size of a State House district, is only split into two different districts and that Leon County gets a district entirely within its borders. District 8 is a majority-minority district that includes the entirety of Gadsden County.

Moving on, members, to Districts 11 to 16. They represent the entirety of Duval and Nassau counties, which happen to have populations equal to that of six House districts. Nassau County is kept whole within this configuration. One of the changes we made in the Redistricting Committee was to ensure that St. Johns River was followed as a geographical boundary line. Districts 13 and 14 are majority-minority districts that have been drawn in a much more compact configuration than the districts that were drawn 10 years ago.

Districts 17 and 24 through 27 represent putting exactly five districts within the boundaries of St. Johns, Flagler, and Volusia counties. Three entire districts were included within the boundaries of Volusia County and one entire district was included within the boundaries of St. Johns County. Cities like DeLand, Deltona, and St. Augustine are kept whole. Also of note, during this entire process, we once received public input via a postcard from a Flagler County resident. She wanted a Flagler County-based district that aligns with southern St. Johns County, and District 24 addresses that request.

In the center of North Florida, Districts 10, 18, and 19, and 20 to 23 manage to keep 10 counties whole. District 18 was designed as a very compact district, entirely within the boundaries of Clay County. As requested, we heard multiple times from Clay County residents they want to be kept whole. This configuration also creates both a seat entirely in Marion County and a second seat that is more than two-thirds in Marion County. District 20 will keep seven cities whole and, at that same time, maintain a

district that historically elects the African-American community's candidate of choice.

District 34 and 35 pair Citrus and Hernando County, which, together, have the population of two House districts.

District 33 includes the entirety of Sumter County and the cities of Lady Lake and Fruitland Park, and then portions of southern Marion County that are often associated with The Villages—a compact community that's boundaries extend into Sumter, Lake, and Marion counties.

Districts 36 to 38 divide Pasco County into three very compact districts, as the population of the county is nearly equal to three districts. And with that, Mr. Speaker, I would like to yield to my co-chair, Representative Dorworth, to continue the explanation of the proposed House map.

Speaker Cannon: Representative Dorworth, you are recognized to explain House Districts 28 through 32 and 39 through 79.

Representative Dorworth: Thank you, Mr. Speaker, and if could just take a quick second to echo the sentiments of Co-Chair Schenck about our staff. And I really don't think you can understand the enormity of dividing this state and having Congressional maps and Senate maps, and State House maps. The job they did was nothing short of stellar and they call the man 'the machine' because he's a machine, so Jeff Takacs and Alex Kelly are best in class as far as I'm concerned. We are very, very blessed to have them here.

Now, if I may, let me just go through the districts in Central Florida to start. Districts 28 to 32 and 44 to 49 represent much of the Central Florida region. District 32 met the goal of including one district entirely in Lake County and Districts 28 and 29 met the goal of including two districts entirely in Seminole County. Our subcommittee looked at multiple configurations of this area and ultimately passed amendments that improved the numbers of cities kept whole here.

Districts 46 and 48 are both majority-minority districts, and District 45, we believe, may be a new opportunity—a second opportunity for the African-American community in Orange County to elect a representative of their choice. The compactness and adherence to county lines of these districts improve greatly as compared to the State House map drawn 10 years ago.

Districts 50 to 53 represent Brevard County moving into east Orange County. Three entire districts are located within Brevard County in a very compact design. Members, as you are probably starting to see, we heard a theme all summer long that people wanted districts entirely located within a single county when possible. This is an example of a legally appropriate decision that also addresses that public input.

Districts 39 to 43 represent the bulk of Polk and Osceola counties. District 43, which is entirely located in Osceola County and keeps the city of Kissimmee whole, is a new majority-minority Hispanic district. Districts 40 and 41 are wholly located in Polk County. This design of Polk County is very much what the Polk County Commission requested for the State House map. Both our subcommittee and the full committee made changes in Polk County that led to several additional cities being kept whole.

District 56 is also in Polk County, encompassing Bartow and all of Hardee and Desoto counties. The district uses US 17 as a transportation artery, which was a specific request from the public. Districts 57 and 64 encompass most of Hillsborough County. The bill creates three east Hillsborough Districts, keeping Plant City and Temple Terrace whole. Districts 61 and 62 are both majority-minority districts in what is a Section 5 Voting Rights Act county. Of the nine districts in Hillsborough County, seven of them are entirely within the boundaries of the county.

District 64 is about two-thirds Hillsborough County and one-third of the population in Pinellas County, including the entirety of Oldsmar and Safety Harbor. Districts 65 to 69 are all entirely within Pinellas County, meaning

that five of the seven districts in Pinellas County are entirely within Pinellas. There are a significant number of municipalities in Pinellas County many of which are kept whole. Pursuant to the request of the public, these proposed districts make a particular effort to keep small cities whole in Pinellas County.

District 70 connects the four counties in this region: Hillsborough, Manatee, Pinellas, and Sarasota counties. A mathematical note about these four counties: they happen to be the size of 18 districts. District 70 historically elects African-American candidates and is partially located in the Section 5 covered county, Hillsborough County. Therefore, it was important to make an effort to maintain its ability to elect a candidate of choice. In addition to that, the district is used in such a way that the population it covers in Manatee and Sarasota allows the remainder of those two counties to be represented by two districts that are mostly in Manatee County and two districts that are entirely in Sarasota County, both of which were requests from the public.

So, of these 18 districts in Hillsborough, Manatee, Pinellas, and Sarasota, 14 of them are located entirely within one county. Districts 75 to 79 encompass all of Charlotte and Lee counties; in fact Charlotte County is District 75. Lee County happens to be nearly equal to the size of four State House districts. Therefore, its borders are not crossed in this map. In our most recent committee meeting, an amendment was done in response to a public input to make the community of Estero whole. Every incorporated city in Lee County is also kept whole.

District 55 encompasses the entirety of Okeechobee, Highlands, and Glades counties, along with a few thousand residents of western St. Lucie County. District 54 is the entirety of Indian River County along with a small portion of St. Lucie County. With that, Mr. Speaker, I yield back to Chair Weatherford.

Speaker Cannon: Chair Weatherford, would you yield to Representative Frishe? Representative Frishe, you are recognized to explain House Districts 80 to 120.

Rep. Frishe: Thank you, Mr. Speaker. And like my co-chairmen on this committee, I'd like to echo their thanks to our staff who have been just outstanding in this effort.

Mr. Speaker, members, District 82 to 84 encompasses the remainder of St. Lucie County, all of Martin County, and approximately 60,000 residents in northern Palm Beach County. Port St. Lucie is larger than the size of the State House district. Otherwise, every other city in these two counties is kept whole.

You look at Districts 81 and 85 to 91. The remainder of Palm Beach County includes eight districts that are entirely within the borders of the county. If you reflect on the districts drawn in the State House map 10 years ago, there is no longer a district that encompasses both sides of the Okeechobee—something that we heard a great deal about in public hearings. Instead, you have a western Palm Beach County district. The turnpike is used as a geographical divider for some of the districts in the county, and the overall compactness of these districts has significantly improved.

District 86 includes the entirety of Wellington, Loxahatchee Groves, and Royal Palm Beach.

District 88 maintains the existing majority-minority African-American district and not one district crosses the Palm Beach/Broward County line.

Moving to Broward County, 10 of the 14 districts in the county are entirely located within the county. They are all major improvements in terms of compactness, even the four districts that historically elect African-American candidates—District 92, 94, 95, and 101 are very compact. And District 95 also maintains a significant Caribbean-American community.

Moving into northern Miami-Dade County, District 107 and 108 have significant concentrations of Haitian Americans maintaining the two districts in the State House that historically allows this language-minority community to choose a candidate of their choice.

When you look further at districts like 103, 110, and 111 you'll see that the proposed State House map looks frequently toward roadways in Miami-Dade County as boundaries. Most of the district lines, or many of the district lines, were straightened, squared off, and neighborhood boundaries were looked to as frequently as possible so as to not divide neighborhoods—not to split them up. There is also some, were some, changes done in both subcommittee and committee to improve the use of municipal lines here, and also to maintain the existing districts that enable Hispanic communities to choose a candidate of their choice.

Looking further into Miami-Dade County at Districts 112, 114 to 119, overall Miami-Dade County represented dynamic improvements in terms of compactness of the districts. Most of the districts in this slide are districts that traditionally perform for Hispanic candidates, although District 117 historically elects an African-American candidate. In all cases, we maintain the ability to elect the minority community's candidate of choice.

Down at the bottom, District 120 is Monroe County. That also encompasses portions of southern Miami-Dade.

District 105, and this one you'll notice is a Section 5 Voting Rights district that is about two-thirds in Miami-Dade County and one-third in Collier County. In the State House map that was created 10 years ago, a similar district was created as the result of a settlement with U.S. Department of Justice and Federal Court that required that the Hispanic community in Collier County maintain the ability to elect a Hispanic candidate. To accommodate that court settlement, a second district that crossed the state was also created 10 years ago. However, in the proposed State House map, only this district crosses the middle of the state—that being the district that was necessary pursuant to the court settlement.

Moving further into Collier County, pursuant to a request of the Greater Naples Chamber, there are only three districts in Collier County. District 106 is entirely within the county and includes the city of Naples. District 80 is the northern Collier County district and also includes all of Hendry County. And with that, Mr. Speaker, I would like to yield back to Chairman Weatherford.

Speaker Cannon: Representative Weatherford, you are recognized.

Rep. Weatherford: Thank you, Mr. Speaker. Mr. Speaker that concludes the presentation of the State House map. Mr. Speaker, I would ask you to please recognize Representative Legg to begin the explanation of the Congressional map.

Speaker Cannon: Representative Legg, you are recognized.

Rep. Legg: Thank you, Mr. Speaker. This is CS/HB 6005, which are the Congressional districts. Members, as you know, we have 27 Congressional districts—plus two this time around, versus 10 years ago. The two new Congressional districts—as an interesting note, states like New York, Ohio, Pennsylvania, have all lost congressional representation, and we have gained two. The map drawers for this Congressional district, these Congressional maps, are Alex Kelly, Jason Poreda, Jeff Silver. The standard deviation for each of these districts, members, take a note of this, is zero. There is zero deviation in these maps to adhere to the one-person, one-vote principle. Members, 10 years ago, the former map consisted of 37 whole counties. This current map consists of 46 whole counties. The former map consisted of 110 city splits, this map has only 27, out of the 411, cities that are split.

Members, voters wanted a map that was compact. This Congressional map is more compact in every possible measurement than the map 10 years ago. Voters wanted a map that protected racial and language minorities. This map

fulfills that obligation in every capacity. Members, let's look at the descriptions of each of the districts.

Speaker Cannon: Members—Representative Legg, excuse me just a moment. Members, please give Representative Legg your attention. Keep the noise down. Representative Legg, you are recognized.

Rep. Legg: Thank you, Mr. Speaker. Starting in the panhandle, District 1 includes all of Escambia, Santa Rosa, Okaloosa, Walton counties, and a portion of Holmes County. District 2 includes a portion of Holmes and Madison counties, and all of Jackson, Washington, Bay, Calhoun, Gulf, Liberty, Franklin, Gadsden, Leon, Wakulla, Jefferson, and Taylor counties. District 3 includes a portion of Madison, Clay, Alachua, Marion counties and all of Hamilton, Suwannee, Lafayette, Dixie, Levy, Gilchrist, Columbia, Union, and Bradford counties.

In Northeast Florida, District 4 includes all of Baker and Nassau counties and a majority of Duval County. Looking back to the district in this general area drawn 10 years ago, it stretched from Duval County all the way to Tallahassee. We received feedback from Tallahassee residents asking that they no longer be connected to Jacksonville in a district, and District 4 accomplishes this.

District 5 includes a portion of Duval, Clay, Putnam, Alachua, Marion, Lake, Seminole, and Orange counties. In this district, the municipalities of Eatonville, Green Cove Springs, Hawthorne, Palatka, and Reddick are all kept whole. The core of this district is very similar to the core of the existing district, a district that has historically elected an African-American to Congress. The first version of this district was drawn by a Federal court in 1992. Prior to that, the state of Florida had not had an African-American member of Congress since Reconstruction.

District 6 includes a portion of Putnam County, the majority of Volusia County, and all of St. Johns and Flagler counties.

Moving on to central Florida, District 7 includes portions of Volusia, Seminole, and Orange counties, keeping several cities whole throughout the district.

District 8 includes all of Brevard and Indian River counties and a portion of Orange County.

District 9 includes all of Osceola and portions of Orange and Polk counties. Over the past several months, we have received feedback from the people of Osceola County requesting that they be kept whole in a Congressional district, as well as requests for us to link Osceola and Orange counties. Furthermore, we received numerous requests from the public to create a district that acknowledges the growth of the Hispanic community in Central Florida. In that regard, we've married up these two different requests from the public, and done so while keeping an entire county and several cities whole.

District 10 includes a portion of Orange and Polk counties and the majority of Lake County.

District 11 includes all of Citrus, and Hernando, and Sumter counties, and a portion of Lake and Marion counties. In terms of population, Marion County is still the most significant county in this district, even though the county is divided.

In the Tampa Bay region, District 12 includes all of Pasco County and a portion of Hillsborough and Pinellas counties, keeping several cities whole.

District 13 is wholly contained in Pinellas County and keeps 21 municipalities in the county whole. In this district, along with District 14, were amended in committee due to both concerns about the Voter's Right Act of compliance with District 14, but also a public request from Pinellas County residents who wished to be in Pinellas County districts. District 14 includes a portion of Hillsborough and Pinellas counties. Ten years ago, a similar configured district stretched down in Manatee and Sarasota counties. We

received input from the public calling for that district to be removed from those two counties and go more into Hillsborough County, and that is exactly what we did. This district is covered under Section 5 of the Federal Voting Rights Act.

District 15 includes the eastern portion of Hillsborough County and the western portion of Polk County. And with that, Mr. Speaker, I'd like to yield to our subcommittee co-chair, Representative Holder, to explain Districts 16 through 27.

Speaker Cannon: Representative Holder, you are recognized to explain Districts 16 through 27.

Rep. Holder: Thank you, Mr. Speaker. District 16 includes the majority of Manatee County and all of Sarasota County. The people of those two counties overwhelmingly asked that they be connected in a Congressional district, and that's exactly what we did.

District 17 includes portions of Polk, Hillsboro, Manatee, and Lee counties, and all of Hardy, Desoto, Highlands, Okeechobee, Glades, and Charlotte counties.

District 18 includes all of St. Lucie and Martin counties and a portion of Palm Beach County. You may remember that that district is the area the state that, drawn 10 years ago, stretches from Palm Beach County all the way across the state to Charlotte County. We heard from residents from the Treasure Coast, and frankly, throughout the state, calling for the end of cross-state districts, and so we did away with that district.

District 19 includes the majority of Lee County and portions of Collier County including all of Naples.

And moving southeast to southeast Florida, District 20 includes portions of Hendry, Palm Beach, and Broward counties. District 20 is a Section 5 Voting Rights district. We received maps for this area that were submitted by members of the public who did an excellent job of keeping the municipalities whole, and we took that advice. This particular district keeps 14 municipalities whole.

District 21 includes portions of Palm Beach and Broward counties.

District 22 includes portions of Palm Beach and Broward counties, and like District 20, keeps many municipalities in the region whole. In fact, 20 municipalities are kept whole within that district.

District 23 includes portions of Broward and Miami-Dade counties. It keeps 16 municipalities whole, including Davie, Hollywood, and Weston.

District 24 also includes portions of Broward and Miami-Dade counties. This area of the state has traditionally elected an African-American to Congress and this district recreates that opportunity. Additionally, this district keeps several cities whole.

District 25 includes portions of Hendry, Collier, Broward and Miami-Dade counties. This district is also impacted by Section 5 of the Federal Voting Act, Federal Voting Rights Act.

District 26 includes portions of Miami-Dade and all of Monroe County.

District 27 is the second district that is wholly contained within a county and its all in Miami-Dade. The additional one point that I want to mention about Districts 25, 26, and 27 is they're drawn to create a more compact and cohesive meeting point between the districts, nearby and along the Tamiami Trail. In that way, we're able to both maintain these three majority-minority districts, but also design them in a more compact fashion. And with that, Mr. Speaker, I yield back to Chair Weatherford.

Speaker Cannon: Representative Weatherford, you are recognized.

Rep. Weatherford: Thank you very much, Mr. Speaker. And Mr. Speaker, I now would like to recognize Representative Horner to explain the differences between the House and Senate versions of the Congressional map.

Speaker Cannon: Representative Horner, you are recognized.

Rep. Horner: Thank you, Mr. Speaker. Members, I'd like to discuss the differences between the Congressional map and CS for SJR 1176 that the Senate passed on January 17 and the proposed map just described to you by Chairman Legg and Holder in CS/HB 6005. Some of the overall differences between the two maps are the Senate's version of the Congressional map splits 24 counties and 46 cities; the House's version only splits 21 counties and 27 cities throughout the entire map.

The first area I'd like to talk about is, of course, Osceola County and Congressional District 9 on our map. Both the House and Senate drew the districts in a similar way, including all of Osceola and portions of Orange and Polk counties. The District 9 in our bill is noticeably more compact than its counterpart.

The next area I'll bring up is the Pasco/Hernando area and the Tampa Bay region. In the Senate's version—the Congressional map, Hernando and Pasco counties are linked together, which pushes the district to the north, containing Citrus and Sumter County, further into Lake County. As a result, the Senate's version of the map has a Congressional district that entirely spans northern Pinellas and Hillsborough counties. In the House's version of the Congressional bill, Hernando County is joined with Citrus and Sumter counties, whereas Pasco County is in the district that also has portions of north Pinellas and Hillsborough County. This configuration in the House's proposal also creates a district that is mostly in eastern Hillsborough and western Polk counties, keeping Plant City, Lakeland, and Bartow wholly within the district.

The next difference is also in the Tampa Bay region. In the House map, District 14 does not go into Manatee County, so that the district is wholly and more compactly located in Pinellas and Hillsborough counties. The Senate's version of the Congressional district dips into Manatee County.

Moving south along the Gulf Coast, the House version of the Congressional map keeps Sarasota County whole along with the majority of Manatee County. The most similar district in the Senate's version of the Congressional map splits Manatee, Sarasota, and Charlotte counties with the coastal side being in one district and the rural side being in another district.

Moving to District 17, the Senate's version splits Charlotte and Okeechobee counties. The House version keeps these counties whole.

The final area of significant difference in the two districts in Miami-Dade County and Monroe County. Both maps connect Monroe County with Miami-Dade County. However, the Senate's version of the map connects Monroe County with eastern Miami-Dade County, while the House's version creates what turns out to be a more compact design connecting Monroe County with western Miami-Dade County. And with that, Mr. Speaker, I'd like to yield back to Chair Weatherford.

Speaker Cannon: Representative Weatherford, you are recognized.

Rep. Weatherford: Thank you, Mr. Chairman. I'd like to now recognize Representative Hukill to explain Senate Districts 14 through 22, 24 through 26, and 28. Oh, I apologize—I skipped. Representative Nehr, I haven't forgot about you, buddy. I still got your back. I'd now like to recognize Representative Nehr to explain the Congressional map.

Speaker Cannon: Representative Nehr, you are recognized.

Rep. Nehr: Thank you, Mr. Speaker. Members, we will now be discussing CS/HB 6001, which represents the redistricting of all 40 State Senate districts. This is an identical map to CS for SJR 1176 that our colleagues in the Florida

Senate passed on January 17th. The total range of population deviation for the districts is just under 2 percent, approximately plus or minus 1 percent. And the State Senate map drawn 10 years ago only kept 22 counties whole. HB 6001, before you here today, keeps 36 counties whole. The State Senate map drawn 10 years ago split 126 cities out of the 411 cities throughout Florida, and this proposed map only splits 54 cities. With that, members, let's look at the districts.

Taking a look at Districts 1 and 3, the population of Escambia, Santa Rosa, Okaloosa, Walton, Holmes, Jackson, Washington, and Bay counties are nearly equal to that of two State Senate districts. The two districts' primary boundary lines between them are Interstate 10 and the Intercostal Waterway, the Yellow River, as well as several municipal lines.

District 5 is made up of entirely 11 whole counties: Calhoun, Franklin, Gadsden, Gulf, Hamilton, Jefferson, Leon, Liberty, Madison, Taylor, and Wakulla.

Now, looking at Districts 2, 7, and 11, you can see there are 12 whole counties between these three districts. District 7 is made up entirely of Alachua, Clay, and Union counties. And District 2 is made up of eight whole counties along Florida's Nature Coast—as well as a portion of Marion County. District 11 contains the other part of Marion County, only dividing the county into two districts. District 11, also, keeps the areas known as The Villages and The Golden Triangle—the cities of Eustis, Tavares, and Mount Dora—whole.

Districts 4, 6, and 9 consist of much of Northeast Florida District 4 and keeps Nassau County whole, connecting it to Duval County. District 6 is drawn to maintain a district that historically elects the African-American community's candidate of choice in that region. And Districts 6 and 9 also meet the goal, that public input suggested, that St. Johns and Flagler counties be linked.

District 8 encompasses the majority of Volusia County and connects the county to northern Brevard County, and the district follows many municipal lines within the county, again accomplishing the goal of several people who testified at the Daytona Beach public hearing who requested there be fewer districts in the county and that their city lines be respected.

Moving to the Central Florida area, Districts 10, 12, and 13 are made up of Seminole County, as well as eastern Orange County and southern Lake County. And District 12 preserves the district that historically elects the African-American community's candidate of choice in the Orlando area. Districts 10 and 13 also meet the goal of both Lake and Seminole County residents who wanted to see their counties divided as few times as possible. These districts make sure both counties only have two State Senate districts. And with that, Mr. Speaker, I yield back to Chair Weatherford.

Speaker Cannon: Representative Weatherford, you are recognized.

Rep. Weatherford: Thank you, Mr. Speaker. Please recognize Representative Hukill to explain Senate Districts 14 through 22, 24 through 26, and 28.

Speaker Cannon: Representative Hukill, you are recognized.

Rep. Hukill: Thank you, Mr. Speaker. Members, moving to the Gulf Coast, we see that District 20 keeps Hernando County whole and joins it with portions of Pasco and Sumter counties. This district makes use of county and municipal borders for the majority of its border. Moving back to the Central Florida area, Districts 14 and 16 are made up of southern Orange County, northern Polk County, and keeps Osceola County whole between the two districts. District 14 has an Hispanic voting-age population of over 50 percent. Several publicly submitted maps drew a similar district in the Orlando area.

Districts 15, 17, 19, 21, and 22 make up the Tampa Bay region made up of all of Pinellas and Hillsborough counties as well as parts of Pasco and Manatee

counties. Both Pinellas and Hillsborough counties have a state Senate district entirely within each county in District 17 and 21, respectively. This reflects the public testimony of residents of the two counties requesting that a Senate district be wholly located in their county. District 19 connects areas of Pinellas, Hillsborough, and Manatee counties and historically elects African-American candidates, and it is also partially located in a Section 5-covered county, Hillsborough County. Therefore, it was important to make an effort to maintain its ability to elect a candidate of choice.

Moving from the Gulf Coast, we move back to the east coast of the state looking specifically at Brevard and Indian River counties that are joined by District 18. This district limits the division of Brevard County to only two State Senate districts, which was a request of those who testified at the Melbourne public hearing. This district also does not divide any municipalities in either county.

Moving back to the Gulf Coast, we look at Districts 24 and 28. [District] 24 connects municipalities in eastern Manatee County, such as Myakka Head, Old Myakka, and Myakka City, within areas in eastern Hillsborough County and southwestern Polk County. District 28 keeps Sarasota County whole and connects that county with areas such as Port Charlotte and Grove City in eastern Charlotte County. And with that, Mr. Speaker, I would like to yield to our vice chair, Representative Workman, to continue the explanation of the proposed State Senate map, HB 6001.

Speaker Cannon: Representative Workman, you are recognized.

Representative Workman: Thank you very much, Mr. Speaker. As we continue to move around the map, we look next at District 26, which is a geographically large district made up of five whole inland counties in Hardy, DeSoto, Highlands, Glades, and Okeechobee. The district also connects these counties with southern Polk County, western St. Lucie, and Martin counties, and a portion of Charlotte County.

District 25 connects eastern parts of Indian River, St. Lucie, Martin, and eastern Palm Beach County. This area is linked together by the major transportation routes of Interstate 95 and US 1.

Moving back to the southern part of the state to the Gulf coast, District 23 and 30 link Lee County with the coastal portion of Collier County and the southern portion of Charlotte County.

District 30 keeps municipalities such as Cape Coral, Sanibel, Naples, and Marco Island are kept whole in District 30. Both Districts 23 and 30 use major transportation routes in the area, such as Interstate 75 and the Tamiami Trail, to connect these areas together.

Moving back to the East Coast, we'll now look at Districts 27, 29, 31, 32, 34, and 36. These are the six State Senate districts that make up the majority of Palm Beach and Broward counties. District 27 is wholly located within Palm Beach County and Districts 31 and 36 are wholly located within Broward County. District 29 is a majority-minority district in Palm Beach and Broward counties and has historically elected an African-American community's candidate of choice in that region.

Moving south in Miami-Dade County, we'll look at Districts 33, 35, 37, 38, and 39 all together. Districts 33, 37, and 39 traditionally offer Hispanic communities the opportunity to choose a candidate of their choice. District 38 historically elects an African-American candidate.

Moving further south, we will look at District 40, which has two whole counties in Monroe and Hendry County. This district also has parts of Collier and Miami-Dade counties. This district includes three Section 5 counties in Monroe, Collier County, and Hendry counties where the minority community has traditionally been able to elect an African-American candidate. And with that, Mr. Speaker, I yield back to Chair Weatherford.

Speaker Cannon: Chair Weatherford, back to you.

Rep. Weatherford: Thank you, Mr. Speaker. Members, those are the explanations of the Senate, House, and Congressional maps. And I think we've got it all out there.

Speaker Cannon: All right, we are now ready to take up the Senate bills. Take up and read CS for SJR 1176.

CS for SJR 1176 was read the second time by title on Thursday, February 2, 2012 (as previously shown in the *Journal* on page 328).

Speaker Cannon: Representative Nehr, you are recognized to explain the bill.

Representative Nehr: Thank you, Mr. Speaker. Members, this is CS for SJR 1176. It's the proposed State Senate map as passed by the Florida Senate. It is identical to the State Senate map that our Redistricting Committee passed in CS/HJR 6001. This is the same Senate map that we just explained during the presentation and that is the bill, Mr. Speaker.

Speaker Cannon: All right, are there questions to the sponsor? Representative Jenne, for a question.

Rep. Jenne: Mr. Speaker, thank you. Chairman Nelson, I have some questions here. I was hoping to start off with some that focus on the issues of racial fairness in the map. Oh, who did I say? I'm sorry, it's just, I'm in insurance and I just think of Bryan Nelson a whole heck of a lot. [laughter] Representative Nehr, I do apologize.

First of all, if you could, please tell us the definition of 'retrogression' as it is applied to this particular plan.

Speaker Cannon: Representative Nehr.

Rep. Nehr: Thank you, Mr. Speaker. I'm going to tell you, I'll have Representative Weatherford take that question.

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. It's a good question, Representative Jenne, thank you for bringing it forth. It's been talked about a lot, trying to define, in a very finite manner, the definition of 'retrogression.' I don't know if I have a perfect answer for you, but I can tell you this—'retrogression,' to me, and I think to the committee that has worked for these great bills, means not going backwards. It means that if you have a district, for example, that is a minority-majority district in a Section 5 county, it should not go backwards. It means that, for example, in Amendment 6, that speaks very clearly and Amendment 5, it speaks very clearly to not having diminishment within the minority districts. I think that's what 'retrogression' is.

Speaker Cannon: Further questions? For a follow up, Representative Jenne.

Rep. Jenne: Thank you, Mr. Speaker and Representative Weatherford, thank you for that. I'll address my questions back to Representative Nehr, my dear friend Peter Nehr. Some districts must be drawn to allow minorities to elect the Representative of their choosing, but having the 2002 districts change and what I'm wondering, really, is—do we have to maintain 2002 minority districts in order to re-elect someone?

Speaker Cannon: Representative Weatherford, is that a follow up? Representative Weatherford, you are recognized.

Rep. Weatherford: Thank you, Mr. Speaker. I appreciate it. It's a very good question. Look, I think that the Federal law is extremely and implicitly clear. There are different things that you have to look at. For example, we have five counties within Florida that are Section 5 counties within the Voting Rights Act. We cannot allow for diminishment to take place within those five counties—certainly for districts that are within those five counties. But also,

we have Section 2 of the Voting Rights Act that also says that you cannot take a district that is a minority-majority district and take it below 50 percent.

On top of that, the voters, in 2010, voted for Amendments 5 and 6 that very clearly stated, as a tier one criteria, that we cannot diminish the opportunity for minorities, communities to elect a candidate of their choice. And so, I think it's pretty clear as to what we have to do and what we've done within these maps.

Speaker Cannon: For a follow up, Representative Jenne.

Rep. Jenne: Again, thank you, Mr. Speaker. It may be these line of questions are along the same vein so, I'll probably address them to Representative Nehr, but please feel free. What was the definition the committee used to determine if districts were racially fair—that threshold that you just spoke of, was there anything else and was it that no plan could diminish the percentage of minority voters in any minority district below its current total or are we just working with that 50 percent threshold? If you would, please, sir.

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. There is no specific threshold. It is a district-by-district analysis that we have to make. Certainly, when you're going through the Department of Justice, they require certain data that we have to show and prove that we did not diminish a minority community's ability to elect a candidate of their choice.

Speaker Cannon: For a follow up, Representative Jenne.

Rep. Jenne: Thank you, again, Mr. Speaker. Next question, whoever needs to answer it. Does compliance with the Constitution require the use of minority voting data, majority voting data, performance in various elections, ability of minority voters to elect, and I was wondering if you could tell me why or why not, depending upon your answer, of course?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. Again, a good question. The Voting Rights Act and the Department of Justice, as well, in order for us to make sure we have not diminished according to Amendments 5 and 6, we do have to use data to show that we have not taken away that community's ability to vote for a candidate of their choice.

Speaker Cannon: For a follow up, Representative Jenne.

Rep. Jenne: Again, thank you, Mr. Speaker. As I had the opportunity and the honor to sit on these committees, there was a lot of talk, seemed to be wherever, at least, that I went and my colleagues reiterated to me that they heard a lot on the different legs of the trip, but there was a lot of talk about making preservations of minority districts a priority—I think we can all agree upon that. Is there any numerical formula, any at all? We know that now, that there isn't. So, how then do we know if the plan diminishes or does not diminish the ability if we're not using any specific type of threshold?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. I think I answered that question before, but it is a district-by-district analysis. There is no specific threshold—it is a district-by-district analysis. And I would also add, that it wasn't just this body that agrees—that is a tier one standard to protect people's ability to elect a candidate of their choice. Sixty-three percent of the voting public in 2010 also agreed.

Speaker Cannon: Representative Jenne.

Rep. Jenne: Again, thank you, Mr. Speaker. If the plan packs large minorities of Democratic voters into some districts—is that evidence, or can we take that as evidence, as the plan is intended to favor one party or another? If we see packing, really not just the Democrats and I apologize because that's

my point of view, but in either party, if we're packing people in—is that evidence to show that it was intended to favor one group or the other, sir?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. I'm very proud of the fact that our maps do not have any packing within them, whatsoever. It's not a part of any of our maps. We made sure of that and it's nowhere within any one of these House, Congressional, or Senate maps—there was no packing, whatsoever.

Speaker Cannon: Representative Jenne.

Rep. Jenne: Thank you, Speaker. Based on the map that we're currently presented with—does it represent the greatest number of minority or coalition districts that could have been drawn? If no, why not? If the answer is yes, could you please tell us how you know that.

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Certainly, we can give you a lot of data on the districts that were drawn that potentially would give communities the ability to vote for a candidate of their choice, but there is no requirement of law that you maximize anything like that. So, that is not something that we look to do.

Speaker Cannon: Representative Jenne.

Rep. Jenne: Thank you, Mr. Speaker. If it's statistically probable that minority voters will elect a candidate of their choice, with 40 percent minority voting age population—is it constitutional, constitutionally permissible, for that district to contain 55 percent, 65 percent, 75 percent, so on and so forth?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. Again, I don't believe there is a numeric standard that you can unilaterally or paint across the entire state of Florida. I think that it is a district-by-district analysis that you have to run through to make sure that you feel confident that that community would be able to vote a candidate of their choice. There is no number that you can put your hat on and say that that is the magic number—does not exist.

Speaker Cannon: Representative Jenne.

Rep. Jenne: Thank you, Mr. Speaker, as always. Was election performance data used, Representative Weatherford, to determine if districts improved or diminished the ability of minorities to elect candidates of their choice? If yes, you could define what that data was and I'll save the rest for follow up if necessary, dependent upon your answer.

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. The Department of Justice actually requires that we use performance data to prove that the districts that we've drawn continue to allow a community to elect a candidate of their choice. Our staff, along with our attorneys, look at that data and they analyze it on a district-by-district basis to make sure that that is taking place—the answer is yes.

Speaker Cannon: Representative Jenne.

Rep. Jenne: Thank you, Mr. Speaker. Can we ask what the source of that data, where the source of that data was?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: The source is the Department of State, Division of Elections, and also, I would like to point out on the earlier question as well, if I could, Mr. Speaker, that we only use that data when dealing with those

districts, the minority districts.

Speaker Cannon: Representative Jenne.

Rep. Jenne: Thank you, Mr. Speaker. Switching gears, I'm going to go back because these next set of questions deal with incumbency and perhaps it will go back to you, Chairman Weatherford, but I'll formally address them to Chairman Nehr at this point, until I know otherwise. Chairman Nehr, if the 2002 districts were drawn in order to preserve incumbency or to help any particular political party, is that something relevant to determining whether or not we can simply keep the 2012 districts and plans approximately the same as configured in 2002? Because I have to be quite honest, when I look over things it seems to be that they are very, very similar in nature.

Speaker Cannon: Representative Nehr.

Rep. Nehr: Mr. Speaker, once again, I'd like to yield to Representative Weatherford.

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. I could not disagree more. I don't think our districts in 2012 reflect, very much of anything in 2002, but I would also like to point out that I don't think anybody here can specifically talk about what the intent of the legislature was 10 years ago. I didn't serve in this body. We may have a couple of a retreads who are here when we went through that process in 2002, but I was not one of them and so I can't speak to that. There is nothing wrong with being a retread, Representative Frishe. [laughter]

Speaker Cannon: The record shall so reflect. Representative Jenne.

Rep. Jenne: I like to refer to them as veterans, Chairman. [laughter] I'm sorry. If the district is composed of 70 percent voters of the same party as the incumbent, some might say that it's evidence of an intent to favor said incumbent. I was wondering if you could explain, why or why not, in your particular view.

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. I don't think that's a factor in whether or not the maps that we drew were compliant with Amendments 5 and 6 and the Federal Voting Rights Act. I mean, we have very clear standards both in statute, Federal statute—we have very clear standards in the State Constitution which we abided by. But one those standards is not whether or not a district looks anything similar to the way it looked 10 years ago when it was drawn. So, I guess I just don't follow that line of questioning.

Speaker Cannon: Representative Jenne.

Rep. Jenne: Fair enough. Next question would be this—were there any iterations, models, of any maps that included any member's actual residence—intentionally placed there?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Very proud to say, absolutely not and I think a lot of the members in this Chamber could speak to that.

Speaker Cannon: Representative Jenne.

Rep. Jenne: At least I can. Were there any discussions with members about whether their residence would be in a district with another residence of any other incumbent? Was the Democratic Party of Florida solicited to give their input or was the Republican Party of Florida solicited to give their input?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. Our job was to comply with the Amendments 5 and 6, and our Constitution, and to comply with the Federal statutes of the Voting Rights Act. Where people live was

inconsequential. We did not look at that information and I think that's reflected in our maps.

Speaker Cannon: Representative Jenne.

Rep. Jenne: Thank you. And then to the second part of that question would be—was there anyone reaching out, did anyone reach out, to the Florida Democratic Party or the Republican Party of Florida on behalf of this Chamber?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: No.

Speaker Cannon: Representative Jenne.

Rep. Jenne: Thank you, Mr. Speaker. This is the final question that I have. Based on publicly available historic election data, as certified by our very own Secretary of State, the Senate plan overwhelmingly, it favors one particular party while creating only fourteen districts that would give the minority party a chance at winning. On a fair plan, based on a 50/50 statewide partisan vote in this state, wouldn't that allow for 20 and 20 and can you tell me why doesn't this plan shake out that way?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. Of course, I cannot speak for the Senate, but we certainly, and I agree with the Senate, I believe the Senate would say the same thing, that we did not use political data in drawing these maps and so it's kind of hard to answer a question about what we knew in regards to political data when we didn't use it. Nowhere in the standards to talk about trying to draw districts with any type of partisanship or any type of number involved, and very clear standards to talk about tier one standards of making sure there was no political intent, had very clear standards about preserving communities' ability to vote for a candidate of their choice, compactness, cities and counties, all those things. It doesn't talk about the question that you just asked.

Speaker Cannon: One more. Representative Jenne, you are recognized.

Rep. Jenne: I appreciate your indulgence, Mr. Speaker. Some of my colleagues started getting in my ear for a second; they wanted me to ask a follow up to a previous question. Before, I had asked if any information had been solicited from any political party. The question that I was asked to then reframe would be—was there any communication either between the House of Representatives, anyone working for the House of Representatives, and the Florida Democratic Party or the Republican Party of Florida via telephone, email, fax, Skype, anything at all?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: No—that I know of.

Speaker Cannon: Further questions? Representative Cruz, for a question. You're recognized.

Rep. Cruz: Thank you Mr. Speaker. My question is about incumbency, also. Were members asked about how to improve a district?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. I—maybe reframe that question. I'm not sure I understood it exactly.

Speaker Cannon: Representative Cruz.

Rep. Cruz: Thank you, Mr. Speaker. Were any members asked about how to improve a district?

Speaker Cannon: Representative Weatherford, you're recognized.

Rep. Weatherford: I can speak for our committee. The conversations that we had, in regards to improvement—we had many conversations about improvement—but they were about improving the compliance with the standards that we have to follow, both with the Federal Voting Rights Act and with Amendments 5 and 6.

Speaker Cannon: Further questions? Representative Cruz, for a follow up.

Rep. Cruz: Actually, Mr. Speaker, it's another question, not a follow up.

Speaker Cannon: All right. Another question.

Rep. Cruz: Were districts modified based on any member input?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: I think districts were modified certainly by member input. They were modified based on public input. They were modified by maps that were submitted by members of the public. They were modified by discussions that took place within the committee. So there were many ways that the districts were modified. A lot of ideas were exchanged throughout the committee process. I think it's very well documented in this committee.

Speaker Cannon: Representative Cruz, you're recognized.

Rep. Cruz: Questions now on compactness. What definition of compactness was applied to constructing this plan?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you very much, Mr. Speaker. Compactness is not necessarily determined by a single test or a measurement. Compactness—thank you, Representative—compactness can be in different forms. For example, you can look at a district and very clearly see if it's compact. I think there is an eyeball test that we would all recognize, whether or not something is compact. But it can also be something that is following a county boundary, or it can be a political or geographic boundary. Or it can be one which improves a citizen's ability to travel when it comes to the traveling distance of a district. So, there are lots of measurements. In fact, courts have used up to several dozen types of compactness measures. There is no one that is utilized as the standard, so to speak. But I do believe the basic—to break it down to very basic terms, I think you kind of know compactness when you see it. And I think that when you look at our districts, I do think they meet that test.

Speaker Cannon: Representative Cruz, you're recognized.

Rep. Cruz: Thank you, Mr. Speaker. To that end, can you tell me how does this plan reflect your definition of compactness?

Speaker Cannon: Representative Weatherford.

Rep. Cruz: I said to that—

Speaker Cannon: Go ahead, Representative Cruz.

Rep. Cruz: I said to that end, can you tell me how this plan reflects your definition of compactness?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. By every measurement that we have and that we utilize. In fact, if you go to MyDistrictBuilder™, we have different ways and components to measure compactness by every form. It is more compact than it was 10 years ago, significantly more compact.

Speaker Cannon: Representative Cruz.

Rep. Cruz: Thank you, Mr. Speaker. Can you tell me, please, what reasons were there for districts that are not clearly compact?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. I think I need you to be a little more specific than that.

Speaker Cannon: Representative Cruz.

Rep. Cruz: Well, I'll ask the question again then. What reasons were there for districts that were not clearly, physically compact?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: I hate to do this to you, Representative Cruz, but I'm going to repeat myself. I think you need to be a little more specific and give me a district you think does not meet the compactness requirements and I'll tell you why we, you know, that we felt that it was the most legally compliant form to draw that district.

Speaker Cannon: Representative Cruz.

Rep. Cruz: Can you tell me then why some districts were not drawn in a compact fashion?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: I—Mr. Speaker, I apologize. I'm going to continue to say the same thing. It's not Groundhog Day, but I would need you to be a little bit more specific about what exact districts you're talking about that you feel are not compact.

Speaker Cannon: Representative Cruz, can you rephrase the question?

Rep. Cruz: Representative Weatherford, I'll follow up with you. Thank you, Mr. Speaker.

Speaker Cannon: Further questions? Representative Cruz, you have another question?

Rep. Cruz: Did staff have access to performance data?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Mr. Speaker, I feel like I've answered that question.

Speaker Cannon: Representative Cruz.

Rep. Cruz: I'm recognized? How can we know if a plan favors or disfavors a party without performance data?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: It's a good question. I would like to also point out that the performance data—everyone has access to it. The question is whether or not you utilize it in drawing districts, which we most certainly did not. We did not use performance data to draw the districts around the state of Florida. And so, I think your question, which is asking me how can we draw districts without knowing the performance data, we draw districts based on what the standards in the law say. We draw districts based on what Amendments 5 and Amendment 6 said. We draw districts based on what the Voting Rights Act tells us we have to do. So what we do is we follow the law, we listen to the public, we utilize their public input, and we make sure that it falls in line with what the law says. And that's how we come up with districts—it's actually a pretty simple formula.

Speaker Cannon: Further questions? Representative Cruz.

Rep. Cruz: Representative Weatherford, I'm going to go back to the reasons that districts are not clearly compact and ask you if you could explain to me a little bit about District 26 which is clearly expansive.

Speaker Cannon: Representative Weatherford, you want to yield that one to—you're recognized, Representative Weatherford?

Rep. Weatherford: Thank you, Mr. Speaker. We're pulling up that district and we may allow Representative Hukill to answer that question. She explained that district earlier and we'll allow her to answer that question.

Speaker Cannon: And, members, we are going to take our time on these. Don't worry, Representative Cruz and others. We'll make sure, much like we do on the budgetary process, we want to make sure everybody gets his questions answered and we have ample time for each chair and subcommittee chair to provide whatever data you need or, Representative Cruz, as you indicated, to get together one-on-one as needed.

Representative Weatherford, you're recognized.

Rep. Weatherford: Thank you, Mr. Speaker. I apologize, Representative Hukill—that was actually Representative Workman's. But I'll go ahead and answer the question. You know, in looking at the data of this district, it keeps five counties whole. It keeps DeSoto whole. It keeps Glades County, Hardee County, Highlands County, Okeechobee County whole. So, I think that's something we should be very proud of. And when I look at the cities that are kept whole in this district—Arcadia, Avon Park, Bartow, Bowling, Green, East Lake, Fort Meade, Frostproof, Highland Park, Hillcrest Heights, Lake Placid, Moore Haven, Okeechobee, Sebring, Wauchula, and Zolfo Springs, which is my favorite. And when I look at the district, both visually and when I look at the amount of cities and counties that are kept whole, I clearly think that is a very compact district.

Speaker Cannon: Further questions? Representative Cruz.

Rep. Cruz: Representative Weatherford, could you speak to the compactness of District 24?

Speaker Cannon: Representative Hukill, you're recognized.

Rep. Hukill: Thank you, Mr. Speaker. Very good question. Thank you so much, Representative. You know, we didn't draw this map. Obviously, it was the Senate map, but I'm going to give you the explanation that they have provided, which is their intent.

Speaker Cannon: Members in the back, if you could take your seats. Keep the aisles clear. Please give Representative Hukill your full attention. Representative Hukill, sorry, you're recognized.

Rep. Hukill: Thank you, Mr. Speaker. Basically, it says that it was the intent of the legislature to establish Senate District 24, which includes the portion of Manatee County not included in the minority opportunity district, with communities in eastern Hillsborough and western Polk County—includes all of the municipalities of Anna Maria Beach—Anna Maria, I'm sorry—Bradenton Beach, Holmes Beach, Mulberry, and Plant City is equal in population to other districts, follows political and geographical boundaries, follows the boundaries of Manatee County, follows highways and the outskirts of Plant City in Hillsborough County, and follows highways and passes between Mulberry and Bartow in Polk County.

Speaker Cannon: Representative Cruz.

Rep. Cruz: Thank you, Mr. Speaker. Representative Weatherford, could you tell me if there are any districts that are not compact?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: The question is whether or not there are any districts that are not compact—is that the question? I think you'd have to define to me

what you believe is not to be compact. As I stated earlier, there is many different forms of compactness, but I believe our district is extremely compact. And, you know, members, sometimes we forget, but when you compare this map, this Senate map, or the House—or the Congressional map for that matter, the best comparison is the 2002 map. And so when you go back and you look at the Senate map in 2002, and you look at the compactness there, and then you compare it to this map, it is clearly far superior when it comes to compactness. But it's also clearly far superior when it comes to county splits and city splits. So I think it's a very legally compliant map.

Speaker Cannon: Further questions? Representative Cruz.

Rep. Cruz: Thank you, Mr. Chair.

Speaker Cannon: Representative Gaetz, you are recognized for a question.

Rep. Gaetz: Thank you, Mr. Speaker. Representative Weatherford, one of the premises of the question that Representative Jenne asked was that the maps that were in the Senate Resolution that came over disproportionately favored one political party. My question is this, when the Senate Resolution was voted on in the Senate, how did the majority of the Democrats vote on that map?

Speaker Cannon: Representative Weatherford, you're recognized.

Rep. Weatherford: Thank you, Mr. Speaker. Representative Gaetz, my memory may be fogged, but I don't think it is. I believe that the majority of them actually voted in favor of the map.

Speaker Cannon: Further questions? Representative Berman, you are recognized for a question.

Rep. Berman: Thank you, Mr. Speaker. Representative Weatherford, I'd like to ask you some questions about compactness. How many cities are split into multiple districts in the 2012 plan?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. I'd like to have Representative Nehr answer that question.

Speaker Cannon: Representative Nehr, you're recognized.

Rep. Nehr: Thank you, Mr. Speaker. Don't know exactly how many are split, but the answer is that this is the State Senate map as passed by the Florida Senate. So, I would assume that their staff and members who drew the map know exactly. And we actually split 54 cities on the Senate map. Thank you.

Speaker Cannon: Representative Berman, you're recognized.

Rep. Berman: Thank you, Mr. Speaker. Representatives, how many cities are split into multiple districts in the 2002 plan?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. We're going to pull that data if you give us just one second. We will get that answer to you Representative.

Speaker Cannon: Representative Nehr, have you got that data? Representative Nehr you're recognized.

Rep. Nehr: Thank you, Mr. Speaker. It's 126.

Speaker Cannon: Representative Berman you're recognized.

Rep. Berman: Thank you, Mr. Speaker. How many counties are split into multiple districts in the 2012 plan?

Speaker Cannon: Representative Nehr, you're recognized.

Rep. Nehr: Thank you, Mr. Speaker. 31.

Speaker Cannon: Representative Berman, you're recognized.

Rep. Berman: Thank you, Mr. Speaker. How many counties are split into multiple districts in the 2002 plan?

Speaker Cannon: Representative Nehr, you're recognized.

Rep. Nehr: Thank you, Mr. Speaker. 45.

Speaker Cannon: Representative Berman.

Rep. Berman: Thank you.

Speaker Cannon: Representative Eisnaugle, you're recognized for a question.

Rep. Eisnaugle: Thank you, Mr. Speaker. Chairman, I know you were asked previously about communications with the Republican Party or the Democratic Party. I just wanted clarification on if whether during this process you heard from partisans on both sides, Democratic and Republican alike, about their wishes?

Speaker Cannon: Representative Weatherford, you're recognized.

Rep. Weatherford: Thank you, Mr. Speaker. I think, for all of us who traveled the state, with the 26 public hearings we certainly heard from both sides. But, of course, at no point did we utilize the political input to prompt an actual drawing of any district in this map.

Speaker Cannon: Further questions? Representative Thompson, you're recognized for a question.

Rep. Thompson: Thank you, Mr. Speaker. Chair Weatherford, there's been a lot of focus on giving minorities an opportunity to elect a candidate of their choice. When we look at Palm Beach County, which has a 14 percent black population and a 13 percent Hispanic population, there has never been an African-American or a Hispanic elected countywide. And my question is why is there no Senate district included in the maps that you are presenting that's designed to allow Palm Beach County to elect a candidate of their choice?

Speaker Cannon: Representative Weatherford, you're recognized.

Rep. Weatherford: Thank you, Mr. Speaker. I do not have the answer to that question.

Speaker Cannon: Further questions? Representative Thompson.

Rep. Thompson: Thank you. Representative Weatherford, does this map represent the greatest number of minority or coalition districts that is possible and if not, why not?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. I believe I answered this question earlier, but we are not able to try to maximize minority representation. That is not something that we legally have a responsibility to do, in fact we should not do that. But I cannot speak to whether or not, in the process of the Senate, what their determination was as to how many minority districts they drew. I believe that what they did is the same thing we did in the House, which is to follow the standards that we have in the Florida's Constitution and follow the Voting Rights Act.

Speaker Cannon: Representative Thompson.

Rep. Thompson: Thank you, Mr. Speaker and this is my final question. Then how do we know that we have given minorities the greatest opportunity to elect candidates of their choice?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. I think the way we know, we go district by district, obviously. And we know that there are very clear standards that we have to follow, both at the Federal level and State level, and I believe there actually was a new Hispanic seat that was created in this map.

Speaker Cannon: Further questions? Representative Randolph for a question.

Rep. Randolph: Thank you, Mr. Speaker. I was just wondering, during the public testimony period—maps submitted during that, maps submitted during the committee process, were there any maps that had fewer counties split and fewer municipalities split than the map before us now?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. I believe there may have been some maps that focused solely on one area. For example, there may have been a map that prioritized city splits. But in that same map, which was the League of Women Voters map for example, they had more county splits in their compactness measures and were not nearly as good as the Senate map that you have before you today. And, so, different maps have priorities on certain areas. So, the answer to your question is yes, I do believe that there were some maps that were out there, but in whole as you're balancing out the standards and you're trying to comply with all the standards, I believe that our maps are far superior to anything that we received.

Speaker Cannon: Representative Randolph you're recognized.

Rep. Randolph: Thank you, Mr. Speaker. The new requirements that were put into place by 63 percent of the voters in 2010—one of the new requirements in both standards, both the Congressional and State legislative, included a standard that required the districts to be "equal in population as practicable." Now under Federal litigation and the Federal case law that's "equal in population as practicable," that phrase itself has been used to determine at the Federal level that there be zero deviation in population. I'm curious as to why you believe that since that phrase was specifically used to also, now, be included for state legislative districts, why there, still, is almost a two percent deviation?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Very good question, Representative Randolph, I appreciate you asking it. The truth is that the standard for Congressional deviation is different for State and legislative. We try to keep the deviation as low as we possibly can, but we see an opportunity to keep a city whole, when we see an opportunity to keep a county whole, when we see an opportunity to make sure that we can create the most compact district as we possibly can. Sometimes you have to have a little bit of flexibility in deviation. Our maps, I believe the deviation now is better than it was 2002. So, certainly deviation is something we look at, we try to get it as low as we possibly can, but it can be utilized, you need some flexibility there to keep cities and counties whole.

Speaker Cannon: Representative Randolph you're recognized.

Rep. Randolph: Thank you, Mr. Speaker. But the Congressional maps got down to a deviation of one. I believe, one person—not even one percent, one person on many of their maps. Which obviously has been the constitutional requirement at the Federal level for some time, because of the case law that says that Article 2, I believe, requires there be zero deviation at the Federal levels, but now we've got that in our State legislative levels and so, I'm curious then, at least with the phraseology of "equal in population as practicable," do you believe then that is a standard that falls below the other standards?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: I believe that the standard in the State Constitution is not the same as Federal law for Congressional districts.

Speaker Cannon: Representative Randolph.

Rep. Randolph: Thank you, Mr. Speaker. Then can you tell me what you think the phrase, "equal in population as practicable," means?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. The standard in the State Constitution is a second tier standard and so, when practicable, along with county lines, city boundaries, geographical boundaries, compactness; all these other measurements they all have to come into account. We try to do the best job we can to make districts compact, to follow city lines, to follow county lines, and to make the deviation as small as we possibly can. But to make it down to one, which is what it is with Congressional maps, we were not able to do that.

Speaker Cannon: Further questions? Representative Gibbons for a question.

Rep. Gibbons: Thank you, Mr. Speaker. Representative, what is the definition of 'minority district' used to construct the 2012 maps?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. I feel like I've already answered that question.

Speaker Cannon: Representative Gibbons.

Rep. Gibbons: Thank you, Mr. Speaker. The language of the Constitution now requires that districts shall not be drawn to diminish the ability of minorities to elect candidates of their choice. Is it possible that packing minorities into one district violates this provision?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. There has been no packing of minorities in these maps.

Speaker Cannon: Representative Gibbons.

Rep. Gibbons: Thank you, Mr. Speaker. Representative, the language of the Constitution now requires that districts cannot be drawn to diminish the ability of minorities to elect candidates of their choice. If a district packs 80 percent minorities into one district, when data shows that those voters could elect two representatives, does that violate the Florida Constitution?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. I think that the answer to the prior question would be the same for this one and that is that, unequivocally, there was no packing in these districts.

Speaker Cannon: Representative Gibbons.

Rep. Gibbons: Thank you, Mr. Speaker. Final question, is it a violation of the Constitution to over pack a district with minority voters by placing more of them in a district than absolutely necessary to allow minority voters the opportunity to elect representatives of their choice and then violate other criteria of the process?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. I feel like I've answered this question, but I'll say it one more time to be clear. There has been no packing in any of the maps that will be before you today.

Speaker Cannon: Further questions? Further questions? Representative Jones, for a question? No further questions? Representative Passidomo for a question.

Rep. Passidomo: Thank you, Mr. Speaker. Representative Weatherford, there have been several questions about 'intent.' I'm trying to understand what everyone means when they use the word 'intent.' Can you share with me what you consider how we determine 'intent'?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. I appreciate that question, Representative Passidomo. I think you can determine intent by looking at the compliance with the other standards enumerated in the Constitution—compactness, respecting city and county boundaries, respecting the rights of minorities to elect a candidate of their choice. I think that's the best way to determine that.

Speaker: Further questions? Are there amendments?

Representative Weatherford offered **Amendment 1** (Amendment Bar Code 601757), on February 2, 2012 (as previously shown in the *Journal* on pages 328-438).

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 657]. (as previously shown in the *Journal* on page 438).

Speaker Cannon: All right, without objection, members, just to be very clear—and, I think, Representative Weatherford was very clear, but nevertheless, that's why I want everyone in their seats, members. Members, in your seats, please.

Without objection, we will revert to the order of business of—not the order of business—we will revert to questions on the amendment which, as Representative Weatherford explained, incorporates the House map as passed by the committee into the joint resolution previously passed by the Senate.

Are there questions on the amendment? Representative Jones, you are recognized for a question.

Rep. Jones: Thank you, Mr. Speaker. Were any members asked about how they might be able to have their districts improved based on the numbers that they saw in their districts?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. First, I want to apologize to the members for jumping the gun on the quorum call. So, for those of you who were enjoying a cold drink in the back, I'm sorry. Not that kind of cold drink, Mr. Speaker, I meant a soda, of course—but, it is redistricting.

But, no, to get to your question, Representative. No data was utilized in drawing these maps—no political data. So, no members came to ask for improvement because we didn't use it. The only improvements we ever made to these maps were how to make it more compliant to the law—how to utilize the public input more. So, all the improvements—the way that we judged if a map was improved was: is it a better reflection of what the public has asked for, and was it a better reflection of what the Federal Voting Rights Act said, and a better reflection of what Amendments 5 and 6 said?

REPRESENTATIVE MCKEEL IN THE CHAIR

Rep. McKeel [The Chair]: Representative Jones, you are recognized.

Rep. Jones: Thank you, Mr. Speaker. Were districts modified based on any member input?

The Chair: Representative Weatherford—repeat the question, Representative Jones.

Rep. Jones: Repeat the question? OK. Were any of the districts—as we see them today—modified based on any member input?

The Chair: Representative Weatherford, you are recognized.

Rep. Weatherford: Thank you, Mr. Speaker. I think the member input we had in the committee process was based off how to make the maps more compliant to the law. The member input we had during the committee process, which brings us here today, had everything to do with making sure the public input was put forth in the maps that are reflected here today. And so, the member input—of course we had conversations, many members in this Chamber sat on committees that dealt with these issues and looked at these maps. But, the input that we put the highest priority on for sure—and I think it's reflected in this map that we're talking about now—was the public input.

The Chair: Representative Jones, for a question.

Rep. Jones: Thank you, Mr. Speaker. And just to be clear, I'm specifically speaking to the House maps. Did staff have access to any performance data as they put together these maps?

The Chair: Representative Weatherford, you are recognized.

Rep. Weatherford: Thank you, Mr. Speaker. I believe I've answered that question, but again, the only time any type of data was utilized was when we were doing what the Department of Justice requires us to do, which is to do that analysis on those minority-majority seats to make sure that there's not retrogression. But, that being said, I want to point out something else I think I said before, but I want to make sure it's abundantly clear. At no time during this process, did we ever utilize what someone's residence was, where they lived, what they wanted, in the making of these maps. That was never a consideration and I think that's the first time in the history of Florida that we've done that.

The Chair: Representative Jones, for a question.

Rep. Jones: Thank you, Mr. Speaker. You've indicated that no data was used in making these maps. Did any groups or organizations, or associations—political parties—bring to staff or to you any information that would relate to performance data to sway you in drawing a map a certain way?

The Chair: Representative Weatherford, you are recognized.

Rep. Weatherford: Thank you, Mr. Speaker. The only organization that brought forth such a map was the League of Women Voters and it was voted down unanimously by both parties and every person on the committee.

SPEAKER CANNON IN THE CHAIR

Speaker Cannon: Representative Jones, for a follow up.

Rep. Jones: Thank you, Mr. Speaker. How can we know if a plan favors or disfavors a particular party without performance data?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. I think I've answered this question. In fact, a lot of the questions I'm hearing on this map are very similar to the ones that we heard on the last map, but we know by based on compliance with the law. Our job is to follow the standards that are very clearly set forth in the law.

Speaker Cannon: Representative Jones, you are recognized.

Rep. Jones: Thank you, Mr. Speaker. Some of these questions may be very similar to what you heard in the previous questioning—and recognizing the fact that I think it's been stated here on the floor that the Senate map came over to us as the work of the Senate. So, right now, the questions that are

coming to you are specifically of the House and the work that we've done here in the House. So, I hope you will oblige us.

How can we know if a plan—we just did that one, I'm sorry. If in 2002, districts were drawn in order to preserve incumbency—which has been stated many times—or to help a particular party to make sure they maintain their position in dominance, was this particular map drawn based on the 2002 map, and if so, would we expect that we are keeping the 2012 map—I'm sorry, let me go back. Was this—is that something relevant to determining whether we can simply keep the 2012 map and the plans approximately the same as the configuration of the 2002 map?

Speaker Cannon: Representative Weatherford, you are recognized.

Rep. Weatherford: Thank you, Mr. Speaker. I don't think anything can be further from the truth. In fact, I don't think our map is a reflection of the 2002 map. And, in fact, the way we came about these districts, as I've stated numerous times, was based on the public input that we've received and based on what the standards in the law tell us. At no point in time, Representative, at no point in time were any decisions that were made for these maps based off anything political. And, by the way, that's the first time in the history of Florida that that's happened. And, I think as a Chamber, we should be proud of that.

Speaker Cannon: Representative Jones, for a follow-up.

Rep. Jones: Thank you, Mr. Speaker. In terms of the 2002 maps and the minority districts within the 2002 maps, were the 2012 maps based on the 2002 maps as it relates to the minority districts?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. Certainly there is a reference point that it becomes, but at the end of the day you have to look at each individual district. And so, if a district is protected by Section 2 of the Voting Rights Act, we certainly have to look at that and make sure that we don't have retrogression in that district. But, they are a reference point, they are not a replication of the district that it was in 2002 because, frankly, populations change and districts change.

Speaker Cannon: Representative Jones, you are recognized.

Rep. Jones: Thank you, Mr. Speaker. If a district is comprised of 70 percent voters of the same voting population and party as the incumbent, isn't it evident that the intent is there to favor that incumbent?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Can I get you to repeat that question again, Representative? I'm sorry.

Speaker Cannon: Representative Jones, you are recognized.

Rep. Jones: If a district is comprised of 70 percent voters of the same party as the incumbent, isn't it that evidence of an intent to favor the incumbent? Why or why not?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. I believe it's irrelevant. What we have to look at is we have to look at the compactness of the district, we have to look at the geographic boundaries, we have to look at the cities and the counties where they kept whole, we have to look at the tier one standards and Amendments 5 and 6 and we have to look at the Voting Rights Act. And so, where people are and where they live and what their political registration is not something that we factor in to these decisions.

Speaker Cannon: Representative Jones, you are recognized.

Rep. Jones: Thank you, Mr. Speaker. Were there planned models that included member residence in the House maps that were drawn?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: I think very, obviously, the answer to that is no.

Speaker Cannon: Representative Jones.

Rep. Jones: Were there any discussions with members about whether their residence would be in the district with the residents of any other incumbents?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Not sure I understand the question. Maybe if you could repeat it or expand on it a little bit.

Speaker Cannon: Representative Jones.

Rep. Jones: Thank you, Mr. Speaker. If there were two members that ended up in the same district—were there any discussions about the fact that there are two residences of two incumbents that ended up in the same district?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: I think, I think maybe the way you're framing the question—I think, if the question you're asking is were they drawn for that reason, then, I think, the answer is no. They were not drawn for that reason.

Speaker Cannon: Representative Jones.

Rep. Jones: Let me rephrase the question for you. Were there any discussions with members about whether their residencies would be in a district with the residence of any other incumbent?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: I think most people in this Chamber found out where they were living in the district that they would be living in after the maps were produced on December 6th. So, I don't believe that those conversations took place before the maps came out. I think after they came out—certainly the media has reported a lot of data in this regard, but it was not utilized in making the maps.

Speaker Cannon: Representative Jones.

Rep. Jones: Thank you, Mr. Speaker. Was it utilized in making any amendments to the maps that were presented after December 6th?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: No.

Speaker Cannon: Representative Jones.

Rep. Jones: Based on publicly available historic election data, as certified by the Secretary of State, the House plan overwhelmingly favors Republicans, creating only 47 districts that would give Democrats a chance at winning. A fair plan by my definition, based on a 50-50 statewide, partisan vote, in this state, should allow for 60 Republicans and 60 Democrats. Why doesn't this particular map get us there?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. It sounded a lot like debate as opposed to a question, but I'll answer the question. And the question that I believe that you're asking is—no, is the answer.

Speaker Cannon: Representative Jones, for a question.

Rep. Jones: Got it. Thank you, Mr. Speaker. In District 88—earlier you asked for specifics—in District 88, is District 88 a minority coalition or a minority access district?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. I believe that is a minority-majority district.

Speaker Cannon: Representative Jones.

Rep. Jones: Does District 88 violate the Constitutional mandate for compactness?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: The good news here is, no. It is actually much more compact than the configuration that was drawn in 2002. And, in doing so, we also continued to maintain its minority-majority status.

Speaker Cannon: Representative Jones.

Rep. Jones: Was there any attempt or effort to draw District 88 in a more compact manner?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: I believe the two options that we had in the maps—there was one district that started on the east coast and moved to the west and went into the Glades. That district was far less compact than this configuration. Those were the only two configurations that the committees looked at and we chose this one because we believe that it follows the law more clearly and more carefully and it's a better map.

Speaker Cannon: Representative Jones, you are recognized.

Rep. Jones: Thank you, Mr. Speaker. Did you take a look at any of the other maps that were submitted, because—or would it surprise you to know that there were many maps that were submitted online by other organizations or members of the public that created a minority access seat without drawing the district through the middle of six cities and dividing neighborhoods?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: I am very well aware of those maps that were submitted. The problem was in each and every one of those they violated federal law in the Voting Rights Act and we were not going to do that.

Speaker Cannon: Representative Jones.

Rep. Jones: Thank you, Mr. Speaker, and this will be my final question. Palm Beach County has apparently 14 percent black population and 13 percent Hispanic population, yet has never elected an African-American or Hispanic countywide. Why is there no House—no, that will be it, that will be it.

Speaker Cannon: Further questions? Further questions? Representative Clemens, you are recognized for questions on the amendment.

Rep. Clemens: I defer to Representative Abruzzo.

Speaker Cannon: Representative Abruzzo, for a question.

Rep. Abruzzo: Thank you, Mr. Speaker. I just wanted to clarify some of the remarks made about Palm Beach County in electing African-Americans and minorities. Palm Beach County did elect Arthur Anderson countywide in the 80s, in a five-way school board race where he got 52 percent and beat four Caucasians. Also, Arthur Anderson was then elected countywide as an African-American Supervisor of Election.

Our very own, Susan Bucher, who is a Hispanic, is also current[ly] elected Supervisor of Elections and also I.C. Smith, a judge from Palm Beach County, won for judge as an African-American. So, Palm Beach County has a rich tradition of electing minorities, including Mimi McAndrews, who used to occupy where Mark Pafford sits, in one of the highest Jewish per capita seats in the entire country. Mimi McAndrews was the first Korean elected to the Florida Legislature. So, I'm very proud of our tradition in Palm Beach County of electing minorities in all different types of districts. Thank you.

Speaker Cannon: Further questions? Further questions—Representative Clemens, for a question.

Rep. Clemens: Thank you, Mr. Speaker. Are we still on questions, then?

Speaker Cannon: We indeed are.

Rep. Clemens: OK, fantastic. Pardon me, Mr. Speaker. I apologize for the delay. I'm going to defer to another member.

Speaker Cannon: Representative Clarke-Reed? Representative Clarke-Reed, for a question on the amendment.

Rep. Clarke-Reed: Thank, you Mr. Speaker. Representative Weatherford, my questions are directed to the House map. What definition of 'compactness' was used in constructing this plan?

Speaker Cannon: Representative Weatherford, you're recognized.

Rep. Weatherford: Thank you, very much. First of all, I want to thank Representative Clarke-Reed because she was one of the few people who went to every single public hearing around the state of Florida, so... [applause] You deserve a lot of credit for that, 'cause I honestly didn't go to every single one of those meetings around the state, but to answer your question—compactness is not determined by any single test of measurement. It includes a lot of numerous factors that, I think, I talked about in regard to the Senate map, as well.

Speaker Cannon: For a follow up, Representative Clarke-Reed.

Rep. Clarke-Reed: Thank you, Mr. Speaker. Representative Weatherford, what reasons were there for districts that were clearly not compact—what was the reasoning drawn? And I'm speaking directly to District 70.

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker, and thank you for speaking directly to a specific district. It is my understanding that District 70 is a district that is protected by the Voting Rights Act. Hillsborough County is a Section 5 Voting Rights Act county that is protected by Section 5 of the Voting Rights Act, and therefore, we cannot have the diminishment in that district and so, it is a protected seat according to the Voting Rights Act.

Speaker Cannon: Representative Clarke-Reed.

Rep. Clarke-Reed: Thank, you Mr. Speaker. How many cities are split into multiple districts in the 2012 plan, and how many were split in the 2002 plan?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Very happy to tell you that we've made great progress on that front. There were a 170 city splits in 2002 and in this map, before you today, we have 75.

Speaker Cannon: Representative Clarke-Reed.

Rep. Clarke-Reed: Could you please give me that same information as in reference to counties, how many counties are split in this 2012 plan and how many were split in the 2002 plan?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. It was 46 counties were split in 2002 and again, we made great progress in only 30 counties were split in this map.

Speaker Cannon: Representative Clarke-Reed.

Rep. Clarke-Reed: Thank you, Mr. Speaker. That's the end of my questions.

Speaker Cannon: Mine too. Representative McKeel, you're recognized for a question.

Rep. McKeel: Thank you, Mr. Speaker. Representative Weatherford, I feel like we've had a fair amount of questioning today, particularly in the last hour, and I feel like there's been a lot of beating around the bush about a specific point. And so, I thought I would just ask the question directly. Were the House maps drawn, in whole or part, by the Republican Party of Florida?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: No.

Speaker Cannon: Representative McKeel.

Rep. McKeel: To that point—thank you, Mr. Speaker—when the committees drew the state House maps, did you incorporate, include, or otherwise contain any information given to you by consultants or employees of the Republican Party of Florida?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Absolutely not.

Speaker Cannon: Further questions? Representative Clemens, you're recognized for a question.

Rep. Clemens: Thank you, Mr. Speaker. And I appreciate your indulgence with my disorganization. Representative Weatherford, as it relates to the House districts, if it's statistically probable that minority voters will elect a candidate of their choice, with 40 percent minority voting age population, is it then constitutionally permissible that that district contain 55 percent or 65 percent minority voters?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. First of all, you know, as we stated earlier, I'm not going to violate the Voting Rights Act. And so, if it's a Section 2 district or a district that's protected by Section 5 of the Voting Rights Act, any diminishment there would be a violation. And so, certainly, we're going to protect from that. But also, you look at the State Constitution. Amendment 5 and Amendment 6 are extremely clear—that we do not need to have diminishment. And so, in my opinion, you actually—in factly, not in my opinion—I believe this to be fact, I think it is fact—that what Amendment 5 and 6 did was give Section 5 protections throughout the entire state of Florida in all 67 counties. And so, to try to give you a number, as of what number you could go down to and still elect the community to allow to elect a candidate of their choice, we're not going to play that game with a number because the Constitution is clear that we should have no diminishment. And we've defended that in these maps that are before you here today.

Speaker Cannon: Representative Clemens.

Rep. Clemens: Thank you, Mr. Speaker. So, in your view, diminishment could mean a reduction from 70 percent to 69 percent?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. I'll read from the Constitution what it says. It says that "districts shall not be drawn with the intent or result of denying or abridging the equal opportunity of racial or language minorities to participate in the political process or to diminish their ability to elect representatives of their choice." You know, that's what the Constitution says. I believe that we followed that extremely clearly—it does not have a number in there. There is no court case that has a specific number in there. There is no threshold, as we stated earlier. We are making sure that there is no diminishment in our minority districts and I think that's a very important thing that we should continue to do.

Speaker Cannon: Representative Clemens.

Rep. Clemens: Thank you, Mr. Chair. Mr. Speaker, I appreciate it. So just to be clear, it's your—since there's no definition in any of these other places, it's your definition that going down from 70 to 69 percent would be diminishment?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: I do not think that I said that.

Speaker Cannon: Representative Clemens.

Rep. Clemens: Thank you, Mr. Speaker. I'll move on. Was election performance data, in as it relates to the House districts, used to determine if districts improved or diminished the ability of minorities to elect candidates of their choice?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: By State and Federal law, it was. Yes.

Speaker Cannon: Representative Clemens.

Rep. Clemens: Thank you. What data was used?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. A whole plethora of data is utilized. It's a very complex analysis that you have to do on a district-by-district basis. But, certainly, you have to look at performance data. You have to look at turnout—there's a lot of different things that you have to look at to determine whether or not you're taking away a community's ability to vote for a candidate of their choice. It's a very complex process that is set forth by the Department of Justice that we follow to make sure that, as we turn these maps in to them for compliance, that we make sure there's been no diminishment.

Speaker Cannon: Representative Clemens.

Rep. Clemens: Thank you, Mr. Speaker, last question. So as it relates to drawing those districts and using that data, if you had a district that, say, had a 52 percent Hispanic population but the actual regular voting data showed you that it was only maybe about 20 percent or 25 percent that actually voted, would that be considered a majority-minority district?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: If it's over 50 percent minority, then it would be considered a minority-majority district.

Speaker Cannon: Further questions? Representative Rogers, for a question.

Rep. Rogers: Thank you, Mr. Speaker, Mr. Chairman. Just two questions—what is the definition of 'minority districts' used to construct the 2012 maps? Please remind me.

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. There is no definition.

Speaker Cannon: Representative Rogers.

Rep. Rogers: Thank you, Mr. Speaker. What is the definition of 'retrogression' as applied to the plans?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. There's no particular definition.

Speaker Cannon: Further questions? Questions? Representative Rouson—no—Representative Waldman, for a question.

Representative Waldman: Thank you Mr. Speaker. Representative, at any time—either before, during, or after, were any members' homes plotted on any of the maps by staff?

Speaker Cannon: Representative Weatherford.

Representative Weatherford: No.

Speaker Cannon: Further questions? Are there amendments to the amendment? Sorry. Representative Rouson, for a question.

Representative Rouson: Thank you very much, Mr. Speaker. Representative Weatherford, you have weathered these questions, very greatly. What do you call the diminished psycho-cosmic retrogression manufactured drawing of lines which reveals such heavenly apportionment?

Speaker Cannon: OK, members, we're in questions, serious questions, not debate. Want to rephrase Representative Rouson?

Representative Rouson: Thank you very much, Mr. Speaker. It took me all night to come up with that. Based on publicly available, historic election data, as certified by the Secretary of State, the plan appears to overwhelmingly favor Republican districts by 47. A fair plan, it appears, would be a 50/50 statewide partisan vote. Can you explain why this did not start out with 60 Republican and 60 Democratic seats?

Speaker Cannon: Representative Weatherford.

Representative Weatherford: Thank you, Mr. Speaker. Thank you, Representative Rouson. If you're saying that we should engineer a political result to come from these maps that is blatantly against the law. And that is a great reason why we did not do that. What we did do was we looked at the Constitution and we said, what does the Constitution say? And we have standards that are set forth in there that are very clear and we have Federal law that tells us how we have to draw minority-based districts that are very clear in the Voting Rights Act. And so we are not going to engineer any political result pro Republican, pro-Democrat, or-pro neutral—that is not a responsibility of this Chamber. The responsibility of us is to make sure we comply with the standards that are in the Constitution and are in the law.

Speaker Cannon: Further questions? Representative Rouson.

Representative Rouson: Thank you, Mr. Speaker. The language of the Constitution now requires that districts cannot be drawn to diminish the ability of minorities to elect candidates of their choice. Is it possible that packing minorities into one district violates that provision?

Speaker Cannon: Representative Weatherford.

Representative Weatherford: The good news, Representative Rouson, is that there is no packing whatsoever in this map.

Speaker Cannon: Representative Rouson.

Representative Rouson: Mr. Speaker. The language of the Constitution also requires that districts cannot be drawn to diminish the ability of minorities to elect candidates of their choice. So, if a district packs 80 percent minorities into one district, when the data shows that these voters could elect two representatives, does that violate the Constitution?

Speaker Cannon: Representative Weatherford.

Representative Weatherford: Thank you, Mr. Speaker. I'm not a lawyer, but what I can tell you is that there is no packing whatsoever in this district. And in fact, I'm going to give you an example of something that we did do. There was a district in central Florida and there were two maps that we could choose from in central Florida, in Orange County, one map would have had an African-American district that would have been somewhere close to 70 percent, or above 70 percent, voting age population African-American. There was also another map that had two African-American districts, one that was a minority-majority district at just over 50 percent, and one that was over 40 percent African-American. What the subcommittee chose to pass and send to us in the full committee was the map that created two districts. So, that was just one example of what we did throughout this process, and Representative Rouson, I think, that even you would agree that there is no packing in this map whatsoever.

Speaker Cannon: Representative Rouson.

Representative Rouson: And to follow up on that, Representative Weatherford, was that decision based on performance data?

Speaker Cannon: Representative Weatherford.

Representative Weatherford: That decision was not based on performance data. What the decision was made, based off of, was that we had the ability to create an opportunity seat. We had minority-majority seat that was close to 70 percent. You had another district that you could draw and allowing to have two districts that would have an opportunity to elect a candidate of their choice, we felt like that was better than one. And I think we should be proud of that decision that we made as a committee.

Speaker Cannon: Representative Rouson, you are recognized.

Representative Rouson: Thank you, Mr. Speaker. Following up on that, does compliance with the Constitution require the use of minority voting data, majority voting data, performance in various elections, and the ability of minority voters to elect?

Speaker Cannon: Representative Weatherford.

Representative Weatherford: Thank you, Mr. Speaker. State and Federal law require that.

Speaker Cannon: Representative Rouson.

Representative Rouson: Thank you, Mr. Speaker. Representative Weatherford, there was talk in committee about making preservation of minority districts a priority. Is there some numerical formula to determine if we are, in fact, diminishing minorities' ability to elect the representatives of their choice?

Speaker Cannon: Representative Weatherford.

Representative Weatherford: Thank you, Mr. Speaker. I feel like I've answered this question about five times in five different ways, but I'll say it again, Representative Rouson, in deference to you. I believe that what we did was we followed the Constitution very clearly. We did not diminish, in any form, and in some instances we were able create new minority-majority districts.

Speaker Cannon: Representative Rouson, you're recognized.

Representative Rouson: Thank you, Mr. Speaker. Is it a violation of the Constitution to over-pack a district with minority voters by placing more of them in a district than absolutely necessary to allow them, the voters, an opportunity to elect the representative of their choice? In other words, do you ascribe to any theory that you have to have 80 percent or 70 percent in order for voters to elect the representative of their choice?

Speaker Cannon: Representative Weatherford.

Representative Weatherford: Thank you, Mr. Speaker. I believe I've answered that question.

Speaker Cannon: Representative Rouson.

Representative Rouson: Thank you, Mr. Speaker. Does this map represent the greatest number of minority or coalition districts that could have been drawn?

Speaker Cannon: Representative Weatherford.

Representative Weatherford: Thank You, Mr. Speaker. I believe I've answered that question, too, but I'll say it again. There is no requirement by law to do that.

Speaker Cannon: Representative Rouson.

Representative Rouson: Last question, Mr. Speaker, thank you. What is the definition of 'minority district' as used to construct the 2012 maps?

Speaker Cannon: Representative Weatherford.

Representative Weatherford: There is no definition.

Speaker Cannon: Representative Rouson.

Representative Rouson: Thank you for your courtesy, Mr. Speaker.

Speaker Cannon: Representative Saunders, for a question.

Rep. Saunders: Thank you, Mr. Speaker. Despite the fact that during the committee meetings we heard the word 'retrogression' quite a bit, I believe earlier, in response to a question, you stated there is no definition, in your mind, of 'retrogression.' Is that what your statement was?

Speaker: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. I just believe there is no statistical threshold that you could utilize unilaterally to create that definition.

Speaker Cannon: Representative Saunders.

Rep. Saunders: Let me ask if you would agree. Last year, you were kind enough to send me this NCSL Redistricting Law and there is a definition. I want to see if you agree or disagree that this would be a good definition of the word retrogression. That retrogression, a plan would be likely to cause fewer minority representatives to be elected than before. Would you agree that is a good definition of retrogression?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Again, I said I didn't think there could be a statistical definition, but certainly if there's a diminishment of a community's ability to elect a candidate of their choice—a minority community's ability to elect a candidate of their choice—that would be a diminishment. That would be retrogression and nowhere in our map does it do that.

Speaker Cannon: Representative Saunders, you are recognized.

Rep. Saunders: Thank you, Mr. Speaker. But, I know that you looked at retrogression as respecting a particular district. I am saying, from a statewide

perspective, would it be retrogressive that the ability of minorities being elected, overall, would be diminished? In other words, not any particular district but, statewide.

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Speaker, I'm not sure I understand the question entirely, but what I will say is that this map actually increases minority representation across the state of Florida.

Speaker Cannon: Further questions? Representative Steinberg, for a question.

Rep. Steinberg: Thank you, Mr. Speaker. Chairman, were members of the House notified prior to the maps becoming public by you, or staff, or anyone, that they might find themselves in the same district as another incumbent?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: I believe that the night before the maps were released, there were some members that knew that they would not be living in their district.

Speaker Cannon: Representative Steinberg.

Rep. Steinberg: Thank you, Mr. Chairman and Mr. Speaker. Before, you said that there was nothing with pins on the map or anything to indicate where incumbents live. How could those calls be made if there was nothing that created a correlation between the maps that were coming out and where members resided?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Because they looked at the map and they knew where they live.

Speaker Cannon: Representative Steinberg.

Rep. Steinberg: Thank you, Mr. Chairman, I mean, Mr. Speaker. Sorry about that. Thank you, Mr. Speaker. Before, though, you said, or I asked a question, before the maps were made public. If the maps weren't public, how would the members have seen those maps to know that—the question that I asked originally was whether members were contacted to alert them of that fact?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. I'll answer your question by this—you live in Miami-Dade County, is that correct? Do you have any idea where Representative Luis Garcia lives? No idea? Do you know where any members of Miami-Dade County live? You know where you live, that's good. [laughter]

Speaker Cannon: Representative Steinberg.

Rep. Steinberg: Thank you, Mr. Speaker. I'm trying to understand how that answers my question. If I don't see the map, because it's not public yet and I don't have access to it, how would I have any way to know that the map that's coming out has me outside my district, in a district with someone else? The original question was: were members told before the maps were made public that they might find themselves living in another district?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: I think a lot of members looked at the map and the maps being proposed because, as you know, there were multiple maps being proposed, and they figured out very quickly whether or not they were living inside one district or the other.

Speaker Cannon: Representative Steinberg.

Rep. Steinberg: Thank you, Mr. Speaker. Let me ask it kind of directly, because I'm getting answers that don't seem to be consistent. Did you, staff, or anyone reach out to members to indicate to them, prior to the maps becoming public, that they would find themselves either in a district with another member, or outside, or without a district at all?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. Well, I'll give you an example. Obviously, in developing the map and working with staff to make sure that we'd made maps that were the most legally compliant as we possibly could—we have members like Representative Precourt, who is the vice chair of our committee. He saw the map, was familiar with what was going to be put forth. You have Representative Eisnaugle, who sits on the full committee as well. And would you know that Representative Eisnaugle and Representative Precourt actually live in the same district? They knew it, but they still live in the same district—no changes were made. And so, whether or not someone knows or has some type of knowledge that they potentially could be in a district with another member or not—the good news is that information never impacted the decisions that were made by this committee, by the chairman, by the sub-chairman, or by this body today. It was never utilized—knowledge is not intent. Some people may have knowledge, but there was never intent.

Speaker Cannon: Representative Steinberg.

Rep. Steinberg: Thank you, Mr. Speaker. I'll try the question one more time. Did you, or anyone of your staff, call up members or otherwise notify members prior to the maps becoming public to indicate to them whether they would find themselves in the same district as another member?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. I think I've answered that question.

Speaker Cannon: Further questions? Representative Saunders.

Rep. Saunders: Thank you, Mr. Speaker. Just a follow up on those questions. The original House map came out of committee, or was proposed in committee, and there were subsequent amendment—there was an amendment. What was the basis for that amendment? Was it because certain members were placed in districts or was there another rationale—what was the rationale for the amendment? I know that it was said because Supervisor of Elections, etc., may have had input, but was any of the input based upon where your members or our members may be presiding?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. There have been a couple amendments along the way, I was just talking with staff, I think two amendments in total, but usually when we made amendments—not usually, when we made amendments, what they were was improvements to make sure that cities were whole. In fact, the last amendment we had, I don't know the full number, but over a dozen or maybe two dozen cities were made whole in that process to try to maximize the amount of cities we could keep together. We tried to reduce the amount of counties that were split. We tried to make sure that the districts were more compact. And so, all the amendments that we put forth, it was an evolving product, so to speak—this map. Because we continued to seek public input, we continued to look at better ways to comply with the standards that we have to comply with, and because of that the map improved over time.

Speaker Cannon: Representative Saunders.

Rep. Saunders: Thank you, Mr. Speaker. Because we are going into some intent here, it's your position that there is no intention to correct any type of placement of members in the same district. You're saying that the sole reason for any amendments to the House map was to address those concerns? That

there was no intention to remedy a situation where, maybe unintentionally, two members were drawn into the same seat?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. The answer is no, but I'd like to recognize Representative Dorworth, if he could, to add on to that answer.

Speaker Cannon: Representative Dorworth, you are recognized.

Rep. Dorworth: Thank you, Mr. Speaker. I had the privilege of serving as a co-chair of that committee and as such I was also the person who filed the amendment to this and just to give you the absolute clarity of the fact that there was no intention to do that—in the amendment that I filed, I bunched myself into the same district as Representative Legg. So, be very clear, be very certain that there was absolutely no desire or intent to do that. It was a decision that was based on making the districts more compact and legally compliant.

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. I just want to make sure I clarified my answer when I said no, but basically what I was saying to make sure I understood the question—I want to make sure I understood the question right—what I was saying is that at no time was any decision that we made, during this process, have anything to do with where anyone lived, any political reasoning whatsoever. It was all based on how we could make the map more legally compliant and how we could bring in more public testimony into the map.

Speaker Cannon: Further questions? Representative Randolph.

Rep. Randolph: Thank you, Mr. Speaker. I noticed that there are several minority districts that will now have a higher percentage of voting age minorities in them over the 2002 maps. Is that in order to offset the likely effects that HB 1355 will have on their ability to vote in 2012?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. We're not talking about HB 1355 and so, I'd ask you to keep it tailored to the map.

Speaker Cannon: Representative Randolph.

Rep. Randolph: Thank you, Mr. Speaker. There is a point there. The point being that...

Speaker Cannon: Representative Randolph, points are for debate. Questions should pertain to the amendment.

Rep. Randolph: Thank you, Mr. Speaker. Then why did you feel the necessity to keep the voting age minority percentage in these districts?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. Can you point to a specific district so we'll have a reference point of what you're talking about?

Speaker Cannon: Representative Randolph.

Rep. Randolph: Thank you, Mr. Speaker. There were several in the statistical analysis, so, I don't have the maps in front of me, but there were at least a few.

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Why don't you work on getting a couple of those maps and then we'll talk again here in a few minutes?

The House recessed at 4:00 p.m.

The House was called to order by the Speaker at 4:28 p.m. A quorum was present [Session Vote Sequence: 658] (as previously shown in the Thursday, February 2, 2012 *Journal*, page 393).

Speaker Cannon: Members, we're back in session. Please find your seats. Everyone has done an outstanding job, I think, giving the attention that this process deserves, and as much as it happens once a decade, I appreciate your respect for the gravity and the hard work of all of the members.

We are resuming in questions. Further questions? Representative Randolph, you indicated you are finished. Further questions on the amendment? Seeing none...Representative Crisafulli, you are recognized for a question.

Rep. Crisafulli: Representative Weatherford how many counties were split in the House maps?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. I believe there were 30 counties split, which is a significant improvement from the 2002 map.

Speaker Cannon: Representative Crisafulli, for a follow-up.

Rep. Crisafulli: And how did you go about this process?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Well, we mathematically looked around the counties and tried to make sure it was a priority for us to make sure that we follow city and county lines and, I think, mathematically the most you could possibly have is 29 and we got as close as we possibly could to that number and we're very proud of it.

Speaker Cannon: Representative Crisafulli.

Rep. Crisafulli: At any time, was public input used?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Yes.

Speaker Cannon: Representative Crisafulli.

Rep. Crisafulli: And how do you define 'public input?' No, that was a joke.

Speaker Cannon: Representative Crisafulli.

Rep. Crisafulli: Ten years ago when this process took place, did this same attempt—was this part of the process, as far as taking public input, in this part of the process?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: I cannot speak to what the process was like 10 years ago. What I can tell you is that the product we have before us today is a significant improvement, at every level. Whether you're talking about compactness, whether you're talking about city lines, whether you're talking about county lines, everything about this map is an improvement to the 2002 map.

Speaker Cannon: Further questions? Representative Adkins, for a question.

Representative Adkins: Thank you, Mr. Speaker. Representative Weatherford, can you tell me how many cities are split in the proposed House map?

Speaker Cannon: Representative Weatherford.

Representative Weatherford: Thank you, Mr. Speaker. We have 70 cities split—or 75 cities split, but I believe in the map from 2002 we had 170 plus cities that were split, so a significant improvement on that as well.

Speaker Cannon: Further questions? Representative Baxley for a question.

Representative Baxley: Thank you, Mr. Speaker. I think you may have sort of addressed this, but just for clarity and for the record and my own mind—the minority districts in the proposed House map that we're looking at, are they more compact? And based on the various compactness measures that you've shared that we used, but are they more compact?

Speaker Cannon: Representative Weatherford.

Representative Weatherford: Thank you, Mr. Speaker. Representative Baxley, they are substantially more compact than what they were 10 years ago. It's a great improvement.

Speaker Cannon: Representative Lopez-Cantera.

Representative Lopez-Cantera: Thank you, Mr. Speaker. Chairman Weatherford, how many public maps were submitted this year in relation to previous years?

Speaker Cannon: Representative Weatherford.

Representative Weatherford: Thank you, Mr. Speaker. We had over a 177 maps produced and given to the legislature this year which is a tremendous feat considering 10 years ago there were only four maps that were given to the legislature. So, I think that what we set forth to do at the very beginning of this process, which was to make it as open and transparent as possible and to engage the public in a way that it had never been done before, we feel like we have achieved that and I think 177 maps that were submitted to us speaks to it.

Speaker Cannon: Representative Lopez-Cantera.

Representative Lopez-Cantera: Thank you, Mr. Speaker. And if I may, chairman, ask a question about the software and the program used that was made available to the public. How does that compare to any other states in the nation that have similar programs?

Speaker Cannon: Representative Weatherford.

Representative Weatherford: Thank you, Mr. Speaker. Most states have actually contracted out and bought software from somewhere else, we only know of two other states that have ever done anything similar to what we did. We feel like MyDistrictBuilder™ is the most sophisticated system that exists. I give a lot of credit to our staff and our software developers who worked extremely hard to help make it happen.

Speaker Cannon: Further questions? Representative Saunders.

Representative Saunders: Thank you, Mr. Speaker. For clarification, when you're looking at these districts, do you look at just voting age population or do you look at the actual voting performance population? People who actually vote or voting age population?

Speaker Cannon: Representative Weatherford.

Representative Weatherford: If you're speaking, Representative, to minority districts, then we look at performance and voting age population.

Speaker Cannon: Representative Saunders.

Representative Saunders: Most of the growth in our population in the last 10 years, or a lot of it, was Hispanic. Can you tell us how many more Hispanic House seats were created in this map as opposed to 2002 and does

that reflect a proportionate increase in the number of seats related to the population?

Speaker Cannon: Representative Weatherford.

Representative Weatherford: Thank you, Mr. Speaker. I believe that at least one, in Osceola County, a new majority-minority Hispanic seat. There is another Hispanic seat that I believe is a majority seat in Palm Beach County. Again, you know, one can never guarantee what the election results will be, but certainly it's an opportunity seat there for a minority.

Speaker Cannon: Representative Saunders.

Representative Saunders: Thank you, Mr. Speaker. When you say minority, can you be specific? How many additional Hispanic seats versus how many African-American seats? When you say a minority, I'm not sure what you're referring to. So, can you be specific as it relates to population growth of the last 10 years. If there was 'x' percent increase in the Hispanic population is that reflected in a proportionate increase in House seats that may be likely to be held by a Hispanic?

Speaker Cannon: Representative Weatherford.

Representative Weatherford: Thank you, Mr. Speaker. When it comes to Hispanics, specifically, two. So, the one in Osceola County. Then there is an opportunity seat there, it's actually a majority seat, but like I said you never know how it will perform. You cannot predict that entirely, but there is a seat that is newly created down in Palm Beach County. Also, when it comes to African-American seats, there is one new African-American opportunity seat which is in Orange County, right next to a minority-majority seat.

Speaker Cannon: Further questions? Representative Horner, for a question.

Representative Horner: Thank you, Mr. Speaker. Chairman, you had a whole series of questions asking about member addresses, and some of those questions left me confused. Would you mind clarifying, for me, how member addresses were used in drawing these maps?

Speaker Cannon: Representative Weatherford.

Representative Weatherford: Thank you very much, Representative Horner. Addresses were not used in drawing these maps. What I can tell you is that once all the options were coming out and we knew what maps would be set forth in the process, we had five maps if you remember correctly. Once that was done and we were locked in, you know, I have a lot of friends in this room I've been to a lot of people's houses for dinner so, certainly as a courtesy, there were some members who received a phone call after the decisions had been made and we had locked in the maps, but they had not been made public which was coming out the night before. As a gesture of respect, they received a phone call, but never, and I want to really emphasize this, never during this process was where someone lived, what someone's political affiliation, or what the performance of a district would be was ever factored into the decisions that we made. That was not a factor and I think we need to be clear about that.

Speaker Cannon: Further questions? Representative Waldman, for a question.

Rep. Waldman: Thank you, Mr. Speaker. I asked earlier if at any time—either before, during, or after—any of the member addresses were plotted on a map by staff and you indicated the answer was no. At what point did you take a look at those member addresses and determine that there were members living in different districts?

Speaker Cannon: Representative Weatherford.

Rep. Waldman: I've never looked at them on a plotted map and I have no reason to believe that our staff did. But Representative Waldman, like you, I

have a lot of friends in the Legislature, I'm not a loner. So, I have been to some people's homes. Maybe, if my friends in the Minority Caucus would invite me over for dinner, I would know where some of you live too. But, the truth is, the truth is, that certainly, I think everyone here has an idea of where some people live within this caucus and I knew that. But the thing is, even though I knew it, I didn't let it affect my judgment. Even though the committee knew it, even though Representative Precourt knew we were drawing him into a district with another member of the same party and a friend of his, we did not allow that to impact our decision. We followed the law anyway and that's representative of the fact that as media has reported, almost a third of every person in this room—as I look around this room I see a lot of eyeballs, a lot of faces—one out of every three of the people in this room are in a district with someone else and that's according to the media. So, to me, I think that's a very clear indication that addresses and where people lived was not a factor in the maps that we drew.

Speaker Cannon: Further questions? Representative Waldman.

Rep. Waldman: Thank you, Mr. Speaker and thank you for that answer Representative. Turning back a little bit to some of the African-American districts. Were there any African-American districts where the composition was increased from the number? So, for instance, if it was at 52 percent it increased to 57 percent African-American?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. I may need a few minutes to check on that, I do not know the answer right off the top of my head. If you give us a few minutes, if you have another question, or if anybody else has a question, we can get back to you. I'm going to ask staff to look at that and we will come right back to you with an answer.

Speaker Cannon: Representative Waldman, you want to ask a follow up or a different question?

Rep. Waldman: Thank you, no. I just specifically direct his attention to what I believe 94 and 95 might show that, but I don't know. I've been told that that might be something, but I am interested specifically in the south Florida area for the most part.

Speaker Cannon: All right, we'll take a moment, Mr. Waldman. Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. I am told that there are some of the non-majority seats, that historically perform for a minority candidate or an African-American candidate, that some of those, the numbers, may have gone up a little bit. I will give you a specific number before we finish here today, but I don't have it in front of me right now.

Speaker Cannon: Representative Waldman.

Rep. Waldman: Thank you, Mr. Speaker. Then the question I would ask after, once you get that information, is why was that increase?

Speaker Cannon: Further questions? Further questions? Oh, Representative Weatherford, you're recognized.

Rep. Weatherford: Representative, I think I can answer your second question. I don't have the data in front of me, but I think the answer to your question, which is if there was an increase in any numbers in any district, why would we do that? I think the answer is that it's the byproduct of following the law. In drawing a very compact district, in following a district that followed geographic boundaries, and drawing a district that didn't have any political intentions, in doing all those things, if a district happened to go up with one minority representation or not that would have been a byproduct of drawing a legally compliant map.

Speaker Cannon: Further questions? Are there amendments to the amendment?

Reading Clerk: None on the desk, Mr. Speaker.

Speaker Cannon: Representative Waldman?

Rep. Waldman: Thank you, Mr. Speaker. He was working on getting me an answer, so, I, we were just waiting for the answer for the question about how many districts and which ones.

Speaker Cannon: Representative Waldman, that's going to take a few minutes. Now, we've got an option, we've been in questions, now, for several hours, we actually even came back to questions on this amendment. Do you need that data to sufficiently get all your questions answered? Because I will not move forward in this process until everyone gets a chance to ask every question they want, but, I do not want to unnecessarily delay everyone while we wait for that fact. Representative Waldman?

Rep. Waldman: Thank you, Mr. Speaker. No, we can get the answer tomorrow before we vote on the whole bill.

Speaker Cannon: Very well. Are there further questions? Are there amendments to the amendment?

Reading Clerk: None on the desk, Mr. Speaker.

Speaker Cannon: Are there substitute amendments?

Reading Clerk: None on the desk, Mr. Speaker.

Speaker Cannon: All right, is there debate? Seeing none, Representative Weatherford, you are recognized to close on your amendment.

Rep. Weatherford: Thank you, Mr. Speaker. I've enjoyed this afternoon. I don't know about you guys, I don't know if it's been as much fun, but I've enjoyed having a chance to talk about this process and, frankly, I give a lot of credit to members of both caucuses and the members of this Chamber for dealing with this in a very deliberate and serious manner. I think this is something worth talking about for two or three hours. I think it's that important and I could save my close for tomorrow, after the full bill is being voted on, but I'd like to speak for just a moment, specifically to the House maps. Tomorrow, when we take a vote on this bill, it will be on the whole bill which will be the House map and the Senate map. And certainly, we've shown a lot of deference to the Senate in drawing the Senate map. But I'd like to speak a little bit about the House map.

As it's been stated many a times in committee and right here on this floor, this has been a very difficult process. Difficult for me, difficult for the sub-chairs, difficult for you, difficult for every member—this has not been easy to have the uncertainty of what district you're going to run in. That's not an easy thing to deal with. But I've got to tell you, I am so proud of the outcome that we've had. I'm so honored that the outcome that we've had has reduced city splits by almost two-thirds. I'm honored that we have county splits that went from over 45 down to 30. I'm very honored and very happy about the determination that we had to not diminish minority representation and, in fact, as I just talked about, we have the opportunity for three more potential minority seats. And I think that's something we should be proud of.

Members, I've spent a lot of time talking to everyone in this room, in this Chamber, has had an opportunity for me to come to you and ask you for your vote. And I understand that there are people, in this Chamber, who plan to vote "no" and have not even considered voting "yes." And I'd just like to ask you to think about that vote. I understand if you want to vote a different way tomorrow when the bill you're voting on—the House and the Senate—maybe you don't like the Senate map, I don't know. But to me, this is an opportunity to show some unity—that the process, under which we drew these maps, was a fair process, that it was an open process, that it was a transparent process, because that's exactly what it was and we made sure of that.

The decision we're making today, which is probably one of the hardest decisions that any legislature has ever made without a court order, is not something to sneeze at. And, in fact, it's bigger than today and I talked about this in committee, but many of you weren't there to hear this, but I'm going to say it again for the benefit of everyone—the way we're handling the map-making process today is going to dictate the way it is handled in the future. We are setting an example for the way these maps will be drawn in 10 years, and in 20 years, and in 30 years—we are the first ones to have to draw maps based on what the Constitution says with Amendments 5 and 6. We are the first ones and it hasn't been easy. And I stated earlier, that the expedient thing to do, the easy thing to do, would have probably been to ignore what the law says and just figure out a way to draw a map that makes everybody in here happy. That would have been easy to do. Nobody would have complained.

We have had a lot of tough conversations with people in this room—both parties. But at the end of the day, this decision is bigger than us. This map is bigger than us. The Constitution is bigger than any one of us. And as I stated earlier, as I look around this room knowing that one out of the every three of you is running in a district that is with someone else, or you're running in a district that you don't live in anymore, that's a very hard thing to deal with and I just want to say, from the bottom of my heart—and I mean this with all sincerity—the dignity and the integrity of which many of you have handled, probably the worst news you've ever been given in your political life, gives me hope for the future of Florida. You owe yourselves a lot of credit for the way that you've handled this process. The conversations that many of us have had, post these maps being finalized, have not been easy. But I got to tell you that I'm proud of each and every one of you and the way that you have handled this, the way that our chairmen, our co-chairmen, have handled this process.

There's a lot of stories in this room that we could tell, but I'm only going to put a face on one, and I mentioned it earlier briefly. The vice chairman of the committee that I am chairing knew very early on in this process that he would be drawn into a district with somebody else. Not only would he be drawn into a district with somebody else, he'd be drawn into a district with a good friend of his, in Representative Eisnagle. He knew that. Never once, never one single time, did Representative Steve Precourt ever come to me and ask for a favor—did he ever come to me and ask me, could you move this here, could you move that there, can you split us apart, can you find a way to use politics to solve this problem—never once. And that's just one story, but that's endemic of how this process has ran.

We have run it with integrity. We have run it with the ability to follow the law and make it transparent. And for that reason, for the first time in the redistricting process in the history of Florida, we are putting principle over politics. This is not a bumper sticker solution. This is a hard solution and for that I think to vote against it is to vote against something that I think has had a lot of integrity. It's to vote against something that I have worked extremely hard on with all of you, and I would just ask that you seriously and strongly consider voting for this amendment. I think it's a fair amendment, I think it represents our state very well, and I think the integrity of the process and how we went through it holds true. So, with that, I ask you to vote for this amendment. Thank you, Mr. Speaker. [applause]

The question recurred on the adoption of Amendment 1 [Amendment Bar Code: 601757], which was adopted on February 2, 2012 (as previously shown in the *Journal* on page 393).

Speaker Cannon: Well done, Representative Weatherford. Read the next amendment.

Representative Jenne offered **Amendment 2** (Amendment Bar Code: 756455) on Thursday, February 2, 2012 (as previously shown in the *Journal* on pages 393-393).

Speaker Cannon: Representative Jenne is recognized to explain the amendment.

Rep. Jenne: Mr. Speaker, as always, thank you. Members, this is really just a small amendment, fixing a couple small problems. It will adjust the county split in Pasco County so that it is now split along an east-west orientation compared to what we see now with the north-south split. Residents of Pasco County made very clear at public hearings that residents of coastal Pasco County form a distinct community of interest from the more rural east Pasco County. My amendment will also reunite the City of Lakeland into one Senate district. As you all know Lakeland is a city just under 100,000 residents and it was split into three districts on the Senate map, which deluded effective representation of Lakeland and Polk County. Lakeland is the largest city in the I-4 Corridor, in-between Tampa and Orlando, but was placed in a district designed to unite agricultural communities of interest. This amendment places Lakeland, instead, with similar communities of interest such as Winter Haven, Auburndale, Solivita, and Polk City—along with rural Osceola County. I feel that this actually brings the Senate plane more into compliance with Amendment 5. It reduces the number of counties split from 31 all the way down to 30, that magic number, while reducing the number of V.T.D.'s, that's voter tabulation districts, from 421 to zero. It also moves Plant City, for those of you who don't know—a Tampa rural exurb, back into Hillsborough/Tampa suburbs. It also removes it from the Manatee County based district—that would be District 24. Mr. Speaker, that is the amendment.

Speaker Cannon: Are there questions of the sponsor—questions of the sponsor? Representative Weatherford, for a question.

Rep. Weatherford: Thank you, Mr. Speaker. Representative Jenne, Thanks for bringing forth this amendment. I appreciate your willingness to try to improve the map. I think that's a noble thing. When I take a look at the map and your amendment and I compare it to the map in the bill, it appears that you split an extra thirty-nine cities—more than the current map. Could you give us some reason as to why you did that?

Speaker Cannon: Representative Jenne.

Rep. Jenne: Thank you, Mr. Speaker. Really, it was just to make sure—I didn't want to see that community shortchanged. If you look at it, I feel that it—I was there at those meetings in Wesley Chapel and I just don't think it is a good way to reflect a community and that's not what I heard the people speak up and say at that meeting. They were very clear that they wanted Pasco split east-west. I had the opportunity to sit with a representative from Pasco during that meeting and I was able to get a lot more details. Like I said, at the end of the day, it just doesn't make sense based on that and I just don't want that community shortchanged.

Speaker Cannon: For a follow up, Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. For a follow up, Representative Jenne, when I look at the districts in the Section 5 counties, such as Hillsborough and Collier, they have noticeably lost some of the minority rep. populations, but I didn't see any other districts that make up for that loss. So when we're in the pre-clearance process with the Department of Justice, which I know you're familiar with and that we have to go through, how are we going to justify to them the reductions in the minority populations in those Section Five counties?

Speaker Cannon: Representative Jenne.

Rep. Jenne: Thank you, luckily I'm not that familiar with the Justice Department, but really, more so than anything else, I know there were a lot of members on this floor who were hoping to see different maps and were hoping to see different variations of maps—and that's just what we wanted to do. Really, to get back to it, we just wanted to make sure that no community was shortchanged. We just didn't feel it was a good way to reflect the community, and again, it's not the way people spoke up at that hearing.

Speaker Cannon: Further questions? Further questions? Are there amendments to the amendment?

Reading Clerk: None on the desk, Mr. Speaker.

Speaker Cannon: Are there substitute amendments?

Reading Clerk: None on the desk, Mr. Speaker.

Speaker Cannon: Is there debate on the amendment? Representative Weatherford, you are recognized in debate.

Rep. Weatherford: Thank you, Mr. Speaker. I have to say, I really appreciate Representative Jenne for, again, bringing forth that amendment that makes an attempt to improve the map, but unfortunately, it does not do that. Right now, in the bill, there are 54 city splits. This would put us at 93. I don't see how that's any improvement to the map. On top of that, your District 19 would reduce the black voting age population in the Hillsborough County Section 5 district from 39 percent in the 2002 map to less than 32 percent, which is in this amendment. Also, the District 40 which reduced the black voting age population in Monroe, Collier, and Hendry—which is a Section 5 V.R.A. District—from 29 percent to 20 percent. Basically, what that means is this map, I think, would be illegal according to the Department of Justice and therefore, I don't think we can support it. I would urge you to vote no.

Speaker Cannon: Further debate? Representative Saunders, in debate.

Rep. Saunders: Thank you, Mr. Speaker. Since we're trying to find some agreement today, I want to say I agree with Chair Weatherford and I will also be voting against this amendment. Thank you, chair—and I think all the other Democrats will too. We did just want to show there are some ways to accomplish certain things—and that we think that maybe, perhaps, in the original map things could have been differently, but since we see the amendatory process on the Senate map, it's probably not going to be successful for any amendment. We will probably go along with your recommendation on this amendment as well.

Speaker Cannon: Further debate? Seeing none, Representative Jenne, you are recognized to close on your amendment.

Rep. Jenne: Mr. Speaker, thank you. I believe that this amendment vastly improves some sections of the map. We do fix the Pasco problem, we do fix the Lakeland problem, and I feel we move the map towards better compliance with the fair districts amendments. But alas, I think I have to agree with Representative Weatherford. It only moves us towards compliance and doesn't take us all the way there. So for that reason, members, I urge you—I urge you—vote no on this amendment. [laughter] Because while this map does improve the situation, members, there is no amendment that can completely fix this map and all of the problems it possesses. So, with that, members, I urge you—do like me. Hit that red button. [laughter]

The question recurred on the adoption of **Amendment 2** (Amendment Bar Code: 756455), which failed of adoption on February 2, 2012 (as previously shown in the *Journal* on page 399).

Speaker Cannon: Show that bill rolled over for third reading. Read the next bill.

CS for SB 1174 was read the second time by title on Thursday, February 2, 2012 (as previously shown in the *Journal* on page 399).

Speaker Cannon: Representative Legg, you are recognized to explain the Senate Bill.

Rep. Legg: Thank you, Mr. Speaker. In the spirit of the American screen actor, Bill Murray, and it being Groundhog's Day; let's do this one more time. So, thank you, Mr. Speaker. Members, CS for SB 1174, the proposed Congressional map as passed by the Florida Senate. This map has differences to the Congressional map that our Redistricting Committee passed as CS/HB 6005. Representative Homer walked you through those differences earlier—in the earlier presentation. Mr. Speaker, that is the bill.

Speaker Cannon: All right, members, to get us into the proper posture, we're going to take up the strike-all amendment that contains the House language—the House proposal—and then you'll have the opportunity to ask questions regarding both the House and Senate Congressional maps. Everybody got that? All right. Are there amendments?

Reading Clerk: On the desk, Mr. Speaker.

Speaker Cannon: Read the first amendment.

Representative Weatherford offered **Amendment 1** [Amendment Bar Code: 832579] on Thursday, February 2, 2012 (as previously shown in the *Journal* on pages 399-438).

Speaker Cannon: Representative Weatherford, you are recognized to explain the amendment.

Rep. Weatherford: Thank you, Mr. Speaker. Members, this amendment would strike the Congressional map proposed by the Florida Senate and replaces it with the proposed Congressional map from CS/HB 6005, the map that was presented earlier today. This amendment also strikes the "whereas" clauses in the bill and replaces them with "whereas" clauses that correlate to Congressional map from CS/HB 6005. This amendment does not make any changes to the Congressional map as it passed the House Redistricting Committee. That is the amendment, Mr. Speaker.

Speaker Cannon: Members, are there questions? Representative Taylor, for a question. This can be questions regarding the Senate or House map. Representative Taylor, for a question.

Rep. Taylor: Thank you, Mr. Speaker. Representative Weatherford, you said—and as I understand it—it doesn't change the same map that was passed out of our subcommittee that I sat on. There was mention that there would be conferencing committees, possibly to establish a committee that will work out the differences. Are we still working on having a conference committee to work out the Congressional differences?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. I don't know of anyone who told you there'd a conference committee. I certainly never said that. What this amendment is is the bill that we passed out of the full committee last week.

Speaker Cannon: Representative Taylor, for a follow up.

Rep. Taylor: Thank you, Mr. Speaker. Yes, in many of the meetings that I sat on, I always asked about the process on how the differences were going to be ironed out between the two chambers and I was told that this was going to be set up similar to the way that we worked out our differences on the budget. So, now are we saying that this is going to be something that's totally different? Will this be the two presiding officers or will this be the two chairs that will iron out the specific differences on the Congressional map?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. I may ask Representative Legg to address this if I don't adequately answer your question, but I think what Representative Legg said is that there could be a conference, certainly, if there were to iron out differences between the House and the Senate Congressional map. Luckily for us, here we are in the fourth week and we have an agreement on a map. And I think that what the agreement is, is that, we wanted to make a map that was the most legally compliant map that we could possibly do and we feel like we've done that. And so, there's no need for a conference committee. I don't believe it was ever stated that there would be one. I think that it was just stated—and I will ask Representative Legg to clarify—that there could be one.

Speaker Cannon: Representative Taylor.

Rep. Taylor: Thank you, Mr. Speaker. So, you're saying that the differences have been resolved between the two chambers and this is the actual map that—I'm guessing you're nodding your head so—when and who decided that this would be the actual Congressional map?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. Certainly, Senator Gaetz and I discussed the differences between the two maps. Something that I think is very important for you, Representative Taylor, and others in the Chamber to know and understand is that about 90 percent of the Congressional map is the map that was originally filed. And so our map, the map that passed out of the subcommittee that we identified as the one most likely that we would move forward with, 90 percent of that map is this map. And so, certainly there were some differences with the Senate that we had to work on, but in general, the map is very similar to the map that we passed out at the subcommittee and out of the full committee.

Speaker Cannon: Representative Taylor.

Rep. Taylor: Thank you, Mr. Speaker. I'm going to move on to a couple of other questions that I have of Representative Weatherford. And I was, I closely listened to your definition of retrogression and what Leader Saunders read as far as a definition. Was there any definition applied to the maps, in any way, to determine whether we were regressing or we are in compliance?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. Again, I feel like I've answered this question and just to be clear, the answer is the same for the House map as it is for the Senate map as it is for the Congressional map—which is that there is no threshold. There is no numerical definition for retrogression.

Speaker Cannon: Representative Taylor.

Rep. Taylor: Thank you, Mr. Speaker. But if there is no definition, how would one know that they are regressing?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: We do that by a very fact specific district-by-district analysis.

Speaker Cannon: Representative Taylor.

Rep. Taylor: Thank you, Mr. Speaker. Now what I asked, because there was mention earlier that there was no particular definition for minority districts and minority could be defined in several different ways. It can also include white female. So, how would you know that you have actually created minority districts if there was no specific definition applied to how you were going to draw these maps?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. It is my understanding that there is historical case law that speaks to that. But, to be clear, we have very specific standards in our constitution. I'm going to go back and I've done this before, if I can find it—a copy of what Amendments 5 and 6 said, but here's what it says in regards to diminishment. It says that, "districts should not be drawn with the intent or result of denying or abridging the equal opportunity of racial or language minorities to participate in the political process or to diminish their ability to elect representatives of their choice." I think that's pretty clear and I think that Section 2 of the Voting Rights Act is pretty clear and I think Section 5 of the Voting Rights Act is pretty clear.

Speaker Cannon: Representative Taylor.

Rep. Taylor: Thank you, Mr. Speaker. And would you consider this to be fact-based or just your opinion about whether or not these were actual minority districts?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: I think we have a lot of historical data that shows whether or not a district has performed for an African-American, or a Hispanic, or a minority candidate.

Speaker Cannon: Representative Taylor.

Rep. Taylor: Thank you, Mr. Speaker. And thank you, Representative Weatherford. So, the data that was used—the performance data that was used to determine whether or not this was a minority district is what was used to construct the actual districts themselves?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: You already have members of the Congressional delegation of African-American, Hispanic descent so, I mean, what you have is, as I stated earlier when we were talking about it in either House or Senate Maps, is that you have a reference point of what the district currently looks like. It is currently represented by a minority. In some cases, it's a minority-majority seat. In some cases, it's not. But our focus, as I've stated many times, is to make sure that we continue to abide by the tier one standard of non-diminishment. And I think that we've done that in this Congressional map.

Speaker Cannon: Representative Taylor.

Rep. Taylor: Thank you, Mr. Speaker. And one of those particular members of Congress, Representative Weatherford, was an African-American that was voted in a district that actually only had 4 percent African-American. Would you consider that a district that would be access for African-Americans?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: No.

Speaker Cannon: Representative Taylor.

Rep. Taylor: Thank you, Mr. Speaker. And there was also a district that's in this particular plan that has actually 28 percent African-American. Would you consider that a part of this, African-American seats that are constructed for that particular district?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. Representative Taylor, could you be more specific about the exact district you're talking about? Because I'm not exactly sure which one you are referring to.

Speaker Cannon: Representative Taylor.

Rep. Taylor: Thank you, Mr. Speaker. I believe it's actually district number 3, it's either 2 or 3. It's the one district that encompasses Leon County here in this area.

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: So I'm looking at that district, Representative Taylor. I see that District 2 has a 23.8 percent African-American voting age population and your question is, is that enough to elect a minority candidate of choice? Is that what you're asking me? Because if that's what you're asking me my answer would be I guess not, because currently the congressman who represents that district now is not a minority. But that being said, this is a new district and there is no way to predict how the voters will vote. As you stated earlier, there was a member of congress who is African-American and has a 4

percent African-American voting age population in that district. So, I cannot predict for you what the voters will do.

Speaker Cannon: Representative Taylor.

Rep. Taylor: Thank you, Mr. Speaker. Representative Weatherford, there were two additional seats that we had to develop within this actual Congressional map. Are there any Federal standards outside of Amendment 6 of this state? Are there any Federal standards that need to be applied that weren't applied within the construction of this particular map?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. We don't have two new districts in the state of Florida, we have 27 new districts. Because every district—and because of the fact that we did get two new districts apportioned to the state of Florida—it changed the composition of all the districts in the state of Florida. So we don't have two new districts, we have 27.

Speaker Cannon: Representative Taylor.

Rep. Taylor: Thank you, Mr. Speaker. I believe I said two additional districts that we had to incorporate within what we were trying to accomplish here on the Congressional map. I was trying to determine if there were any specific standards that the Congressional map needed to have that the House and Senate map did not have.

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: I can tell you one standard we did follow was 'one-person, one-vote.' We followed the Amendments 5 and 6 and the standards that are set forth in the Constitution. And I believe that's it. As far as—I may need more clarification if you are looking for more than that, but that's what we did.

Speaker Cannon: Representative Taylor.

Rep. Taylor: Thank you, Mr. Speaker. And I'm going to move on to just one other line of questioning. I sat on this particular Congressional subcommittee and I attended approximately 20 to 21 of these different meetings. And in these meetings that you chaired with Senator Gaetz, you often talked about how we were putting the cart before the horse whenever it came to the public having maps. Everywhere we went, there were questions about, 'Where are the maps? Where are the maps? Where are the maps?' And, consistently, you made that statement that we're putting the cart before the horse. Now that there are Congressional maps and I know you're going to say—or some folks have said that we don't have time now. But, why haven't those maps been back to the public the same way, in the same intensity, that it was when we went out soliciting their input?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. And you hit on a great point here, because I think what we should all be most proud of when it comes to these maps, and even in particular these Congressional maps, is the amount of public testimony that we have gotten—the 5,000 people who showed up to go those committee hearings that you went to and I went to. That took four months. We started in June and we went all the way through September and took public testimony. We incorporated the public testimony into the maps. We can document the actual incorporation of the public comment and how it correlates to a lot of these districts. But what we've also done is we've made this process so transparent and open and engaging that even after we put the maps out on December 6th, I think we had seven Congressional maps when we started on your subcommittee. We have continued to get feedback. We've had more maps to be offered. We've had more public testimony. We've had more emails that have been sent in. We've had more folks who have reached out to us, in many different ways, to give us their thoughts on the maps. Whether or not there was time to go out and spend four months asking for input, again, after the maps—I don't know about you, but I know that we've

had a lot of Supervisors of Elections who had asked us to be time sensitive. There is a reason we are having this debate in week four and not in week nine. And the reason for that is because what we also heard at every public hearing around the state is that we need to pass the maps as quickly as we can, but also as diligently as we can. And I think we've achieved both.

Speaker Cannon: Representative Taylor.

Rep. Taylor: Thank you, Mr. Speaker and thank you, Representative Weatherford. It was mentioned earlier that there were members notified on the House maps early on, before they came out. Were there any members notified in that same example on the Congressional side by either members of subcommittees, staff, or anyone?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. No.

Speaker Cannon: Representative Taylor.

Rep. Taylor: Thank you, Mr. Speaker. You mentioned early on that Representative Precourt knew so if these maps were—before they were made public, people were notified, for what purpose did they need to be notified before the maps went public?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Mr. Speaker, I think we are talking about the Congressional map. I think the question he's asking pertains to the House map and I think I've answered that question, but I'll answer it again. Representative Precourt, which I spoke about a couple of times tonight, is the vice chair of the committee. And so, certainly, he was aware of the way that the maps—once we finalized the map—he was aware of the final product. And it had him paired up with another member. But again, whether we're talking about Congressional, whether we're talking about State, whether we're talking about the House maps, at no point did we allow someone's address of where they lived impact the decision that was made. At no point did we do that. And I think that needs to be very clear.

Speaker Cannon: Further questions? Representative Saunders.

Rep. Saunders: Thank you, Mr. Speaker. You stated that this is an amendment because the product that came out of the subcommittee has been changed. And you said the reason for the change, today, is that you want to make improvements to the product that came out of our subcommittee over here. Can you be specific as to whatever deficiencies there were in the product produced by the subcommittee and the reason for any changes that are now reflected in the amendment before us today?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. There are no changes to this amendment. It is the substance of the bill that we passed out of the committee that I chair, last Friday.

Speaker Cannon: Representative Saunders.

Rep. Saunders: Thank you, Mr. Speaker. I believe my question goes to the fact that there was another version of the Congressional map that was considered in our subcommittee and that has been changed. I thought what you had said was that the changes were made to improve the product and we want to know, specifically, what were the improvements that were made and the reasons for them.

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. I think Representative Horner probably can speak to some of the differences between the two maps, but while he's getting ready for that, what I'll talk to you about myself,

is—certainly, when we were working with the Senate, they had their own version of a map, we had a version of a Congressional map, and we worked with them to come up with the best product that we thought possible. And so, that's what we did. There are improvements to the map, I think, and one of those improvements to the map, that I think is in the House map, is that District 5 is a minority-majority seat and becomes a protected Section 2 of the Voting Rights Act, protected seat. But as far as, if you want to know the differences between what the Senate passed and sent to us versus what we have and passed out of subcommittee, Representative Horner can speak to some of those as well.

Speaker Cannon: Representative Horner, you are recognized.

Rep. Horner: Thank you, Mr. Speaker, with your indulgence, I'd like to just go ahead and repeat some of the key changes between the two maps, if that would be helpful.

Speaker Cannon: Sure. Representative Saunders, is that responsive to what you're asking? OK, Representative Horner, you are recognized.

Rep. Horner: Great. Some of the overall differences between the two maps are the Senate's version of the Congressional map splits 24 counties and 46 cities. The House version only splits 21 counties and 27 cities throughout the entire map. First area I want to cover is Congressional District 9 in Osceola County. Both the House and Senate maps drew the districts in the similar way including all of Osceola County, portions of Orange and Polk County. But District 9 in our bill is noticeably more compact than its Senate counterpart.

The next area is the Pasco/Hernando area in the Tampa Bay region. The Senate's version of the Congressional map, Hernando and Pasco counties are linked together which pushes the district to the north, containing Citrus and Sumter County further into Lake County. As a result, the Senate's version of the map has a Congressional district that entirely spans northern Pinellas and Hillsborough County. In the House's version of the Congressional bill, Hernando County is joined with Citrus and Sumter County. Whereas, Pasco County is in a district that also has portions of north Pinellas and Hillsborough County. This configuration also creates a district that is mostly in eastern Hillsborough and western Polk counties keeping Plant City, Lakeland, and Bartow wholly within the district.

The next difference is also in the Tampa Bay region. In the House map, District 14 does not go into Manatee County. So, the district is wholly and more completely, excuse me—more compactly located in Pinellas and Hillsborough counties. The Senate version of this Congressional district dips into Manatee County.

Moving south along the Gulf Coast, the House version of the Congressional map keeps Sarasota County whole, along with the majority of Manatee County. The most similar district in the Senate's version of the Congressional map splits Manatee, Sarasota, and Charlotte counties with the coastal side being in one district and the rural side being in another district.

Moving to District 17, the House's proposed Congressional map. Essentially, the Senate's version splits Charlotte and Okeechobee counties. The House version keeps those counties whole.

The final area of significant differences are the two districts in south Miami-Dade County and Monroe County. Both maps connect Monroe County with Miami-Dade County. However, the Senate's version of the map connect Monroe County with eastern Miami-Dade County, while the House version creates what turns out to be a more compact design connecting Monroe County with western Miami-Dade County. Those are a summary of some of the key differences.

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. Thank you, Representative Horner for speaking to some of those changes and I'm going to come back to the question again and maybe answer it, also, with some specifics. The map that you see before you now has 21 county splits and 27 city splits. The map that the Senate sent over to us had 24 county splits and 46 city splits. The map that you voted for out of the subcommittee—I don't know if you voted for it, but some people voted for it—had 22 county splits and 39 city splits. So, the reason I give you that data is that this map before you is, actually, the best map we had of any map that's been out there when it comes to city and county splits. So, significant improvement when it comes to those standards in law that they ask us to consider.

Speaker Cannon: Representative Saunders, you are recognized.

Rep. Saunders: Thank you, Mr. Speaker. Since we are here, in part, to determine legislative intent. I just want to make it clear that one of the reasons there was a change in the Congressional map was in no way related to the fact that perhaps an incumbent Congressman's percentages were subject to change. Because we've read in the papers that, I won't mention any names, but let's say a certain, several incumbent Republican Congressmen's districts significantly improved by virtue of this amendment. So, you're saying that had nothing to do—it was totally based on the information you just discussed?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. I've actually never heard that before or haven't read it anywhere. I would love you to send me the article if it's out there, but it's not true. The fact of the matter is that we drew these maps based on the public input and how to make sure that we follow the Constitution and the Federal Voting Rights Act—just like we did the House maps, just like we did the Senate did the Senate maps. At no point were these maps drawn with any political intent.

Speaker Cannon: Representative Saunders.

Rep. Saunders: Thank you, Mr. Speaker. Since we want to be specific, I served with Congressman Webster. He is currently in the Congress. It was my information that in some of the versions his district was not as Republican as this amendment reflects. So, are you saying that any improvement, if any, to Congressman Webster's district was not based on the fact that that was meant to improve his chances as an incumbent of winning. It was solely, those changes are solely done to reflect the county splits or the other issues that you brought up—is that correct?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Representative Saunders, I don't know any of that information and have no reason to believe that, but I can tell you, one thing I do know, I think it has been reported that Congressman Webster, actually, doesn't live in the district that we drew. So, you know, again if you're trying to insinuate that there was some type of intent in these maps, I can tell you that was not the case, at any point in time.

Speaker Cannon: Further questions? Representative Steinberg, for a question.

Rep. Steinberg: Thank you, Mr. Speaker. And Chairman Weatherford, I'm going to—these [questions] are going to be the Congressional maps, and some of them are going to be a little redundant, although it is Groundhog Day today, so maybe it's a little bit appropriate, but these are focused to the Congressional map. When drafting the maps, was there any conversation between you, or staff, or anyone in the process here with people at the Republican National—I'm sorry, the Republican National Committee, the RNC, as far as how to draft these maps?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. Mr. Speaker, I believe that you actually forbid the staff and this Chamber of even talking to anyone at that

level. I never had any conversations. I believe the answer is unequivocally, no, we did not have any.

Speaker Cannon: Representative Steinberg.

Rep. Steinberg: Thank you, Mr. Speaker. And same question, but not to the RNC, but RPOF. Were there any conversations with people, directly or indirectly, at RPOF regarding the makeup of this map?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: No.

Speaker Cannon: Representative Steinberg.

Rep. Steinberg: Thank you, Mr. Speaker. Was that conversation also forbidden?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: I believe it was and I think it was forbidden for the Florida Democratic Party, as well.

Speaker Cannon: Representative Steinberg.

Rep. Steinberg: Thank you, Mr. Speaker. Were there any conversations with members—current members of Congress—about how this map should be made up during the time that the map was in consideration?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: No. No, and in fact, I want to reiterate what I stated earlier which was that, you know, at no time was there any indication, or were there any phone calls made to any congressmen letting them know about what their district would or would not look like prior to them being finalized and being submitted to the public.

Speaker Cannon: Representative Steinberg.

Rep. Steinberg: Thank you, Mr. Speaker. And I'm not sure if you understood my question. I'm trying to understand, was there any input either sought or given by members of Congress, for example—I don't want to name names—but did congressman or congresswoman so and so reach out to you or staff or anyone that you know and say, you know, 'it would look great if the district in my area looked like this,' or, 'it would be really bad if you did that. Don't do this, do that,' or any conversations along those lines from any members of our delegation?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: We all certainly bump into members of our delegation from time to time, but I can assure you, every time anyone, whether House member, Senate member, or a Congressional official, ever wanted to have that conversation about redistricting, I would stop them at the door because it was not the type of conversation that was appropriate. We didn't want to know what they wanted. That was not something we were willing to take into account. Our job was to draw maps that were legally compliant and factored in the public comment.

Speaker Cannon: Representative Steinberg.

Rep. Steinberg: Thank you, Mr. Speaker. I appreciate the, 'not wanting that conversation to occur,' but my question is more, I guess, did it occur?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Not with me, and I can tell you that. I can only speak for myself. But, I think, it's also been documented in quite a few newspaper articles and, maybe, some famous radio hosts about members who were actually complaining about their lack of access and the lack of

responsiveness of this Chamber. And so, I think, I can very easily state to you that there was no intent whatsoever, at any point, during this process of drawing these Congressional maps.

Speaker Cannon: Representative Steinberg.

Rep. Steinberg: Thank you, Mr. Speaker. And on that point, this will probably be my last question. You said, "Not to you there were no conversations." Were you aware of any conversations with staff or anyone that was involved in the process of drawing the maps along those lines?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Absolutely not.

Speaker Cannon: Representative Steinberg.

Rep. Steinberg: Thank you, Mr. Speaker. And this is, specifically, on this map, although I know it's already been asked of others. Did staff have access to performance data, as it relates to the Congressional maps?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Everyone has access to the data. The only time it was ever utilized was for minority districts to make sure that the analysis could be done so that we were in compliance with the Federal Voting Rights Act and the Justice Department and, frankly, the State Constitution.

Speaker Cannon: Representative Steinberg.

Rep. Steinberg: Thank you, Mr. Speaker. Mr. Chairman, if the 2002 maps were drawn in order to preserve incumbency at the Congressional level, or to help a party in power preserve its numerical dominance, is that something relevant to determining whether we can simply keep 2012 districts—or districts that look very similar to the 2012 districts—in this plan?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: I have no idea what the intent of the framers of this map—the Congressional map was in 2002—but I can tell you, with certainty, that there was no political intent in the maps that we drew.

Speaker Cannon: Further questions? Representative Steinberg.

Rep. Steinberg: Thank you, Mr. Speaker. But, clearly, the media has indicated—and there's been a lot of conversation about the gerrymandering process in the State of Florida in days gone. In fact, I think, it's clear that the amendments that were on the Constitution, the way the voters voted, probably is indicative of the voters—believe that as well. So, with that knowledge, does it make sense to use maps from 2002 that have been reportedly overwhelming, throughout the state and throughout the nation, as being malapportioned and with an electorate who appears to have thought that way by putting in standards because they didn't feel that the maps were being drawn in a way that didn't favor or disfavor a political party. Would it be right for us to draw maps based—or a portion of the maps—based on those maps?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. Under the premise that you can believe everything that you read in the newspaper, which I'm not sure is entirely true—no offense to our friends—but let me speak, specifically, to a couple of points that, I think, are important here when you're talking about the makeup of our map. The old district, for example, that went from Palm Beach to Charlotte County—gone, doesn't exist. The old district that went from Duval County to Leon County—gone, that district does not exist anymore. The old district that went from Marion County to Osceola County—gone, doesn't exist. The arm of the district that used to cut through Martin County to Fort Pierce—gone, doesn't exist. Lastly, the district that started in Winter Park and went all the way to Ponte Vedra—gone, doesn't

exist. So, the premise that you started with, that somehow these maps were a reflection of the maps of 2002, frankly, just isn't true. Now, these maps are significantly different, significantly more compact, significantly more compliant with the standards of [Amendment] 5 and [Amendment] 6 when it comes to following geographic boundaries in cities and counties. So, I guess I just don't agree with the premise of your question.

Speaker Cannon: Representative Steinberg.

Rep. Steinberg: Thank you, Mr. Speaker. Don't some of the minority access districts, in particular, seem to mirror closely the 2002 maps?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: There's only one district. I'm assuming you're speaking to District 5?

Speaker Cannon: Representative Steinberg.

Rep. Steinberg: Thank you, Mr. Speaker. I don't have the maps in front of me. Obviously, you're much more familiar and actively involved in this for a number of months, if you're saying District 5 is one, I guess that could be an example. If that map was drawn with that intent and to pack a district in that sense, would that mean that we can't do so today?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. Mr. Speaker, I've said this on numerous occasions, today, but clearly it's not resonating. So, I'm going to say it again. We have not packed any maps, any districts—there is no packing throughout this process, particularly with this Congressional map. What you have with District 5 is a map that was created by the Federal court back in 1992. This is a map that was created by the court 20 years ago. It is a minority opportunity seat, or has been represented by a minority—African-American for 20 years. And the way it's drawn today—it is actually drawn with just above 50 percent, which would actually give it protection under Section 2 of the Voting Rights Act.

Speaker Cannon: Representative Steinberg.

Rep. Steinberg: Thank you, Mr. Speaker. And on another note, I guess, tracking back to some of my other questions as far as conversations that were had with people outside of our body. Were there conversations that you're aware of with either yourself or staff or anyone involved in drawing the maps—with the Chamber [Florida Chamber] or AIF [Associated Industries of Florida]—in proposing this map or any of the other maps?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: I have not had any conversations like that nor do I know of anyone on our staff, or anyone associated with this Chamber, that has had conversations like that.

Speaker Cannon: Representative Steinberg.

Rep. Steinberg: Thank you, Mr. Speaker. Mr. Chairman, if a Congressional district is composed of 70 percent voters of the same party as an incumbent, isn't that evidence of an intent to favor that incumbent?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. I think I've answered that question several times today. Before, I answered it in regard to the Senate and House map and I think the answer stays the same, which is, the way we draw the map, there is nothing in the standards that call us to look at anything that is partisan in nature. What it calls us to look at is, does it follow the Federal law? Does it follow the compactness measures that are called for in the Constitution? Does it follow geographic boundaries that it calls for us to utilize, when we can? Does it follow the tier one standard of making sure

there's no diminishment? Does it follow the tier one standard of making sure that it's not drawn with any political intent? And so, to me, you know, I think I've answered that question. But, again, those are the standards we're utilizing to draw districts. We're not paying attention to what the political data has, nor have we ever.

Speaker Cannon: Representative Steinberg.

Rep. Steinberg: Thank you, Mr. Speaker. Mr. Chairman, the standards of [Amendment] 5 and [Amendment] 6 both provide that districts can't be drawn with the intent to favor or disfavor an incumbent or with the intent to favor or disfavor a party. So, if a district is drawn with 70 percent of the party of an incumbent, is that evidence of an intent to favor that incumbent?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: You're a lawyer, so maybe I should ask you, if you could, define that for me. But, the way I define a map and whether it is compliant with the law is whether it's compact, it follows geographic boundaries, how it utilizes cities and counties, if it follows the tier one standard of making sure there's no diminishment. That's the way I make a determination of whether or not a map is compliant. We're not even looking at the data, so I wouldn't even know if a district was 70 percent Republican—I have no idea. We're not looking at that data. So, I guess, I'm not sure I can answer your question.

Speaker Cannon: Representative Steinberg.

Rep. Steinberg: Thank you, Mr. Speaker. So, let me see if I understand this. If a district—or, frankly, if a map as a whole—performs heavily in favor of one party or another, that doesn't matter? That's not something we should be looking at?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: That's not something we should be looking at. As it was stated earlier, someone made the suggestion that maybe for the House we should've drawn 60 Republican seats and 60 Democratic seats and somehow that would be fair. The reason we did not do that—and the same reason we didn't do that with the Congressional maps is that then we would be using political intent to create an outcome, which is the opposite of what the voters who voted for Amendment 5 and Amendment 6 wanted. They don't want political intent. We're not legally allowed to utilize political intent and so, for us to look at the data and make a determination based off that would be against the law.

Speaker Cannon: Representative Steinberg.

Rep. Steinberg: Thank you, Mr. Speaker. And I know this question was asked to the other maps, but I just want to ask it to this map specifically. Was residency of the incumbents taken into account in the modeling of how districts were drawn?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Absolutely not.

Speaker Cannon: Representative Steinberg.

Rep. Steinberg: Thank you, Mr. Speaker. Were there any discussions with members as to whether or not their residence would be in or out of districts?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: No, and frankly, I think if you're reading the same news clips I am, there's probably some congressmen out there that aren't very happy.

Speaker Cannon: Representative Steinberg.

Rep. Steinberg: Thank you, Mr. Speaker. Based on publicly available historical election data certified by the Secretary of State, the Congressional plan overwhelmingly favors Republicans, creating nine districts that would give Democrats a chance of winning. A fair plan, based on a 50/50 split, would obviously create 50/50 districts. Why doesn't this plan do that?

Speaker Cannon: Representative Weatherford, you are recognized.

Rep. Weatherford: I'm glad that you have all this political data, unfortunately, I haven't used it—I haven't look at it. So, I can't speak to the validity of the data you just stated. But, again, it has not been utilized in this process. And for us to use it, in any way, shape, or fashion, would be in violation of the Constitution. And we're not going to do that—we have not done that, and I feel like I've answered this question 47 times and I probably won't answer it again.

Speaker Cannon: Representative Steinberg.

Rep. Steinberg: Thank you, Mr. Speaker. And that was the reason, probably; you are getting multiple questions that are similar is there are three different maps—so, yeah, people are asking questions, too, that are different based on the individual maps. But, at any time, either during the drawing of the maps or after that, between now and then, have you looked at the performance data of the districts? I know before you said you did on the minority access districts, but have you looked on the other districts or the maps, as a whole, to see how they perform from a partisan nature?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: No. I've never looked at the performance of the minority districts. I've never looked at the performance of the other districts. I've never looked at the performance of any districts.

Speaker Cannon: Representative Steinberg.

Rep. Steinberg: Thank you, Mr. Speaker. Has staff looked at that information?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Our staff and our counsel looked at that information, in regard only to the minority districts, to make sure that we were in compliance with the Department of Justice, the Voting Rights Act, and the State Constitution.

Speaker Cannon: Representative Steinberg.

Rep. Steinberg: Thank you, Mr. Speaker. Just to clarify this, so, on the other districts—the non-minority districts—that information was not looked at by staff or by legal counsel?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: That is correct. That information was not looked at by staff or legal counsel in regard to any districts aside from those minority districts.

Speaker Cannon: Representative Steinberg.

Rep. Steinberg: Thank you, Mr. Speaker. Has anyone reported to you or to staff what the performance of the other districts or the maps as a whole are?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: No, not until you just did.

Speaker Cannon: Representative Steinberg. Further questions, further questions? Representative Reed, for a question.

Speaker Cannon: Representative Reed, for a question.

Rep. Reed: Thank you, Mr. Speaker. Chairman Weatherford, ah look a great smile, thank you. [laughter] How are people housed at a jail counted for the purpose of redistricting? I have a brand new question.

Speaker Cannon: Thank you, Representative Reed. Representative Weatherford, you're recognized.

Rep. Weatherford: Thank you very much, Mr. Speaker. Everybody knows I love me some Mrs. Betty Reed, she's a wonderful lady. [applause] She keeps us all out of trouble back in Tampa Bay. Steve Precourt has been feeling lonely over here to my left, so I'm actually going to allow him—since he's paired up with another member, I feel like we owe it to him. We should at least allow him to answer a question. So, Representative Precourt, if you could enlighten us on that.

Speaker Cannon: Representative Precourt, you're recognized.

Rep. Precourt: Thank you, Mr. Speaker. And thank you for the opportunity to shine. Appreciate that. I believe the question was where are the prisoners counted?

Speaker Cannon: Representative Reed, you're recognized.

Rep. Reed: Thank you, Mr. Speaker. How are people housed at a jail counted for the purpose of redistricting?

Speaker Cannon: Representative Precourt.

Rep. Precourt: Thank you, Mr. Speaker. The census gets data from our prison system to use so that we know how many people are there in order to have them counted. So, we use the data from the census that is provided.

Speaker Cannon: Representative Reed.

Rep. Reed: Are they counted from their home district or are they counted from the district where they are located at that time?

Speaker Cannon: Representative Precourt.

Rep. Precourt: Thank you, Mr. Speaker. They are counted from the district where they're located at the time.

Speaker Cannon: Representative A. Williams, for a question. Did you have another question Representative Reed?—OK—you're very welcome. Representative A. Williams, for a question.

Rep. A. Williams: Thank you, Mr. Speaker. Chairman Weatherford, I'm going to ask this question as it relates to Congressional compactness—and you may have answered this, I had a family emergency and had to step out the Chamber for a few minutes. But, could you tell me what is the definition of compactness as it relates to this map, or at least to this plan, and how was it applied to constructing this plan?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. I think my answer would be the same to this question that I gave it for the House and Senate map and that is that compactness is not determined by a single measurement. There's different ways to look at it but, I can tell you in all the measurements that we have utilized, we have found that this map is far superior to the map that was made in 2002.

Speaker Cannon: Representative A. Williams.

Rep. A. Williams: Thank you, Mr. Speaker. Thank you for that response Chair Weatherford. How does this plan reflect your definition or the definition of compactness? How does this plan specifically reflect your definition of compactness?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. I would just say that in regard to how we measure, there are different measures. But on the measurements for example, travel distance from one side of a district to another, the radius of a district, the geometric distance around—from basically in a circle all the way around. Those are some of the ways that you can look at compactness in ways that are actually chartered. I think we have that data, we can provide that data to you and every member of this caucus. I think it's actually publicly available on the web if you'd like to see it.

Speaker Cannon: Representative A. Williams.

Rep. A. Williams: Thank you, Mr. Speaker, and thank you, Chair Weatherford. As it relates to the 27 Congressional districts, what were the reasons for the districts not being clearly as compact or not being clearly compact?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Could you speak to a specific district that you feel is not compact and maybe I could react to that?

Speaker Cannon: Representative A. Williams.

Rep. A. Williams: Thank you, Mr. Speaker. As it relates specifically to Congressional District 10, the one that was on the map that was kind of the Pepto-Bismol color. The Pepto-Bismol pink.

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. I actually think it's very compact, I'm looking at it and it represents kind of the heart of central Florida there—as parts of Orange County. It appears to keep Lake County whole and then comes into Polk County. But just to give you an idea that the amount of cities that are kept whole, I won't read them all off, but it looks like it's almost close to 20 cities that are kept whole.

Speaker Cannon: Representative A. Williams.

Rep. A. Williams: Thank you, Mr. Speaker. I guess what I was referring to when you looked at Congressional District 10, how it kind of horseshoed around downtown. Can you, kind of, share with us the justification for those boundaries?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. Based on compactness measures this district is actually much more compact than the current district. So, it's a significant improvement to what the current map is now from the 2002.

Speaker Cannon: Representative A. Williams.

Rep. A. Williams: Thank you, Mr. Speaker. Thank you, Chair Weatherford.

Speaker Cannon: Further questions? Representative Clarke-Reed, for a question.

Rep. Clarke-Reed: Thank you, Mr. Speaker. Representative Weatherford, how do we account for those prisoners and I'm going to follow up on Representative Reed's question, those prisoners who may have been moved since the census was taken and we are drawing districts now. How does that account for the one-man one-vote when you move these prisoners and you're going to another district?

Speaker Cannon: Representative Precourt, you're recognized.

Rep. Precourt: Thank you, Mr. Speaker. Representative we're required to use data from a snapshot in time from the census, from the 2010 census, and that's for everyone not just the prisoners.

Speaker Cannon: Representative Clarke-Reed for a follow up.

Rep. Clarke-Reed: Thank you, Mr. Speaker.

Speaker Cannon: Further questions. Representative Saunders, for a question.

Rep. Saunders: Apparently, in the Senate Redistricting Committee, residents in Taylor County felt they had more in common with the Nature Coast than they do with Tallahassee, but apparently in this map Taylor County is included with Tallahassee, but yet you split Madison County. Can you explain to us why the wishes of the Taylor county residents were not reflected in this map?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. Look, certainly common interests and communities of interests, or whatever term you want to utilize, can be looked at, but it's a sub-standard to the standards in the Constitution. One of those being a Federal requirement that we have to have very precise deviation in the districts. So, the reason it stops right there in Madison County is because if you were to go further over there, you would be overpopulated. So, to keep population exactly equal, which we have to do in the Congressional map, we stopped it right there, but it was able to keep the entire county of Taylor County whole which I think is important. I mean, you look at the map, it's an extremely compact map, and I think is a significant improvement to the current map that we have now.

Speaker Cannon: Further questions. Representative Randolph, for a question.

Rep. Randolph: Thank you, Mr. Speaker. I just want to go back to Congressional District 10, real quick. With the arm that wraps around from west Orange County and now splits the city, not only splits the city of Orlando, but because thanks to that arm, splits Winter Park—a city of 44,000 into two, if not three Congressional districts. I'm wondering why we chose to split Winter Park into three Congressional districts.

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. Actually, you're wrong. Winter Park is kept whole in this map.

Speaker Cannon: Representative Randolph.

Rep. Randolph: Thank you, Mr. Speaker. From what I can tell, Winter Park is split between; well I don't have a number on this, the district currently represented by Congresswoman Adams and now Congressman Webster. So, is Winter Park not split there between those two cities?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. Winter Park is not split, that is right.

Speaker Cannon: Representative Randolph.

Rep. Randolph: Thank you, Mr. Speaker. Then why split the city of Orlando into that district, Congressional District 10, with that arm all the way over there?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. Well, there's two things going on there, of course. First, you have the minority-majority District 5 which comes through into Orange County which District 10 is adjacent to,

but you also have District 9 which is a Hispanic opportunity seat in District 9 and if you didn't have it drawn the way it is currently drawn, if this district did not go into Osceola County, you would be a below 40 percent V.A.P. Hispanic district. So, to truly give a Hispanic district, in what is a very compact seat, to give a Hispanic a true opportunity to win that district, this allowed it to get over 40 percent.

Speaker Cannon: Representative Randolph.

Rep. Randolph: Thank you, Mr. Speaker. So, then, it's your position then that the downtown Orlando area, which is right next to Winter Park, that the downtown Orlando area has more in common with Umatilla in Lake County than it does in Winter Park, right next to it? Why not move that district over there which is much more compact than an arm and a district that stretches all the way to Fruitland Park and Umatilla?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. There was actually an amendment that was voted on in this chamber that actually would have allowed us—to allow us—to consider communities of interest on the Constitution. It would have been at the same standard as all the other standards that we're abiding by, but that is not the law. It did not go through so, communities of interest are something we look at, but it is a sub-standard to tier one, which is to make sure that there is no political intent, and to make sure there is no diminishment. It is a sub-standard to compactness to geographic boundaries, to city lines, to county lines. So, this map, I think, is the best reflection of all those standards. And particularly, it was important to Senator Gaetz that that Hispanic opportunity seat got over the 40 percent threshold.

Speaker Cannon: Representative Randolph, for a question.

Rep. Randolph: Thank you, Mr. Speaker. So, then, you had no other data before you, or no other proposed map, or nobody submitted anything that would have put, that would have taken that arm out and put that in a more compact district with either the district that includes Winter Park or the district to the east?

Speaker Cannon: Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. Representative, one thing I've come to learn in this process, I came into this as a neophyte when it came to redistricting, and I've learned quite a bit. One thing that I've learned that I think is extremely important and I think is relative to this case is that there is more than one way to draw a compliant map. So, I'm not going to sit here and tell you that there's not another way we could reconfigure this part of the state and it would not also be compliant. However, in working with our partners in the Senate and making sure that we have communities that have an opportunity to vote for a candidate of their choice in District 5, to try to have an opportunity district at District 9, to try to keep District 10 as compact as we possibly can and factor in all the standards that we have to abide by, this is what we came up with. I think it's extremely compliant. I think it follows the standards of the law. I think it follows the Voting Rights Act, and for that reason, that is the map that is before you today.

Speaker Cannon: Further questions? Any questions?

Speaker Cannon: All right, members, as before, if there is debate, please coordinate through your respective leaders. We're moving into debate. Is there any debate on the amendment? This is debate on the amendment. Going once. Seeing none, Representative Weatherford, you are recognized to close on your amendment. And we will do a quorum call when you're done, Representative Weatherford.

Rep. Weatherford: Thank you, Mr. Speaker. Members, I, again, ask that you support the House's proposal. In this case, it's a proposed Congressional map. The amendment would reduce the county splits from 30 to 21. This amendment would reduce the city splits from 110 to 27. Every time I hear

that statistic, I think that's overwhelming. I mean, the fact that our staff was able to reduce from 110 to 27, I think, is overwhelming. This Congressional map improves the compactness of Florida's Congressional map in all the various ways we've looked at compactness—geographic measurements, functional compactness, measurements, use of county boundaries. And frankly, when you look at the map, it just looks better—cosmetically.

I said this earlier, but I'm going to say it again because I think it's important for the record to state this—the old district that went from Palm Beach to Charlotte County that didn't look so good—gone. The district that went from Duval County to Leon County that didn't look so good—gone. The old district that went from Marion County to Osceola County—doesn't exist. The arm from a district that used to come through Martin County to Fort Pierce—gone. The district that went from Winter Park all the way to Ponte Vedra—gone. And yet, and yet, while making the districts compact and more adherent to the county and city lines, we maintained the strength and the diversity of Florida's Congressional delegation. I think that's something we should be proud of. As such, I would ask everyone to please support this bill—this amendment.

Speaker Cannon: All right, members, before we vote on the amendment we're gonna have a quorum call. The Clerk—this is a quorum call, quorum call preceding the vote. The Clerk will unlock the machine and then members will record their presence. Quorum call.

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence 661] (as previously shown in the *Journal* of Thursday, February 2, 2012, page 438).

Speaker Cannon: The question now recurs on the adoption of the amendment. The Clerk will unlock the machine and the members will proceed to vote. Have all members voted? Have all members voted?

Amendment 1 [Amendment Bar Code: 832579] was adopted (as previously shown in the *Journal* of Thursday, February 2, 2012, pages 438-439).

Speaker Cannon: Show that bill rolled over for third reading. Read the next bill.

Speaker Cannon: All right, members please—we're moving into reapportionment bills. Read the next bill.

CS for SJR 1176 was read the third time by title on Friday, February 3, 2012 (as previously shown in today's *Journal*).

Speaker Cannon: Representative Nehr is recognized to explain the bill.

Rep. Nehr: Thank you, Mr. Speaker. Members, CS for SJR 1176 is the proposed State Senate and House maps that we discussed yesterday. That is the bill, Mr. Speaker.

Speaker Cannon: All right. Members, yesterday we had a pending question that Representative Weatherford is prepared to answer. Representative Weatherford, I want to recognize you to answer Representative Waldman's question from yesterday.

Rep. Weatherford: Thank you very much, Mr. Speaker. Representative Waldman, I apologize. Yesterday, you asked a very good question and I did not have the answer in front of me. It took a little bit of time to get the data, but in order that we give you correct data, I thought we'd give it today before we go into debate. Just to remind the membership, Representative Waldman asked which minority districts in the proposed State House map had an increase in their voting age population as compared to the House map drawn in 2002. So, I'm going to give you a list of those and the numbers that correlate to them.

The first one was District 20, formerly District 23, which is located in Alachua County and Marion County. It went from 30.94 percent African-American V.A.P. to 31.20 percent African-American V.A.P., which is voting

age population. District 62, formerly District 58, is a Section 5 protected district and a very compact district in Hillsborough County, went from 49.82 percent Hispanic voting age population to 51.89 percent Hispanic voting age population.

District 94, formerly known as District 93, in Broward County, went from 50.94 percent black voting age population to 54.56 black voting population and also became, significantly, more compact.

District 101, formerly District 105, is a Broward County seat. It went from 34.05 percent black V.A.P. to 36.37 black V.A.P., and frankly, it's probably one of the most compact districts on the entire map. It looks almost exactly like a brick. The increase in black V.A.P. just coincides with the more compact design.

District 108, also formerly known as District 108, in Miami-Dade County, went from 57.97 percent black V.A.P. to a 62.88 percent black V.A.P. This is now the only African-American district in the whole map with a greater than 60 percent black voting age population. Formerly, there were three districts like that as the map was drawn in 2002. This district also, significantly, is more compact than the existing district.

District 109, formerly known as District 109, in Miami-Dade County went from 49.53 percent black voting age population to 50.63 percent black voting age population. This district makes much better use of roadways and geographic boundaries than its predecessor in part due to a public request from the Mayor, El Portal—I hope I'm saying that right—Portal?—Portel?—Portal? Thank you.

In terms of Miami-Dade Hispanic districts, they are so dramatically different in the way that they were drawn from 2002. We didn't feel that we could bring an accurate characterization of those districts as being predecessors of others throughout the county. So, that is the answer to your question, Representative Waldman. I hope that it answers it. Thank you.

Speaker Cannon: Thank you, Representative, Speaker-designate Weatherford. Are there amendments on the desk?

Reading Clerk: None on the desk, Mr. Speaker.

Speaker Cannon: All right, members, as a reminder, if you wish to be recognized to speak in debate, please notify your respective leaders. We're now going to move into debate. Representative Baxley—now here—Representative Eisnaugle, you're recognized in debate.

Rep. Eisnaugle: Thank you, Mr. Speaker. I rise today to simply address a point that came up, an allegation that came up in committee, as I recall, in some of the interrogation yesterday, that somehow politics had anything to do with the map before us today. And I felt like, that I had to stand up and simply note, as probably everybody in this room, if we're being honest, knows that is simply, patently absurd. Members, I'm sure everybody in this room has seen the news articles and the blogs that lay out what is happening in the House map, and the newspaper accounts that show, that list, the nearly a third of the members in this Chamber are paired with another member in this current map. I think that's obvious. I think we all know about that. And it's Republicans, it's Democrats, it's freshman members, committee chairmen, it's across the board. It's well documented. But members, I'm here to tell you as a member who is paired with a friend in this House map—that's what should have happened. If you do this the right way, that is what will happen, because when you follow the law, when you follow the legal standards that we have in our State Constitution and under Federal law, the results don't take into account individuals. They just don't. The results have nothing to do with what I want, or what you want, or what any of us want. They have to do with cities, counties, voting rights, State and Federal law. It's plain and simple. And so I stand here today, as one of those members paired up with another member, drawn into the same district as another member and I'm here to tell you that these maps are done right. This is exactly the result that we should have, because we followed the law and I am personally proud of the job the

committee's done and Chairman Weatherford has done, and I am proud to support this bill today.

Speaker Cannon: Representative Thurston, in debate.

Rep. Thurston: Thank you, thank you, Mr. Speaker. Members, we have a unique and historic opportunity, and the public and the nation is watching. Never before have we had this opportunity. But we have an opportunity to make a difference here in the State of Florida and to get this done the right way. Florida voters in the last election demanded by over 63 percent that we do redistricting different. They asked for fair districts, members. They want fair districts, overwhelmingly. Because these maps have clearly been drawn in violation of those two requirements, I will not be able to vote for these maps. I did not serve on the Redistricting Committee, even though I wanted to, but I have—this will be my first time having an opportunity to speak on these maps. I, like Representative Eisnaugle, also teamed up with one of the incumbents. I appreciate the work that was done by Representative Weatherford and the time that he put in on these maps. The staff—certainly, although I'm not taking a shot at the staff—I think that Alex Kelly, Jeff Silver, Jeff Takacs, and Jason Poreda really put some awesome time in this—and the committee who traveled across the state. Although, I will not be advocating these maps, I think that we certainly owe them a debt of gratitude. They went to a number of hearings, they went across the state, and they had that listening tour.

What are my concerns? First, the House map is, unquestionably, intended to give Republicans a two-to-one advantage on Election Day. This is not what our voters asked us to come and do. They asked us to create fair districts. We have an opportunity. And you may say, well, what is 'fair district?' But we don't have to take my word or listen to what I say fair districts are. We can just listen to the justices of the 11th Circuit when they say what a fair district is. The provision seeks to maximize electoral possibilities by leveling the playing field. These maps don't level the playing field, members. But that's not—those are not my words, those are the words of the court.

Secondly, I really don't know the basis of these maps. Although I wasn't on the committee, I served and I went to a number of the hearings. I saw the maps that were prepared. When I look at the maps that we are voting on, those are not the maps. So, I don't know what happened between the community submitting a map and the maps that we have that appear here today. I know there were a lot of suggestions by members. There was some suggestion of nesting the three House seats into a Senate seat. There were all types of suggestions that doesn't appear here. So I don't know what happened between what was happening on the listening tour and what we have here.

Thirdly, members, I think that the sight unseen agreement between the Senate and the House—for us to just accept the Senate map was terrible, terrible agreement that we made. We agree in essence to advocate our responsibility to the Senate. And what did we get? The most incumbent protection maps that I've ever seen. A pig in a poke. That's what the Senate sent us. And we've already agreed that we're going to accept that. And when I say we, members, we didn't agree to it back here. We weren't in the room when that was happening. But that's an abdication of our responsibility. And if they would have gave us a—clearly, we didn't know that that's what they were sending, I would agree with that, but having agreed to it, now we're stuck with it.

Members, we heard some great details yesterday about the maps and we saw a great presentation. But what did we not see, members? What is it that was missing on yesterday? I'll tell you what was missing—the indication of the partisan performance of the districts. That's what's missing. The partisan performance of the districts tells you that Amendments 5 and 6 have not been applied to these maps. And how do we get there? We get there by starting with a presumption that we have to go along with what was done in 1992 and 2002. And how do we know that? And what was done? I think it's unquestionable back in '92 and 2002, there was packing of minority districts. And what would that lead to? That would lead to bleaching of the districts that are surrounding

those districts. And why are we saying we have to maintain that? Well, we're saying, well, the Voting Rights Act requires that. So, we're starting with that presumption. That presumption leads us to the same problem that we have that we had before. Clearly, if you're going to maintain that and not look at the voting patterns, not look at the fact that we could—we do not have to have 80 members, 80 percent minorities in a district to elect a representative. Representative Gwyn Clarke-Reed can establish that by her current district. Representative Joe Gibbons can establish that. We don't have to have 80 percent minority in a district to elect a representative of our choice.

You know, there was a discussion the other day about architects and Representative Rouson say, well, why are you so interested in helping the architects? They didn't come and ask for your help. That seems to be a pattern. The union members didn't ask for your help. The Black Caucus members voted with a redistricting over 63 percent. We voted 90 percent. Ninety percent—we want fair districts. Just give us a fair district. We'll run and we'll win. We're not asking for 90 percent members to be packed in a district.

We, like the people of the state of Florida, want to see a change. We want to see it done right. They're counting on us. We have a unique opportunity. The whole nation is watching what we do. I can assure you, you're going to see other Amendments 5 and 6 across the nation, because they're watching. It's not just that you're in charge and therefore you're seeking to increase your political clout. When the Democrats was in charge, we did the same thing. But, the people are saying that's not what they want, Republicans, Independents alike. They're saying do the districts fair. Let's be fair about it. Let's have 50/50, if that's what the state's make-up is. Members, we can do better than this. Members, the people of the state of Florida deserve better than this, but more importantly, the Constitution requires us to do this—and I urge you to vote no on these maps. Thank you. [applause]

Speaker Cannon: Representative Baxley, you are recognized in debate.

Rep. Baxley: Thank you, Mr. Speaker. The first thing, it's great to rise in support of this great resolution and to be a part of this process of delivering this product. Even in addition to the great support, we owe the staff members who worked so diligently—our leader, Will Weatherford, really led us in the right direction. And it's also a comfort, as I hear testimony and debate, that I'm not the only one moving. I hope it'll help the housing market in Florida, what we're doing here today. But, in fact, I see very little protection for anybody, but instead a great adherence to where we're headed.

I did a little math—I was actually here when we did the map last time. And I did some contrast on how our adherence to this emphasis on abiding by things like county boundaries after the adoption of Amendments 5 and 6 and here's what I found. The State House map drawn 10 years ago, when I was here, created 59 districts that were entirely located within the boundaries of a single county. The proposed State House map that we vote on before us today creates 86 districts that would be entirely located within the boundaries of a single county. Folks, greater than two-thirds of the members in this Chamber would serve only a single county. Now, that's what I heard as we travel the state and listened to the people. A very common theme everywhere we go, from both sides of the isle, from all different groups was—we want to be closer, we want somebody from our county or our community. And clearly, clearly as much as possible, we have abided by that desire and that input from these public meetings all summer and we have, looking at that map, done a great deal to bring representation locally home, back to the home county.

Floridians want legislators who are closer to home that they can feel connected to. Well, those numbers that I just shared are pretty convincing evidence that we followed the law, we listened to the people, and I'm happy to support this great bill. Thank you, sir.

Speaker Cannon: In debate. Representative Nuñez, in debate.

Rep. Nuñez: Thank you, Mr. Speaker. Members, I have two levels of appreciation for these maps. First of all, I think it absolutely adheres to the requirements of the law in ensuring and preserving the opportunity for people to elect the candidates of their choice, particularly in Miami-Dade County.

Secondly, I don't think there is anyone in this Chamber that can logically dispute that these maps are absolutely more compact. I also think that there is a general misperception about what a minority district is and that's unfortunate. But these maps here, they are a game changer and I can assure you whether your concern is voting rights or whether your concern is compact districts, that this map gets it right on both counts and for those reasons, members, I am proud to support these maps. Thank you.

Speaker Cannon: Representative Fresen. I'm sorry, Representative Wood, in debate. You are recognized, Representative Wood.

Rep. Wood: Thank you, Mr. Speaker. Members, as I look around this great Chamber at all my fellow Representatives and how we all are so different, how we reflect the diversity of this great state that we live in. How my district can send a member of Cuban ancestry, named John Wood—it's a great day to be here and to participate in this process. And, thank God, that as in our state we have a division of labor so, we have a division of labor in this House. I chose not to be involved in the redistricting process. I did not serve on the committees, I did not attend one meeting around the state. I left that to the members that chose to be part of that process. And so, my first awareness of this process has been yesterday and I sat and I listened, very carefully, to the presentation of Chair Weatherford, to the comments around the Chamber from both sides, and I'm approaching this on the representations that were made in this Chamber that this has been a, strictly, apolitical process and for that I want to thank the process for listening to the people of my great county—imperial Polk County. My county commission passed a resolution asking that the State House map have five districts that represent their county and I'm happy to see that we have five districts—four of which are entirely or almost entirely within the boundaries of my county. And for that, I want to express that gratitude for listening to the input of the people of my county.

At the same time, I want point out that the Senate map reduces the voice of the people of Polk County. And you know what? I'm OK with that because it was an apolitical process and that's what we are here to do, is to listen to the will of the people of Florida, to pass their districts based on an apolitical process. And for that, I plan to support the bill. Thank you for your attention.

Speaker Cannon: Representative Fresen, in debate. Representative Fresen, you're recognized.

Rep. Fresen: Thank you, Mr. Speaker. I want to just briefly address—and I'll emphasize briefly—certain points that were made yesterday that I think were a little bit flawed. I think it's impossible for me to articulate or better explain how it is that our maps and our process and certainly the work that our chairs and our vice chairs and co-chairs and staff did on these maps, so I'll just be brief.

But, there was one statement that was made several times that, I think, had a fundamental flaw in the line of questioning and that had to do with the purported, intentional intent that was suggested by some members in the back row that somehow the minority populations were intentionally reduced. Now, this is what is called voter dilution, members, and while voter dilution has always been federally prohibited, it is now also prohibited by State law. And what I can tell you is this, to purposely dilute a district, a minority district which is close to our heart—and just to dovetail off of Representative Nuñez's point—to dilute a minority district is to take a district that is currently at 40, or 45 percent, or 50 and reduce that down to a further point.

Nothing in these maps could be further from the truth. The notion that a State House district's minority voting population be intentionally diluted flies in the face of the process that happened here and certainly flies in the face of what is reflected by the maps that we'll be voting on today. I'm happy to vote for the State House map because it does not follow that line of thinking.

Rather, this map follows the letter of the State law, of the Federal law, and preserves the minority access that we have not only in Miami-Dade, but all throughout the state of Florida, to have the opportunity to elect minorities and to have the opportunity to elect those that we would like to vote in. So, what I would say to you members is look at the maps, look at the process, and you can see that suggestion, that assertion, could not be further from the truth. And for that reason, I ask you to support these maps.

Speaker Cannon: In debate. Representative Taylor, in debate.

Rep. Taylor: Mr. Speaker, it's the next bill.

Speaker Cannon: Ah, OK. Representative Soto, in debate.

Rep. Soto: Thank you, Mr. Speaker. You know, members, we often rank a lot of things in this House. Whether it be teachers, whether it be insurance companies, so I wanted to give you my top ten concerns about redistricting this year.

Concern number ten is that this Chamber attempted to pass Amendment 7 to undermine Amendments 5 and 6. My ninth concern is that it took an Appellate Court loss for this House to stop its lawsuit against...

Speaker Cannon: Hey, members, take your seats. Excuse me, Representative Soto, just one moment. Members, please give Representative Soto your full attention. Take your conversations to the bubble. Keep the center aisle clear. Representative Soto, you may continue.

Rep. Soto: Thank you, Mr. Speaker. My ninth concern is that it took an Appellate Court loss for this House to stop its lawsuit against Amendment 6. Concern number eight is that there are no returning incumbents that were displaced in the State Senate maps. My seventh concern is that a Congressional district sneaking from Jacksonville to Orlando does not comply with Amendment 6. Concern number six is that certain members, by admission, yesterday, had information early on in the process, before the maps were drawn. My fifth concern is that we had a listening tour, prior to constructing maps, but no tour after they were drawn. Concern number four that many of these maps appear to favor one political party over another, by wide margins and numerous districts. Concern number three, seeing members explain to ethnic minority members the importance of complying with the Voting Rights Act. Concern number two, that the changes to the maps between the House and the Senate were agreed to without conference and without amendments. And my number one concern in this whole process is that the no diminishment clause is being used to undermine the entire fair district amendment process. As a result, I believe, strongly, that these maps will not survive scrutiny at the Florida Supreme Court or upon Federal review.

Speaker Cannon: Further debate. Representative Frishe, in debate.

Rep. Frishe: Thank you, Mr. Speaker. Members, I'd like us to reflect a little bit on some of the comments from yesterday, and there was one in particular. It was a very misleading question being asked about districts that were 70 percent similar to districts from the 2002 State House map and I'd like to review some of those facts.

District 6 in Bay County is a district that is greater than 70 percent similar to a district drawn 10 years ago. It's a district that's entirely within the boundaries of Bay County and includes multiple whole cities and is clearly, if you look at it, it's very compact. District 8 and the Big Bend is a district that is greater than 70 percent similar to a district drawn 10 years ago. It's a majority-minority district that includes the entirety of Gadsden County. District 9 in Leon County is a district that is greater than 70 percent similar to a district drawn 10 years ago. It's a district entirely and very compactly included within the boundaries of Leon County. District 20 in Alachua and Marion counties is a district that is greater than 70 percent similar to a district drawn 10 years ago. It's a district that historically elects African-American candidates. It was redrawn to do exactly the same thing, as the Federal law requires, while it also includes seven whole cities. District 23 in Marion County is a district that is greater than 70 percent similar to a district drawn

10 years ago. It is a district that looks like a square and is entirely located in Marion County.

District 34 and 35 in Citrus and Hernando counties are districts that are greater than 70 percent similar to districts drawn 10 years ago. But again, there's a catch. They are the entirety of Citrus and Hernando counties. District 38 is a district that is greater than 70 percent similar to a district drawn 10 years ago. But again, there's a catch, it's practically the shape of a square drawn entirely in a single county. District 41 in Polk County is a district that is greater than 70 percent similar to a district drawn 10 years ago. But again, there's a catch. It's a very compact district located entirely in Polk County with six whole cities contained in the district.

Now I'm not going to go through 120 districts, like we had to yesterday, because I think you get the point. The point being in most of these districts we're talking about either minority districts or districts that were drawn very compactly within the borders of a single county. Frankly, if by your questions you are suggesting that we shouldn't draw compact districts that follow county lines, you are actually suggesting that we gerrymander. Members, that is not the path that this Chamber should be willing to go down. Furthermore, these percentages are also misleading because if a district was overpopulated and had to shrink in size it is highly likely to include a significant portion of a previous district. With that, members, I am very proud to support this bill and these maps for the State House. Thank you, Mr. Speaker.

Speaker Cannon: Representative Corcoran, in debate. You are recognized.

Rep. Corcoran: Thank you, Mr. Speaker. First and foremost, I just want to compliment Speaker-designate Weatherford. I actually—even though I'm not a veteran or a retreat, I actually was a staffer in '90, and in 2002 I was outside counsel. So, I've been through several redistricting processes. Never has it been this open, and transparent, and fair. And your adherence to Amendment 5 and 6 is exemplary and I just want to thank you for that as now, a member.

But I want to address—yesterday we heard a lot of comments about 'packing,' and I just want to clarify what that term means. It's not some ethereal term that we pull out of thin air. It's something that finds itself in a litany of case law regarding the Voting Rights Act. And you can read any of those cases and it will give you the clear definition of what packing is. And it's simply this: it's when you have two neighboring majority-minority districts—you have a majority-minority district, with a neighboring area with more minority population and you take that population and you put it in the other district where it's already 50 percent. You take it up to 80 percent and you water down what was left in the other district, so that you cannot have two majority-minority districts when you could have and should have—that's packing. It's that simple. That's the term and that's what it means.

And I will tell you, in the House plan; in no place anywhere in the state does it occur. Not one place. You cannot put one single place where it occurs. It does not exist. And really, to suggest that, what you would do by diluting that majority-minority population when you could have drawn another district, what you're really suggesting, is you're saying let's have the Legislature violate the Federal Voting Rights Act. And, furthermore, let's have the Legislature remove any future Federal Voting Rights Act protections that those districts should have.

And so, I would tell you when you're making your final decision here and you're debating just remember this: when the Florida State Conference of the NAACP submitted maps to the Legislature, they didn't take a single majority-minority district below 50 percent. And I would suggest that we do the same. Thank you, Mr. Speaker.

Speaker Cannon: In debate, Representative Weatherford. You are recognized in debate.

Rep. Weatherford: Thank you Mr. Speaker. Before I get into the debate and start talking about some of the points that have been brought forward this

afternoon, I want to really thank the co-chairs of both the Senate and the House committee. The Co-Chair Nehr and Co-Chair Hukill, they did a phenomenal job throughout this process. I really appreciate their leadership. I appreciate the amount of effort and work that you put into this process. And Representative Schenck and Chair Dorworth also worked extremely hard to make sure that the maps that became before this committee, our full committee and then ultimately to the floor—that it was a great product. You did the bulk of the work and I really appreciate the efforts by them. I want, Representative Thurston, I want to thank you for taking the time to thank our staff. I thought that was a classy thing to do. They have worked extremely hard to provide us with as much data and detail as they possibly could—26 meetings around the state. They worked very hard. Thank you for taking the time to recognize them for that.

Our agreement on these maps may start at that point, though. We may have some points of contention that I would like to point out myself. Numerous times today people have brought forth that somehow a political outcome is necessary to dictate a fair map. I don't know where this thought process came from. It's nowhere in the Constitution. I think if the drafters of Amendments 5 and 6 wanted 60 Republicans and 60 Democrats, they would have just stipulated that and put it in the Constitution. But the reason they didn't do that and the way that our Constitution reads, to get a political outcome violates the law. I thought Representative Precourt made a great, did a great job of explaining that, but just let this sink in. To create any type of political outcome, whether it's for fairness reasons or whatnot, violates the letter of the law. So, therefore, we're not going to do it. And we didn't do it. We're not going to engineer anything that will violate the law. We can't tell Democrats to vote for Democrats and we can't tell Republicans to vote for Republicans. Somehow, the thought that we can control the outcome of an election by controlling what the voter registration is in a district is absurd. And I think Representative Precourt talking about the statewide elections of 2010 spoke to that as well. There have been numerous accounts today talking about how the maps have been redrawn according to media records, to have a two-to-one favor for one party over the other. There was an article today in the *Orlando Sentinel* that clearly stated that, in fact, Orlando has gone Democrat. There are now more Democratic districts in Orlando than there were and, under the current map, more than there are Republican. So, somehow, the thought that what you're saying to be true and what the facts are just don't line up.

Somebody brought up the notion of nesting—I think it was Representative Thurston brought up the notion of nesting. Nesting is nowhere in the Constitution. Again, if the framers of Amendments 5 and 6 wanted nesting to be in our Constitution, they would have put it in there, but they didn't. There's a couple problems with nesting. First of all, it can serve to be a vehicle of incumbent protection, which is something that we cannot do. It would be really hard for a House member who is running for a Senate seat, that his seat is entirely encompassed in, to run against someone else who may be just a citizen legislator and wants to run for the Senate. It would also be really hard for someone to defeat a Senator who's running for a House seat that is wholly encompassed within his Senate seat. It could breed incumbent protection and for that reason, I think, that's a good reason why we did not incorporate it. There's also studies that have been done that have shown that by utilizing nesting, you can actually infringe on minority rights. To draw a Senate district first and then say we're going to put all the House maps inside of that district, no matter what the impact is to minorities' ability to vote for a candidate of their choice, that's a problem. So there's a reason we didn't do that.

And lastly, the reason we didn't do it is because there was an amendment in my committee last Friday that would have allowed nesting and everybody voted no—including the members of the minority caucus. So, if you cared that much about nesting, you would have voted yes on the fair map that came from the leak.

Next, people have been talking about the Senate map and making all kinds of accusations about it. Up until yesterday, there had never been an amendment filed by anyone on the committee to make a change to the Senate map. And if people had such great problems with the Senate map, why would

they not bring forth an amendment? And then yesterday, Representative Jenne took it upon himself to file his own amendment, which I commend you for. The problem was, if our map is so flawed, why would you file an amendment and then have everybody in the caucus vote no? So there was an opportunity to improve a map that you said was flawed, which I disagree with, but then in the time when you presented an amendment, you voted no on it. That doesn't make any sense.

Someone talked about 80 percent black V.A.P. districts. I think it was Representative Thurston. There are no 80 percent black V.A.P. districts in this map. There is no packing in this map. In fact, what this map did is it increased minority opportunities. It increased two new Hispanic seats—one in South Florida and Palm Beach County, one in Orange County. It also created a new African-American seat in Orange County. We should be proud of that. The last thing that we would ever want to do is pack and we did not do that—not in any shape or form.

I'm going to tell you what we did do. It's very simple. We started with the Federal law. One person, one vote—the Voting Rights Act, the 14th Amendment of the Constitution. We then went to the tier one standards of Florida's Constitution that prohibited intentional political favoritism. We followed that. It prohibits the ability to diminish a minority's opportunity. We followed that. It said you have to be contiguous. We followed that. Then, there's tier two of Florida's Constitution. It talks about compactness. We followed that—significant improvements over 10 years ago. It talked about equal population. We followed that—significant improvements. Feasible political and geographical boundary lines—we followed that. Less cities and counties were split. That's it. That's all we did. If you want unfair districts, unfair districts would be a February surprise, would be a strike-all on this fall—on this floor—that redraws all the districts. But there was no February surprise. There was no 'gotcha' moment. What we said we would do, we actually did. And in politics, that's rare. Unfair districts are districts that would show political intent. Our maps did not do that. Unfair districts are districts that would dilute minority representation. Our districts did not do that. Unfair districts would disregard cities and counties and geographic boundaries. Our districts did not do that.

If you're voting no simply because an attorney who doesn't—is not a part of this process and a part of this Chamber is telling you to vote no, that's wrong. That should not be the reason you're voting against this amendment. If you're voting against this amendment and this bill, it should be because you actually think there are fundamental flaws in the House or the Senate map. I can respect that. I can respect a decision based on policy. But if the decision is based on politics and you're pushing that red button because an attorney told you should—I can't respect that. So, ladies and gentlemen, I would please ask you to vote for this bill. Thank you very much. [applause]

Speaker Cannon: Further debate? Seeing none, Representative Nehr, you are recognized to close on the bill.

Speaker Cannon: Further debate? Seeing none, Representative Nehr, you are recognized to close on the bill.

Rep. Nehr: Thank you, Mr. Speaker. Members, thank you. In closing, I'd like to walk you, quickly, through analysis of our State House map. You know, Section 2 of the Federal Voting Rights Act provides legal obligations and protection for our state's majority-minority districts and therefore, we've drawn them, consistently, with Section 2 of the Voting Rights Act. In Section 5 of the Voting Rights Act provides legal protections and obligations for minority districts in Collier, Hardy, Hendry, Hillsborough, and Monroe counties and therefore, we've drawn them consistently with that provision in mind. And State law prohibits drawing our districts with a political intent and we have followed the law.

Newspaper accounts of the profound impacts of our State House map point to a drawing of this map without intent. And the reality, members, is that because we have followed both Federal law and our State Constitution, some

of us in this Chamber won't be coming back. And it has nothing to do with term limits.

State law also requires that we not diminish existing opportunities for racial and language minorities and to diminish the likelihood of something means to make it less likely or less able. And that, also, has not occurred in this State House map. In addition, State law requires districts to be contiguous and we've done that in every district on these maps. You know, those that are first tier standards in our state law and the second tier standard in our state that requires equal population, compactness, and where feasible, adherence to political and geographical boundary lines within our districts. And those three things are put on equal footing based on the language in the third paragraph of our new State law.

Members, our population deviation in these maps is only 3.97, well within the ten percent range permitted in case law. And that deviation is directly tied to the effort to use county lines and something that our new state law is on equal footing to equal population. Regarding the compactness of our districts, you can see just by looking at the maps that many of them look like squares and rectangles and the travel time and distance of the districts has been reduced from that of the district drawn 10 years ago. Compared to previous maps, they are more compact based on every perimeter test and width-height test we've looked at and they make significant use of county lines. Once again, we followed the law.

In speaking of better districts, you have to split up 29 counties in the State House map and we drew a map that only splits 30. Only one above the minimum. And we also drew a map that reduce city splits from previous 170, from the map 10 years ago, to just 75. Members, the compliance of our state map is something that we can all be proud of and when this legislation passes this Chamber, Florida will become the national model of how redistricting should be accomplished. These maps conform to all the legalities of Amendment 5. These maps conform to the requirements of the Voting Rights Act. These maps were drawn by the most open, transparent, and bipartisan method in our history. Now, all of you know that we've had dozens of meetings, all the way from the Panhandle to the southernmost part of our state in Key West, and we listened to hundreds of hours of public testimony. We received hundreds and hundreds of suggestions and we received over 170 maps inputted from the public. But most important, we actually used many of those ideas suggested from our citizens when the final maps were drawn.

Members, in a moment, you'll be voting on one of the most important pieces of legislation to come before us in the last 10 years. And with that, I urge each of you to vote "yes" for SJR 1176 and send a clear message that the Florida House rose above the rhetoric and created legally compliant districts. Thank you, Mr. Speaker. [applause]

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 669] (as previously shown in today's *Journal* on page 472).

CS for SJR 1176 passed, as amended, and was certified to the Senate [Session Vote Sequence: 670] (as previously shown in today's *Journal* on page 472).

Speaker Cannon: Read the next bill.

CS for SB 1174 was read the third time by title on Friday, February 3, 2012 (as previously shown in today's *Journal*).

Speaker Cannon: Members, as before, if you wish to be recognized to speak in debate, please notify your respective leaders. We're now going to move into debate. I'm going to begin by recognizing Representative Adkins to begin in debate. You are recognized.

Rep Adkins: Thank you, Mr. Speaker. Members, as a resident of Nassau County, I want to say just how much I appreciate and how much I support this Congressional map. The map that was drawn 10 years ago connected my

community right there at Atlantic Beach, or at the Atlantic Ocean, with areas of Tallahassee within one single district. And I know for those of you who were here on June the 20th, when we had that first redistricting committee, you will remember that we had many members of the public who spoke and said, 'please do not have a district that goes all the way from the Atlantic Ocean to Tallahassee.' And so, members, I am glad that we listened to that public input and we're now connected in a much more localized district. What that means for my county is that our representative will be able to spend more time in our community listening to our needs, and that we'll have more time to spend with our representative to hear their vision for our community and for our country. This bill is a major improvement for Northeast Florida and I ask that you support it. Thank you, Mr. Speaker.

Speaker Cannon: Further debate—Representative Caldwell, you are recognized in debate.

Rep Caldwell: Thank you, Mr. Speaker. Members, when people voted in favor of Amendment 6, one of the things they were telling us was to draw compact districts. This can be a difficult task when you're dealing with districts 700,000 people in size. And then you have to achieve the exact ideal population. However, this map demonstrates that it can be done. And in every way possible, the measure of compactness—whether it's geometric measures of compactness, functional compactness scores, or even simple things like how long it takes to drive across the district—this map is dramatically different than the ones that we saw 10 years ago. I remember on several occasions during public meetings, people saying that their vote November 2010 was all about the public input we needed. In terms of creating a more compact map, I think in this bill we've demonstrated that we've achieved compactness. Thank you.

Speaker Cannon: Further Debate? Representative Frishe, in debate.

Representative Frishe: Thank you, Mr. Speaker. Members, I just wanted to highlight one part of this redistricting process that I think really worked, and it's embodied in this Congressional map. When the map came to our redistricting committee, District 14 encompassed greater portions of St. Petersburg and Pinellas County than the bill does now. Numerous constituents in Pinellas County asked for a shift in these maps and that request was accommodated, shifting a greater balance of District 14 into Hillsborough County. Interestingly enough, it better aligned the cities and neighborhoods in Pinellas County as the public had requested, and that shift also resulted in keeping the city of Gulfport whole and better aligning District 14 with the Federal Voting Rights Act. Overall, District 14 is dramatically more compact than its predecessor that was drawn 10 years ago. Members, I think when we can align or marry up the public input with the legal requirements of the law, I think we've done exactly what we were called here to do. And I just want to thank Chair Weatherford and our committee for making that change. I'm very happy to support the Congressional maps and I recommend that the entire body does. Thank you, Mr. Speaker.

Speaker Cannon: Representative Snyder, you are recognized in debate.

Representative Snyder: Thank you, Mr. Speaker. Members, I just want to offer a simple observation about the Congressional district lines that affect my home county in this bill. In the map that was drawn 10 years ago, we were given two Congressional districts—one that is largely based out of Palm Beach and Broward counties with a finger that extended through Martin County, and another that wrapped around that district going from Palm Beach County all the way to Charlotte County. The bill before us has a compact district with the entirety of Martin County, St. Lucie County, and southern Palm Beach County in the map. This is a dramatic improvement and I think it will be a dramatic improvement for my county and our neighboring counties. And so I would therefore urge everyone to support this bill and vote for it. Thank you very much. Thank you, Mr. Speaker.

Speaker Cannon: Very well. Representative Taylor, in debate. Representative Taylor.

Rep. Taylor: Thank you, Mr. Speaker. And I want to thank you for something else, Mr. Speaker. You appointed me to this Congressional subcommittee, and I want to thank you for that opportunity. I took my appointment just like all the others that you've appointed me to—very, very seriously. One of the things that I wanted to report to you, and I believe this entire chamber could agree on, is that at every meeting and at every stop, the Sergeant's staff and staff was always there prepared and on time to do what you've asked them to do. And for that, I believe they deserve a round of applause. [applause]

Now, Mr. Speaker, we went to these meetings. We drove mile after mile. We sat through numerous hearings getting information from the public, asking them what they thought their maps should look like. And often, at every meeting, people would ask, 'Where are the maps? Where are the maps?' You are asking us to give you input on something that they cannot see. We didn't give them a map. You didn't show them anything, but you asked them for their input and they did give you that. Now, at no time, Mr. Speaker, did anyone say that they would not be back with the final product, giving the opportunity to the people to see what was developed by all of their ideas. You didn't take it back to them. You didn't show them your final product. This is an important element. They were shortchanged the opportunity for them to make their comments, and their suggestions, and their recommendations on what it is that was actually produced. Now, it was often said that they had that opportunity to look at it on emails, or to comment on emails, or to look at it on the website, but we didn't ask them to do that when we were visiting their locations. You didn't ask them to do that, only. We could have done that in the very beginning and saved a lot of money and then took the map back out to them, but you didn't do it. Now, there are some theories, there are some people who believe that you just didn't want to do it. And I have my own belief, Mr. Speaker. I have my own belief and my belief is this: the reason why you didn't go back is because you knew that the people would not like these maps. And for that reason I'm urging you to vote no.

Speaker Cannon: Further debate? Representative Corcoran in debate.

Rep. Corcoran: Thank you, Mr. Speaker. Members, earlier when we were talking about the House map and there was discussion of an excellent point that was raised about the realities of these maps—the issue is political intent. When you hear all the stories in the media, even from the likes of Rush Limbaugh, in the blogs and so forth, the inconvenient realities of what happens when you draw more compact districts that adhere to our city and county lines, you have this outcry. And it makes it clear that there was no political intent involved. And the fact is that the potential impacts of these maps have affected Republicans and Democrats. Several of these proposed districts are very different from their predecessors. The reality of this proposed Congressional map is that it was drawn with the legal standards in mind and it was drawn without the intent of political favoritism. And for this reason I ask you to support the Congressional map.

Speaker Cannon: Further debate? Representative Bileca, you are recognized in debate.

Rep. Bileca: Thank you, Mr. Speaker. What caught my attention was the map's attention to the city re-boundaries. The final product before us keeps 384 of Florida's 411 cities whole. Ten years ago the legislature drew a map that split 110 cities. This bill splits only 27 cities. That's a dynamic shift in the way people will be represented. And that's enough proof that this chamber listened to the public, that the law was followed, and that everyone in here should support this good bill.

Speaker Cannon: Further debate? Further debate? Representative Weatherford, you're recognized in debate.

Rep. Weatherford: Thank you, Mr. Speaker. Members, I'm going to be very brief on this one. I know you all are probably tired of seeing my face and hearing my voice so, I'll be brief. I do want to take a moment to thank, again, the co-chairs who worked extremely hard on this—to Chair Legg and Chair Holder, you guys did a tremendous job and I want to thank you for your

efforts. And I know you're going to get to close, but Representative Legg you really have done a wonderful job here. And again, you all did the lion's share of the work that got before the committee, and so, we appreciate that.

I also want to say thanks to Senator Gaetz. Senator Gaetz and I worked very closely. Historically, the train wreck of redistricting usually comes into play during the Congressional map. And the fact of the matter is that we were able to work out a way to not only negotiate a map that we could agree on, but in doing so, reduce the amount of county splits, and the city splits, and make it a more compliant map, legally speaking. So, with that, I ask that you support this map. I think it's a good one and I think it's a good opportunity for us to show future legislatures how to draw a Congressional map. Thank you.

Speaker Cannon: Further debate? Seeing none, Representative Legg is recognized to close on the bill.

Rep. Legg: Thank you, Mr. Speaker. Before I get into the end of the close, I just want to take a minute to say thank you to a couple of folks. First is Chair Holder and Chair Horner for all their hard work traveling around the state, but I'd also like to say thank you to Representative Taylor and the other Democrats in our committee for your hard work in that committee process too—spending time with us, and asking questions, and being involved in the process, and trying to work alongside of us.

There's three points I want to make here at the close. And the very first one is, I think, a very important point and that is—what did we do? We followed the plain language of the Constitution. We've heard that phrase several times, and what do I mean by the 'plain language of the Constitution?' The plain language of the Constitution said, where possible, to leave cities and counties whole. If you look at this map, 27 cities are remained whole compared to 110, 10 years ago. That's an 80 percent decrease. That is, simply, following the law. If you look, we kept 46 counties whole.

Members, the other part that I think is getting in the crossfire of politics quite a bit, is this phrase that is simple language that is in the Constitution that says do not diminish. You know, when the proponents and the groups out there were advocating for this Constitutional amendment and they were asked, 'what does the phrase do not diminish mean?' they said it means 'do not diminish.' They kept over and over and over saying that it means 'do not diminish.' Now all of a sudden, when we're drawing the maps, the words 'do not diminish' to them means something different—it means 34, 35. They're putting some numbers on it outside this Chamber, trying to stick a number to it, and their story has changed. What they told the voters when they were advocating for it versus what they are saying now is two different stories. Members, that simply is not acceptable. When the voters said, where they were given this amendment, and they said 'do not diminish' means 'do not diminish,' I believe that's what the voters meant, and that's what they passed.

The second issue I wanted to bring to your attention is that never before, never before, I believe, in the history of the United States and, for sure, the state of Florida has so much public input and public comment went into creating the map. Each and every one of you should be commended for that. We went 26 plus cities to hear public comments. Over a hundred maps were produced. Never before has so much went into public comment have went into creating these maps. That is where staff started. That is how staff generated these maps—adhering to the Constitution and listening to the public. That is where these maps were generated from.

The final thing that I want to bring to your attention that often gets overlooked, and I want to put this in perspective and really drive this home, whether it was 10 years ago, 20 years ago, 30 years ago, 40 years ago—in this process it is very, very difficult to separate politics of personal ambition, to separate politics from policy. Many of you may not know this, and maybe some of you know—I know Representative Corcoran does—when the redistricting process comes around, it is anything—anything, from what Representative Schenck has said, but boring. Without a doubt, redistricting is one of the most explosive, controversial, gut-wrenching processes that tears chambers apart whether you're Democrat, whether you're Republican, no

matter what, it rips it to shreds and usually, usually it comes because of the presiding officer. Because they have some personal ambition, because they want to extract some sort of revenge or they want to cajole or influence members. I will tell you that this Chamber has a lot to be proud of. It was a boring process. And why was it boring? Because it was transparent, it was well organized, there was no January or February surprises, and—more importantly, more importantly—because we had a Speaker who asked us to do one thing. It wasn't for him, it wasn't for some one of his buddies, it was one simple thing and it was for the people of Florida. He told Chair Weatherford, he told myself, one thing: follow the law. Follow the law. That's all you do. Follow the law. You follow the law and we will have good maps.

Members, I am proud to be a House member. We did not have the excitement that other chambers have had. We have not had the excitement of decades past. And you know why we haven't had that excitement? Because it started from our presiding officer making sure, making sure, that it was clear and simple that we followed the Constitution. We adhered to the law. We did it in a transparent process, that it was well organized, that everyone had a seat to speak and to debate and to do what was right. Members, you may not vote for this bill, but I will tell you what—I am proud to be a member of the Florida House because I've never seen in my, this is the third redistricting process that I've watched. I've never seen a process where it has been so open, and so organized, and there have been no surprises. And, Mr. Speaker, with that, I want to say thank you for setting the tone and allowing me to be proud to be a House member. And with that, members, I would ask every one of you to support this great map. [applause]

Speaker Cannon: Members, before we vote, let's do a quorum call. The Clerk will unlock the machine and the members will record their presence. Recording their presence for a quorum call. Have all members recorded their presence? Quorum call members, quorum call. The Clerk will lock the machine and announce the presence of a quorum.

Reading Clerk: One hundred seventeen members voting, a quorum is present, Mr. Speaker. [Session Vote Sequence: 671] (as previously shown in today's *Journal* on page 472).

CS for SB 1174 passed, as amended, and was certified to the Senate [Session Vote Sequence: 672] (as previously shown in today's *Journal* on page 473).

Speaker Cannon: So the bill passes. [applause] Members, I'd like to ask you all to take your seats for a moment because what we have just done is historic and truly rare. And I want to allow Chair Weatherford a moment of personal privilege because—and I want to say some remarks about you, sir, and your team in a moment—but I wanted to first recognize and thank you and allow you a moment to thank your team and say a few words. So, Representative Weatherford.

Rep. Weatherford: Thank you very much, Mr. Speaker, and I'm going to be brief. I know that this has been a long two-day process. Actually, it's been about a long nine-month process, but Speaker, you are the tip of our spear and the—I talked a lot over the last 48 hours about how proud I am of the Florida House. You've given me that honor to chair this committee. It's been a challenging task, and when you told me I was going to chair it you were laughing at the same time. I wasn't sure why, but now I understand. But truthfully, the tone that you set for this Chamber—not only on this issue but throughout last session and this session, particularly on something as complicated and historically what has been a political process, but it's not this year, starts with you. And to have the faith that you put in me and into our chairs and our co-chairs, I just want to thank you for being the great leader that you are for this Chamber. Thank you, Speaker. [applause]

I know we've mentioned some of the names and Representative Thurston mentioned them again, but I've asked our staff to come out on the floor, and our staff has had no personal life for about the last year. They have, literally, been married to their jobs here. I know all of your wives, and kids, and girlfriends, and boyfriends, and everything else are looking forward to

actually seeing you again. But, to Alex Kelly, and Jeff Takacs, and Jason Poreda, and Jeff Silver, Ben Fairbrother, Katie Crofoot, I think I said Jeff Silver. I call them—it's the army of six that we have over there. And the amount of work, the amount of sheer work that came out of these six people—I've never seen anything like it in my life, and I'm just proud that we've had a chance to work with you. We thank you for the honor that you've bestowed upon us by dedicating yourselves to a process that is extremely complicated, but also, you did such a thorough job of making sure that everyone had a voice, that we did follow the law, and everything we did today would not have been possible without you. So, thank you all for everything you've done. [applause]

And, Mr. Speaker, also, just last but certainly not least, there are some other organizations who really contributed to this journey that we've been on. The Sergeant's Office—Sergeant, thank you for everything you did. All 26 trips around the state, you and your staff did just a phenomenal job. Our House Office of Public Information, making sure that the information was out to the membership and to the media. The House Administration, putting everything together that it took. The Florida Channel, who partnered with us for the first time and televised every single presentation we had around the state, thank you. And to the Speaker's Office, and everyone, this has just been such a team effort, Mr. Speaker. Thank you for dedicating the resources and the time that you did to make sure that this was done right. But, thank you for the personal privilege. Thank you all that we mentioned for making this a good process and a fair process, and with that, I'm very grateful to have chaired such a wonderful committee. Thank you. [applause]

Speaker Cannon: Chairman Weatherford, I want to thank some of the same people. I want to begin and end with you, sir. As I watched yesterday in questions and answers, and today as you and your team and your leadership of this process for the House, it reminded me that although much has been made of the fact that redistricting is a once-in-a-decade event, we need to celebrate the once-in-a-decade effort that has gone into this process—led by you and fulfilled and carried out by those you mentioned.

I will admit to more than a little disappointment in those members who, in their desire to turn this conversation into a partisan conflict, have failed to acknowledge what should be so clear to anyone without an agenda. And that is that this redistricting process, in this House, has been a triumph for this House and for the Constitution that I love so much and that we all took an oath to uphold. The process we undertook was without precedence. It started over two years ago. During the census data collection phase, the House developed a website to serve as a point of coordination for the entire state. And for the first time, I think, in any state, in any process, allowed Floridians to report homes or neighborhoods that were missed by the census. We published the general historical, public historical references on redistricting, recommendations on how to effectively participate in the process, and the population data.

Rather than simply buying a commercial product off the shelf for software, we designed, developed, and custom built—in-house—MyDistrictBuilder™, which is our very own internet-based redistricting tool that gave not only every member, but frankly, every single Floridian access to map drawing technology. Not only did we have a record shattering number of public submissions—177—but over two-thirds of those submissions came in through MyDistrictBuilder™.

And we didn't just build the tools, we then actively engaged the public. We developed and pushed public service announcements to increase awareness of the process, we pushed out the social media, alternative media, and as a result, our public hearings exceeded all expectations—and I know there were a lot of them, and I know that you all put a lot of miles on your cars and a lot of hours on your calendars to do that. We had over 5,000 attendees, cumulatively, and over 1,600 speakers at meetings held throughout the entire state. None of that would have been possible without the extraordinary effort, dedication, and skill of our staff. And, guys, I'm going to recognize you again—that's got to begin with Alex Kelly, the staff director of Redistricting Committee.

Alex's tireless dedication, your incredible diligence, creativity, and machine-like command of even the most minute details or piece of data are apparent to anybody who dealt with you. And that he has all of those qualities and also manages to be one of the most honest, sincere, hardworking, and enthusiastic people I know is a testament to your character and a credit to this House. So, we thank you, Alex. [applause]

You're team, the rest of the gang of six, Chairman Weatherford, deputy staff director Jeff Takacs, Jason Poreda, Jeff Silver, Ben Fairbrother, and Katie Crofoot—everyone who worked with you said to me, 'Wow, your team is responsive. Your team is diligent. Your team takes their job very seriously.' And I think one of the reasons that I would put the House staff up against any other team around is that you all, and I think our whole House staff, demonstrated a gift for teamwork that is often missing from government and that makes us very proud.

For that reason, as you mentioned, Chair Weatherford, I also want to thank Erin Rock and her team at the Office of Public Information, who traveled the state and took the House's public outreach to new levels.

Sergeant Sumner, you and your staff always, always represent us, no matter where we are—in what city, on the Floor, or in Tallahassee—with efficiency, courtesy, and professionalism.

Scott McPherson and the House IT team for their assistance in pushing the technology envelope, as we did.

And I'd also want to join you all in thanking and acknowledging the work of Beth Switzer and the Florida Channel for being such enthusiastic partners in our public outreach effort. [applause]

We set out this process and my charge to Chair Weatherford and to the other chairs was to fulfill a single goal, which is to fulfill our constitutional duty to the best of our ability and to honor and respect the rule of law. We established a careful, thoughtful, and deliberative process, and despite all the pressure to rush or cut corners, we never did. We followed our rules, we respected the process. And the maps and the quality of the product reflects it.

I remember, curiously, the first time our maps were made public in the House, and there were members in this Chamber who claimed that these

maps could not possibly be the real maps. I don't know if you remember that, Chair Weatherford, that there was no way the Republican majority would put forward maps that had members in the same districts. The not so subtle insinuation, frankly, being that there was no way that the Republican majority in this House would follow the law. And I cannot tell you—I cannot tell you how proud I am to say that those members were wrong. The maps drawn by this house were done so in full compliance with the requirements of our State Constitution and Federal and State law, and this Chamber honored that obligation and that oath that we all took, the voters, and, frankly, to the Constitution to uphold it.

I want to thank each and every House member who, having had an exhaustive 2011 session, then spent their summer and fall traveling the state attending the meetings. I know that was a lot of work. Our team leaders on redistricting demonstrated exemplary leadership qualities and total dedication to the task, and so, I want to recognize and specifically thank the co-chairs of the Congressional Redistricting Subcommittee, John Legg and Doug Holder, and Vice Chair Mike Horner. I want to recognize the co-chairs of the House Redistricting Committee, Rob Schenck and Chris Dorworth, and the co-chairs of the Senate Redistricting Committee, Dorothy Hukill, and Peter Nehr, and Vice Chair Ritch Workman, and also Vice Chair Jim Frishe of the House Committee, and our overall Redistricting Committee chair, Representative Precourt. All of you led with grace, and with strength, and with dignity. And you represented us well.

And most of all, I want to thank you, Will. Chairman of our Redistricting Committee and my long-time friend, Will Weatherford, who's our Speaker-designate. You have conducted yourself with integrity, with clarity, with good humor and thoughtfulness, and a lot of grace through what was, without a doubt, not only the most complex, but the most difficult reapportionment because of the burden that you had to bear. You truly have validated the faith and confidence that your fellow members have placed in you to lead this Chamber and you've represented us all very, very well. You set an example, frankly, that all of us should emulate. And so, to you, to the chairs, to the team, to all the people I have mentioned, I want to say well done, and you've made us all very, very proud. Thank you. [applause]

2012 Redistricting Bills

State House – CS/HJR 6011 (H000H9049)

Congressional – CS/HB 6005 (H000C9047)

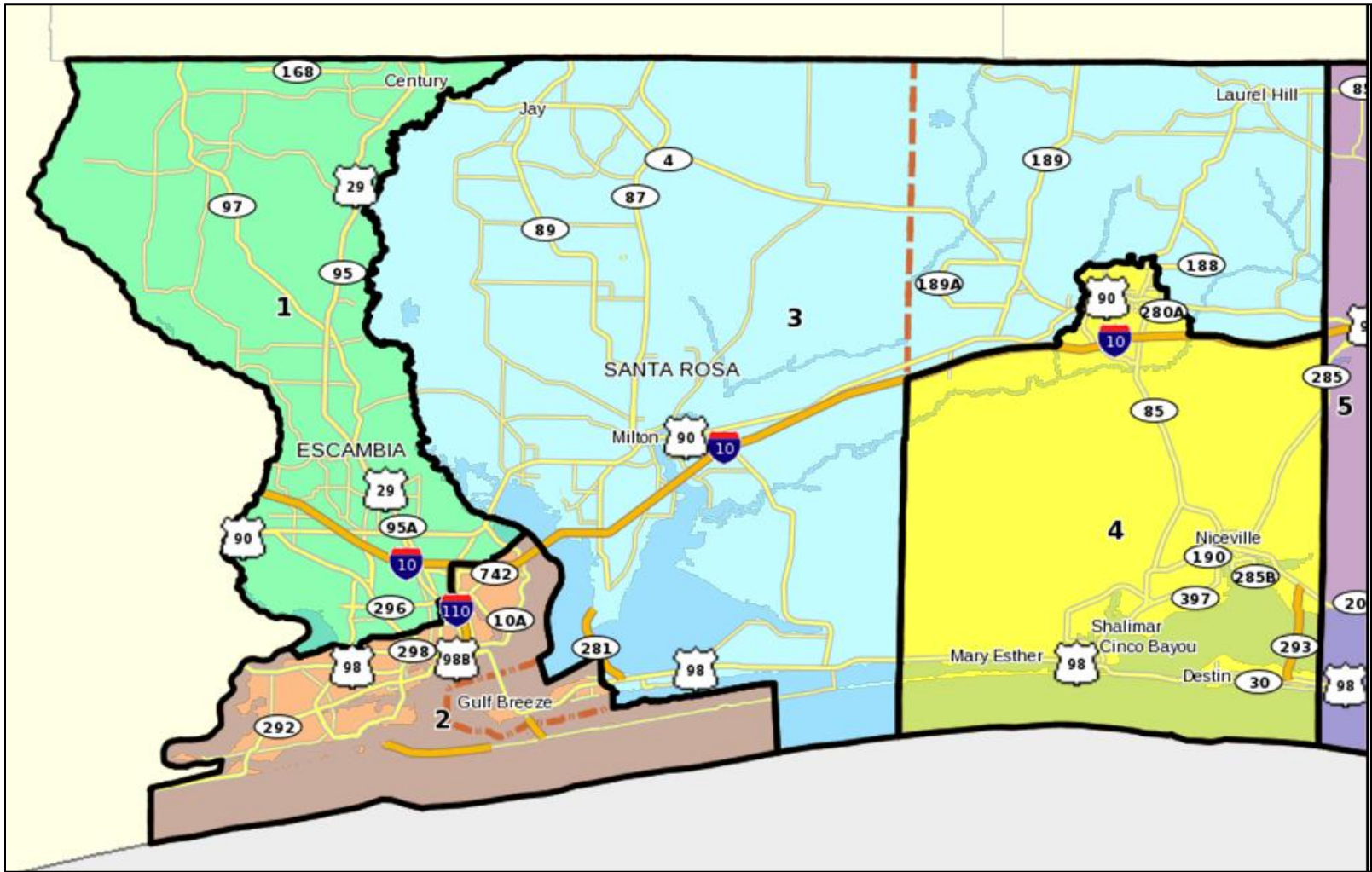
State Senate – CS/HJR 6001 (S000S9008)

***as passed by the House Redistricting
Committee***

State House Map

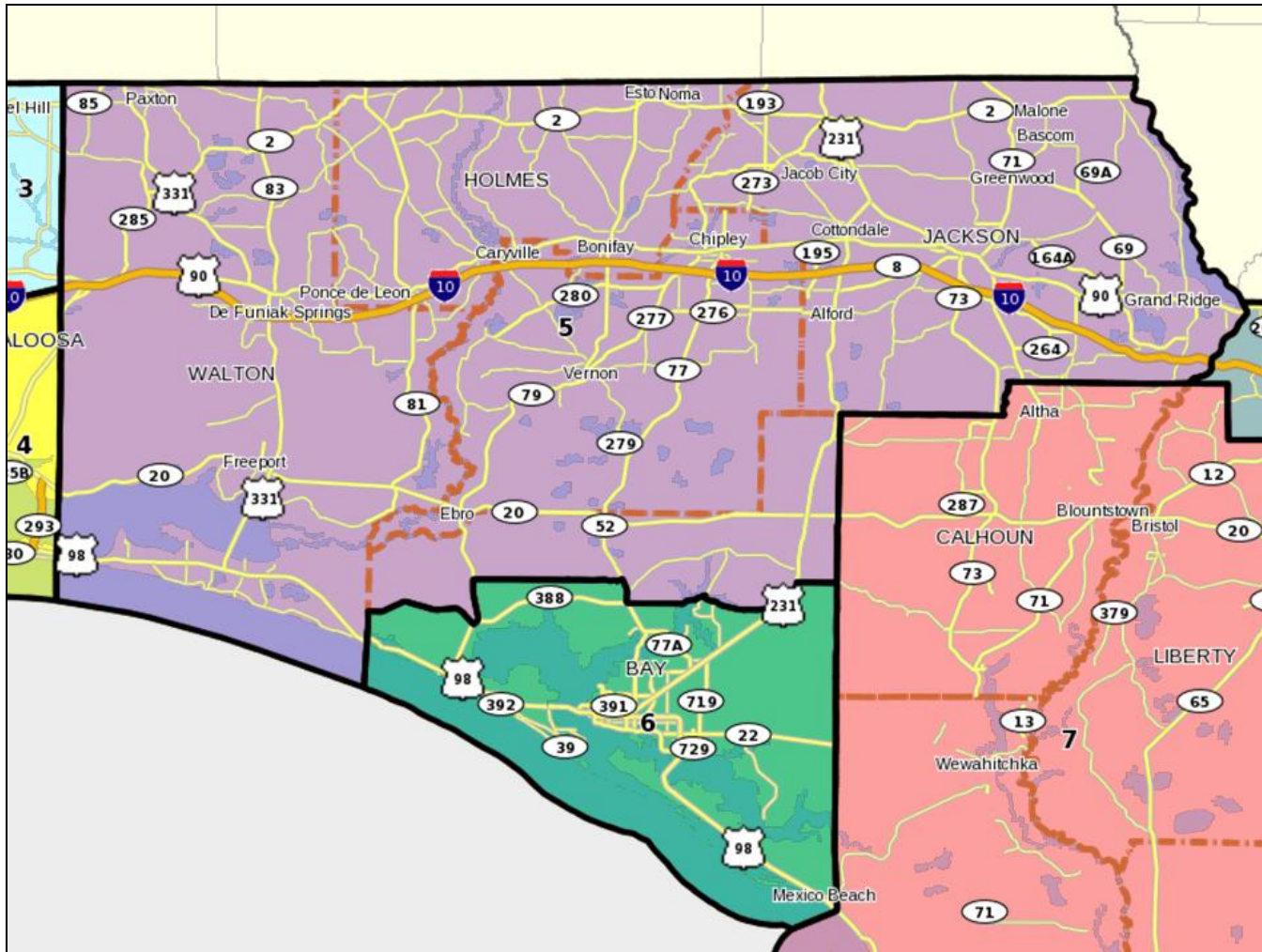
**CS/HJR 6011
(H000H9049)**

CS/HJR 6011 (H000H9049)



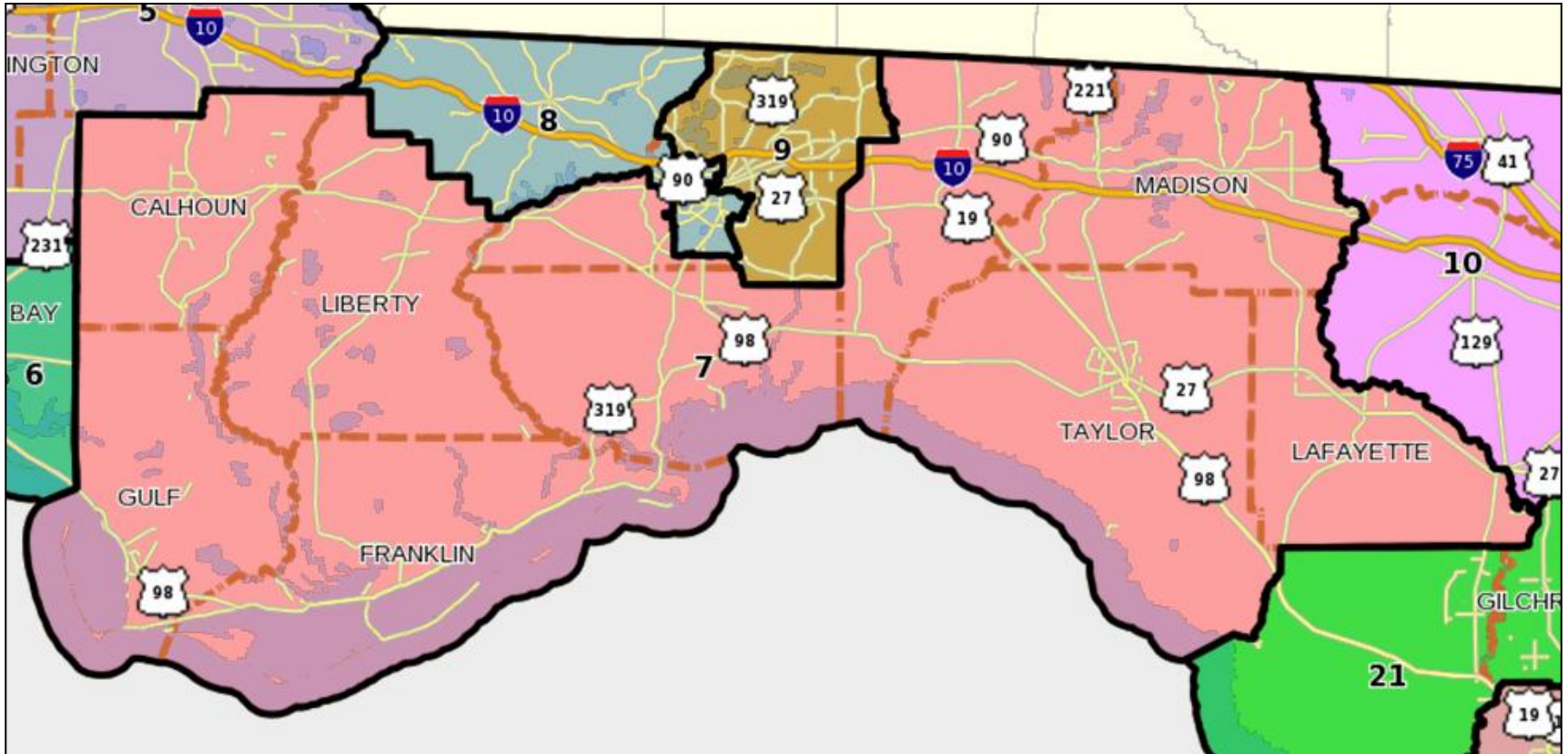
State House Districts 1-4

CS/HJR 6011 (H000H9049)



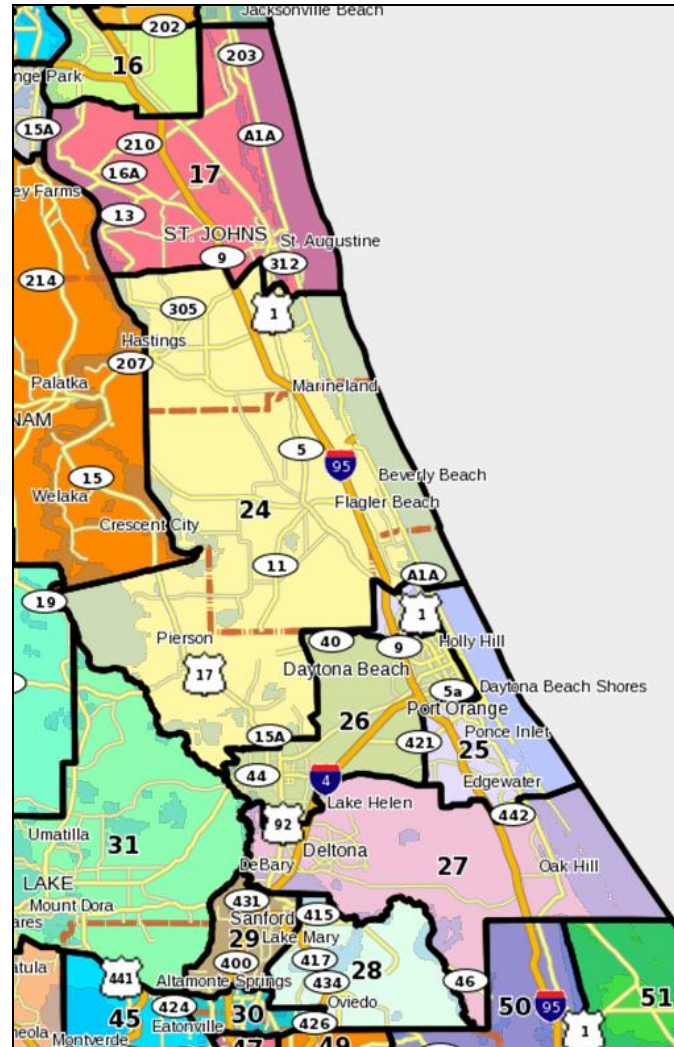
State House Districts 5 and 6

CS/HJR 6011 (H000H9049)



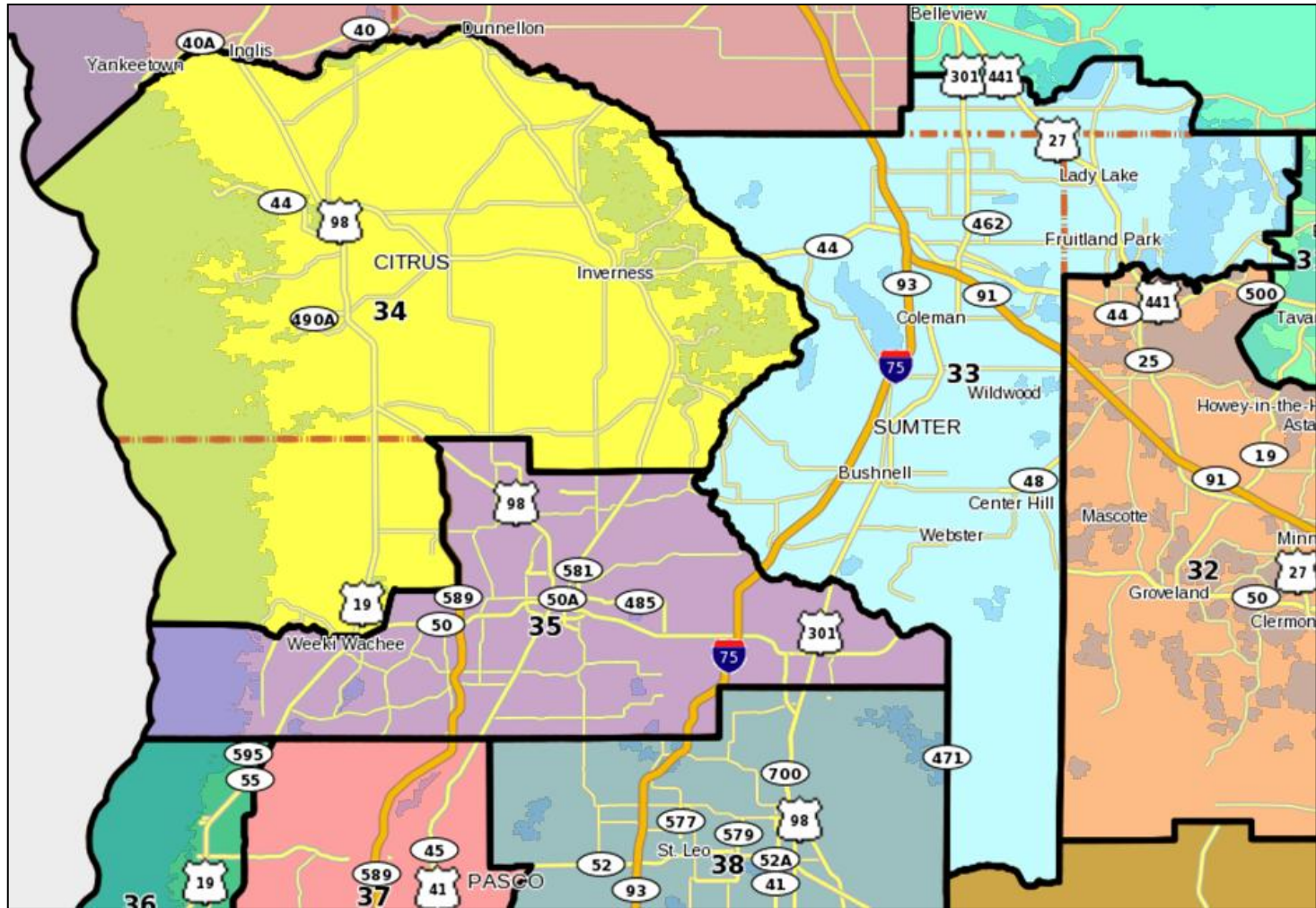
State House Districts 7-9

CS/HJR 6011 (H000H9049)



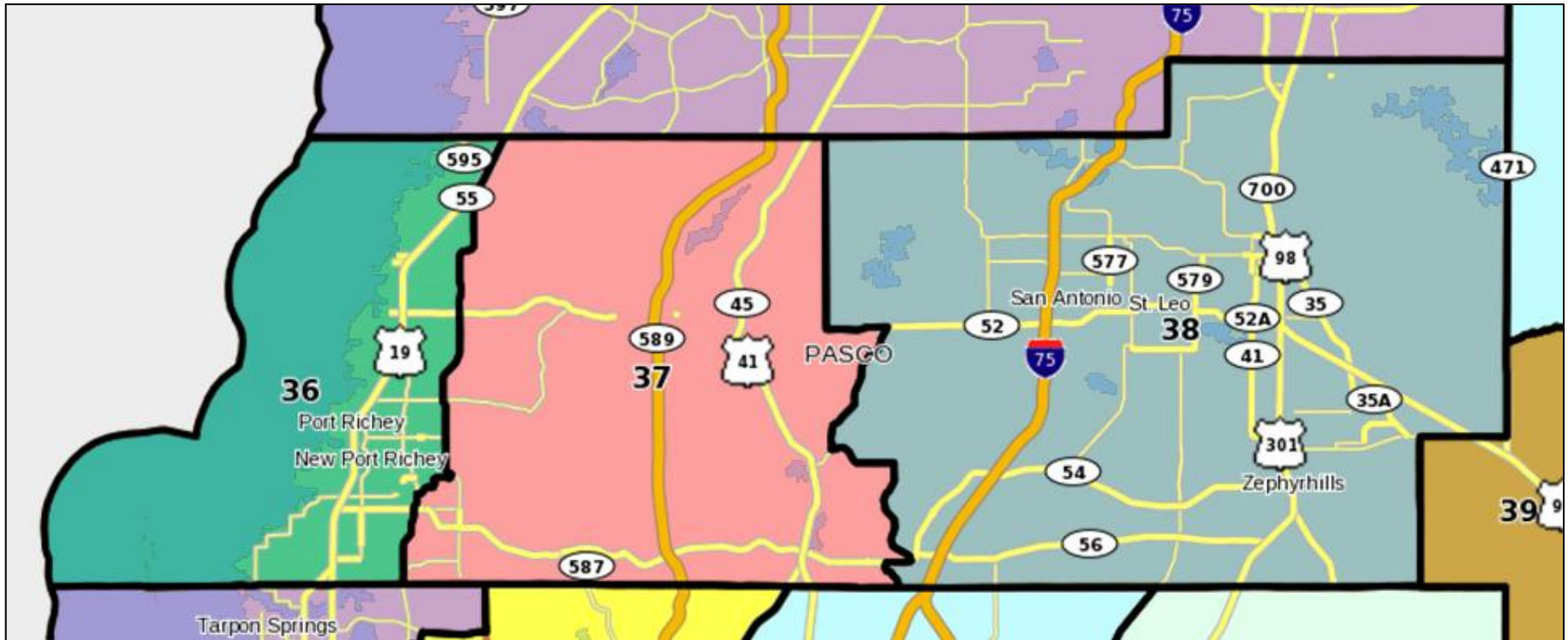
State House Districts 17, 24-27

CS/HJR 6011 (H000H9049)



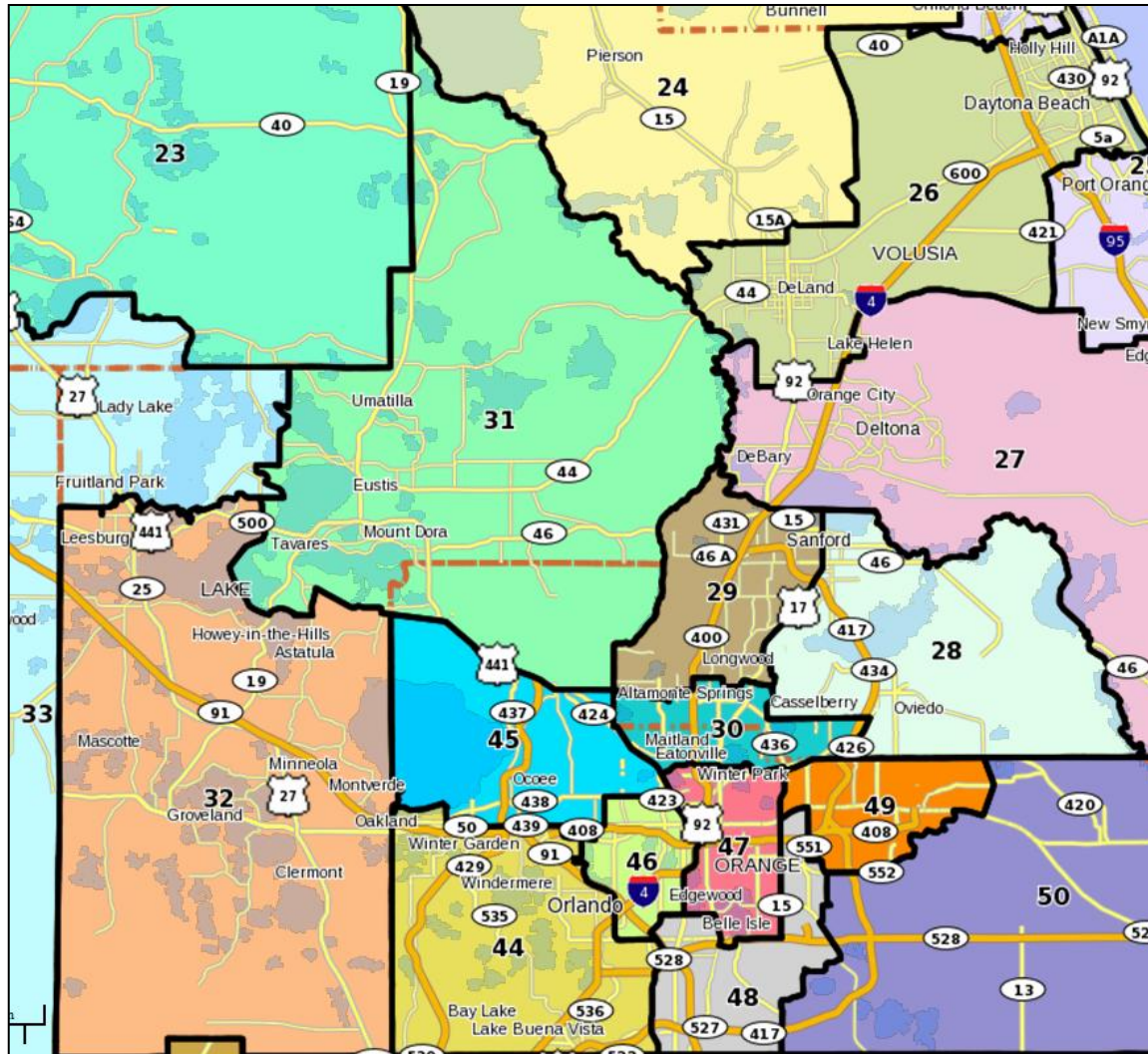
State House Districts 33-35

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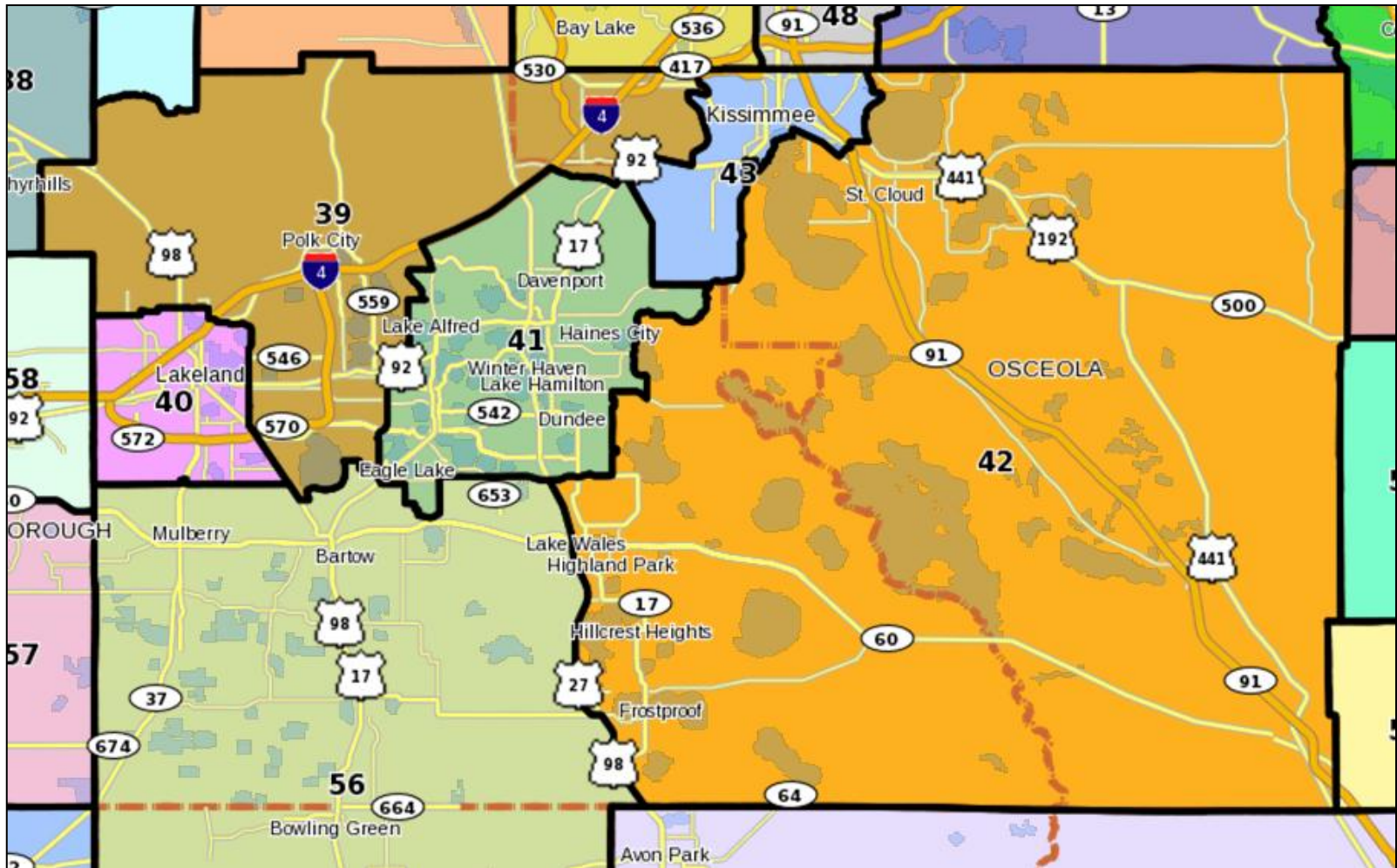
State House Districts 36-38

CS/HJR 6011 (H000H9049)



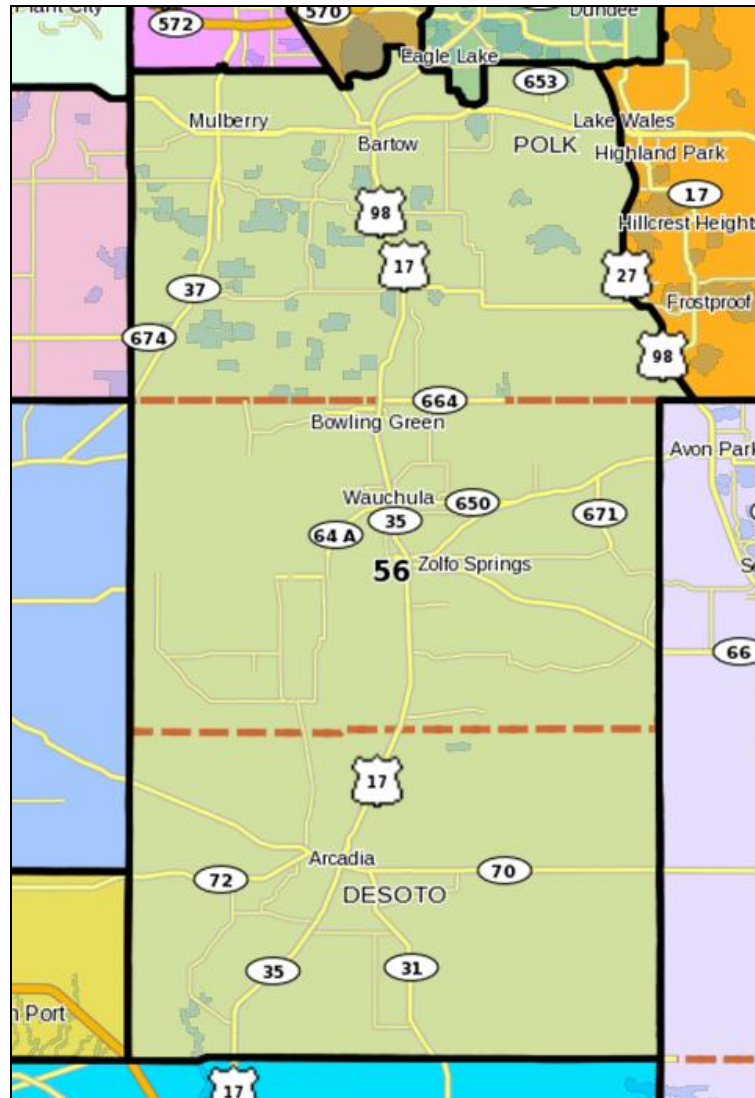
State House Districts 28-32 and 44-49

CS/HJR 6011 (H000H9049)



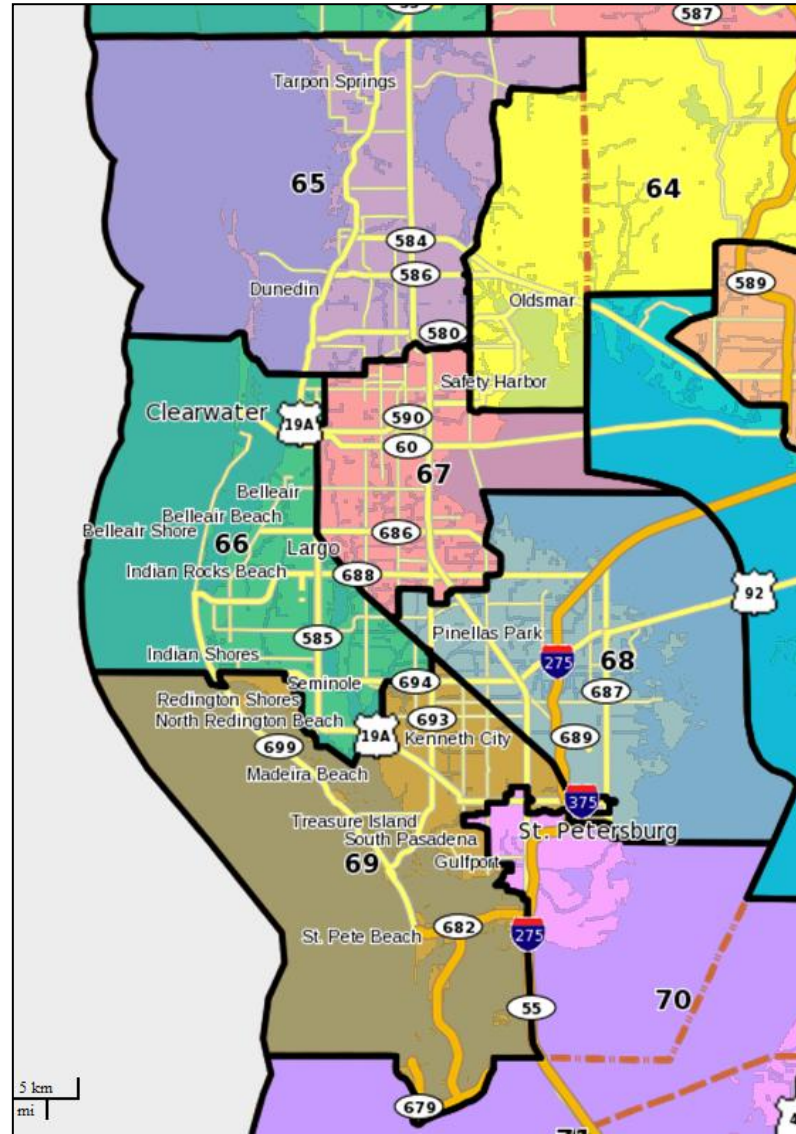
State House Districts 39-43

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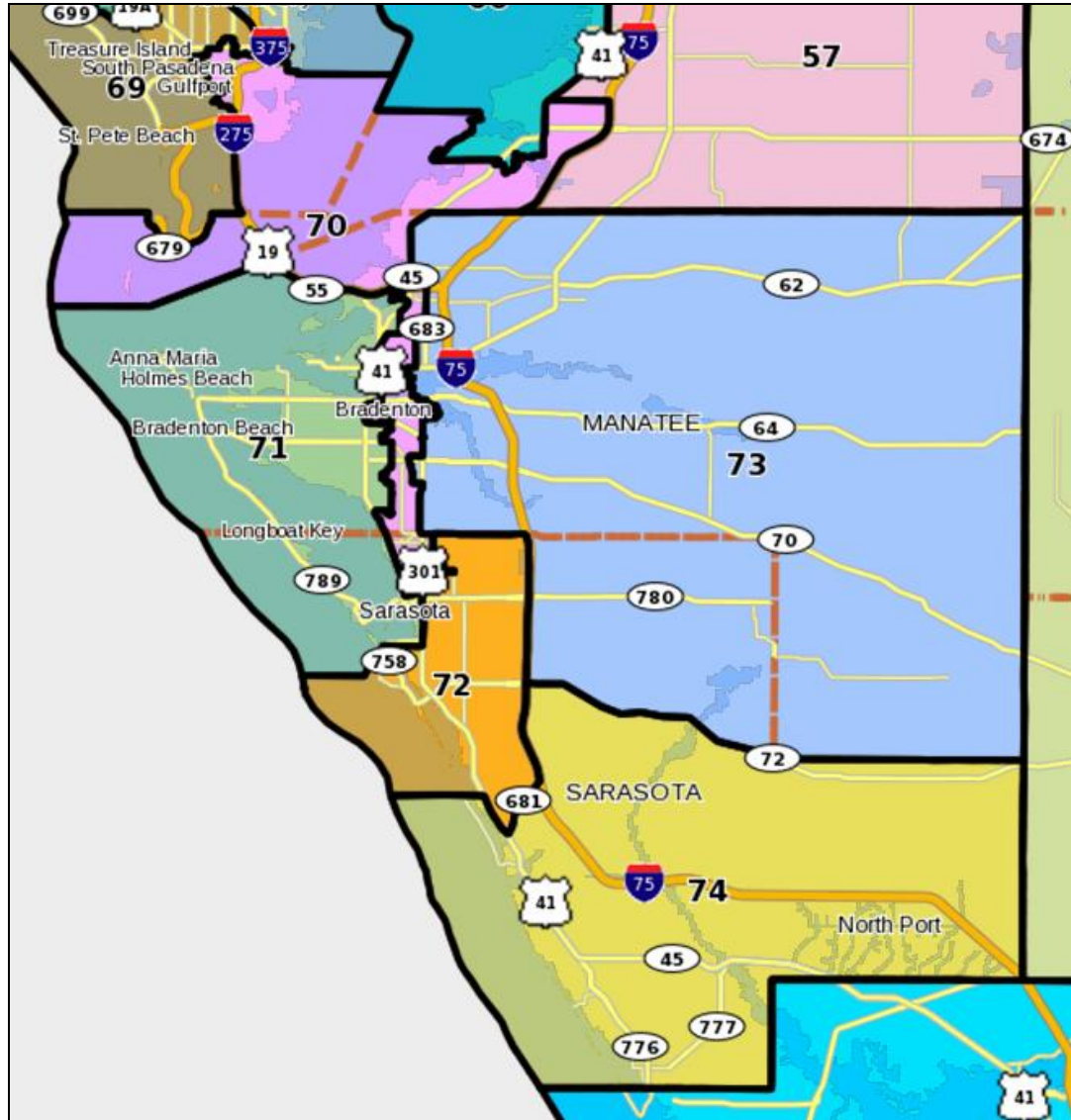
State House District 56

CS/HJR 6011 (H000H9049)



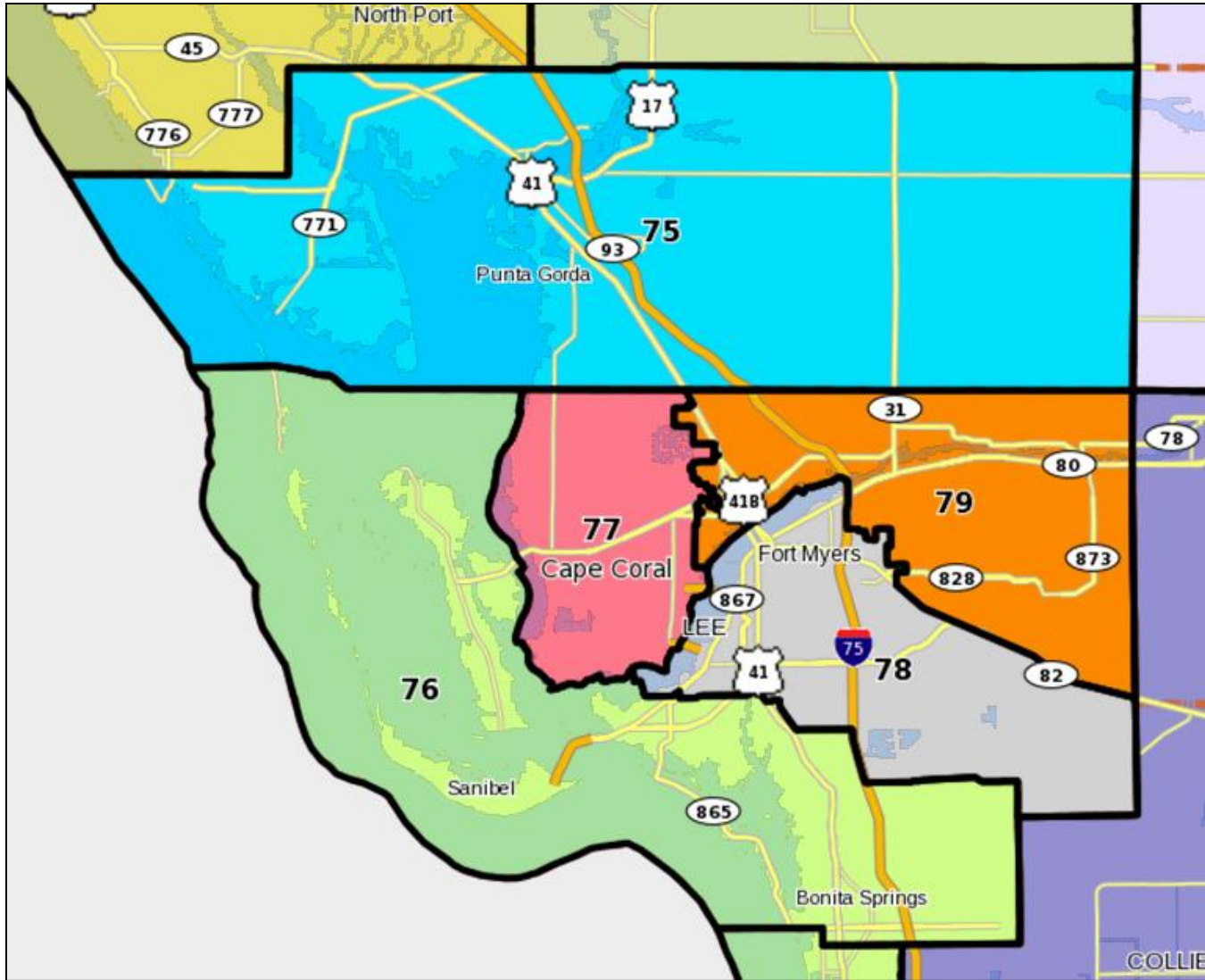
State House Districts 65-69

CS/HJR 6011 (H000H9049)



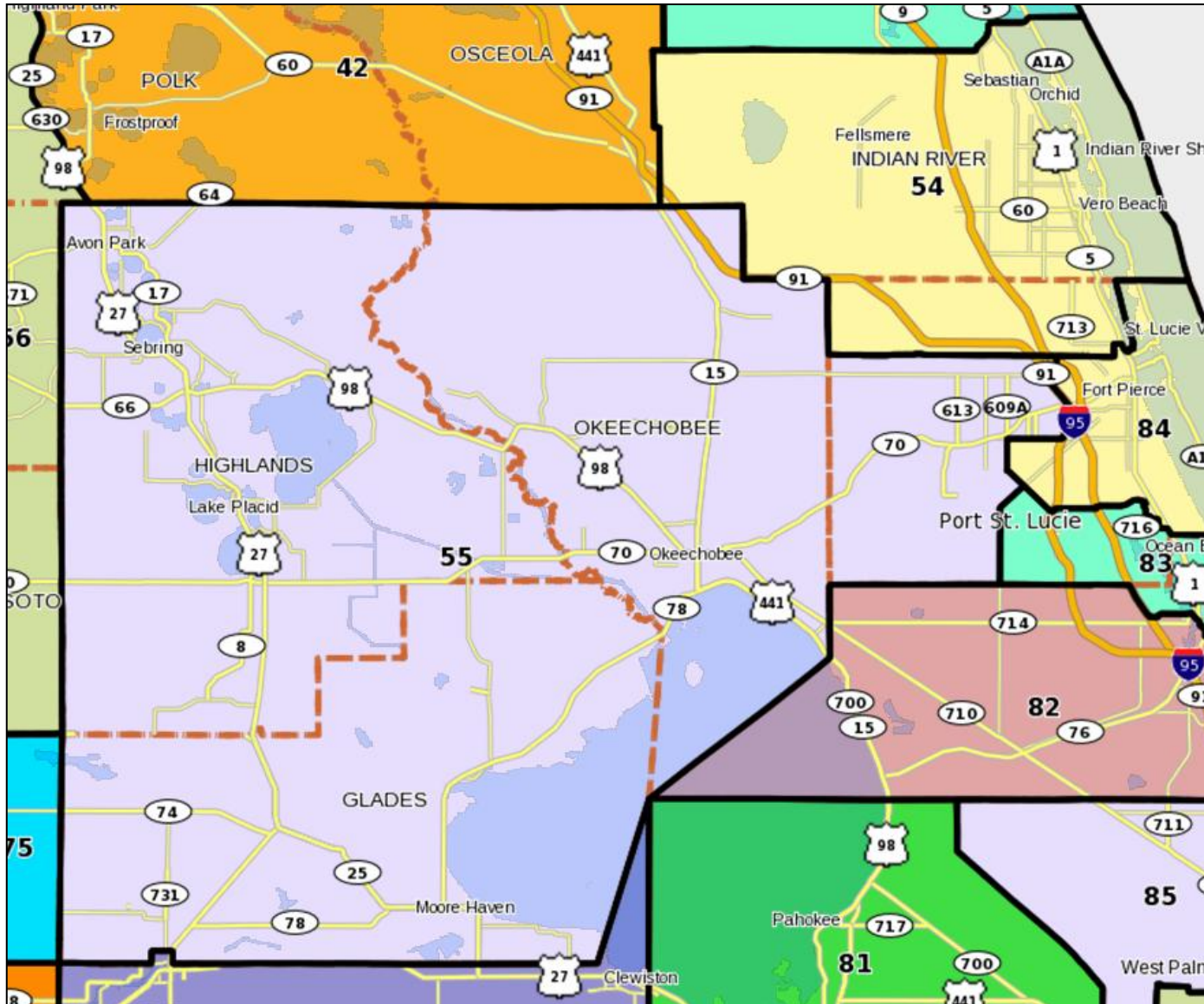
State House Districts 70-74

CS/HJR 6011 (H000H9049)



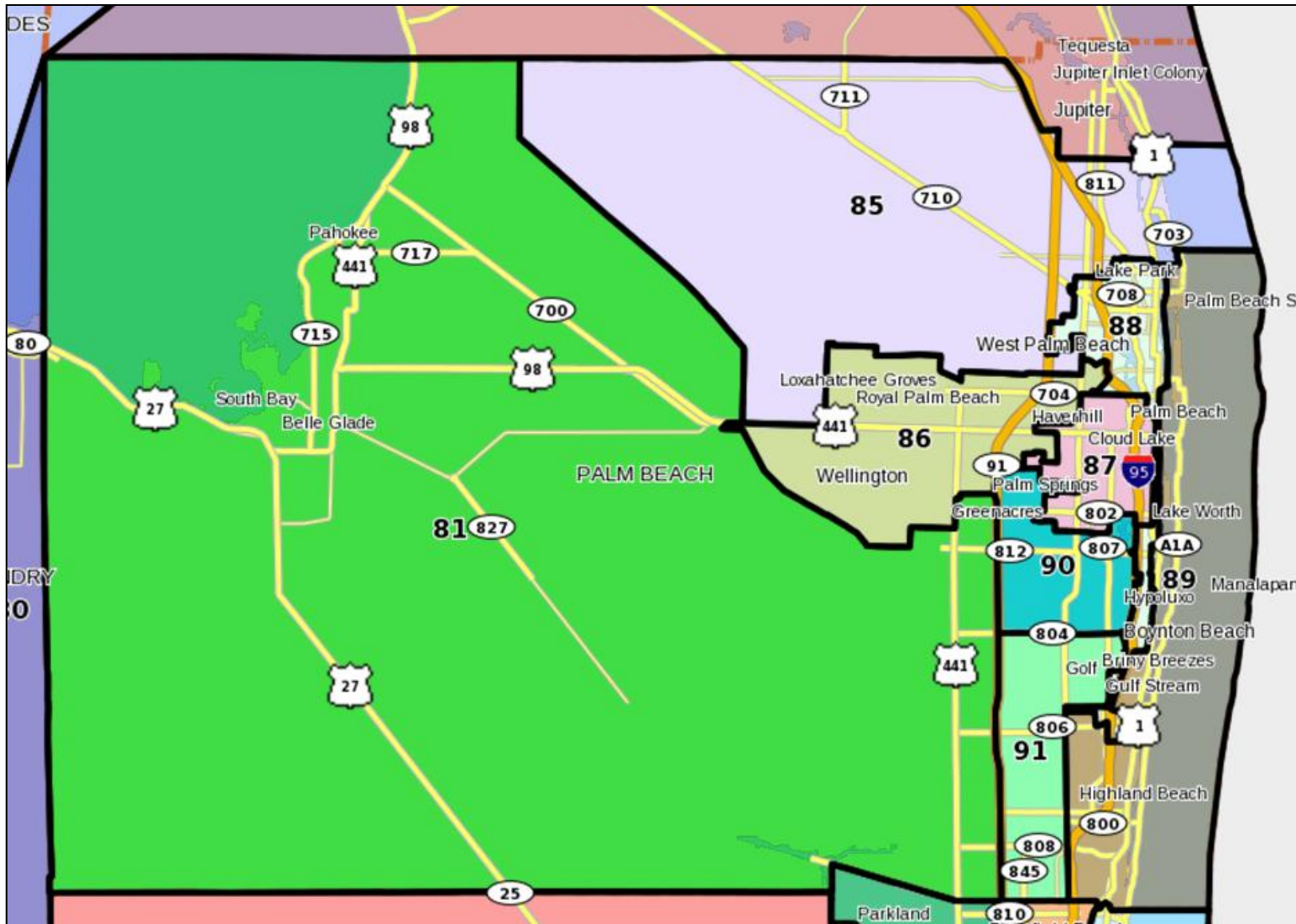
State House Districts 75-79

CS/HJR 6011 (H000H9049)



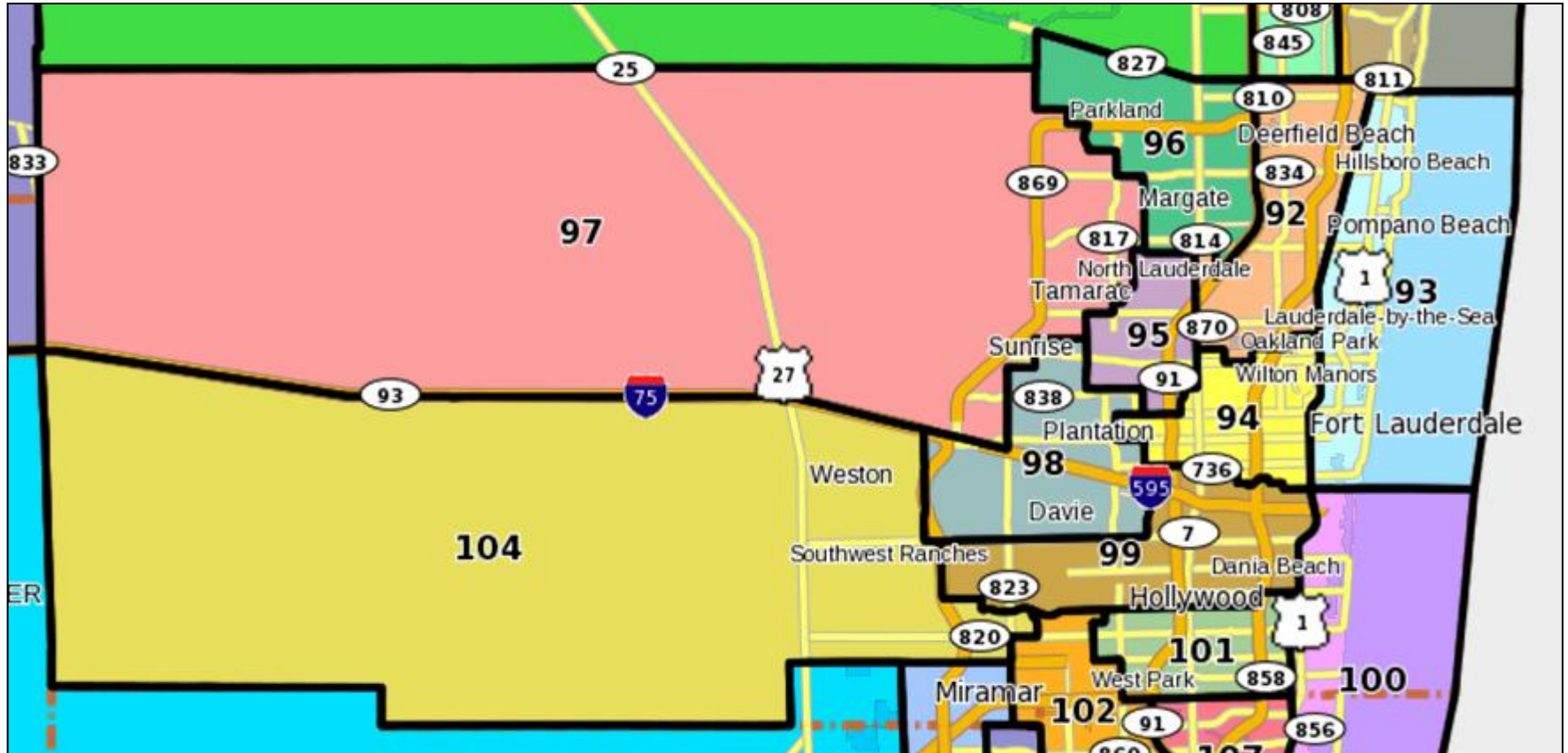
State House Districts 54 and 55

CS/HJR 6011 (H000H9049)



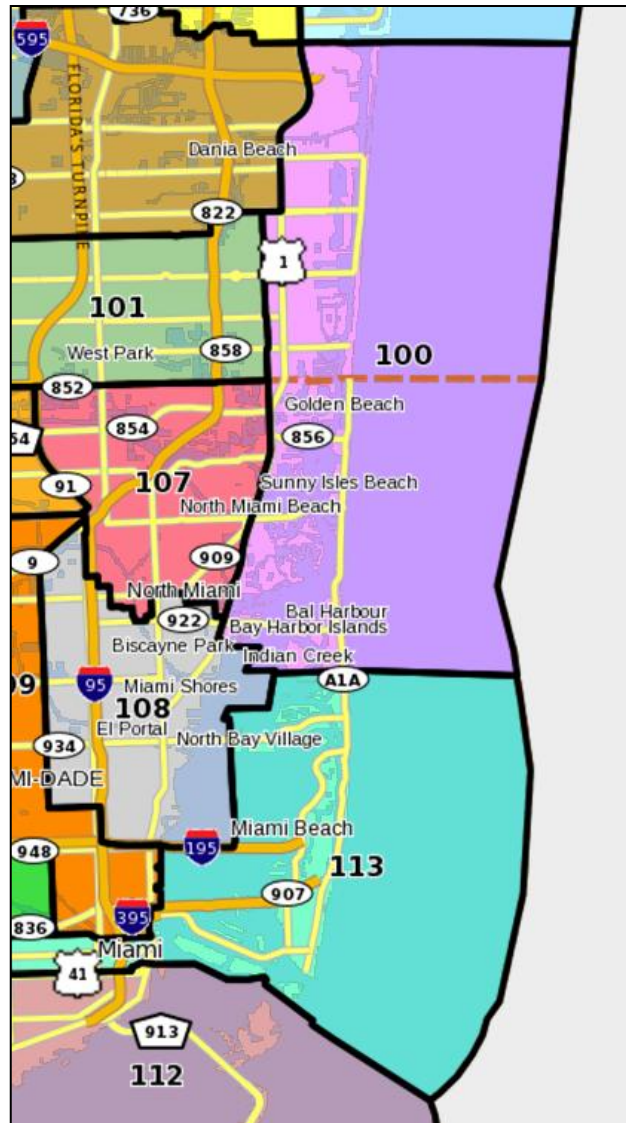
State House Districts 81 and 85-91

CS/HJR 6011 (H000H9049)



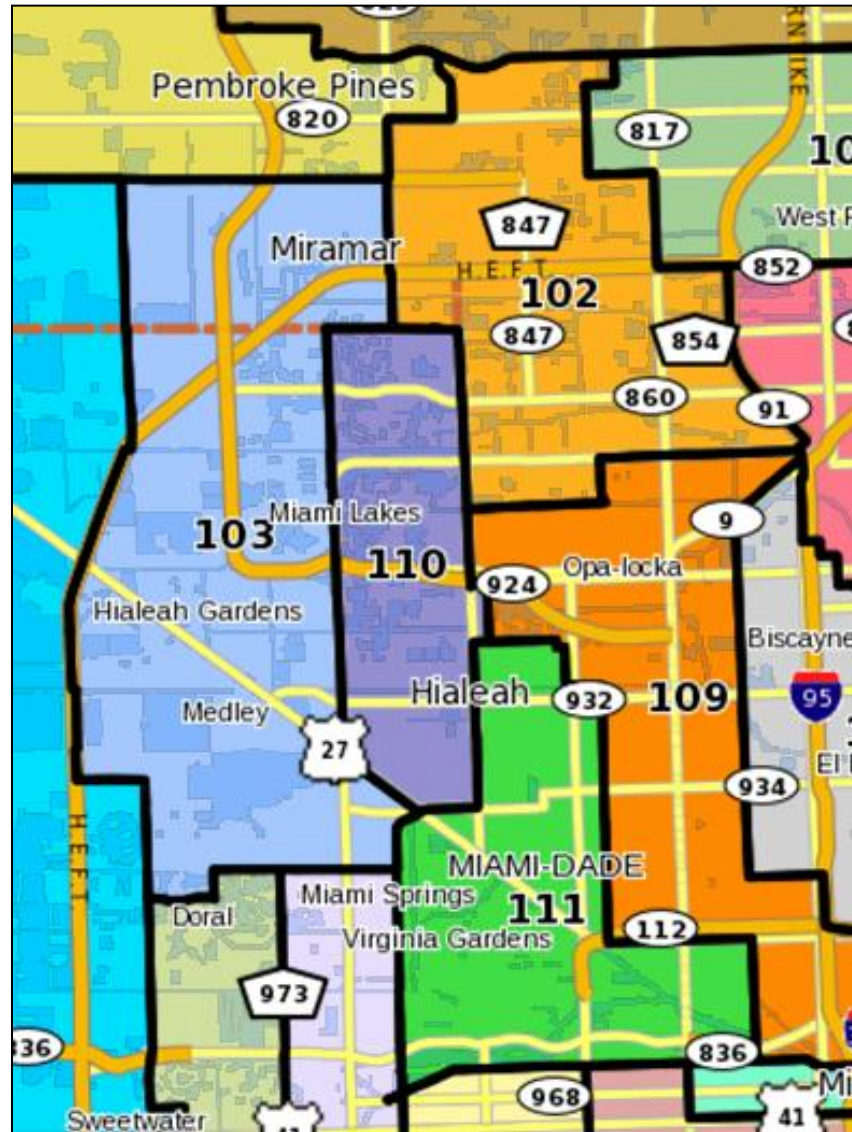
State House Districts 92-99, 101 and 104

CS/HJR 6011 (H000H9049)



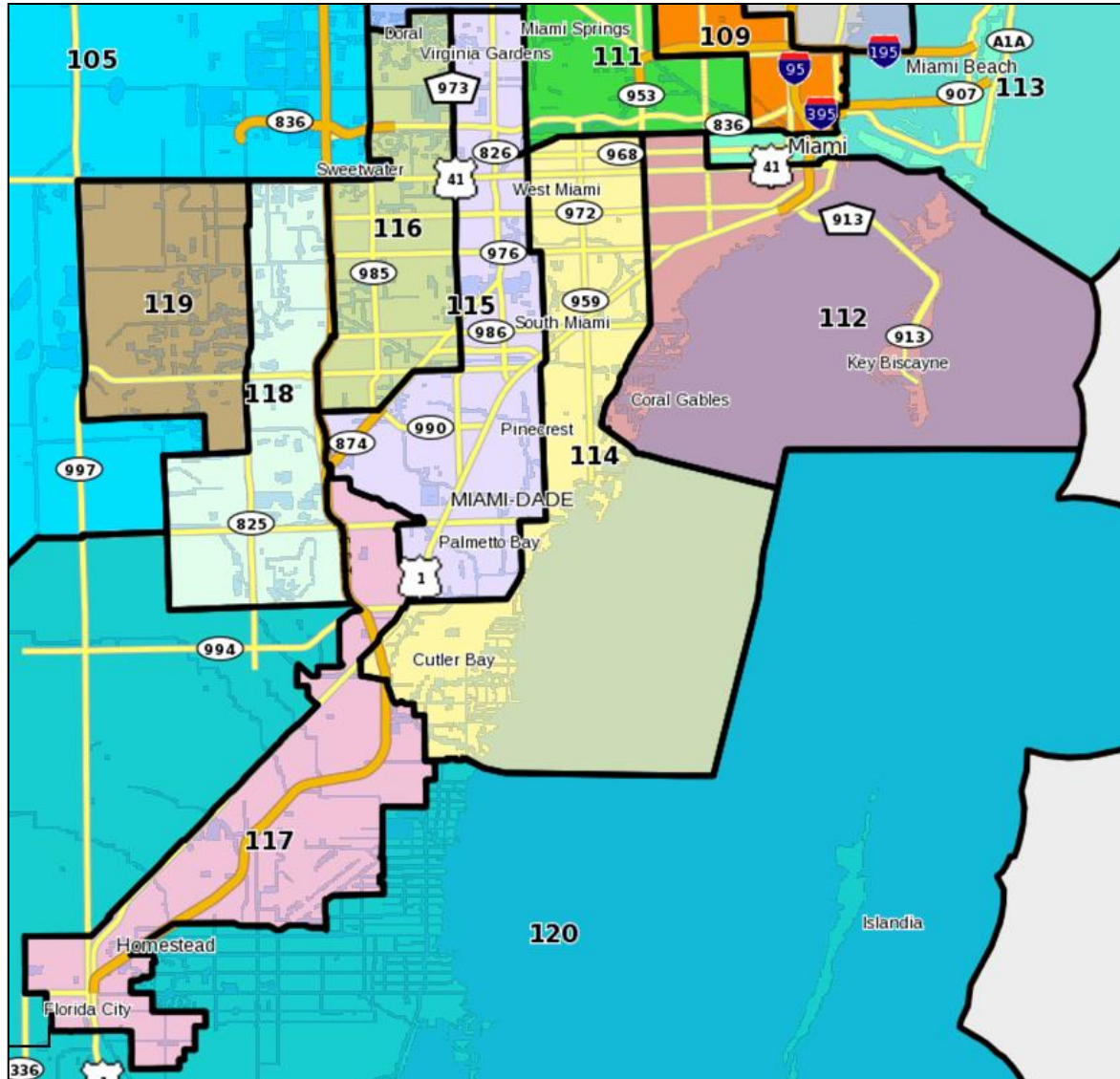
State House Districts 100, 107-108 and 113

CS/HJR 6011 (H000H9049)



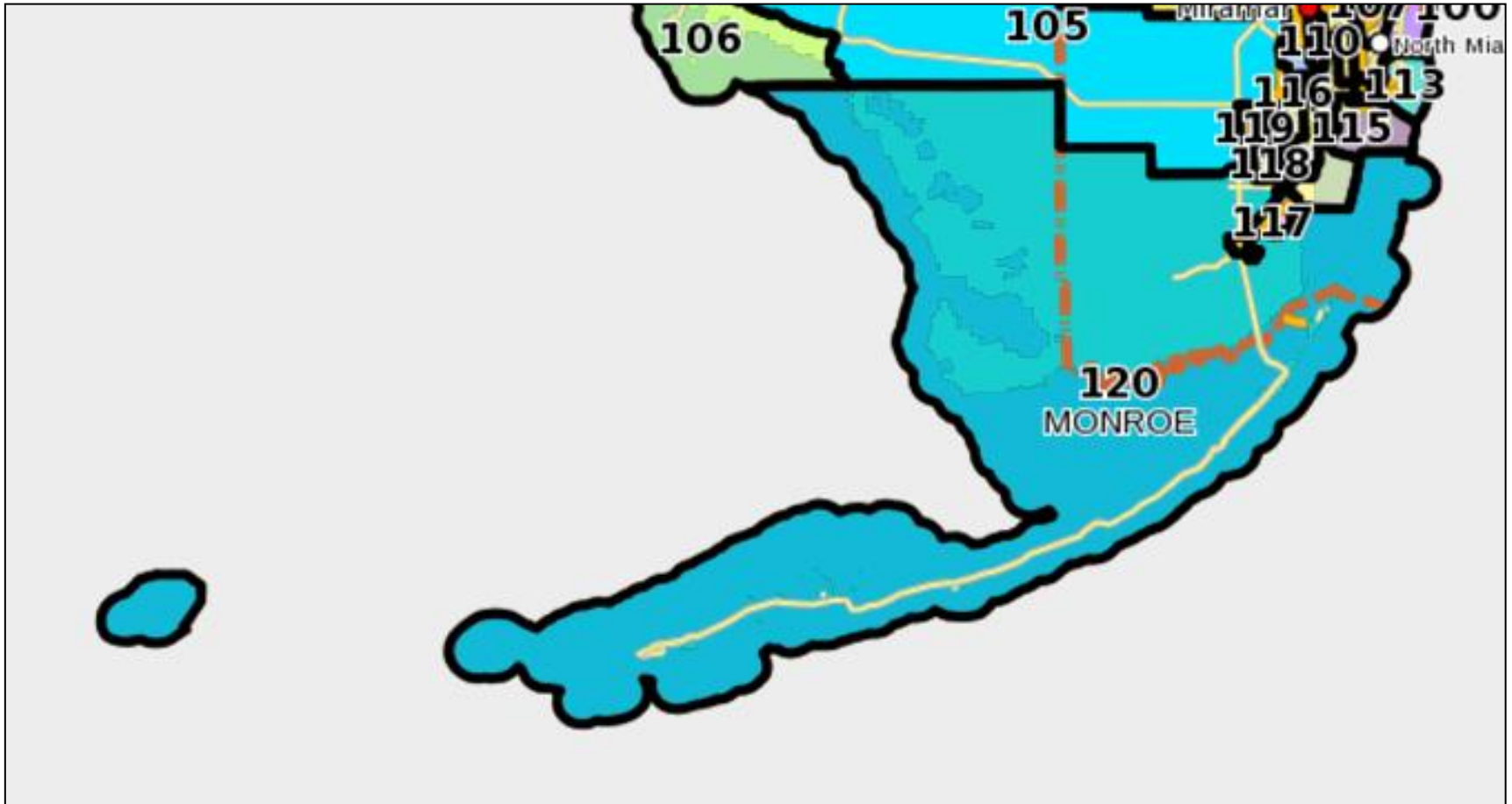
State House Districts 102-103 and 109-111

CS/HJR 6011 (H000H9049)



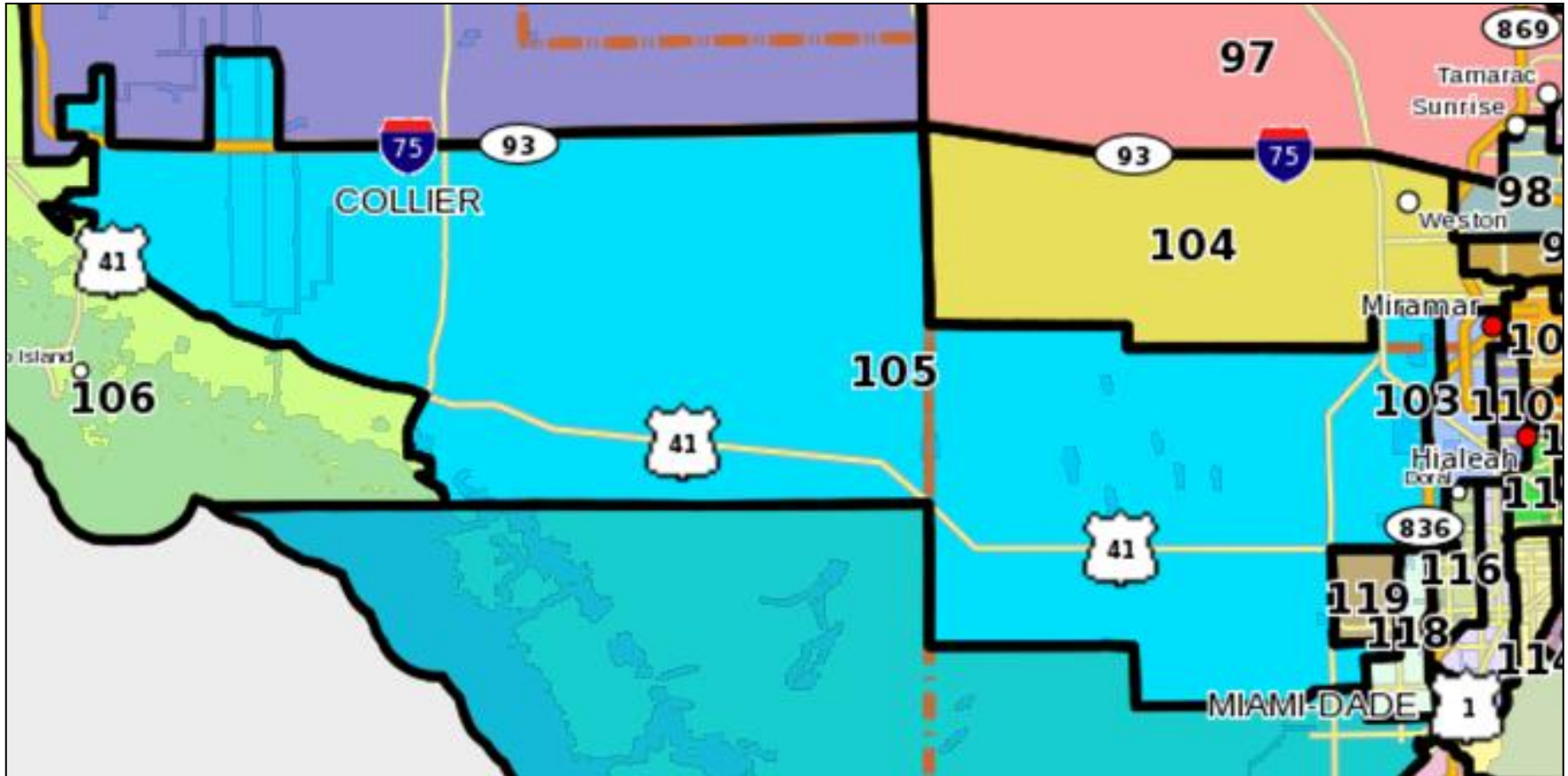
State House Districts 112, 114-119

CS/HJR 6011 (H000H9049)



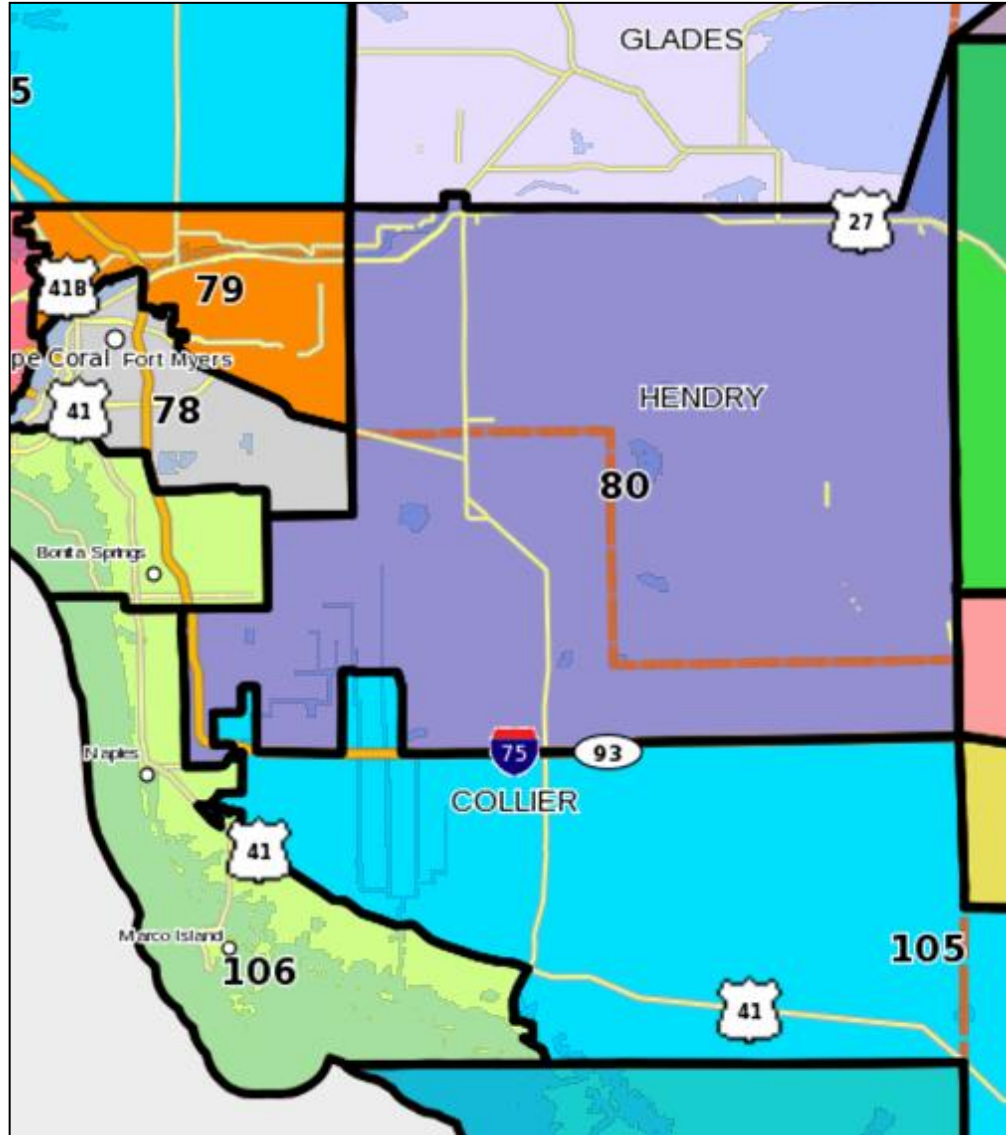
State House District 120

CS/HJR 6011 (H000H9049)



State House Districts 105

CS/HJR 6011 (H000H9049)

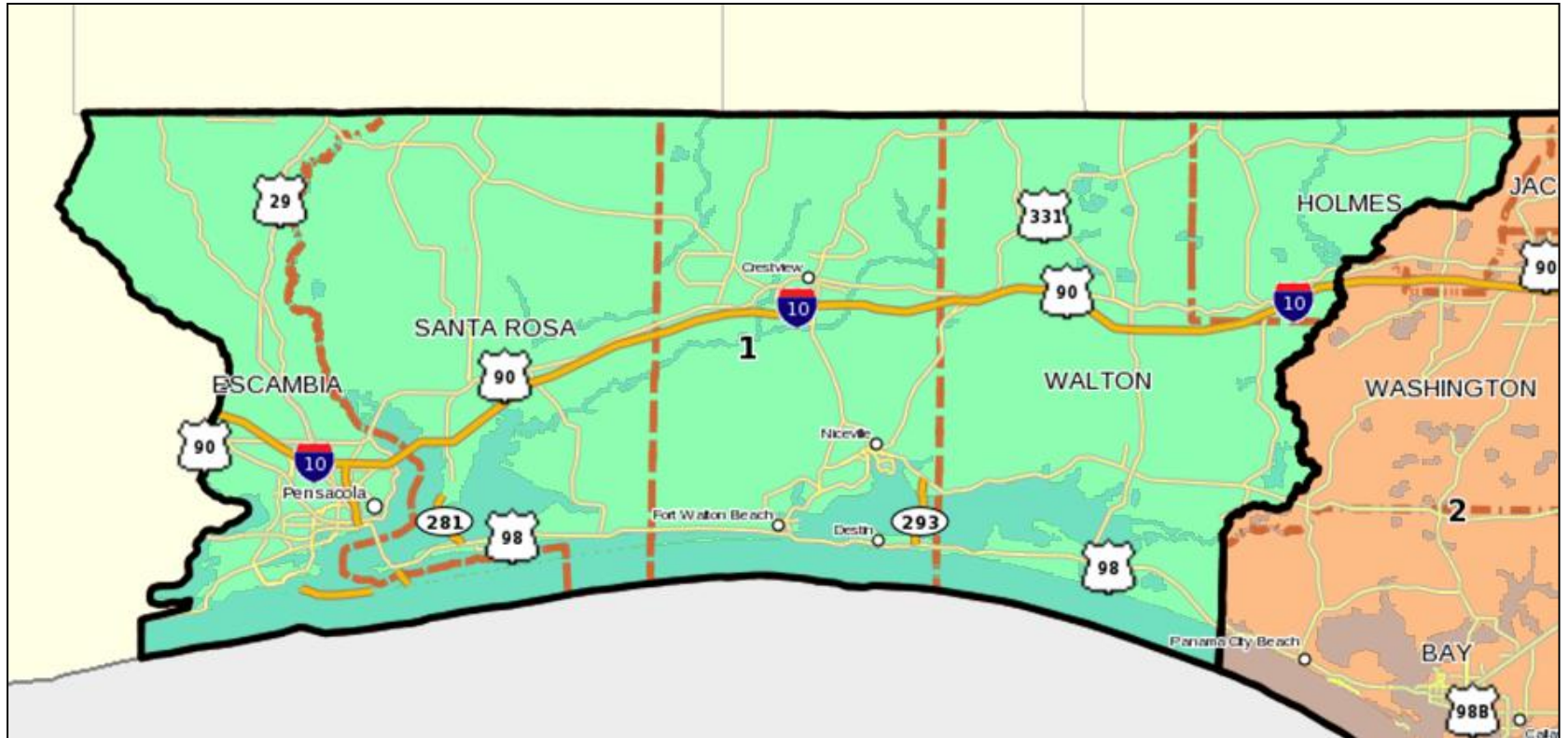


State House Districts 80 and 106

Congressional Map

**CS/HB 6005
(H000C9047)**

CS/HB 6005 (H000C9047)



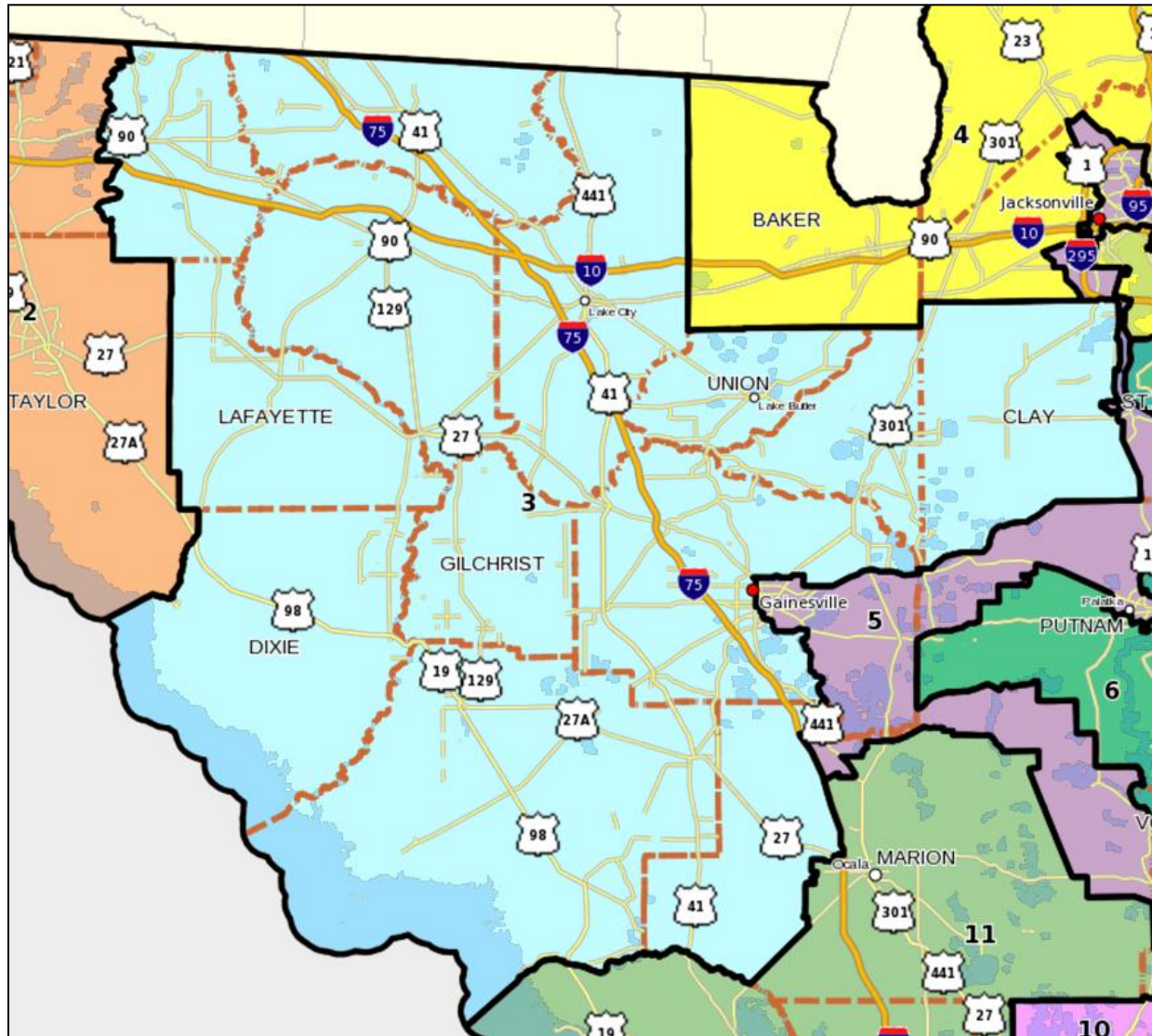
Congressional District 1

CS/HB 6005 (H000C9047)



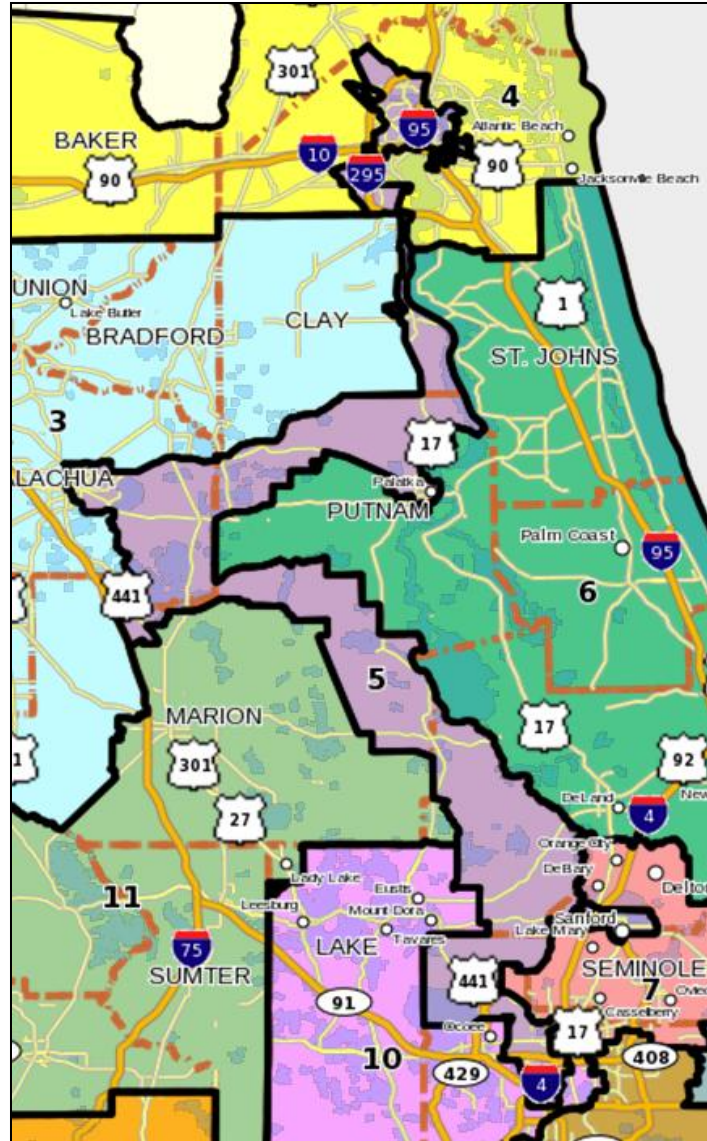
Congressional District 2

CS/HB 6005 (H000C9047)



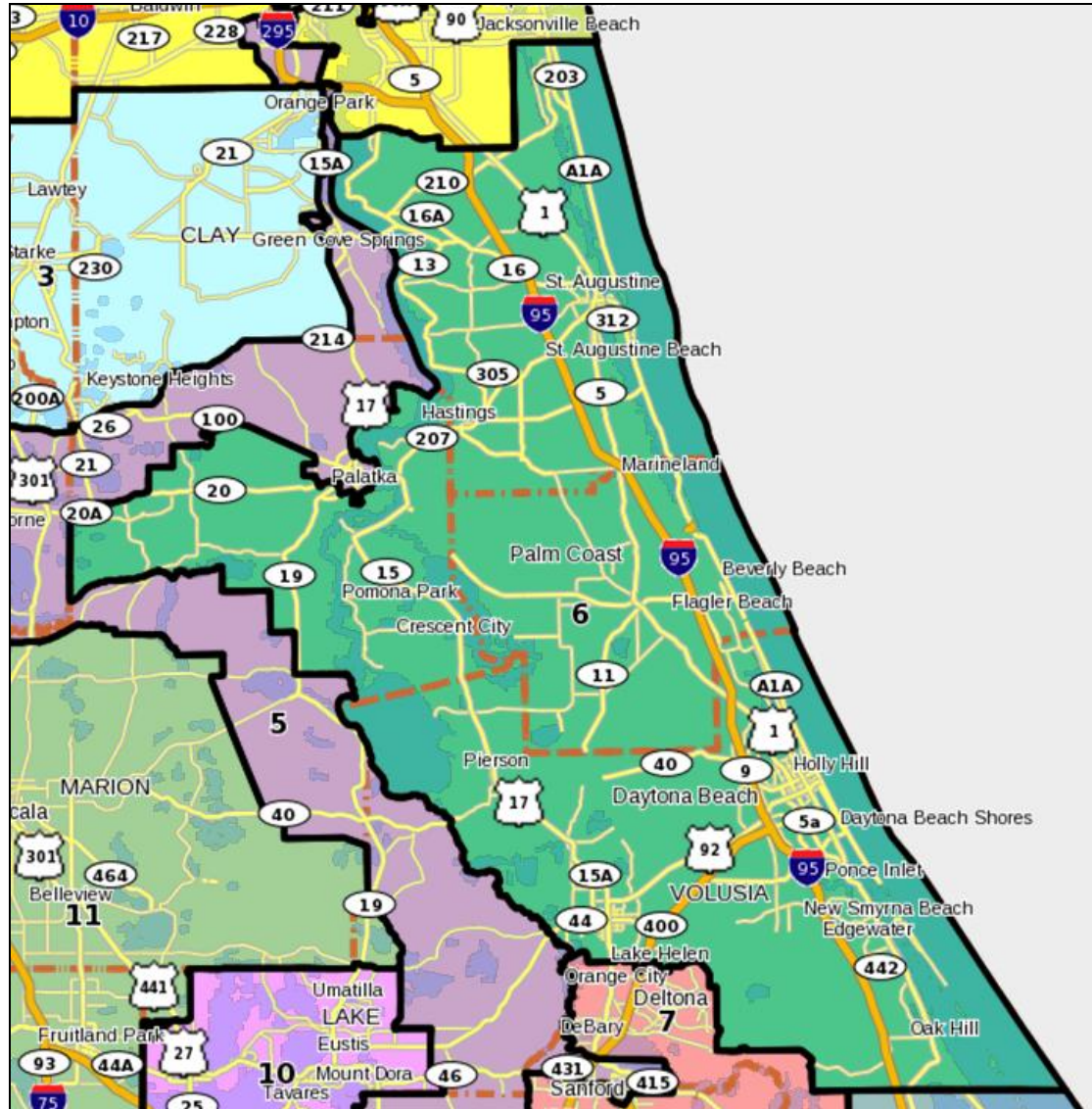
Congressional District 3

CS/HB 6005 (H000C9047)



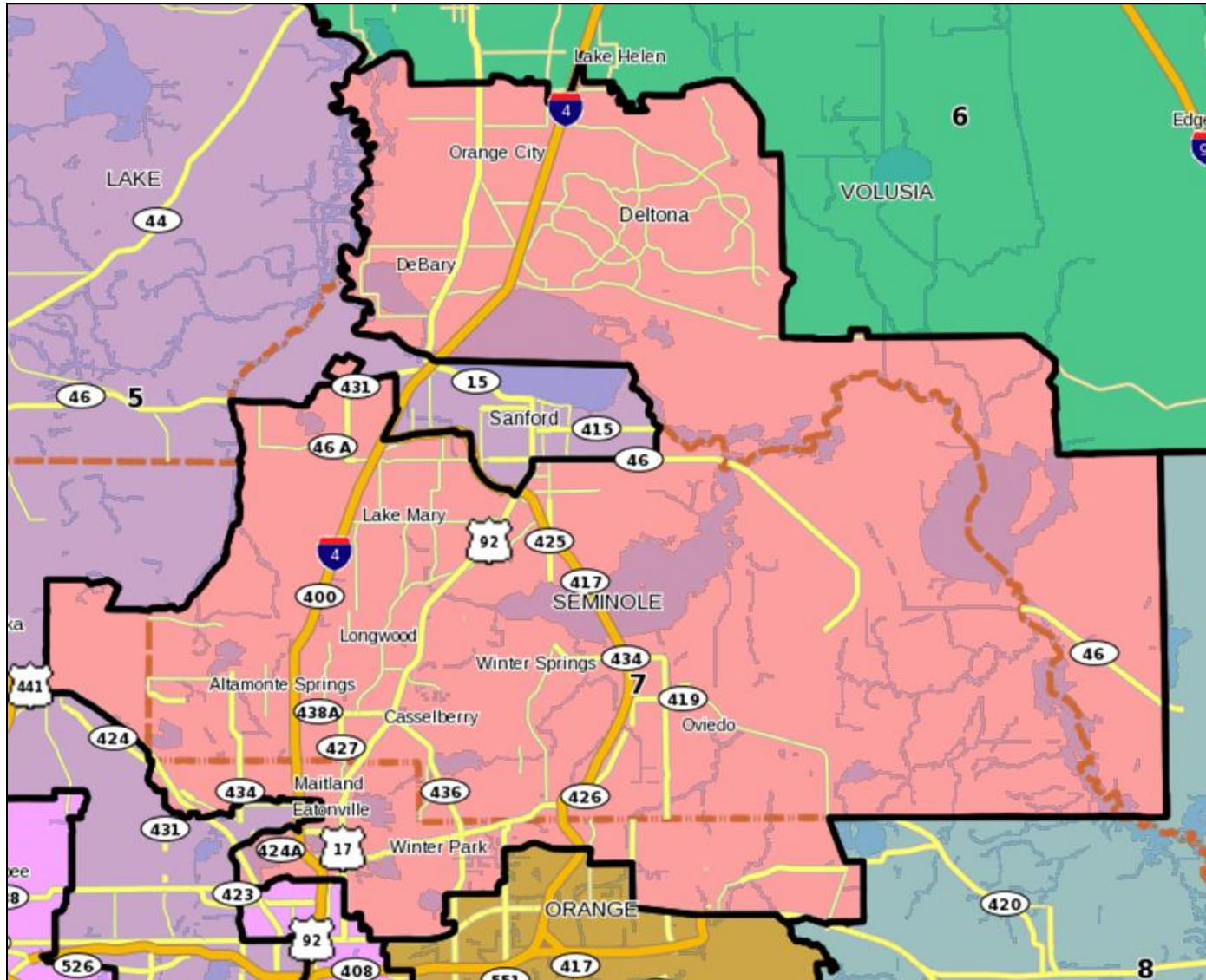
Congressional District 5

CS/HB 6005 (H000C9047)



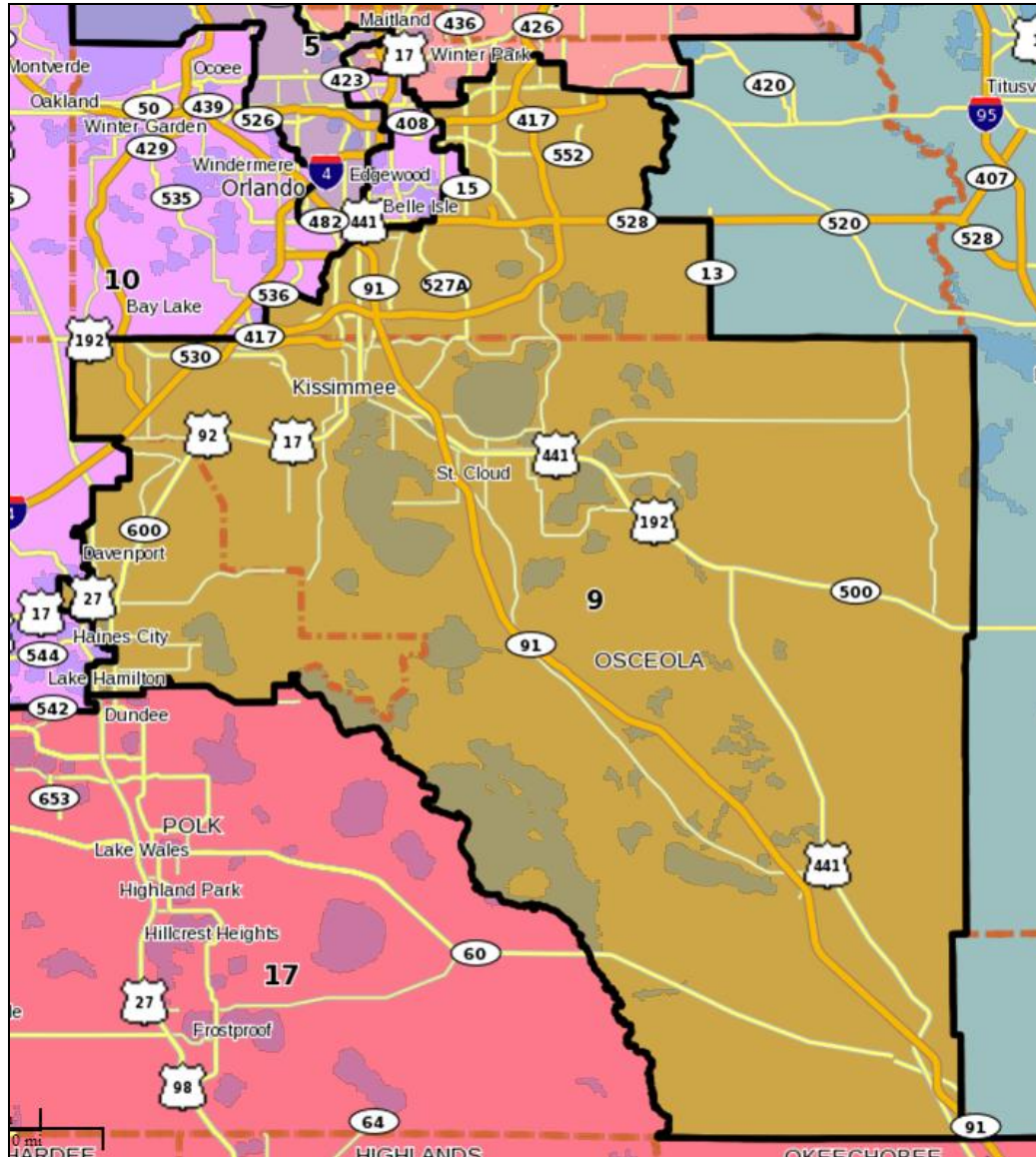
Congressional District 6

CS/HB 6005 (H000C9047)



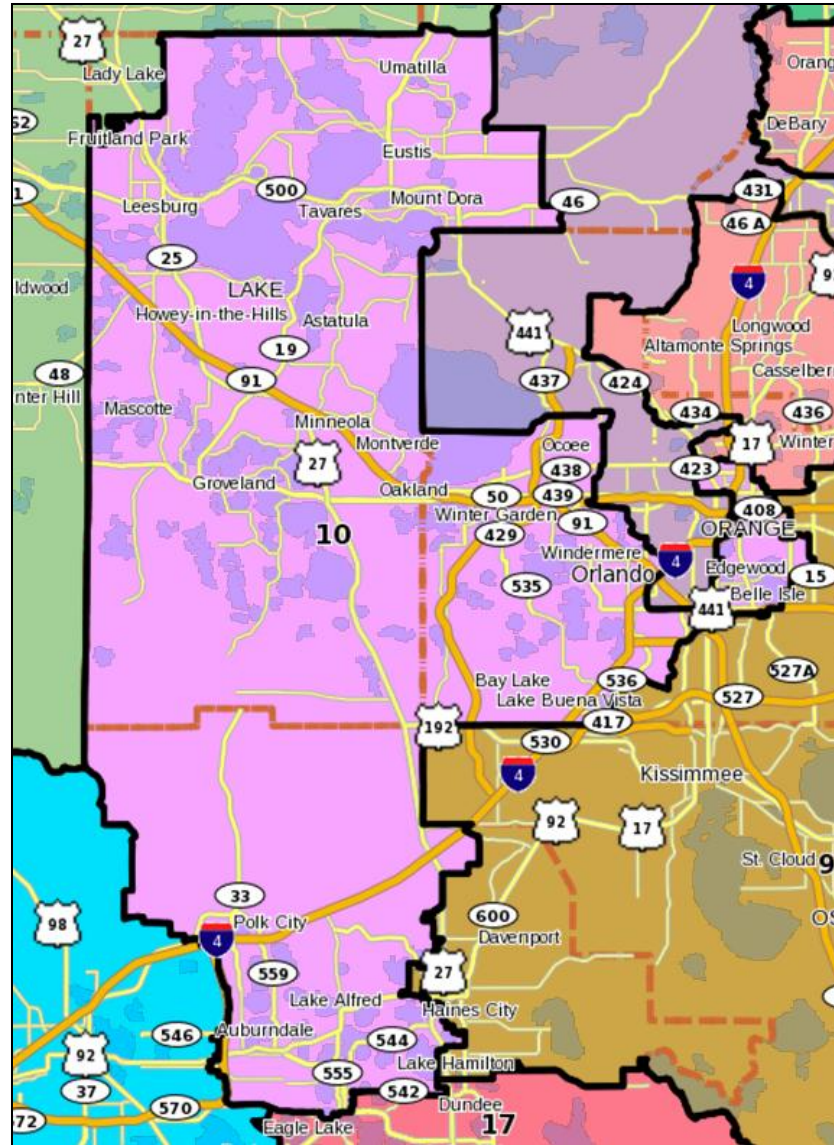
Congressional District 7

CS/HB 6005 (H000C9047)



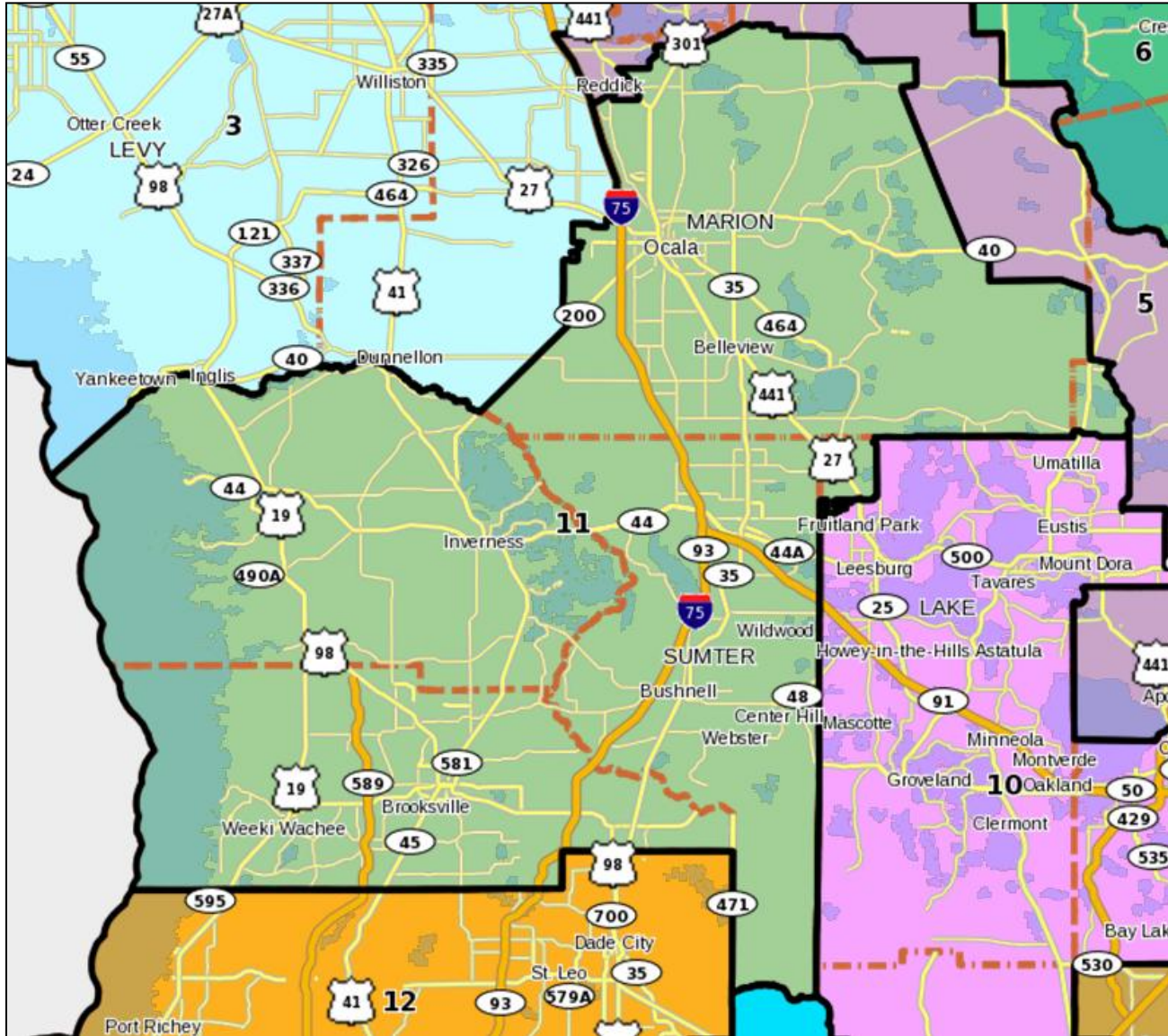
Congressional District 9

CS/HB 6005 (H000C9047)



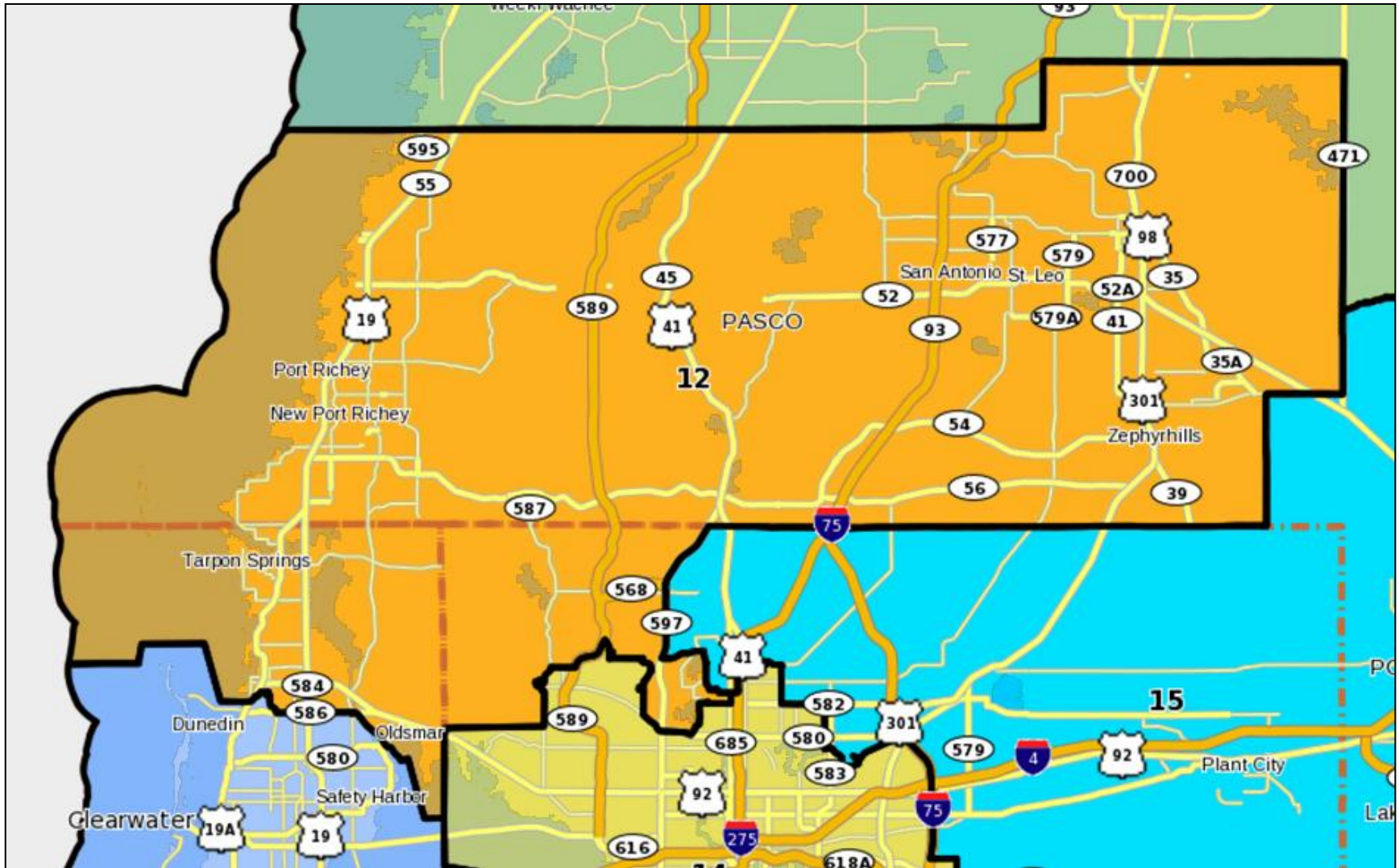
Congressional District 10

CS/HB 6005 (H000C9047)



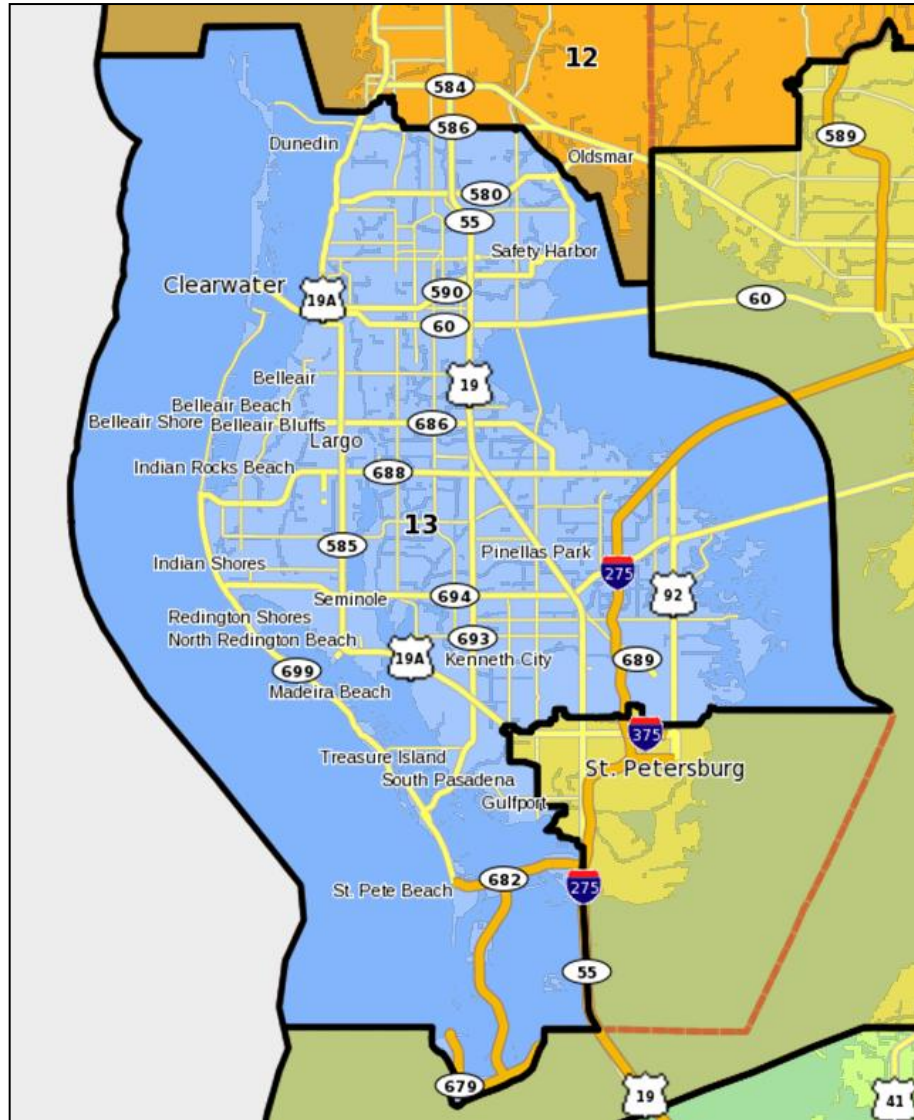
Congressional District 11

CS/HB 6005 (H000C9047)



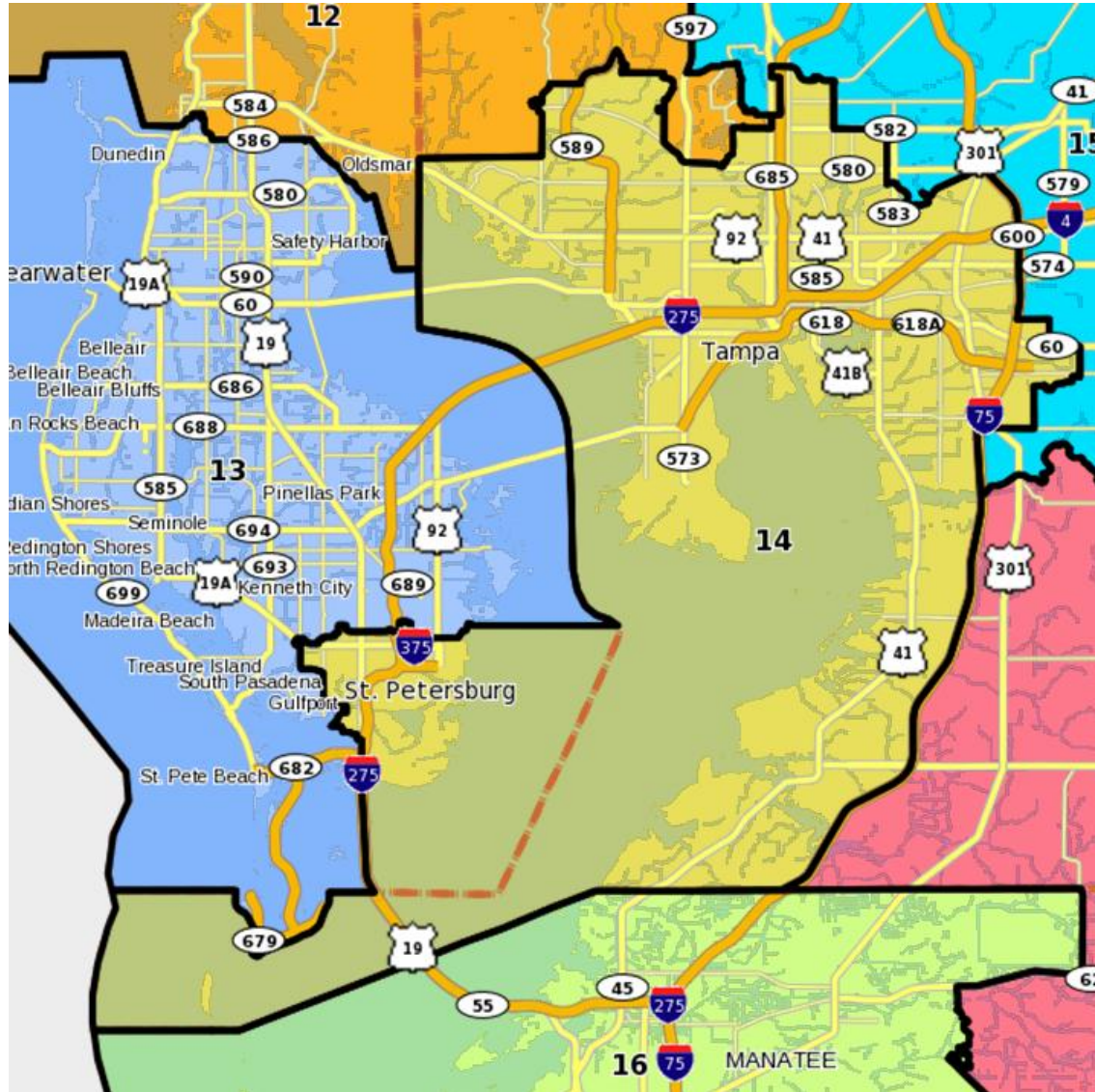
Congressional District 12

CS/HB 6005 (H000C9047)



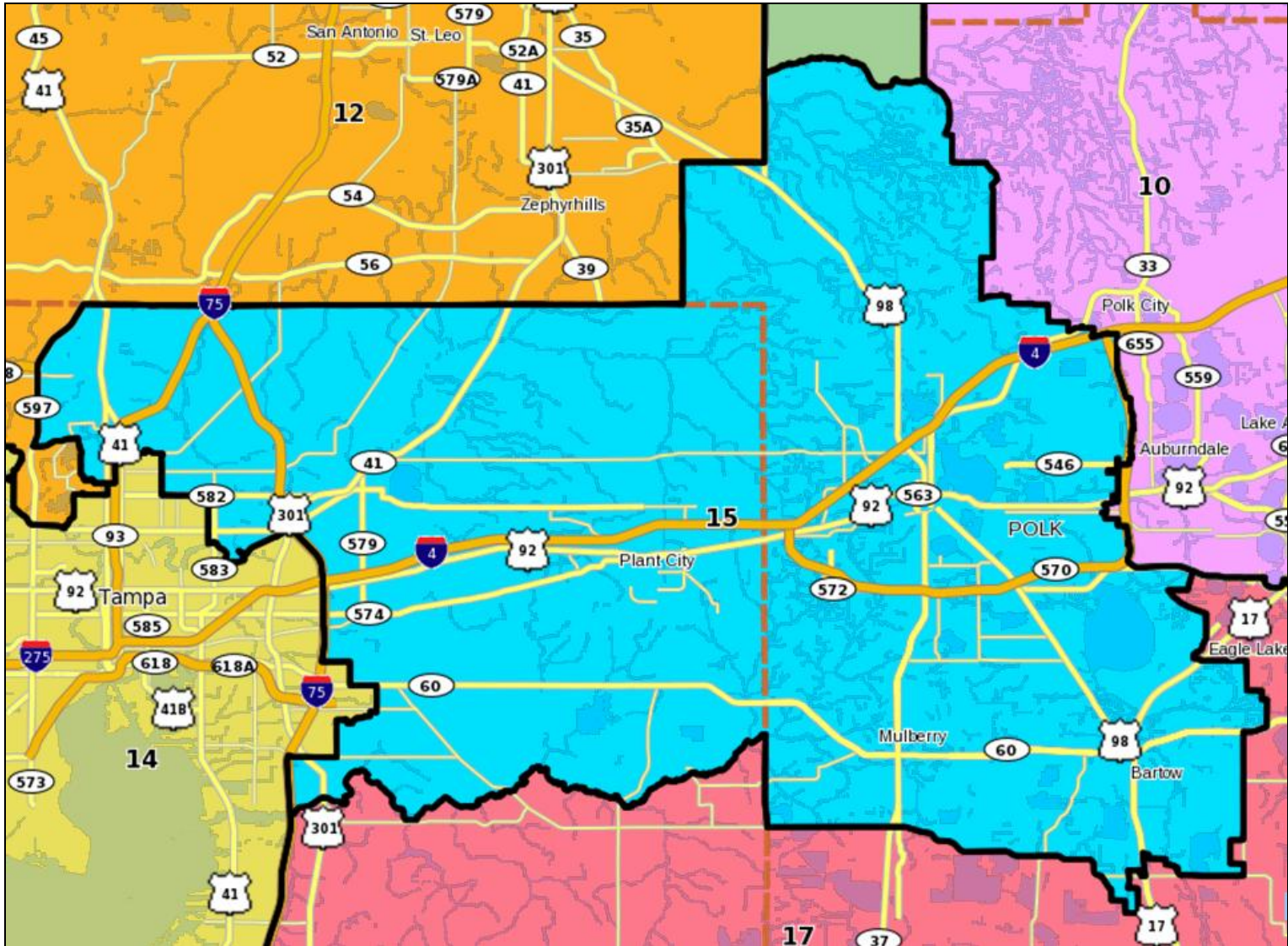
Congressional District 13

CS/HB 6005 (H000C9047)



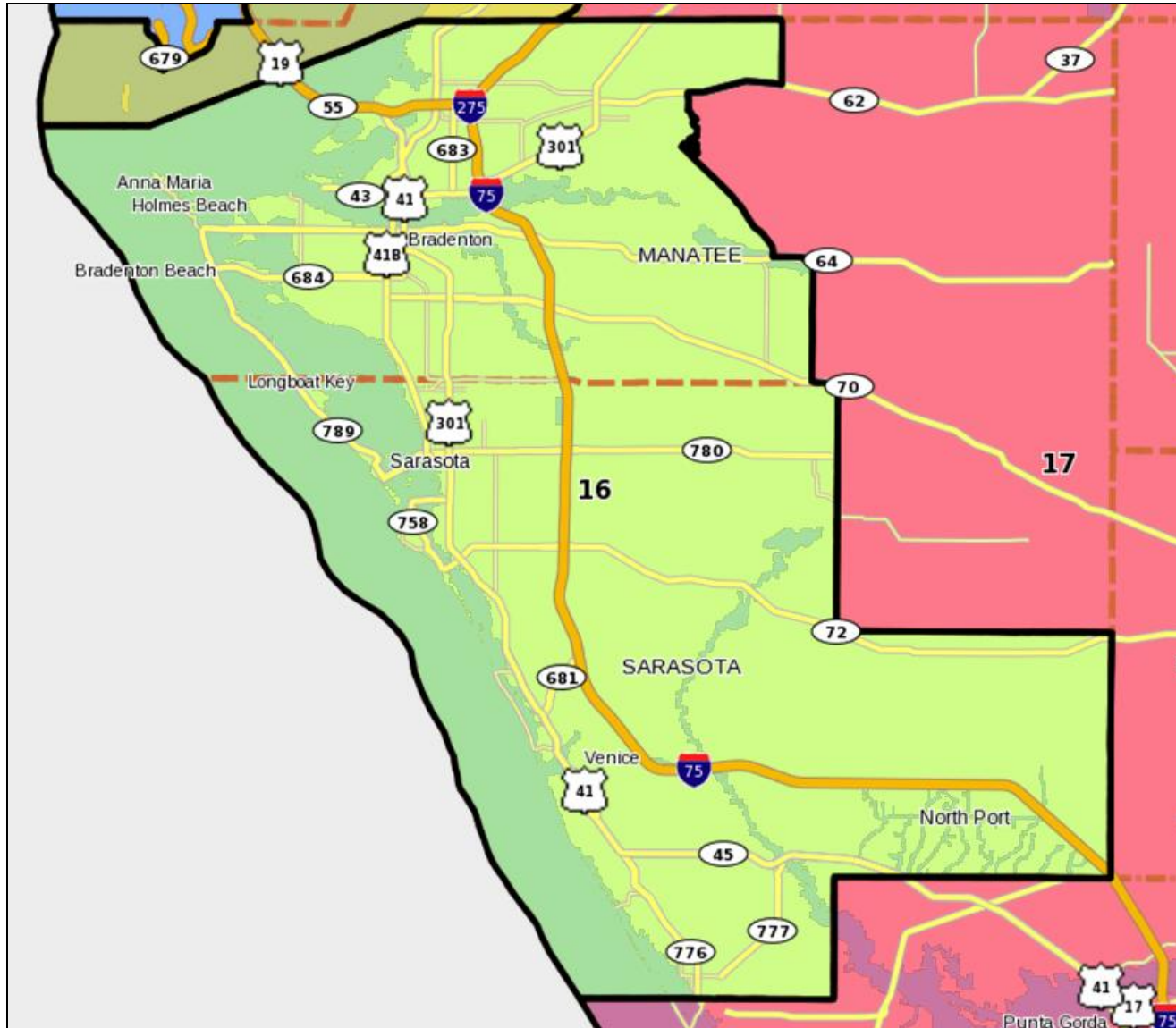
Congressional District 14

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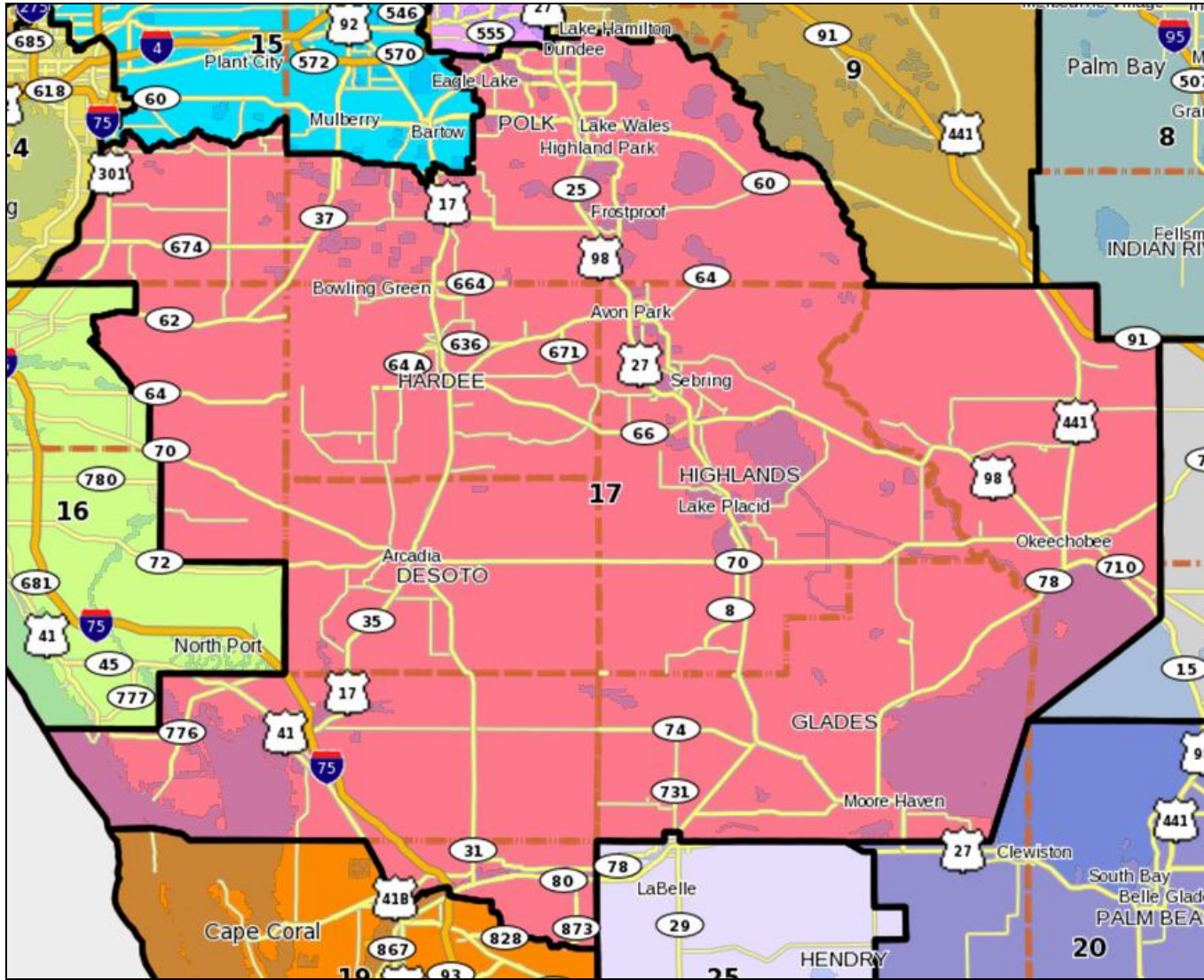
Congressional District 15

CS/HB 6005 (H000C9047)



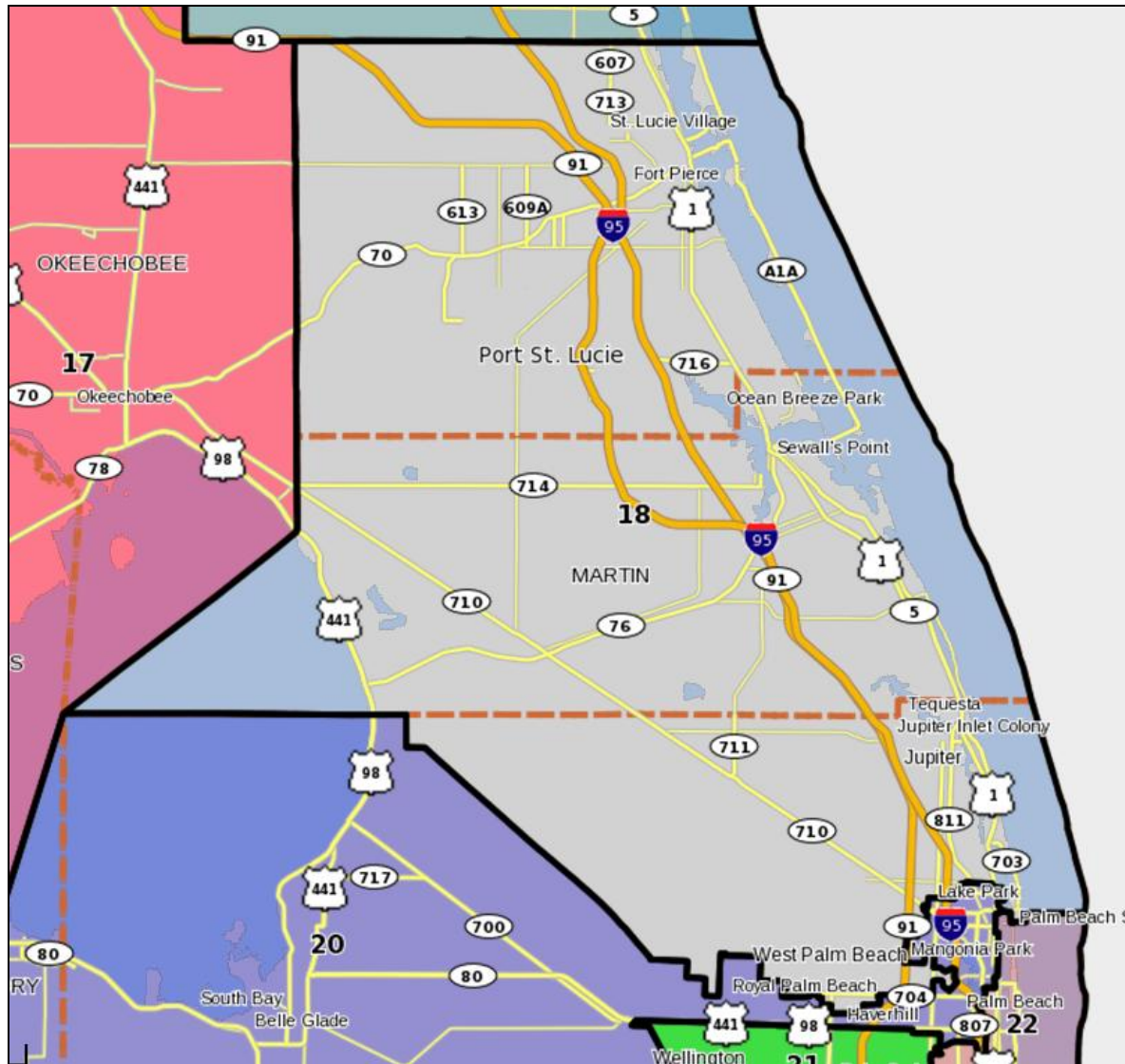
Congressional District 16

CS/HB 6005 (H000C9047)



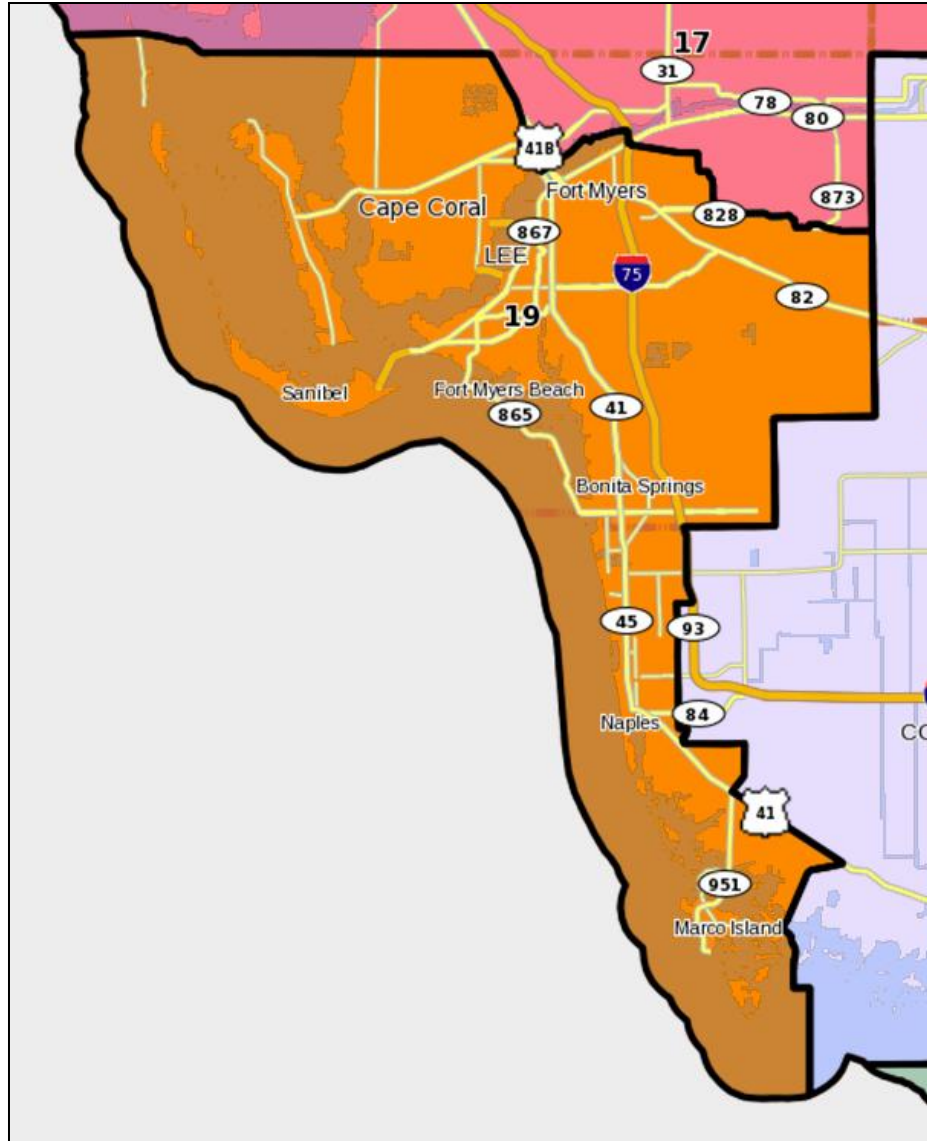
Congressional District 17

CS/HB 6005 (H000C9047)



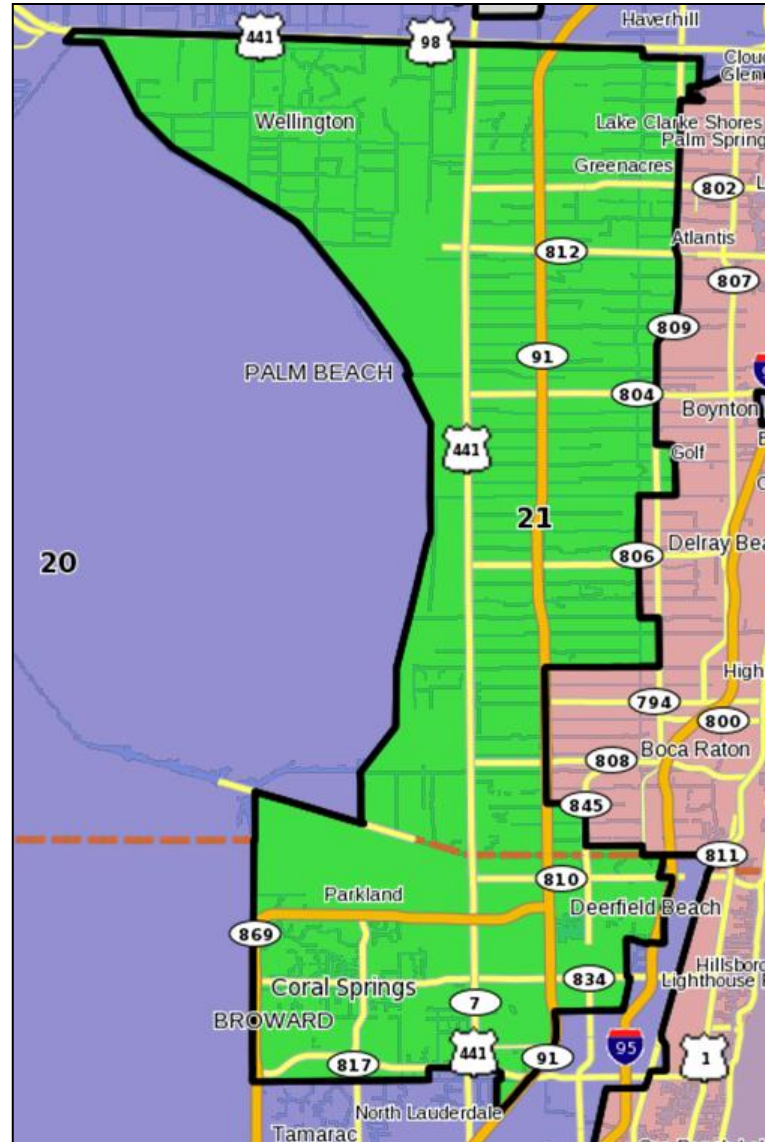
Congressional District 18

CS/HB 6005 (H000C9047)



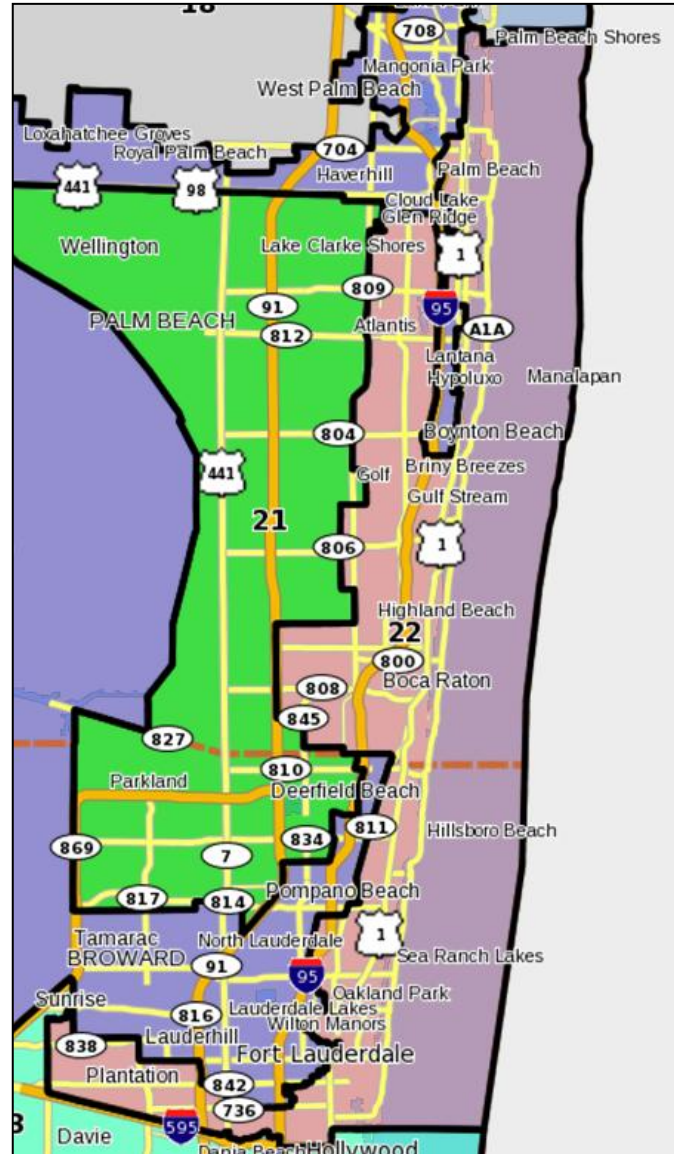
Congressional District 19

CS/HB 6005 (H000C9047)



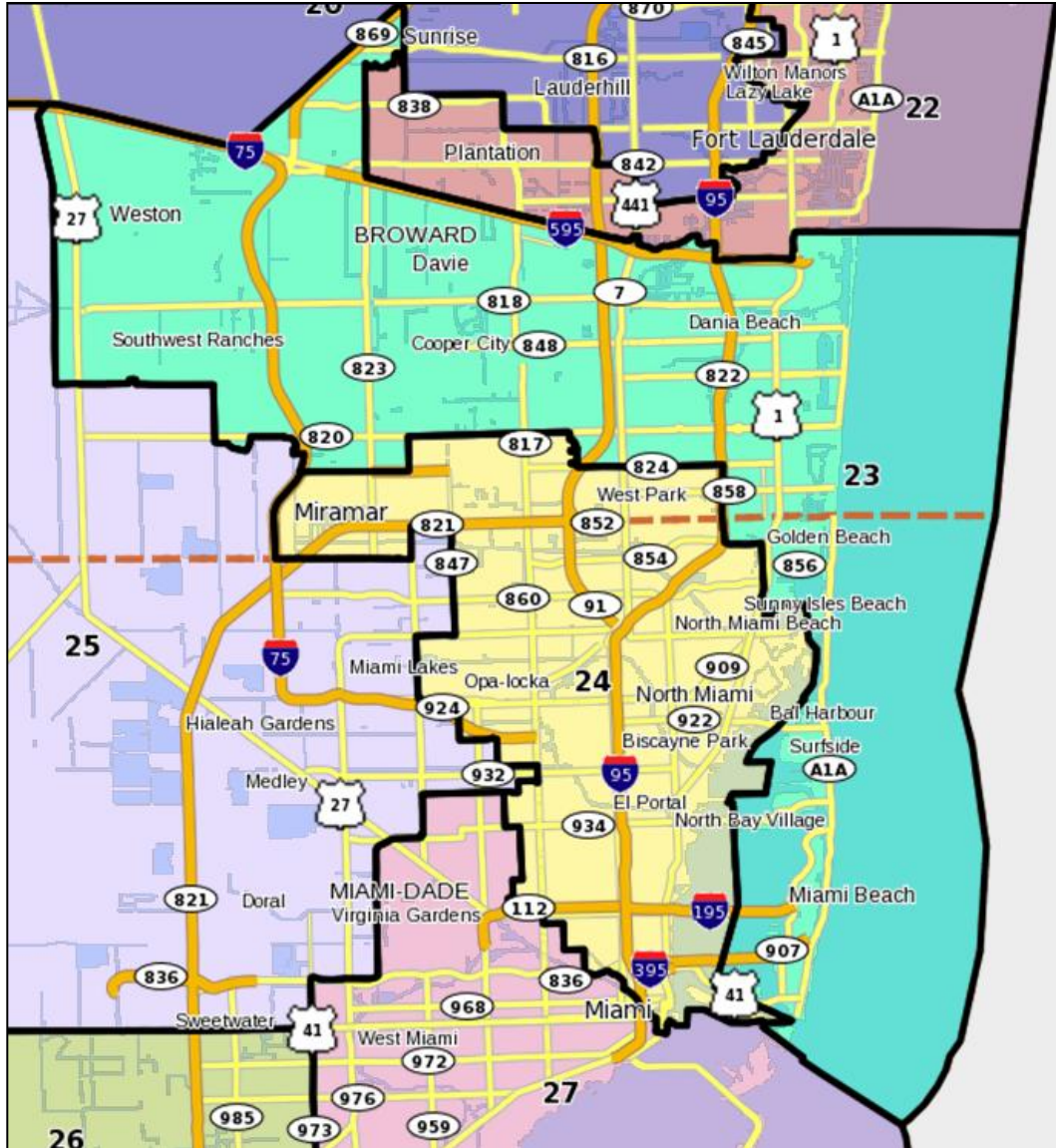
Congressional District 21

CS/HB 6005 (H000C9047)



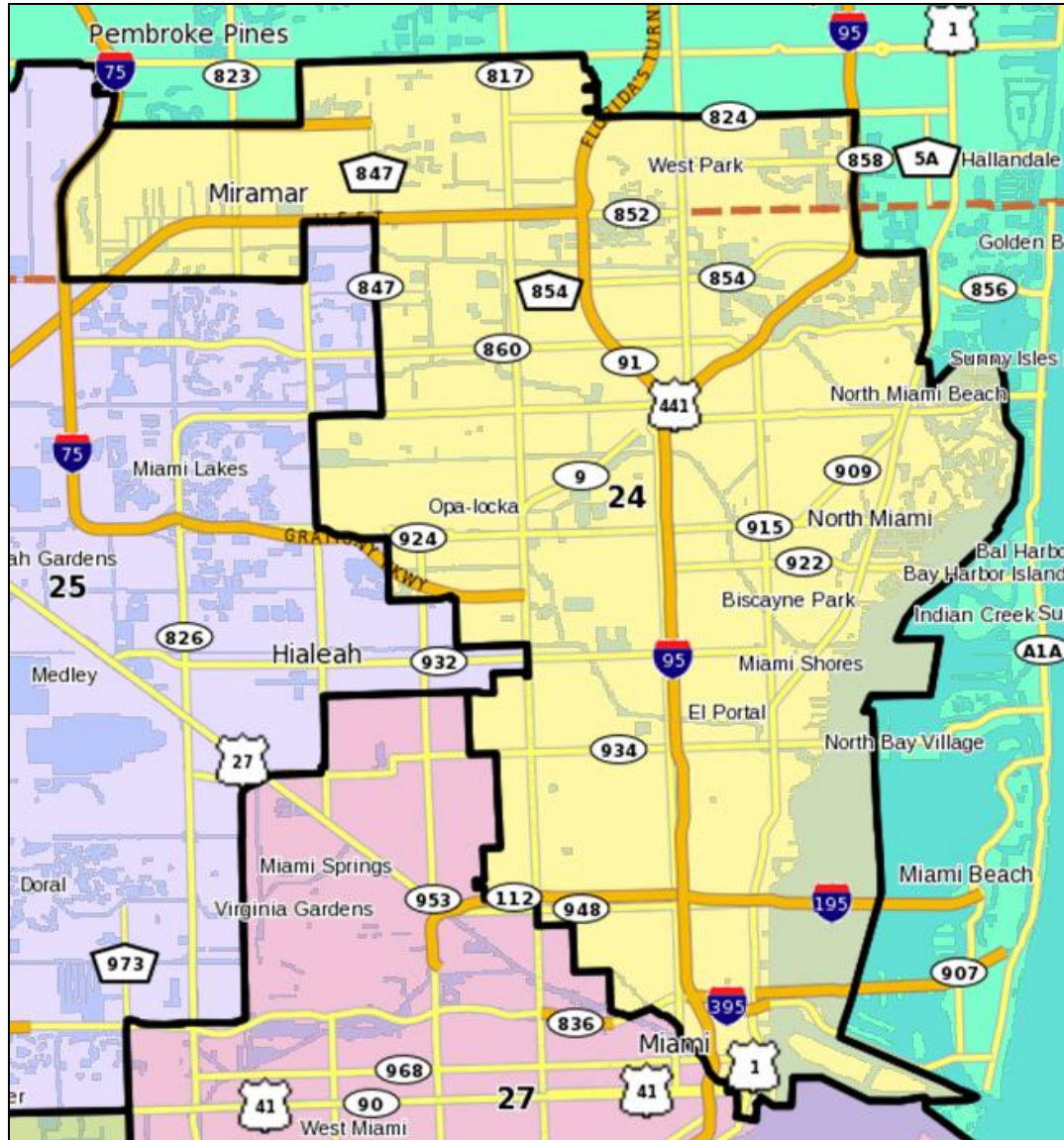
Congressional District 22

CS/HB 6005 (H000C9047)



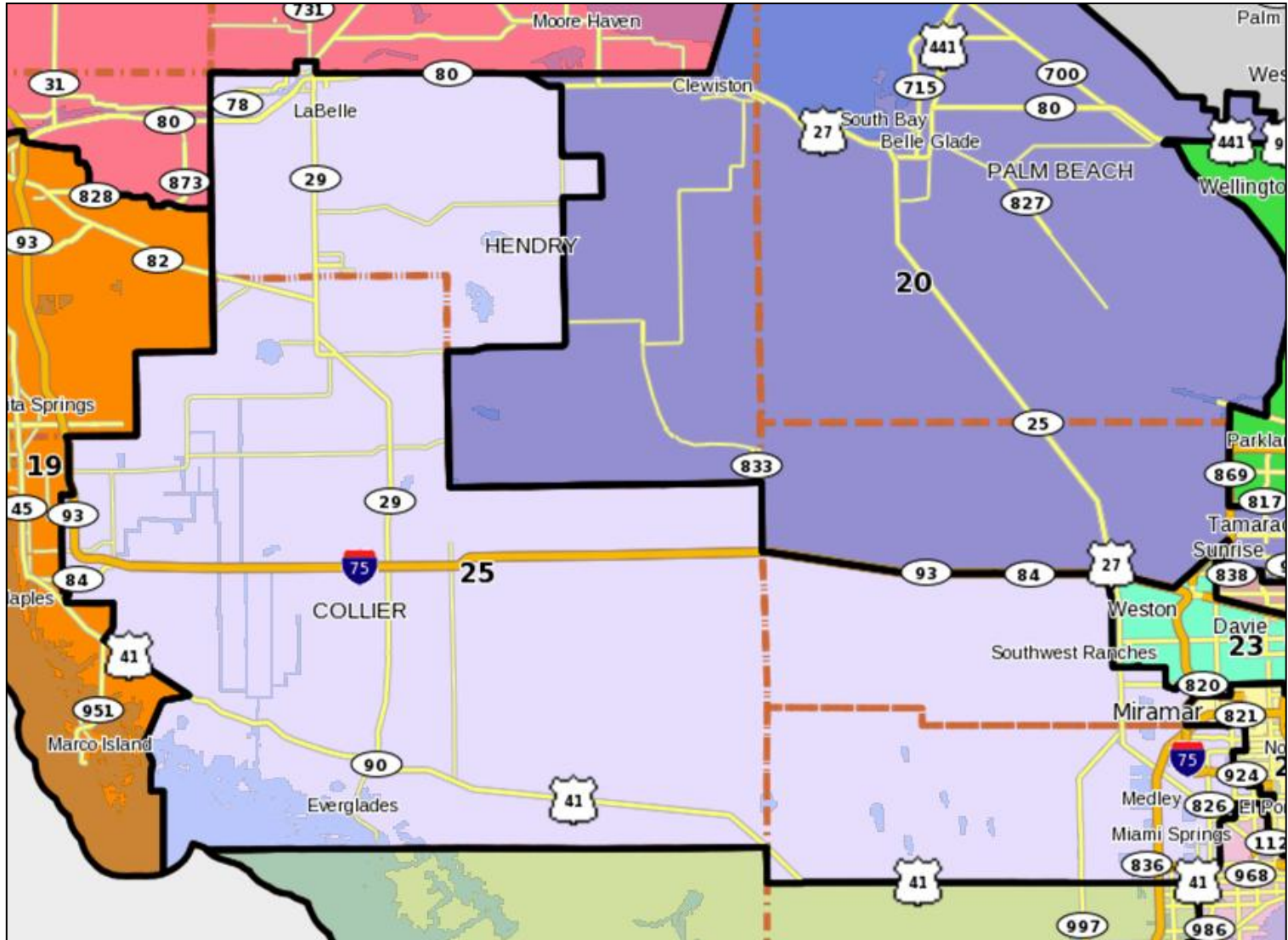
Congressional District 23

CS/HB 6005 (H000C9047)



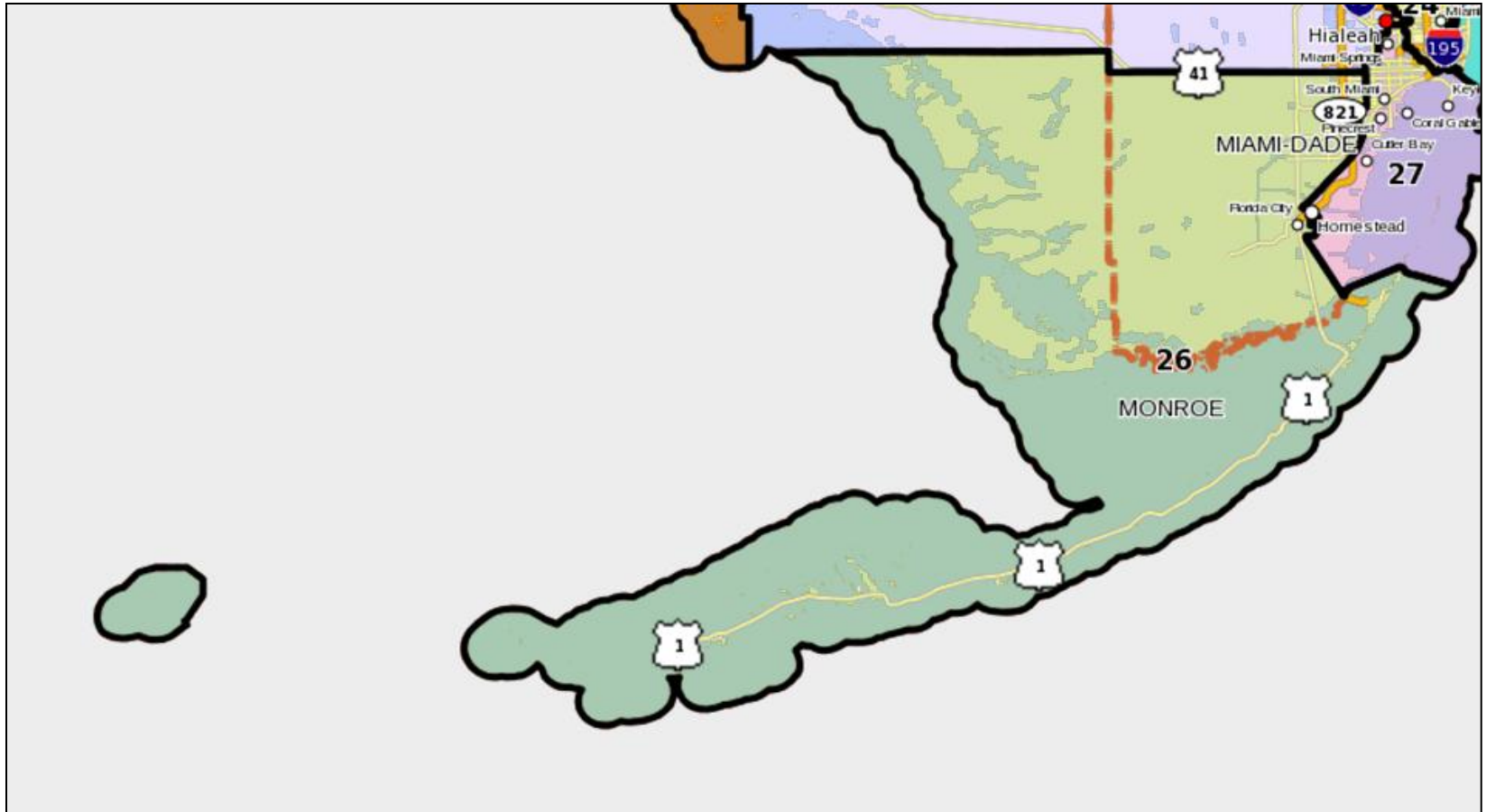
Congressional District 24

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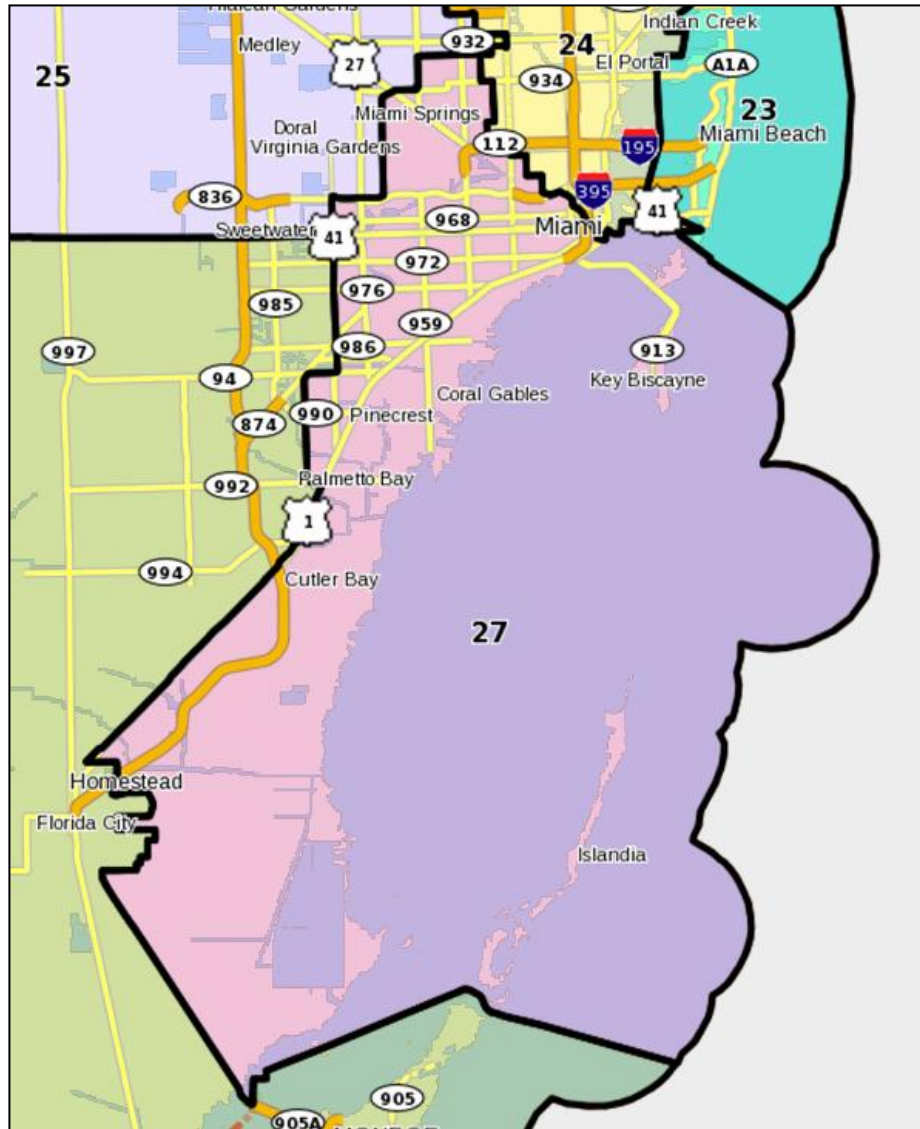
Congressional District 25

CS/HB 6005 (H000C9047)



Congressional District 26

CS/HB 6005 (H000C9047)



Congressional District 27

State Senate Map

CS/HJR 6001

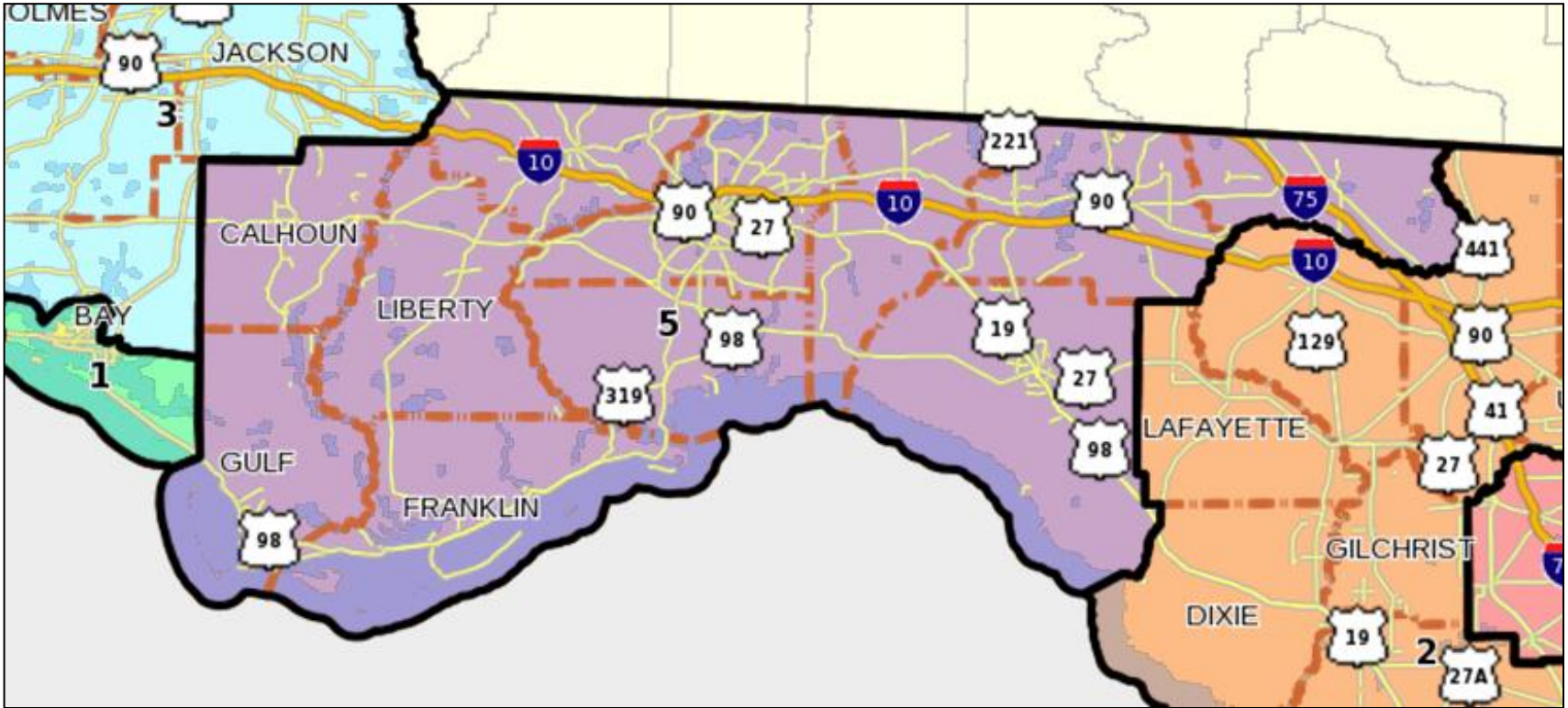
(S000S9008)

CS/HJR 6001 (S000S9008)



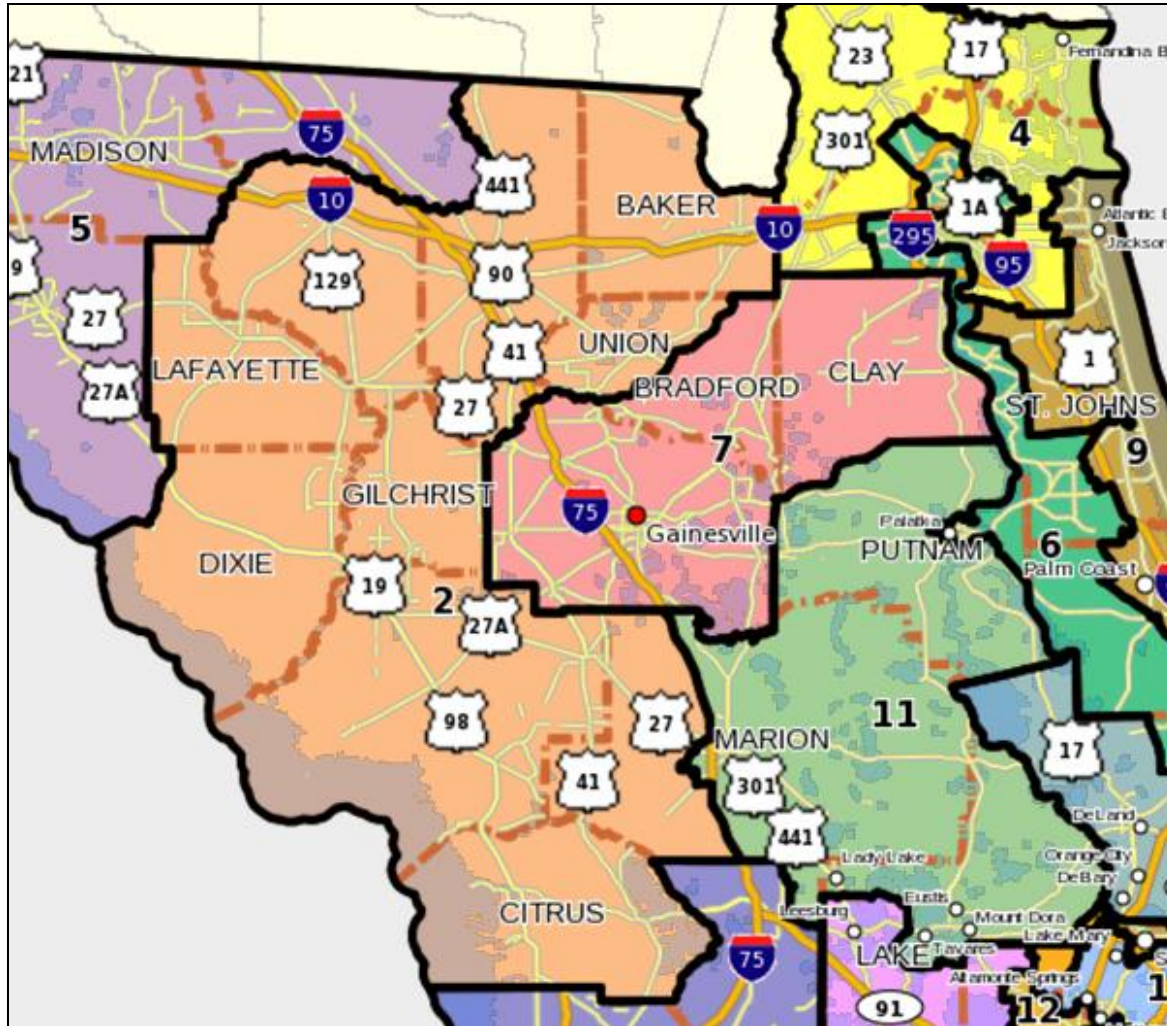
State Senate Districts 1 and 3

CS/HJR 6001 (S000S9008)



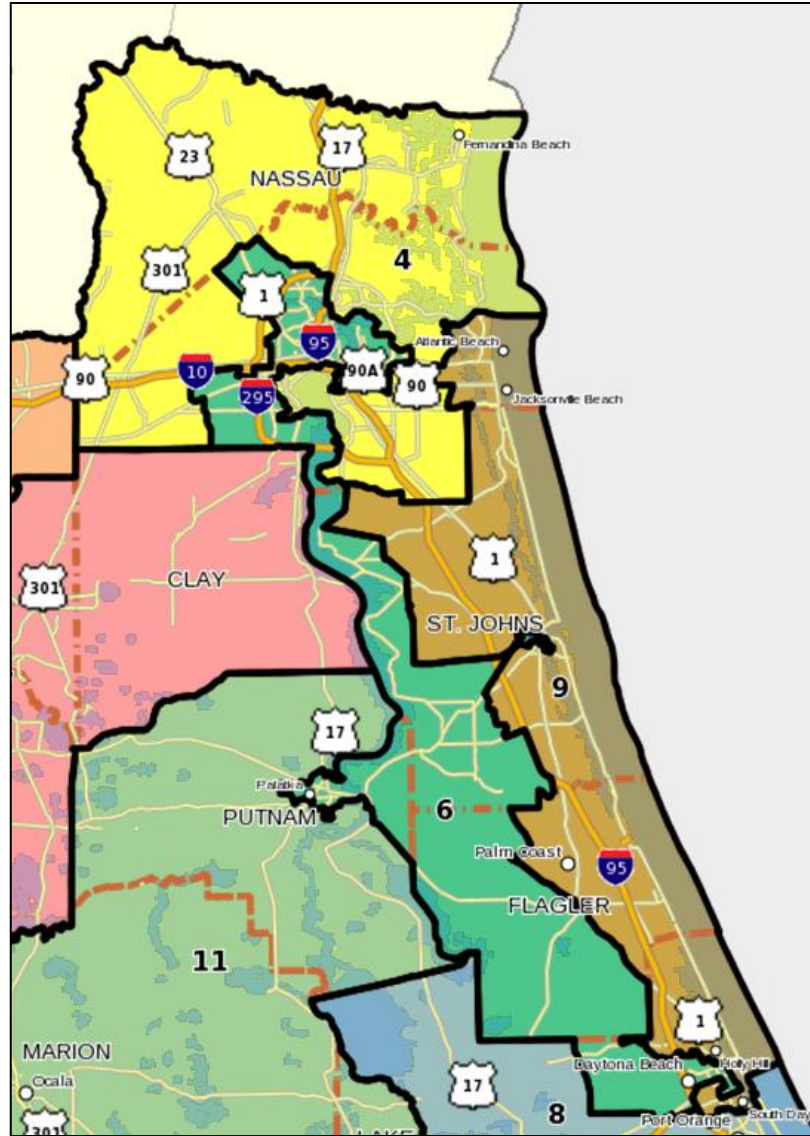
State Senate District 5

CS/HJR 6001 (S000S9008)



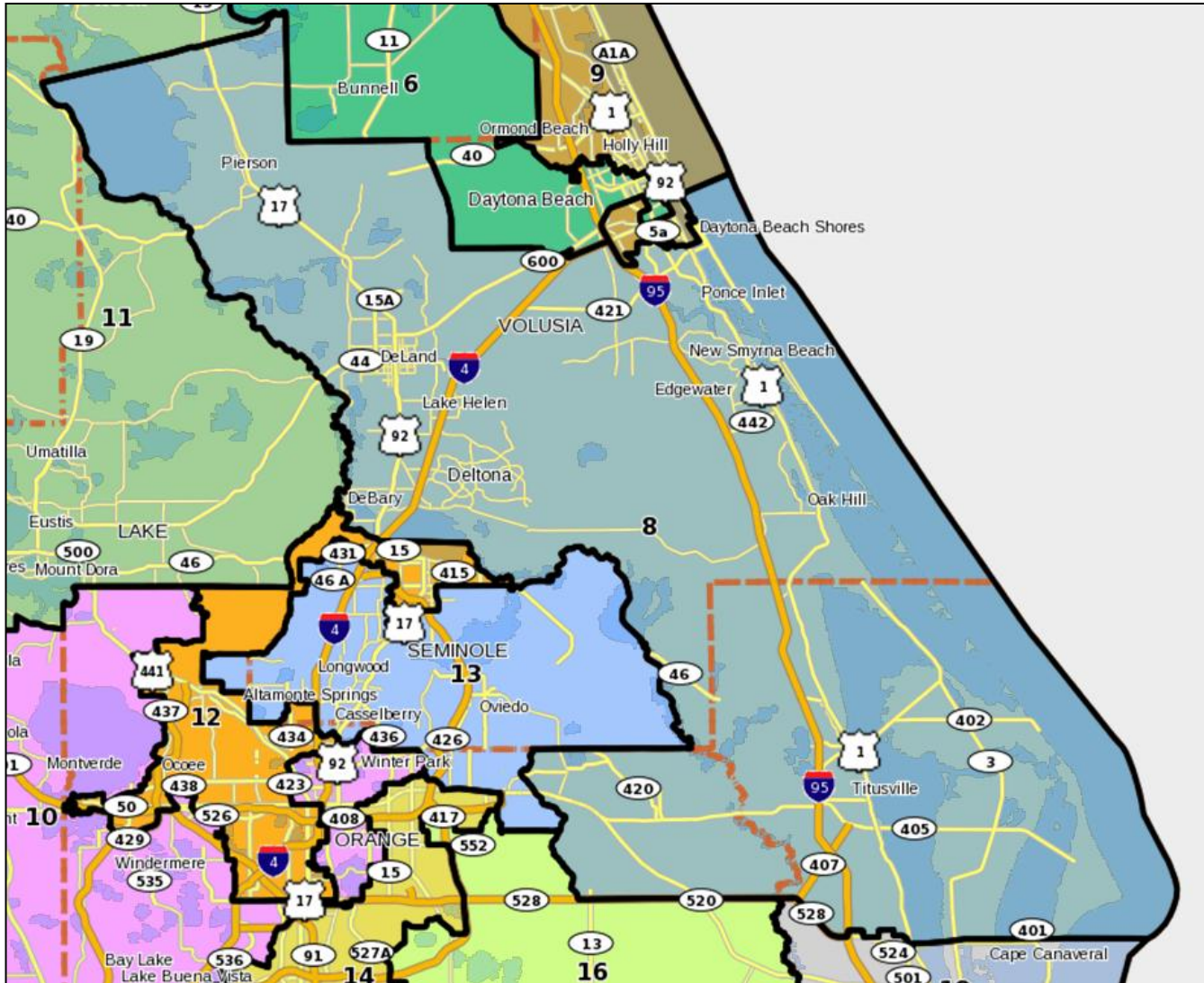
State Senate Districts 2, 7, and 11

CS/HJR 6001 (S000S9008)



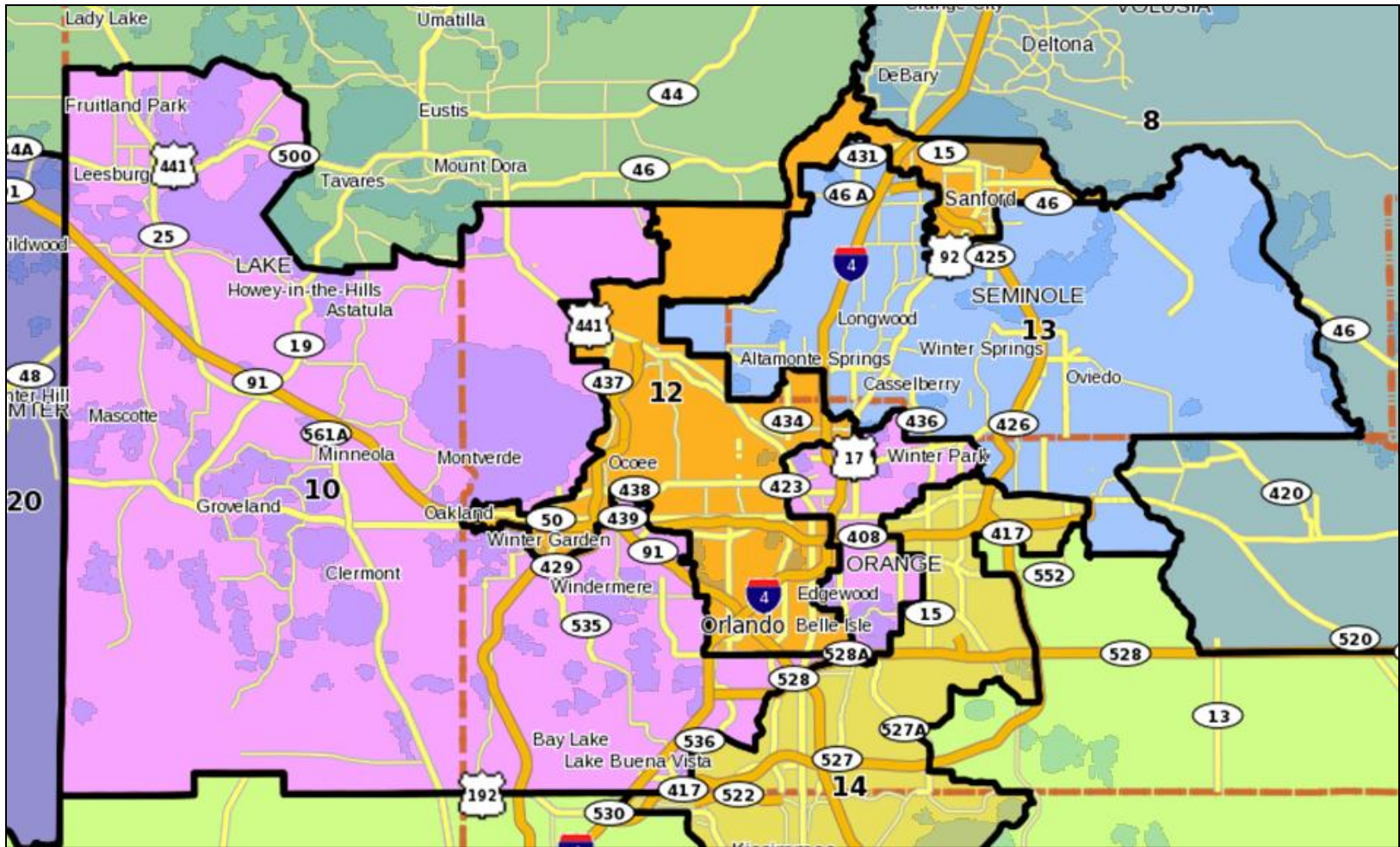
State Senate Districts 4, 6, and 9

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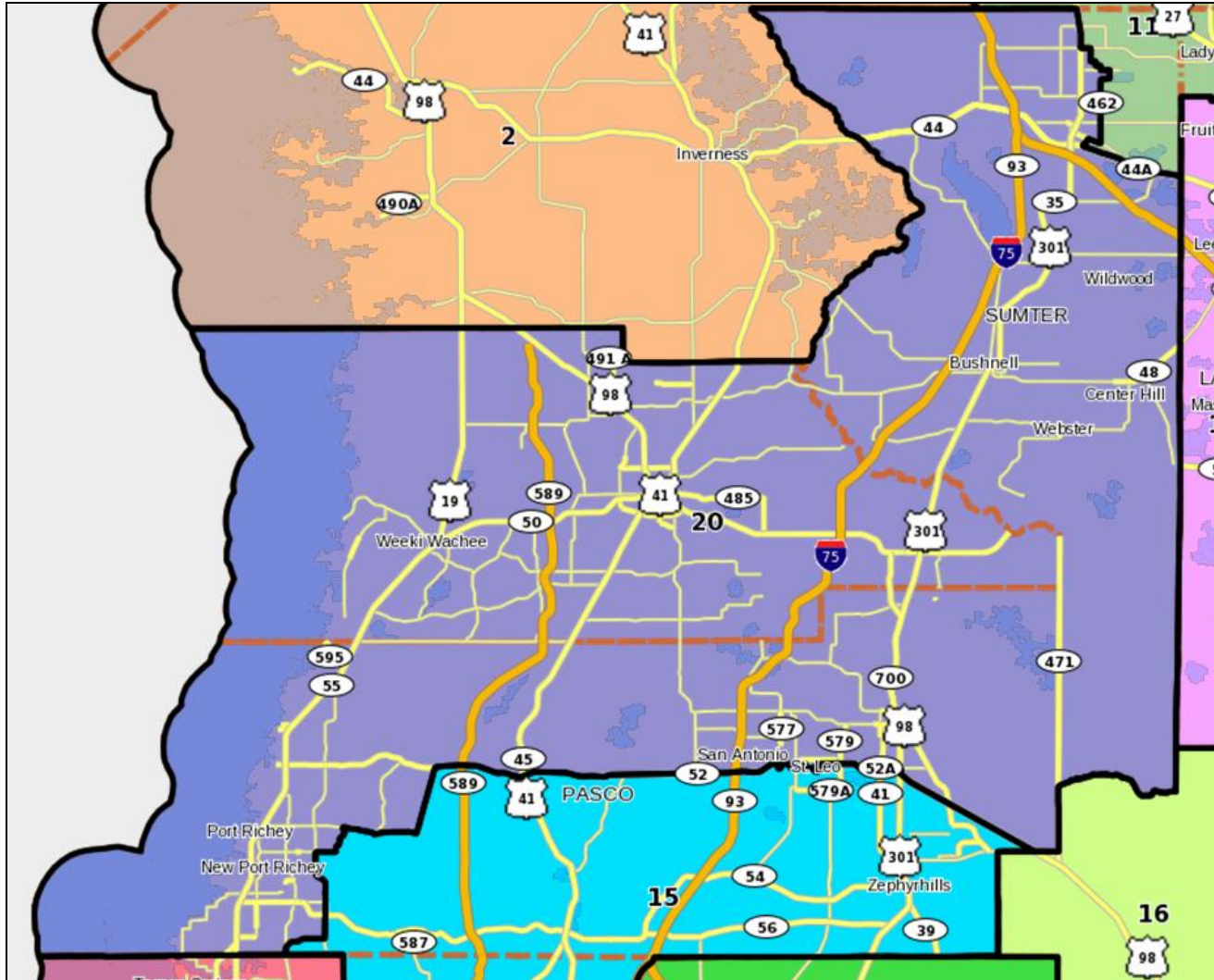
State Senate District 8

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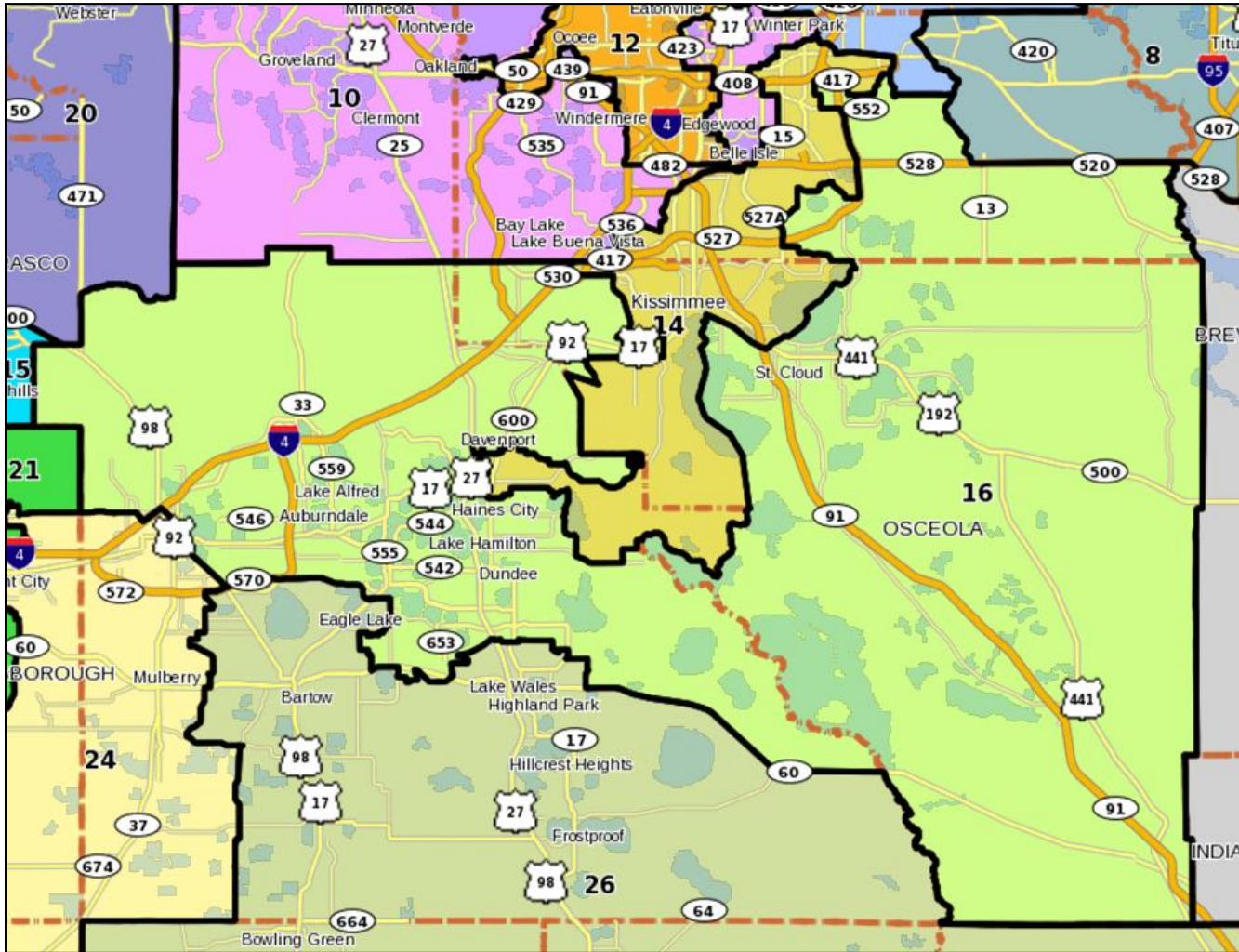
State Senate Districts 10, 12, and 13

CS/HJR 6001 (S000S9008)



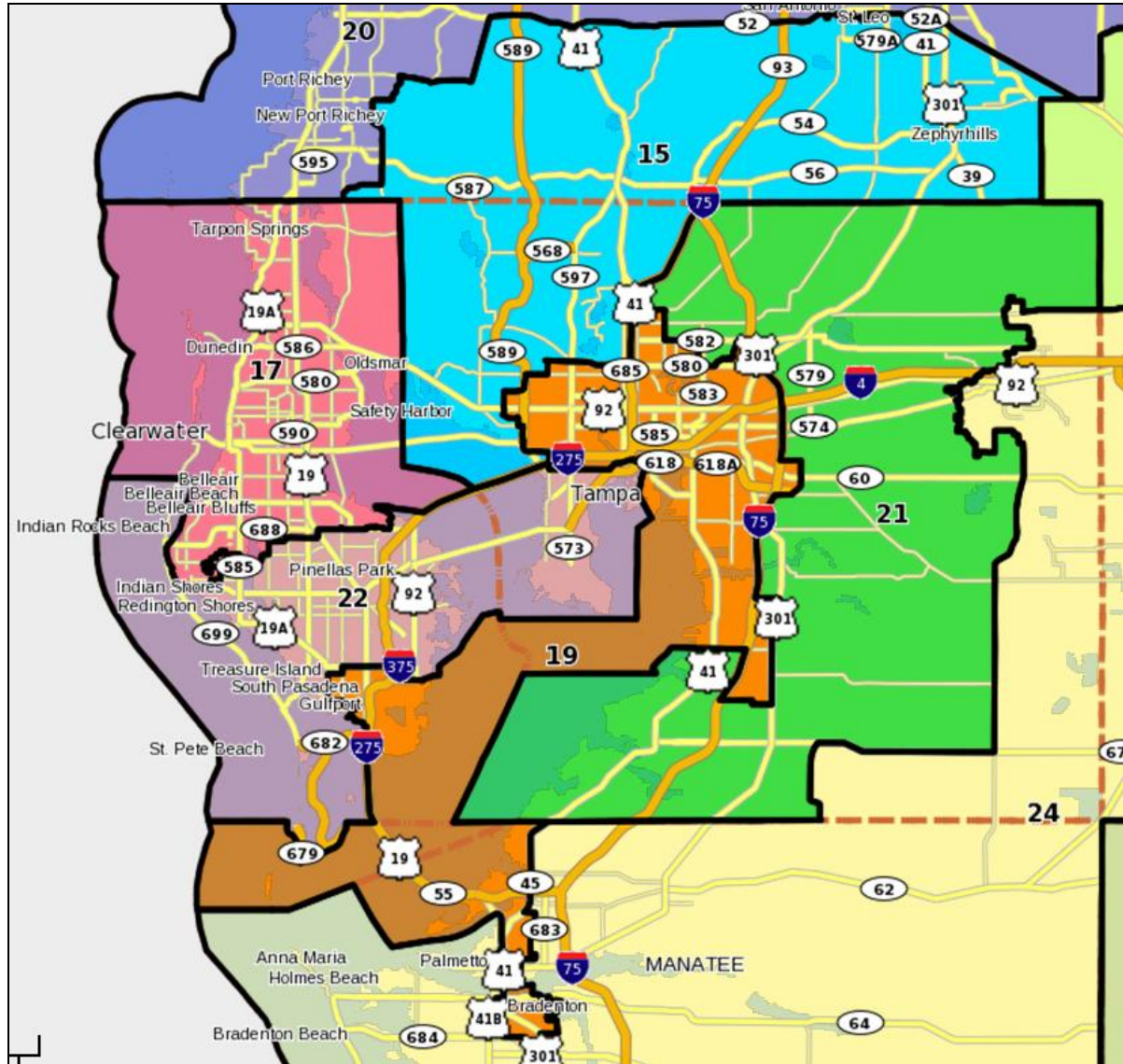
State Senate District 20

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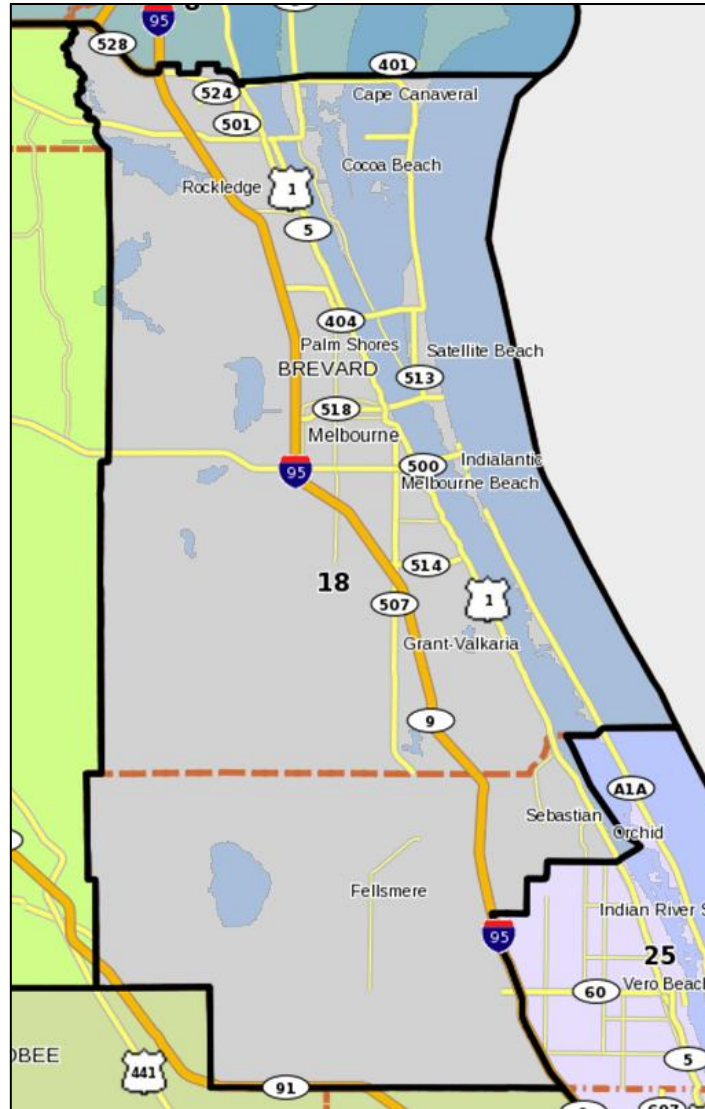
State Senate Districts 14 and 16

CS/HJR 6001 (S000S9008)



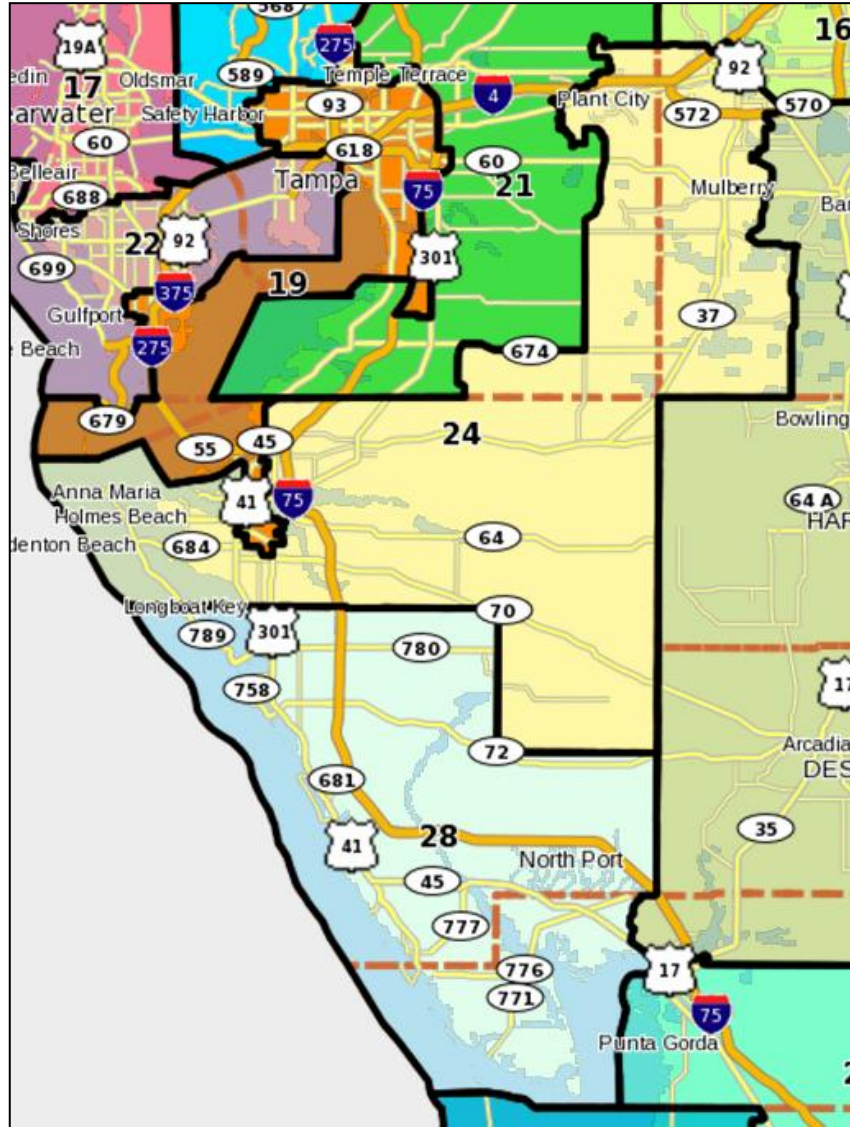
State Senate Districts 15, 17, 19, 21, and 22

CS/HJR 6001 (S000S9008)



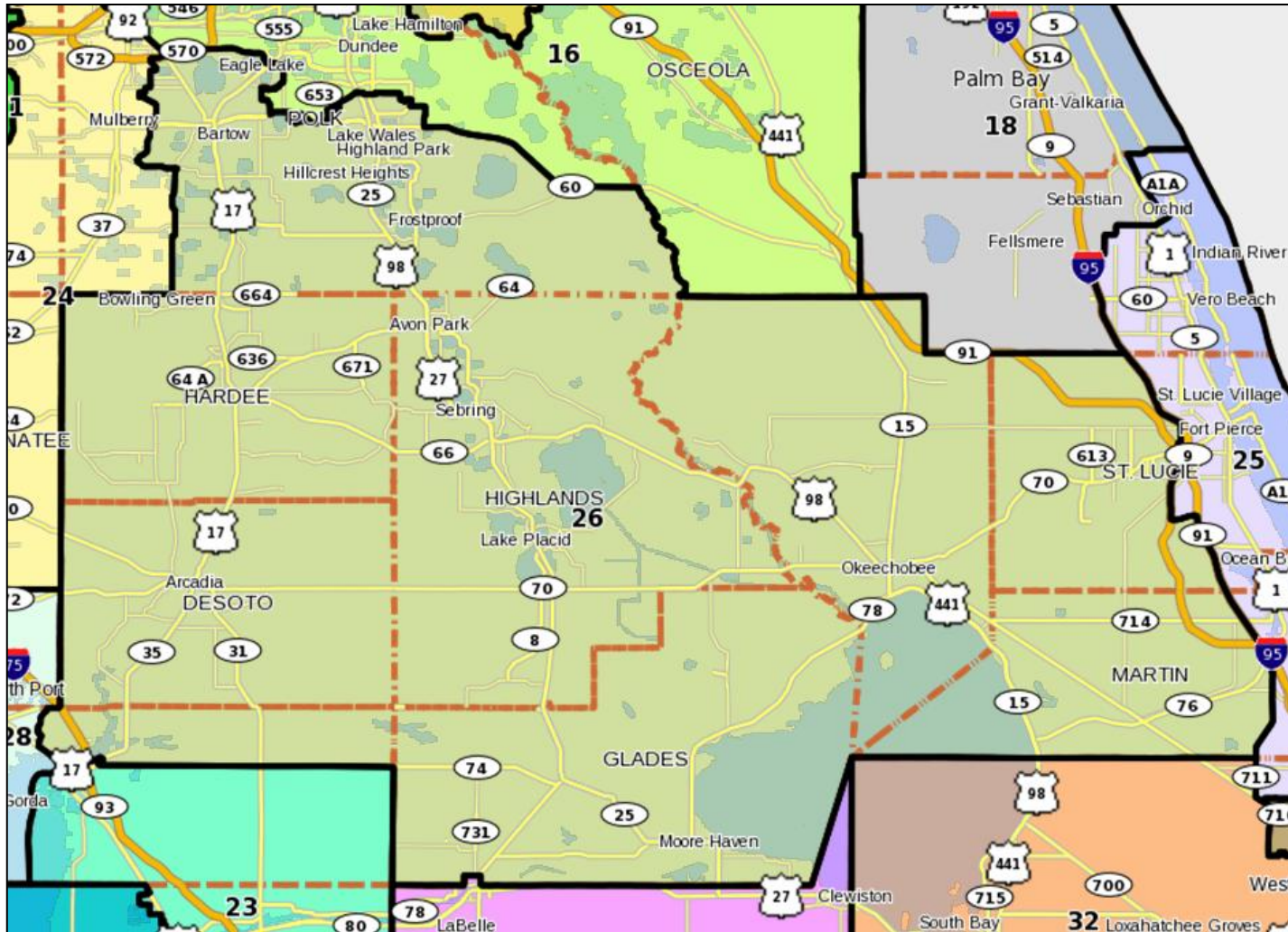
State Senate District 18

CS/HJR 6001 (S000S9008)



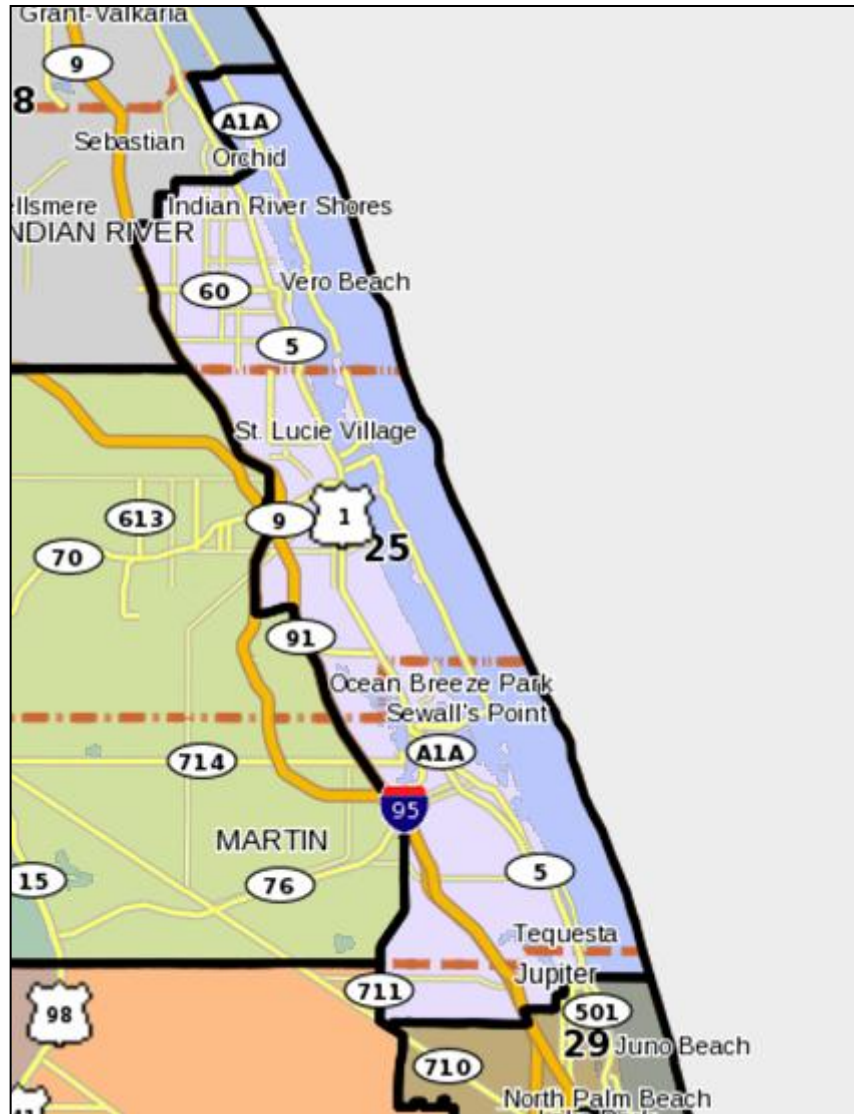
State Senate Districts 24 and 28

CS/HJR 6001 (S000S9008)



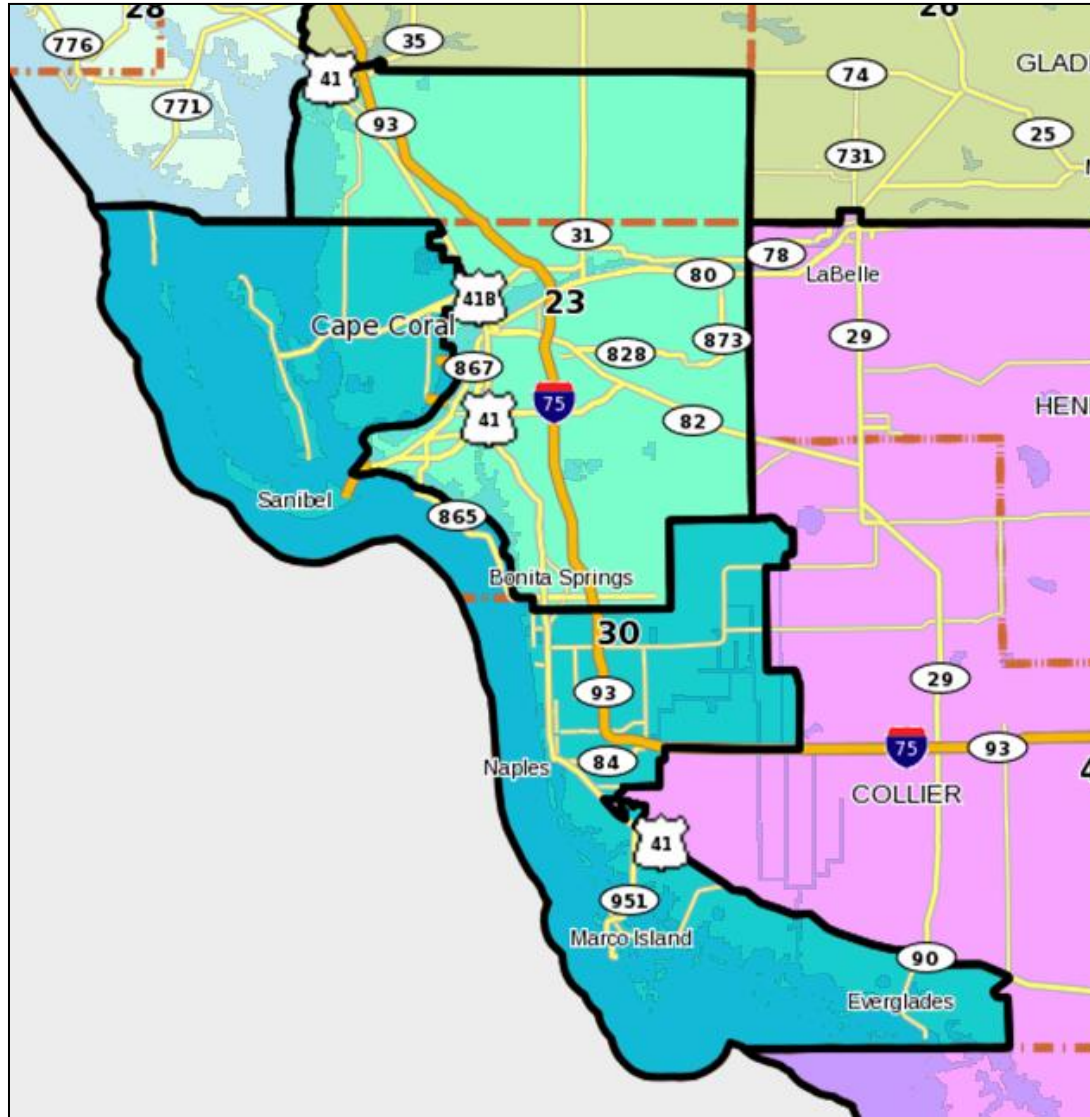
State Senate District 26

CS/HJR 6001 (S000S9008)



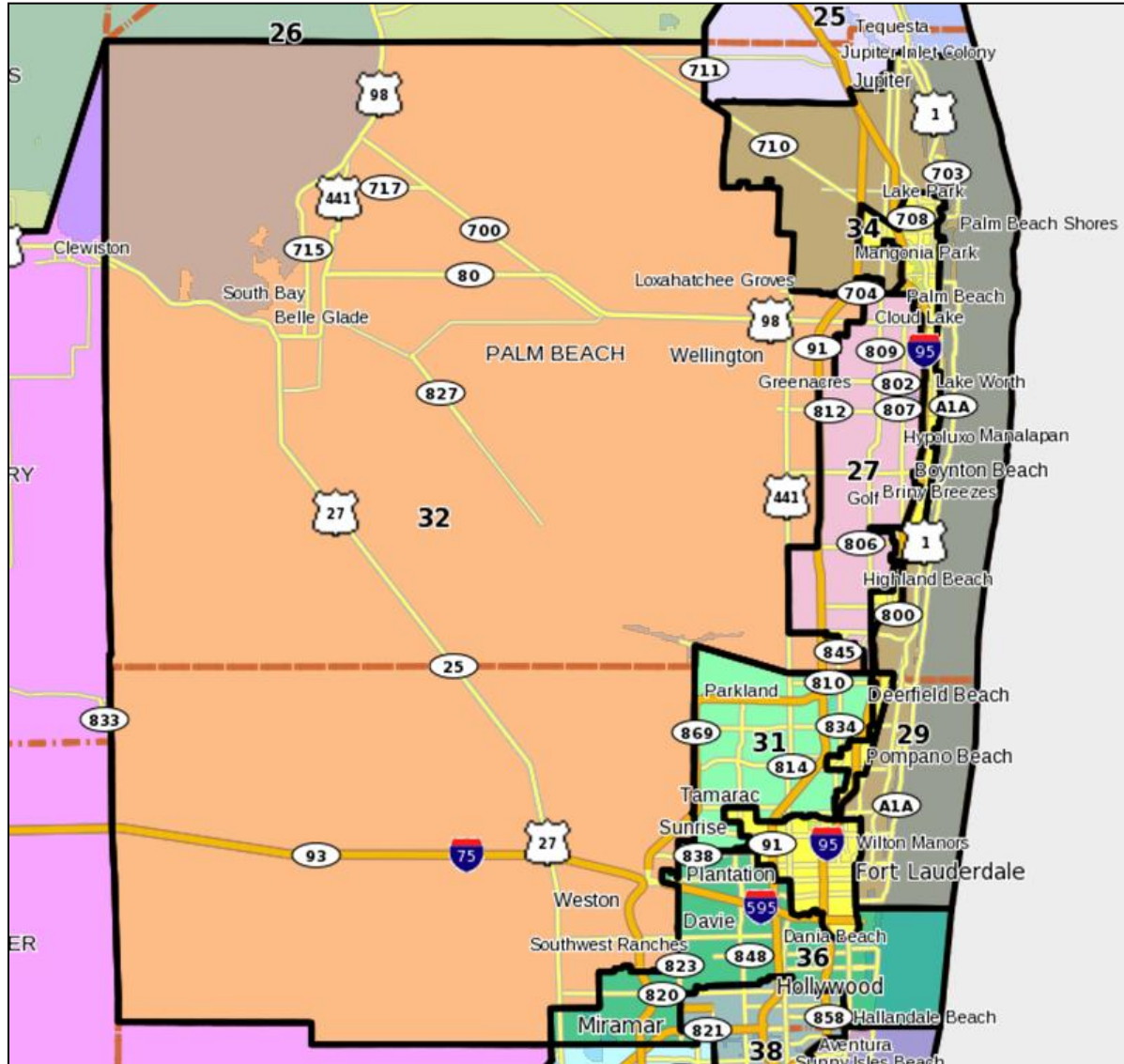
State Senate District 25

CS/HJR 6001 (S000S9008)



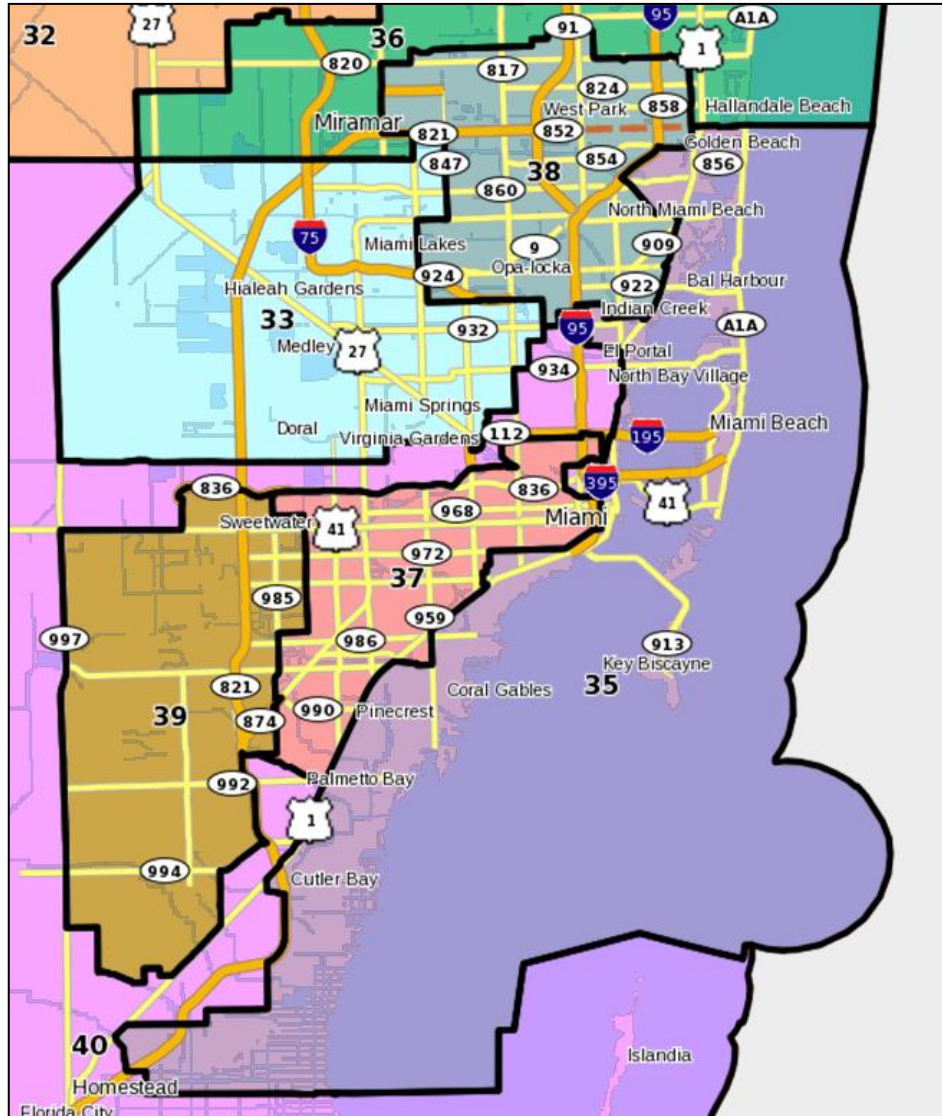
State Senate Districts 23 and 30

CS/HJR 6001 (S000S9008)



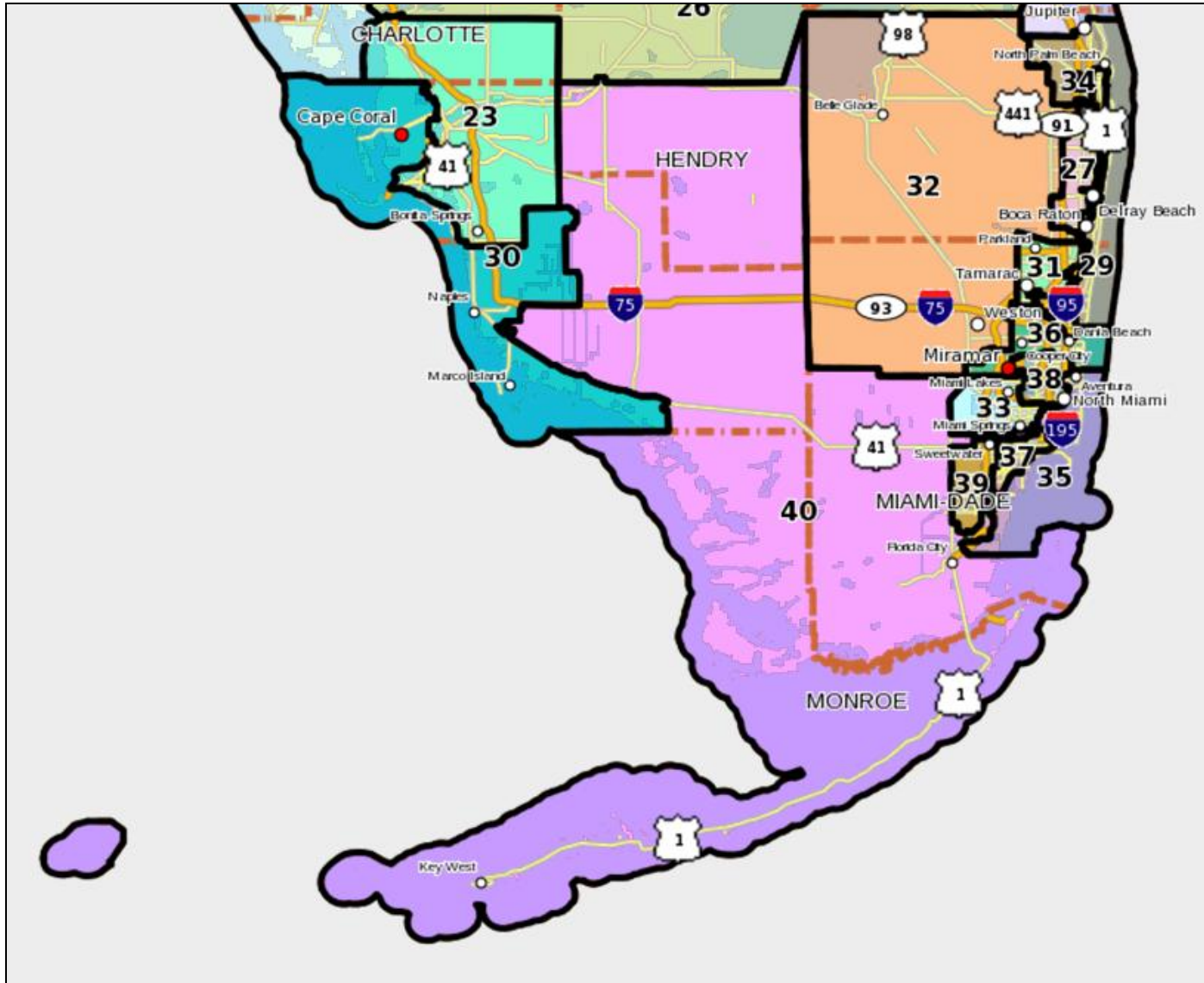
State Senate Districts 27, 29, 31, 32, 34 and 36

CS/HJR 6001 (S000S9008)



State Senate Districts 33, 35, 37, 38 and 39

CS/HJR 6001 (S000S9008)



State Senate District 40

Motion to Adjourn

Rep. Weatherford moved that the House, after receiving reports, adjourn for the purpose of holding committee and subcommittee meetings and conducting other House business, to reconvene at 10:45 a.m., Wednesday, February 8, 2012, or upon call of the Chair. The motion was agreed to.

House Resolutions Adopted by Publication

At the request of Rep. Patronis—

HR 9041—A resolution designating February 7, 2012, as "F.S.U. Day" in the State of Florida.

WHEREAS, the Tallahassee campus of Florida State University is the oldest continuous site of higher education in Florida and chartered the state's first chapter of Phi Beta Kappa, the nation's oldest academic honor society, in 1935, and

WHEREAS, in 1994, Florida State University joined an elite group of the country's top research universities, being designated as a "Research I" institution by the Carnegie Foundation, and

WHEREAS, the university offers graduate and undergraduate degrees in 324 programs within 16 independent colleges and schools, taught by 2,306 faculty members, including 12 National Academy of Sciences members and six Nobel Laureates, and

WHEREAS, the freshman class entering Florida State University in the fall of 2011 was one of the most academically accomplished freshman classes in the university's history, with an average high school grade point average of 3.9, an average SAT score of 1850, and an average composite ACT score of 27, and

WHEREAS, Florida State University is the headquarters of the National High Magnetic Field Laboratory, which designs, builds, and operates the world's most powerful research magnets, attracting more than 700 scientists from across the globe to explore new frontiers of science and engineering, and

WHEREAS, as part of its efforts to become the most veteran-friendly campus in the United States, Florida State University opened the Florida

State Veterans Center, which serves as the focal point for all campus veteran resources, including academic advising, orientation and transition programming, personal and rehabilitative support services, and assistance with veteran educational benefits and certification, and

WHEREAS, the Florida State University College of Medicine's statewide clinical research network, which strives to improve health care outcomes across the state, includes more than 1,900 Florida physicians and 3 million patients, and many of the college's graduates practicing in Florida provide primary care services, including in underserved and needy communities, and

WHEREAS, through its longstanding tradition of promoting racial, ethnic, and cultural diversity, the outstanding academic achievements of its students, the invaluable contributions made by its award-winning faculty, and the remarkable accomplishments of its alumni, Florida State University has distinguished itself as an outstanding institution of higher education, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That February 7, 2012, is designated as "F.S.U. Day" in the State of Florida.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to Dr. Eric Barron, President of Florida State University, as a tangible token of the sentiments expressed herein.

—was read and adopted by publication pursuant to Rule 10.17.

Excused

Rep. Fullwood until 4:08 p.m.; Reps. Kreegel, Sands

Adjourned

Pursuant to the motion previously agreed to, the House adjourned at 4:21 p.m., to reconvene at 10:45 a.m., Wednesday, February 8, 2012, or upon call of the Chair.

CHAMBER ACTIONS ON BILLS

Friday, February 3, 2012

HB	103 — Read 3rd time; Passed; YEAS 115, NAYS 0	HB	4087 — Read 3rd time; Passed; YEAS 118, NAYS 0
CS/CS/HB	245 — Read 3rd time; CS passed as amended; YEAS 66, NAYS 48	HB	4091 — Read 3rd time; Passed; YEAS 118, NAYS 0
CS/HB	387 — Read 3rd time; CS passed; YEAS 115, NAYS 0	HB	4101 — Read 3rd time; Passed; YEAS 117, NAYS 0
CS/HB	483 — Read 3rd time; CS passed; YEAS 116, NAYS 0	HB	4141 — Read 3rd time; Passed; YEAS 111, NAYS 5
CS/HB	517 — Read 3rd time; Amendment 769789 adopted; Amendment 791331 adopted; Amendment 769059 adopted; CS passed as amended; YEAS 90, NAYS 26	HB	4143 — Read 3rd time; Passed; YEAS 107, NAYS 10
HB	693 — Read 3rd time; Passed; YEAS 116, NAYS 0	HB	4145 — Read 3rd time; Passed; YEAS 118, NAYS 0
CS for SB	1174 — Read 3rd time; CS passed as amended; YEAS 80, NAYS 37	HB	4149 — Read 3rd time; Passed; YEAS 116, NAYS 0
CS/SJR	1176 — Read 3rd time; CS passed as amended; YEAS 80, NAYS 37	HB	4187 — Read 3rd time; Passed; YEAS 118, NAYS 0
HB	4055 — Read 3rd time; Passed; YEAS 81, NAYS 35	HB	4189 — Read 3rd time; Passed; YEAS 117, NAYS 1
HB	4059 — Read 3rd time; Passed; YEAS 95, NAYS 21	HB	7013 — Read 3rd time; Passed; YEAS 117, NAYS 0
HB	4061 — Read 3rd time; Passed; YEAS 114, NAYS 1	CS/HB	7023 — Read 3rd time; CS passed as amended; YEAS 95, NAYS 19
HB	4079 — Read 3rd time; Passed; YEAS 117, NAYS 0	CS/HB	7027 — Read 3rd time; CS passed as amended; YEAS 116, NAYS 0
		HB	7051 — Read 3rd time; Passed; YEAS 118, NAYS 0

JOURNAL OF THE HOUSE OF REPRESENTATIVES

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CONGRESSIONAL REDISTRICTING SUBCOMMITTEE MEETING
MONDAY, JANUARY 9, 2012

Transcribed by:
CLARA C. ROTRUCK
Court Reporter

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

2 REPRESENTATIVE LEGG: Members, we will
3 call the Congressional Redistricting
4 Subcommittee to order. Ben, will you call the
5 roll?

6 THE CLERK: Representatives Abruzzo?

7 REPRESENTATIVE ABRUZZO: Here.

8 THE CLERK: Albritton?

9 REPRESENTATIVE ALBRITTON: Here.

10 THE CLERK: Brodeur?

11 REPRESENTATIVE BRODEUR: Here.

12 THE CLERK: Burgin?

13 REPRESENTATIVE BURGIN: Here.

14 THE CLERK: Chestnut?

15 Fullwood?

16 Goodson?

17 REPRESENTATIVE GOODSON: Here.

18 THE CLERK: Holder?

19 REPRESENTATIVE HOLDER: Here.

20 THE CLERK: Horner?

21 REPRESENTATIVE HORNER: Here.

22 THE CLERK: Passidomo?

23 REPRESENTATIVE PASSIDOMO: Here.

24 THE CLERK: Plakon?

25 REPRESENTATIVE PLAKON: Here.

1 THE CLERK: Reed?

2 REPRESENTATIVE REED: Here.

3 THE CLERK: Taylor?

4 REPRESENTATIVE TAYLOR: Here.

5 THE CLERK: Trujillo?

6 REPRESENTATIVE TRUJILLO: Here.

7 THE CLERK: Chair Legg?

8 REPRESENTATIVE LEGG: Here.

9 Members, I hope you had a good new year
10 and a good holiday season and ready for an
11 interesting session. I am sure you are as
12 excited to be here the first week of January or
13 the second week of January for session as I am.

14 So with that, members, at our last
15 meeting, we workshopped seven options for
16 Florida's congressional map. Today we're going
17 to narrow those options by taking up three of
18 those options and passing those PCBs onto the
19 full redistricting committee.

20 Just so we are on the same page,
21 Vice-Chair Horner, he is going to be offering
22 an amendment to each of the seven options,
23 amendments that clean up these options in terms
24 of city boundaries and a request from the
25 public. So that no matter which three options

1 we pick, they are in good order for the
2 redistricting committee to consider.

3 In your packets, you will find the Bill
4 analysis, maps, data report, for each PCB,
5 along with the data report and map for each of
6 the proposed amendments. Also, in the front of
7 your packet, you will find a short -- a short
8 sheet of the PCB number, the corresponding
9 redistricting number and the plan number of the
10 amendments. If you want a copy of the billing,
11 which a single copy of each is available here
12 in the chairs in the back.

13 Redistricting billing, which is a rather
14 large description of which geo- -- I can't even
15 talk this morning -- geography in each
16 district. So rather than kill a bunch of
17 trees, we printed one copy of each, and it is
18 available to you if you want to review it.

19 Now, before we go any further, we had an
20 open question from our last meeting regarding
21 Hialeah. So I will ask our Staff Director,
22 Alex Kelly, to come up and present what our
23 staff looked at between this meeting and our
24 last meeting. Alex?

25 MR. KELLY: Thank you, Mr. Chair.

1 Mr. Chair and members, last meeting, just
2 to refresh, there was a question regarding
3 correspondence that the Committee received, and
4 I believe Representative Trujillo raised the
5 question regarding whether or not Hialeah could
6 be kept whole, why it was split in the various
7 options for the congressional map.

8 What you are looking at here in this first
9 slide is the configuration as it is in all
10 seven of the options for the congressional map.

11 Congressional District 27 includes pieces
12 of the southeastern part of Hialeah, and the
13 Congressional District 25 includes the majority
14 of the city. The image here shows what the --
15 shows the municipal boundary lines on, and the
16 arrow points to the municipal boundary lines of
17 Hialeah.

18 The way that the different options were
19 produced was with the intent of ensuring that
20 Districts 25, 26 and 27 would all retain their
21 ability to perform for a Hispanic candidate of
22 choice.

23 Looking at the table on the screen,
24 looking at the last column, I apologize, it is
25 probably a little difficult to read, but in the

1 last column, it shows the voter registration
2 that is Hispanic in each of the districts, and
3 what it does is the design of this, it splits
4 the -- it splits the voter registration that is
5 Hispanic, not equally, but near equally amongst
6 the three districts so that all three have a
7 strong likelihood of performing for a Hispanic
8 candidate.

9 In addition, the way the districts were
10 designed was in order to utilize the Tamiami
11 Trail and the points along it as to a way to
12 create a more cosmetically compact meeting
13 point for the three districts than does the
14 current map, which doesn't accomplish that
15 task.

16 So the design was to enable all three
17 districts to perform for a Hispanic candidate
18 of choice, but also to have a more compact,
19 geometrically sound design to all three
20 districts.

21 There were two different options, if you
22 will, or two different ways in response to the
23 question that the committee staff looked at,
24 how this could -- how Hialeah could be kept
25 whole and -- but these other variables could

1 still be met.

2 In the first option, I would probably just
3 call it the direct path, the District 27 just
4 directly goes and encompasses the entirety of
5 Hialeah, and necessary then District 25 goes
6 south of the Tamiami Trail and to the
7 communities as you can see on the screen.

8 The result is a less compact
9 configuration, and in addition to that, the
10 Hispanic voter registration in District 26
11 drops by about five points, which would come
12 into that range of questioning whether or not
13 the ability to elect may be affected, but it is
14 a less compact configuration than the previous.

15 The other option that staff looked at
16 started with building the district around
17 Hialeah and the municipalities around it in an
18 effort to keep those municipalities whole.

19 District 27 takes on a more compact design
20 in this configuration; however, the net result
21 is that in terms of those communities that are
22 likely to perform for the Hispanic community,
23 they are very much concentrated in that
24 district such that the District 26 goes down to
25 a 45 percent Hispanic voter registration, which

1 would certainly raise the question as to
2 whether it could perform for a Hispanic
3 candidate given the trends in terms of voter
4 registration and so forth for the Hispanic
5 community in Miami-Dade County.

6 District 25 also goes down to 51 percent,
7 which is getting into a range that may be
8 questionable. And then overall, an observation
9 of this could be that District 27 would have a
10 Hispanic voting age population of 90 percent,
11 significantly different than the other two
12 districts, and the question could come up as to
13 why the variation amongst the three.

14 So these were the two different scenarios
15 that were looked at as far as how to bring
16 Hialeah into -- entirely into one district, and
17 with that, Mr. Chair, those are our remarks.

18 REPRESENTATIVE LEGG: Thank you, Alex.

19 Members, are there any questions?

20 Seeing no questions -- now, in terms of
21 which three of the seven PCBs we will take up,
22 I have some thoughts on how we can make that
23 decision, but I am certainly open to any of
24 your thoughts that you may have.

25 I have asked our staff to prepare for us a

1 visual that compares each PCB and the
2 amendments being offered by Vice-Chair Horner,
3 but several of the various measures that are
4 included in the data report. These comparisons
5 also are printed out for you in the front of
6 each of your packets.

7 Members, when I first looked at the
8 comparisons, a couple things stood out to me
9 right away. First, all the maps, when you
10 compare them by the standards that are in the
11 law, standards regarding compactness, the use
12 of political and geographical boundary lines
13 and so forth, all seven of these PCBs are major
14 improvements to the existing map.

15 Second, I think these numbers give us a
16 non-political way to pick three choices and
17 send them to the Redistricting Committee.

18 I know we have all heard of these
19 standards in the Florida Law were meant to
20 reduce some of the politics in the process. My
21 suggestion today is to do exactly that.

22 In a minute, I will ask Alex to walk us
23 through this data, but I believe this data and
24 the public hearings that we have heard around
25 the state give us a means to pick three options

1 entirely on the basis of how strict these
2 options relate to the standards that are in
3 current law.

4 Alex, can you walk us through these PCBs?

5 MR. KELLY: Sure. Thank you, Mr. Chair.

6 Members, the two-page handout that is in
7 your packets and that's on the screen, as the
8 Chair described, walks through a selection of
9 various metrics regarding the maps. It is not
10 an exhaustive list, by any means.

11 An exhaustive list would be, looking into
12 your packets, the plan data report contains a
13 number of measurements even in addition to
14 these, including looking district by district.

15 But, generally speaking, in terms of
16 county splits, map 9005, map 9011, in terms of
17 how they have been filed as PCBs, I should say
18 PCB-3 and PCB-6, perform the best in terms of
19 county splits.

20 Map 9011 also performs the best in terms
21 of municipal splits, and, in fact, the
22 Amendment 2, as it's been filed to 9011, would
23 actually take the number of city splits down to
24 39 statewide.

25 Just to give you a sense of what that

1 means, there -- as of the 2010 census, there
2 were 411 municipalities in Florida. So keeping
3 40 or fewer split, or in other words, keeping
4 the remainder whole, is keeping more than
5 90 percent of the cities in the state whole,
6 just if you are looking for a sort of
7 comparison.

8 In terms of the various measures of
9 compactness, and there are many different
10 measures of compactness, again, this is a
11 selection of a few, in terms of the different
12 measures. Map 9009 tends to rise to the top in
13 several of these different measures, including
14 the functional type compactness measures about
15 drive time and distance in terms of traveling
16 across a district. Map 9011 again tends to be
17 either first or second in most of these
18 different categories.

19 In terms of the other end of the spectrum,
20 map 9007, map 9001, again, depending upon the
21 different category you are looking at, tend to
22 be a little less compact than those of like
23 9009 and 9011.

24 In terms of how the different maps treat
25 racial and language minorities, in terms of

1 ability to elect, there -- maps 9001 and map
2 9005 don't create any sort of 35 or 40 percent
3 Hispanic district in central Florida, although
4 overall that may not affect the ability to
5 elect.

6 It is questionable whether even a
7 40 percent district -- Hispanic district of
8 central Florida would have an ability to elect.
9 So in terms of -- in terms of retaining
10 existing African-American and Hispanic seats,
11 in Congress all of the maps probably perform
12 fairly equally.

13 In terms of whether you are creating a
14 seat like that potentially for the future, maps
15 9001 and 9005 don't create that seat, the other
16 five do, but, again, we believe all of them --
17 I should move that slide -- we believe all of
18 them maintain the State's federal and state law
19 legal obligations towards racial and language
20 minorities.

21 And with that, Mr. Chair, I would be happy
22 to answer any questions.

23 REPRESENTATIVE LEGG: Members, questions?
24 Representative Passidomo.

25 REPRESENTATIVE PASSIDOMO: Thank you,

1 Mr. Chair.

2 Alex, could you -- you mentioned the
3 metrics that you are applying to these maps.
4 Can you kind of give us a brief overview how
5 you determine the metrics, and then maybe just
6 going through each one of them briefly,
7 distinguish the differences, because I am not
8 sure I quite get it at this point? Thank you.

9 REPRESENTATIVE LEGG: You are recognized.

10 MR. KELLY: Sure. Thank you, Mr. Chair.

11 In terms of county splits, that is
12 probably the only one that's probably
13 self-explanatory. City splits, we use -- our
14 data report actually do a calculation, because
15 there are 411 cities in the state of Florida.

16 So our data report does a calculation
17 based on geography as to whether any geography
18 of a municipality in the state is split amongst
19 two or more districts. So even if there are no
20 individuals in that particular piece of
21 geography, let's say a municipality has a
22 commercial development area that has no
23 population, as long as it is in the
24 incorporated city, if it is split into a
25 different district, it would show up as a

1 municipal split in this particular chart.

2 In terms of the different perimeter
3 measurements, they are all based on a similar
4 concept, which is measuring the mileage around
5 a district. The perimeter base is based around
6 drawing a circle -- I mean, sorry, drawing a
7 square or rectangle around a district and
8 measuring the mileage around that.

9 The circle is similar, it is just drawing
10 a circle around a district, that would entirely
11 encompass the district, and measuring the
12 mileage of that. And then the convex hull is
13 an adaptation of those where you take the
14 outermost points of the district, draw a
15 straight line from each of the outermost points
16 to each other and then measure the perimeter
17 that way.

18 They serve different purposes for -- in
19 terms of calculating compactness. There are
20 different ways to look at it in terms of how
21 compactness and the actual square mileage or
22 the area of the district are in terms of a
23 ratio with each other.

24 So individuals who may do very
25 sophisticated type compactness measurements

1 would use these, depending upon what they were
2 trying to assess to measure compactness.

3 Width/height is a fairly common compactness
4 measurement that essentially -- it essentially
5 takes the total width and the total height of
6 the district and adds the two together.

7 So having a variety of them gives a
8 variety of ways of looking at compactness
9 depending upon whether you may be assessing the
10 compactness of a rural district, a downtown
11 urban district, or whether in terms of the
12 drive time scores and mileage, whether you may
13 be judging the physical distance or time that
14 it would take a constituent to get to their
15 elected official, or vice-versa.

16 So if you are thinking about, back to the
17 public meetings that you had, and thinking
18 about the number of people who said that they
19 had a physical barrier or ease of access to
20 their elected official, those are ways of
21 measuring those, and all of the numbers do show
22 a degree of improvement compared to the current
23 map of the state.

24 In terms of the data for racial and
25 language minorities, you have to dive into each

1 district to truly assess whether it is a
2 performing district, but, generally speaking,
3 what the data in front of you shows is, just by
4 a minimum percentage, how many districts in the
5 map have that either black or Hispanic voting
6 age population.

7 Forgive me, I'm sorry, I am not answering
8 the rest of your question. In terms of the
9 maps, one of the variables that we noticed that
10 affected some of the compactness scores was the
11 composition of the 17th District.

12 In all the different maps that you have
13 looked at, that was the district that was
14 generally Polk County, down to Charlotte
15 County, encompassing several rural areas of the
16 state. In a couple of the examples, for
17 instance, maps 9003 and 9007, that district ran
18 up towards the Orlando area towards the east
19 side of Orange County, and in some cases into
20 Brevard County, creating something of a less
21 compact district and affecting the overall
22 scores for the map.

23 In terms of the district in central
24 Florida that equates to give or take about a
25 40 percent Hispanic voting age population, that

1 is in maps 9003, 7, 9, 11 and 13. In the
2 latter drawings of that district, maps 9009, 11
3 and 13, it is much -- drawn much more
4 compactly, and that affected some of the
5 different compactness variables in terms of
6 drawing that seat much more compactly and how
7 that seat -- it always touches up to District
8 17, but it affected the scores and the
9 compactness variable for both of them.

10 REPRESENTATIVE LEGG: Representative
11 Passidomo.

12 REPRESENTATIVE PASSIDOMO: Follow-up,
13 thank you, Mr. Chair.

14 So as I am looking at the comparing
15 options, 9009 and 9011 seem to rise to the top
16 a little bit. 9009 has the -- comes in first
17 and second in all of the various categories,
18 and then 9011 seems to be the most compact.

19 So, I mean, I am kind of leaning towards
20 those probably, in my opinion, should be sent
21 up to the big committee to look at as two of
22 the three, because they look pretty good to me.
23 Thank you.

24 REPRESENTATIVE LEGG: Thank you. Further
25 discussion? Representative Albritton.

1 REPRESENTATIVE ALBRITTON: Thank you,
2 Mr. Chair. A couple things, if I could.

3 The first is I appreciate your comments
4 about taking the politics out of this process,
5 and looking at these standards and the way they
6 are derived. I think it is reasonable to
7 assume that is going to take place, and I
8 certainly am supportive of using those
9 standards.

10 Then, second of all, I wouldn't disagree
11 with Representative Passidomo's
12 characterization of the two maps.

13 REPRESENTATIVE LEGG: Further?

14 REPRESENTATIVE BRODEUR: Thank you,
15 Mr. Chair.

16 As a former forecaster, I love this chart
17 right here. This is, I think, very indicative
18 of what Representative Albritton said, that
19 we've kind of pulled the politics out of it.

20 I would actually be okay with any of the
21 seven, I don't really have a favorite, because
22 if you look at it, on every metric, whatever is
23 proposed in any of the seven is better than
24 what we currently have.

25 So I think we've put ourselves in a real

1 nice position, and I don't have a favorite, so
2 I am real interested to see the debate. Thank
3 you.

4 REPRESENTATIVE LEGG: Further discussion?
5 Representative Horner.

6 REPRESENTATIVE HORNER: Thank you,
7 Mr. Chairman.

8 First of all, kudos to the staff. The
9 maps look great. This was very helpful. I
10 tend to agree with Representative Passidomo and
11 Representative Albritton. I think 9009, 9011
12 are probably the strongest, just looking at
13 these objective measurements.

14 If I was picking after that to go forward,
15 maybe 9005, 9013 would be -- would be good.
16 Basically they're in that same, they are both
17 compact, a low number of splits. So I would
18 like to see us move forward.

19 If we are looking for a position to move
20 forward in this, let's move forward with 9009,
21 9011, and I am good with 05 or 13.

22 REPRESENTATIVE LEGG: Further discussion?
23 Further discussion?

24 With that, members, I hear kind of a
25 consensus starting to build up. So,

1 Representative Horner, I know you have some
2 amendments to put Bills into proper posture.

3 With that, since we are going to do some
4 PCBs, I am going to turn the gavel now over to
5 Chair Holder.

6 REPRESENTATIVE HOLDER: Thank you,
7 Chairman Legg.

8 At this time, we will go ahead and start
9 taking up the PCBs, which -- and I will ask you
10 where you would like to start --

11 REPRESENTATIVE LEGG: Sure, and just so --
12 for clarity, so everyone knows where we are,
13 because I know we are talking a lot of numbers
14 and they get confusing, I would just do it in
15 the sequential order from which it was
16 recommended and start with H00C9009, which is
17 PCB-05.

18 REPRESENTATIVE HOLDER: Okay. You are
19 recognized to present PCB CRS 12-05, which is
20 H000C9009.

21 REPRESENTATIVE LEGG: Members, this is
22 PCB-05, and obviously this is more of a map.
23 So I just want to wait for the computer to kind
24 of bring it up there so you can see it, and
25 that map on the screen will be my explanation.

1 A VOICE: Mr. Chairman, I think there is
2 some confusion down here as to which map we are
3 taking up, if --

4 REPRESENTATIVE LEGG: Sure, we will go
5 back. The map number based on the House, what
6 is listed, is 9009, and for summary purposes,
7 it is referred to as PCB-05. It is the fifth
8 tab.

9 REPRESENTATIVE HOLDER: Did that rectify
10 any and all confusion of where we are?

11 Members, what we will do at this point is
12 now that we've got the map on the overhead and
13 you have the maps in front of you, for those of
14 you like me that can't read the numbers on the
15 overhead, we will just go ahead and open it up
16 for questions.

17 No questions?

18 Okay. There is an amendment by Vice-Chair
19 Horner. Vice-Chair Horner, you are recognized
20 to explain your amendment.

21 REPRESENTATIVE HORNER: Thank you,
22 Mr. Chairman, appreciate it, and we've got
23 amendments drawn to each of these maps
24 basically to reduce some city splits and
25 clean-up based on some input from the public.

1 Fortunately, our staff has put together a
2 PowerPoint to explain this amendment. So if I
3 could ask Mr. Kelly to go over that PowerPoint,
4 that would be outstanding.

5 MR. KELLY: Thank you, Mr. Chair.

6 Members, the PowerPoint before you just
7 has a slide for each one of the changes to the
8 different congressional options, and just to
9 give you a heads-up, much of this is
10 repetitive.

11 So as you see this one, the amendments are
12 very similar, not identical, but are very
13 similar from PCB to PCB.

14 So in terms of the amendment,
15 Representative Horner's amendment to PCB-5, the
16 amendment identifies a number of situations
17 where zero population but geography of the
18 municipality or low population was split into a
19 different district, and with minimal change,
20 those municipalities could be kept whole.

21 So the amendment keeps the municipality of
22 Miami Shores, it makes it whole. The amendment
23 makes the municipality of Cutler Bay in
24 Miami-Dade County whole. The municipality just
25 jumps slightly across the road there.

1 The amendment makes the municipality of
2 Doral whole, a similar issue again, a situation
3 of zero population. The amendment in Palm
4 Beach County makes two nearby cities, Palm
5 Beach Gardens and North Palm Beach, whole, and
6 so it just makes a slight change again
7 affecting zero population to keep them whole.

8 Also in Palm Beach County, the amendment
9 makes the municipality of Glen Ridge whole.
10 And in all these cases, what you are looking at
11 is you are looking at just the -- in some
12 cases, microscopic split of the municipality
13 into a different district.

14 In the case of Clay County, the Clay
15 County Supervisor of Elections -- the staff of
16 the Clay County Supervisor, I should say, the
17 GIS officer contacted -- contacted the House
18 and suggested that in between Districts 5 and
19 District 3, again, you will see this frequently
20 throughout the different PCBs today, that State
21 Road 17 be used more frequently.

22 The suggestion noted trying to actually
23 take Congressional District 5 out of Orange
24 Park, which physically -- this configuration
25 wouldn't actually be possible, but they did

1 recommend using State Road 17 more frequently,
2 Pine Avenue, and in terms of executing that
3 move, the previous is the way the map looks in
4 the current PCB, and this is the change.

5 It essentially creates a smoother line
6 along the roadway, uses the roads that were
7 recommended by the Supervisor, and the
8 population is accounted for in District 5
9 around -- in the unincorporated neighborhoods
10 around Green Cove Springs.

11 Green Cove Springs is entirely included in
12 Congressional District 5 in these maps, and so
13 it just -- it just includes some of the
14 unincorporated neighborhoods around Green Cove
15 to account for the population that is lost
16 around Orange Park. And in addition to that,
17 the municipality of Temple Terrace is kept
18 whole.

19 There was a small number of individuals
20 who were split into a different district. And
21 the municipality of Eustis is kept whole in
22 Lake County. In this case, it was another zero
23 population issue of just a piece of geography
24 from the city.

25 And Mr. Chair, that is the amendment.

1 REPRESENTATIVE HOLDER: Members, are there
2 any questions on the amendment?

3 Seeing no questions, public testimony on
4 the amendment? We have none.

5 Debate on the amendment?

6 Seeing none, you are recognized to close
7 on your amendment.

8 REPRESENTATIVE LEGG: Waive close,
9 Mr. Chair.

10 REPRESENTATIVE HOLDER: Waiving close.
11 All in favor, say aye.

12 (Chorus of ayes.)

13 REPRESENTATIVE HOLDER: All opposed?

14 Okay. Show that the amendment is adopted.

15 And now we will go to public testimony on
16 the Bill as amended. And, let's see, we have
17 Jim Roach. You are recognized, sir. If you
18 could hit the --

19 MR. ROACH: There we go.

20 REPRESENTATIVE HOLDER: -- microphone.
21 There you go.

22 MR. ROACH: Thank you, Mr. Chair, and the
23 Committee. I know this has been a lot of work
24 for all of you.

25 My name is Jim Roach. I am from Cape

1 Coral. My wife and I had the pleasure of
2 driving up here. It is a long drive.

3 But on this particular map -- actually, I
4 have comments on all of them, but I know you
5 have tried hard to keep the politics out of
6 this. I know it has been a struggle to meet
7 the Voting Rights Act, but I would like to
8 bring politics back in just for a minute.

9 On this particular map, we have
10 inadvertently, if you can say that, without
11 intent, done something very similar to what we
12 did in 2002. We packed one party into fewer
13 districts and we have given the advantage in a
14 higher number of districts, and it doesn't -- I
15 have done the math on this, and the average
16 counties in Florida are only about 10 percent
17 different if you average them between Democrats
18 and Republicans, and these maps have put -- if
19 you look at all the Democrat-leaning districts,
20 which there are fewer of, you have packed
21 25 percent of the Democrats together in this,
22 and if you look at the Republican-leaning
23 districts, which there's more of, you only have
24 about eight percent Republicans in there.

25 But I know you haven't looked at the

1 politics of this yet, or the party
2 registrations, but when you do, I think you
3 will see that myself and much of the public are
4 going to look at this and say what changed from
5 2002 before we had amendments that said don't
6 look at party registration.

7 So my request would be that you look at
8 these maps again and look at what inadvertently
9 happened with the parties, because we haven't
10 fixed the lopsided view of how we got the
11 politics -- or how we have the Democrats and
12 Republicans mixed in these districts.

13 It's still the same as it was in 2002
14 primarily, and I don't think we fixed that. I
15 think it is time to look at that before you go
16 on with this, because we have to live with
17 these for the next ten years and it is
18 important to the voters of Florida that we have
19 fair districts that aren't inadvertently
20 packed, and there's no way you could have come
21 up with these -- I guess if you would have
22 looked at them, you probably would have drawn
23 them -- you would have looked at the
24 registrations, you wouldn't have drawn them
25 that way.

1 And now that we are looking at them,
2 before they go on, it might be time to look at
3 that. Thank you.

4 REPRESENTATIVE HOLDER: Thank you very
5 much for making the long journey up here and
6 sharing your views with us.

7 Members, is there any debate on the Bill
8 as amended? Representative Taylor, you are
9 recognized in debate.

10 REPRESENTATIVE TAYLOR: Thank you,
11 Mr. Chair, and I will try to be brief with my
12 comments. And I cannot support this map, not
13 only this map, but all the other maps, and let
14 me explain to you why.

15 This summer when we started, we started
16 right here in Tallahassee and we visited 26
17 different locations. And while we were
18 visiting those locations, I was a part of about
19 20 of them. We took the 2002 maps with us
20 everywhere we went, and we kept hearing a
21 resounding, "Where are the maps, where are the
22 maps," everywhere we went.

23 And I believe there was an important step
24 that was missing throughout this process, which
25 was to take these particular maps, these

1 proposals, back to some of those locations so
2 that the citizens would not have to drive from
3 Cape Coral up to Tallahassee to give their
4 citizens input on what these actual maps -- and
5 give their input just like they did when we
6 went there to present and to try to get
7 information on the maps.

8 So the citizen participation is an
9 important element that I think is missing from
10 voting on these maps, because they are the ones
11 that are going to say exactly what this
12 gentleman just said when we go back to those
13 locations.

14 Now -- so I am not going to be able to
15 support it. And I thank you very much,
16 Mr. Chair.

17 REPRESENTATIVE HOLDER: Thank you for your
18 comments.

19 Any other members in debate?
20 Representative Trujillo, you are recognized.

21 REPRESENTATIVE TRUJILLO: Thank you,
22 Mr. Chair. I would like to applaud the staff.
23 I think every single one of these maps, as it
24 was said earlier, is better, more compact and
25 passes all the constitutional requirements more

1 than other predecessors did in 2002.

2 I think the Committee has done a great job
3 led by the help of staff and by our Chairs in
4 putting together -- in putting together
5 stronger, better maps that really take into
6 account, in this case, Amendment 6.

7 I think, to Representative Taylor's point,
8 I would disagree, because I think in the
9 expediency of time, you see what is happening
10 in Texas, that it is going over maybe even to
11 the U.S. Supreme Court, and the voters there
12 might not even know who they are voting for
13 when the elections do come around.

14 I think it is important to send these maps
15 to the Department of Justice, to send them
16 eventually, hopefully, to the Florida Supreme
17 Court and hopefully that will be the last stop,
18 but to get them cleared in enough time so that
19 people can participate in the democracy, people
20 can run for office, people can decide if they
21 want to pursue public service.

22 By us voting these maps out today, it will
23 give them the opportunity to do so.

24 REPRESENTATIVE HOLDER: Thank you for your
25 comments.

1 Members, any other comments?

2 Representative Passidomo, you are recognized.

3 REPRESENTATIVE PASSIDOMO: Yes, I would
4 also like to respond to Representative Taylor,
5 because, you know, I attended most of those
6 meetings and I listened to the citizens'
7 comments, and I can tell that all of those
8 comments were considered and so many of the
9 citizens' input and comments are contained in
10 these proposed seven maps.

11 It is just astounding to me how much
12 public input is included in these maps. So I
13 feel very comfortable sending these on to the
14 big committee, just as Representative Trujillo
15 said, so that we can get this out and move
16 along the process. Thank you.

17 REPRESENTATIVE HOLDER: Thank you for your
18 comment.

19 Any other members in debate on the Bill?

20 Seeing none, you are recognized to close
21 on your Bill.

22 REPRESENTATIVE LEGG: Thank you,
23 Mr. Chairman. I will just be very brief. I
24 just want to say thanks to each and every
25 one -- each and every one of the members of

1 this Committee. This is a delicate process
2 that we've started, you know -- you know, this
3 is -- this is, you know, not the beginning, it
4 is not the beginning of the end, it is not even
5 the end of the beginning.

6 We are just -- you know, we are just now
7 getting the process and moving it forward. The
8 opportunity for the public to comment does not
9 end here today, it will go to another
10 committee, but we have to keep this thing
11 moving.

12 And, you know, here are the maps, and here
13 we are narrowing it down and allowing for more
14 public input along the way. And I want to
15 thank every member of this Committee for the
16 hours they took traveling the state, listening,
17 commenting on how these maps should be drawn,
18 knowing that there will be more comments as we
19 move them to the big committee.

20 And I think our Speaker Designate has done
21 an excellent job of saying we want three
22 options, three options, so we can have more
23 public input as they digest this Committee.
24 And with that, Mr. Chair, I close.

25 REPRESENTATIVE HOLDER: Thank you very

1 much. Ben, will you please call the roll?

2 THE CLERK: Representatives Abruzzo?

3 REPRESENTATIVE ABRUZZO: No.

4 THE CLERK: Albritton?

5 REPRESENTATIVE ALBRITTON: No.

6 THE CLERK: Brodeur?

7 REPRESENTATIVE BRODEUR: Yes.

8 THE CLERK: Burgin?

9 REPRESENTATIVE BURGIN: Yes.

10 THE CLERK: Chestnut?

11 REPRESENTATIVE CHESTNUT: No.

12 THE CLERK: Fullwood?

13 Goodson?

14 REPRESENTATIVE GOODSON: Yes.

15 THE CLERK: Holder?

16 REPRESENTATIVE HOLDER: Yes.

17 THE CLERK: Horner?

18 REPRESENTATIVE HORNER: Yes.

19 THE CLERK: Passidomo?

20 REPRESENTATIVE PASSIDOMO: Yes.

21 THE CLERK: Plakon?

22 REPRESENTATIVE PLAKON: Yes.

23 THE CLERK: Reed?

24 REPRESENTATIVE REED: No.

25 THE CLERK: Taylor?

1 REPRESENTATIVE TAYLOR: No.

2 THE CLERK: Trujillo?

3 REPRESENTATIVE TRUJILLO: Yes.

4 THE CLERK: Chair Legg?

5 REPRESENTATIVE LEGG: Yes.

6 REPRESENTATIVE HOLDER: Okay. Members,
7 with your vote, the Bill passes, and we will
8 send it on to the main Committee, and at this
9 time we will take up PCB CRS 12-06, which is
10 H000C9011, and Chairman Legg, you are
11 recognized to present that PCB.

12 REPRESENTATIVE LEGG: Thank you,
13 Mr. Chair, and as before, I will kind of let
14 the visual map be the presentation. I think
15 they are pulling it up on the screen so
16 everyone can look at it and go from there.

17 REPRESENTATIVE HOLDER: Just so everyone
18 knows, it is PCB-6, H0 -- map 9011. It should
19 be your sixth tab in your book. Let's see, is
20 that -- is that the one that is up there now?

21 A VOICE: Yes.

22 REPRESENTATIVE HOLDER: Okay. So we're
23 all set. So with that being said, members, are
24 there any questions on the Bill?

25 We have one amendment by Vice-Chair

1 Horner, and Vice-Chair Horner, you have --
2 could you please go ahead and explain your
3 amendment?

4 REPRESENTATIVE HORNER: Thank you,
5 Mr. Chairman. Once again, another clean-up
6 amendment, and I believe that Mr. Kelly has the
7 PowerPoint to explain it.

8 REPRESENTATIVE HOLDER: Great.

9 MR. KELLY: Thank you, Mr. Chair.

10 Again, members, the amendment performs
11 just some clean-up of municipal boundaries and
12 the -- actually, the Clay County issue you saw
13 before.

14 In terms of what is different, I'll just
15 note what's the same. Again, Miami Shores,
16 Cutler Bay, Doral, Palm Beach Gardens, North
17 Palm Beach and Glen Ridge are all kept whole.

18 The amendment again makes a similar change
19 in Clay County between Districts 3 and 5. This
20 is -- this is the before shot, and then this is
21 the after shot. And then the other three
22 municipalities are different.

23 The amendment cleans up the boundaries of
24 Lakeland such that Lakeland is maintained
25 wholly in a district. Also, in Polk County,

1 Lake Hamilton is maintained wholly in a
2 district. This actually did involve actual
3 some population, so it wasn't just a zero
4 population change.

5 And then the municipality of Umatilla in
6 Lake County was kept whole, and this did
7 involve also a small number of individuals, so
8 it was not a zero population shift.

9 And with that, Mr. Chair, that is the
10 amendment.

11 REPRESENTATIVE HOLDER: Members, any
12 questions on the amendment?

13 Seeing none, do we have any public
14 testimony on the amendment? None.

15 Members debate on the amendment?

16 Seeing none, you are recognized to close
17 on your amendment.

18 REPRESENTATIVE LEGG: Waive close.

19 REPRESENTATIVE HOLDER: Waiving close.

20 All in favor of the amendment, please say
21 aye.

22 (Chorus of ayes.)

23 REPRESENTATIVE HOLDER: All opposed?

24 Okay. The amendment will be adopted. And
25 now we will go to public testimony on the Bill

1 itself. Again, we have Mr. Roach. You are
2 recognized, sir.

3 MR. ROACH: Thank you. Thank you. Well,
4 I introduced myself before.

5 On this particular map, you have
6 inadvertently grouped -- again, getting back to
7 the political ramifications, there are sections
8 in here that have 70 percent Democrats in one
9 district.

10 And when you look at the advantage of
11 Democrats and Republicans in some of those
12 districts, you have as much as 59 percent
13 advantage over Republicans, which really causes
14 the Democrats in that area to pretty much waste
15 their vote. They are not even.

16 The people that live in my area in
17 southwest Florida have been hoping for more
18 even maps. And, again, it is just a matter
19 of -- you've got about 26 and-a-half percent
20 packing of all the Democrat districts here, and
21 only seven and-a-half percent of the
22 Republican.

23 I know you didn't plan it that way, but it
24 is time to look at that again. We are going to
25 be doing this for ten years, we are going to be

1 using these maps, stuck with these maps. They
2 are politically not fair.

3 And I know you didn't look at that, but it
4 is time to look at that before they go on.
5 It's worth it for the next ten years for us
6 citizens. Thank you.

7 REPRESENTATIVE HOLDER: Thank you for your
8 comments.

9 Members, is there any debate on the Bill?
10 Representative Taylor, you are recognized.

11 REPRESENTATIVE TAYLOR: Thank you, and I
12 am not going to reiterate most of what I have
13 said previously, Mr. Chair, but I would like to
14 go on and say that, you know, I did applaud the
15 President of the Senate and the Speaker when
16 they decided to take Tallahassee to the towns
17 throughout the state of Florida, and we met at,
18 I mean, many different locations.

19 I remember being in a television studio
20 one time and a college campus another time and
21 a County Health Department, we met at various
22 locations. And, again, the questions were
23 always asked, "where are the maps," you know,
24 "where are the maps."

25 Here are the maps now that we have. These

1 are the maps that I think they were asking for.
2 And I don't believe that we could have too much
3 public participation, and to have our citizens
4 to make that pilgrimage up to Tallahassee at
5 their expense can be costly.

6 Many of these folks are coming from south
7 Florida, and, you know, that is a seven-hour
8 trip for a lot of our citizens to try to
9 participate in state government. And I think
10 that we should, as a committee, be taking these
11 maps -- even if we only asked to go to many of
12 the larger cities and maybe four or five
13 different locations around the state to get
14 some more public participation.

15 And, again, you have a citizen who points
16 out that there is some political disparities
17 among the maps, that could be a possibility,
18 and without having other citizens looking at
19 this, I think we are going to do our citizens a
20 disservice for the next ten years if we send
21 this on.

22 So, again, I want to -- I want to thank
23 the citizen for coming up and participating in
24 government, because oftentimes folks can't come
25 to Tallahassee. So, thank you, Mr. Chair.

1 REPRESENTATIVE HOLDER: Further debate?

2 Representative Plakon, you are recognized.

3 REPRESENTATIVE PLAKON: Thank you,

4 Mr. Chair.

5 During this process, I traveled to many of
6 the cities as well, and we basically -- there
7 was a decision made to let the citizens submit
8 maps, and those of you who will recall, there
9 were a number of maps already submitted along
10 the way for public comment.

11 So there were some maps. But there was a
12 question, do the politicians draw the maps
13 first, or do we listen to people first and then
14 draw based on what they say, and I kind of like
15 the second approach a little bit better.

16 Representative Taylor's comments, the
17 only -- you know, certainly that sounds like a
18 fair enough idea, but in terms of the time
19 frame, it is probably impractical to do. So --
20 and that would involve probably pushing back
21 the time frame of when the maps will finally be
22 produced.

23 Some of the criticism, in fact, a large
24 part along the way, was these maps aren't going
25 to be done, and there was even accusations of

1 dragging our feet and that kind of thing.

2 So I suspect if we did have more meetings,
3 that would be -- what was said is that we are
4 delaying the process.

5 I would say, going to a lot of these
6 meetings, I was very, very proud of the
7 process. Conversations that I have had with
8 people involved in the process have always been
9 about how can we make them more compliant with
10 this amendment and with federal law. So -- and
11 I don't think that there -- anybody could say
12 that this was not the most open, transparent
13 redistricting process in the history of the
14 state of Florida.

15 And I would say there is a good chance it
16 may be the most open and transparent
17 redistricting process in the history of the
18 United States. So I am -- I would be proud to
19 vote for these maps.

20 REPRESENTATIVE HOLDER: Thank you.
21 Representative Passidomo, you are recognized.

22 REPRESENTATIVE PASSIDOMO: Thank you,
23 Mr. Chair.

24 I would like to add a little bit to that,
25 too, particularly with this -- this map is so

1 compact of all of them, it is -- and the kind
2 of comments we heard from citizens throughout
3 the state was, you know, they used the word
4 "compact" a lot, and we listened to them and
5 came up with this map in particular, we were
6 very compact.

7 And also, most of the comments that we
8 heard were not politically oriented, they were,
9 "I want to keep my city together, I want to
10 keep my county together, I want to be with my
11 neighbors."

12 And when I look at these maps, we have
13 done such -- not we, I think the staff has done
14 a great job in working with us to come up with
15 maps where the cities and counties are kept
16 together to a large degree. So I am very
17 comfortable, again, with this map for those
18 reasons. Thank you.

19 REPRESENTATIVE HOLDER: Thank you for your
20 comments.

21 Members, any other comments?

22 Okay. Seeing none, you are recognized to
23 close.

24 REPRESENTATIVE LEGG: Waive close.

25 REPRESENTATIVE HOLDER: Waiving close.

1 Ben, will you please call the roll?
2 THE CLERK: Representatives Abruzzo?
3 Albritton?
4 REPRESENTATIVE ALBRITTON: Yes.
5 THE CLERK: Brodeur?
6 REPRESENTATIVE BRODEUR: Yes.
7 THE CLERK: Burgin?
8 REPRESENTATIVE BURGIN: Yes.
9 THE CLERK: Chestnut?
10 REPRESENTATIVE CHESTNUT: No.
11 THE CLERK: Fullwood?
12 Goodson?
13 REPRESENTATIVE GOODSON: Yes.
14 THE CLERK: Holder?
15 REPRESENTATIVE HOLDER: Yes.
16 THE CLERK: Horner?
17 REPRESENTATIVE HORNER: Yes.
18 THE CLERK: Passidomo?
19 REPRESENTATIVE PASSIDOMO: Yes.
20 THE CLERK: Plakon?
21 REPRESENTATIVE PLAKON: Yes.
22 THE CLERK: Reed?
23 Taylor?
24 REPRESENTATIVE TAYLOR: No.
25 THE CLERK: Trujillo?

1 REPRESENTATIVE TRUJILLO: Yes.

2 THE CLERK: Chair Legg?

3 REPRESENTATIVE LEGG: Yes.

4 REPRESENTATIVE HOLDER: Okay. Members,
5 with your vote, the Bill passes, and we will
6 move forward and at this time we will take up
7 PCB CRS 12-07, which is H000C9013. That is
8 9013, and that is being pulled up on the
9 overhead.

10 And, Chairman Legg, you are recognized to
11 present that Bill. Sorry -- or PCB -- I am
12 trying to speak as slowly as I can
13 intentionally so we can get this pulled up,
14 because obviously we will follow the same path.

15 REPRESENTATIVE LEGG: Thank you, Chairman.
16 Just as before, we will let the map be the
17 actual explanation, and it should be up on the
18 screen.

19 REPRESENTATIVE HOLDER: Thank you for your
20 consistent explanation. And now that we --
21 that is the PCB that is up, the map that is up,
22 good.

23 So are there any questions, members, on
24 the Bill?

25 Seeing no questions, there is one

1 amendment by Vice-Chair Horner. Representative
2 Horner, please, you are recognized to explain
3 your amendment.

4 REPRESENTATIVE HORNER: Thank you,
5 Mr. Chairman. Once again, another clean-up
6 amendment, and Mr. Kelly will go over it via
7 PowerPoint.

8 REPRESENTATIVE HOLDER: Mr. Kelly, you are
9 recognized.

10 MR. KELLY: Thank you, Mr. Chair.

11 Again, members, this amendment addresses
12 some common municipalities and then some
13 different ones. The municipalities of Miami
14 Shores, Cutler Bay, Doral, Palm Beach Gardens
15 and North Palm Beach, which are both in this
16 screen shot, Glen Ridge, are all kept whole.

17 Again, the amendment makes similar changes
18 pursuant to the request of the office of the
19 Clay County Supervisor of Elections between
20 Districts 3 and 5. The amendment makes the
21 City of Lake Wales -- City of Lake Wales in
22 Polk County, and also in Polk County, Eagle
23 Lake, makes those cities whole, makes the City
24 of Eustis in Lake County whole, and it makes
25 the municipality of Temple Terrace whole.

1 And I just actually want to go back two
2 shots, forgive me. Both Lake Wales and Eagle
3 Lake were in this particular screen shot. And,
4 again, keeps Eustis and it keeps Temple Terrace
5 whole. And, Mr. Chair, that is the amendment.

6 REPRESENTATIVE HOLDER: Members, any
7 questions to the amendment?

8 Seeing none, there is no public testimony
9 for the amendment. Debate on the amendment?

10 Seeing none, you are recognized to close
11 on the amendment.

12 REPRESENTATIVE LEGG: Waive close.

13 REPRESENTATIVE HOLDER: Waiving close.
14 Members, all in favor, respond by saying aye.

15 (Chorus of ayes.)

16 REPRESENTATIVE HOLDER: All opposed, say
17 nay.

18 With your vote, the amendment is adopted.
19 So we will go to public testimony on the Bill,
20 and we have Mr. Roach. You are recognized.

21 MR. ROACH: Thank you. I am Jim Roach
22 from Cape Coral, six hours from here.

23 I wanted to point out on this particular
24 map that there are over seven districts that
25 were drawn with more than a 20 percent

1 advantage in the Democrat area, which is really
2 political packing on these maps.

3 This one has -- I think it has only 12
4 Republican advantage districts, 11 Democrats,
5 so it is just slightly Republican.

6 But I would request that you think about
7 maybe publishing this -- the approved maps that
8 go through your Committee with the party mix in
9 those maps also so that the public can not only
10 see the compactness and all of the other laws,
11 but also take a look at the party mix in these.
12 Thank you.

13 REPRESENTATIVE HOLDER: Thank you very
14 much.

15 Members, debate on the Bill?

16 Seeing none, you are recognized to close
17 on your PCB. Oh, I'm sorry, I didn't see you.
18 Representative Reed, you are recognized in
19 debate.

20 REPRESENTATIVE REED: Thank you,
21 Mr. Chair. I just have a question. When these
22 -- oh, we are in debate. Okay. I want to
23 say --

24 REPRESENTATIVE HOLDER: I will allow it.
25 Go ahead, you can ask a question.

1 REPRESENTATIVE REED: When these Bills
2 leave here, are they going to be displayed
3 someplace where the public can get ahold of
4 them other than on the Internet, like in public
5 libraries, so many sent to a city or some way
6 that people who do not use the Internet very
7 well will have the opportunity to see them and
8 touch them?

9 REPRESENTATIVE HOLDER: Mr. Kelly, would
10 you like to -- or Chairman Legg?

11 REPRESENTATIVE LEGG: Thank you,
12 Mr. Chair, and thank you, Representative. I
13 think that is a great question, but I am
14 confident that our friends in the media world
15 will be broadcasting these maps that are out
16 there, and it is available on the Internet, and
17 those -- our fine workers at the local
18 libraries have the option to make it available
19 to them, and I know many of them do that
20 already. So it will be out there for the
21 public consumption in a multitude of venues.

22 REPRESENTATIVE REED: Follow-up?

23 REPRESENTATIVE HOLDER: Follow-up.

24 REPRESENTATIVE REED: That is my major
25 concern is that the public -- since we included

1 the public back in the beginning of this, they
2 should be able to have some input to the end.

3 When this came out on the Internet, I
4 received several calls from people who said
5 they still didn't know how to man this on the
6 computer.

7 And so with that -- that being a concern,
8 it is a great concern now for me to say yes on
9 this and they are not able to access the
10 information.

11 REPRESENTATIVE HOLDER: Chairman Legg, you
12 are recognized.

13 REPRESENTATIVE LEGG: Thank you,
14 Mr. Chairman, and I appreciate the
15 Representative's concern, and I will talk to
16 the Speaker and see what we can do to make it
17 available to the -- in the most possible venues
18 possible. So --

19 REPRESENTATIVE HOLDER: And you are
20 recognized to close on your Bill.

21 REPRESENTATIVE LEGG: Waive close.

22 REPRESENTATIVE HOLDER: Waiving close.

23 Ben, would you please call the roll on the PCB?

24 THE CLERK: Representatives Abruzzo?

25 REPRESENTATIVE ABRUZZO: No.

1 THE CLERK: Albritton?
2 REPRESENTATIVE ALBRITTON: Yes.
3 THE CLERK: Brodeur?
4 REPRESENTATIVE BRODEUR: Yes.
5 THE CLERK: Burgin?
6 REPRESENTATIVE BURGIN: Yes.
7 THE CLERK: Chestnut?
8 REPRESENTATIVE CHESTNUT: No.
9 THE CLERK: Fullwood?
10 Goodson?
11 REPRESENTATIVE GOODSON: Yes.
12 THE CLERK: Holder?
13 REPRESENTATIVE HOLDER: Yes.
14 THE CLERK: Horner?
15 REPRESENTATIVE HORNER: Yes.
16 THE CLERK: Passidomo?
17 REPRESENTATIVE PASSIDOMO: Yes.
18 THE CLERK: Plakon?
19 REPRESENTATIVE PLAKON: Yes.
20 THE CLERK: Reed?
21 REPRESENTATIVE HOLDER: And with that --
22 THE CLERK: Taylor?
23 REPRESENTATIVE TAYLOR: No.
24 REPRESENTATIVE HOLDER: Sorry.
25 THE CLERK: Trujillo?

1 REPRESENTATIVE TRUJILLO: Yes.

2 THE CLERK: Chair Legg?

3 REPRESENTATIVE LEGG: Yes.

4 REPRESENTATIVE HOLDER: And with that, the
5 PCB passes. Sorry about me jumping in in the
6 middle of that. I am used to Robert's rapid
7 fire.

8 The Bill will move forward, and members,
9 thank you for that, and we will -- I will now
10 pass the gavel back over to Chairman Legg.

11 REPRESENTATIVE LEGG: Just a matter of
12 technical, just show that PCB-07 passes on the
13 record. So, members, with that, on behalf of
14 Chair -- Representative Taylor, you have a
15 comment?

16 REPRESENTATIVE TAYLOR: More of a question
17 on the process from now on. We're just sending
18 these to the main redistricting committee, and
19 they will decide on -- or they will make the
20 final decision on --

21 REPRESENTATIVE LEGG: As a matter of
22 technical point, they still have to be referred
23 to the Committee since they are PCBs, but I am
24 fairly confident that is the next referral
25 stop, but, yes, they will be making -- you

1 know, whether they will be making changes,
2 whether they will be moving them forward, they
3 will be selecting one Bill.

4 And I believe Chair Weatherford has a
5 meeting date scheduled for January 20th, as the
6 next scheduled meeting for the redistricting
7 committee.

8 REPRESENTATIVE TAYLOR: And just a quick
9 follow-up, Mr. Chair, if there is an amendment
10 that is offered between now and that particular
11 time, will that main committee take up that
12 amendment with the new map, or will it come
13 back to us here in the subcommittee?

14 REPRESENTATIVE LEGG: Yes, thank you,
15 Representative, I think that is an excellent
16 question. It will be taken up in the main
17 committee. So it will be an amendment to the
18 particular map of the three that we have
19 passed.

20 And with that, members, on behalf of Chair
21 Holder and Vice-Chair Horner and myself, thank
22 you for serving on this Committee for the last
23 six months, going around the state.

24 As I said, this is not the end, but really
25 simply the end of the beginning of the process,

1 and we are -- with that, Chair -- Vice-Chair
2 Horner moves we rise, without objection.

3 (Whereupon, the proceedings 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 53 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 16th day of February, 2012.

CLARA C. ROTRUCK

Notary Public

State of Florida at Large

Commission Expires:

November 13, 2014

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SENATE REDISTRICTING SUBCOMMITTEE MEETING

MONDAY, JANUARY 9, 2012

Transcribed by:

CLARA C. ROTRUCK

Court Reporter

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

2 REPRESENTATIVE NEHR: Members, the Senate
3 Redistricting Subcommittee meeting will come to
4 order.

5 Katie, will you have roll call, please?

6 THE CLERK: Representatives Boyd?

7 REPRESENTATIVE BOYD: Here.

8 THE CLERK: Caldwell?

9 REPRESENTATIVE CALDWELL: Here.

10 THE CLERK: Crisafulli?

11 REPRESENTATIVE CRISAFULLI: Here.

12 THE CLERK: Cruz?

13 REPRESENTATIVE CRUZ: Here.

14 THE CLERK: Eisnaugle?

15 REPRESENTATIVE EISNAUGLE: Here.

16 THE CLERK: Hukill?

17 REPRESENTATIVE HUKILL: Here.

18 THE CLERK: Jenne?

19 REPRESENTATIVE JENNE: Here.

20 THE CLERK: Kiar?

21 REPRESENTATIVE KIAR: Here.

22 THE CLERK: Logan?

23 REPRESENTATIVE LOGAN: Here.

24 THE CLERK: Rouson?

25 REPRESENTATIVE ROUSON: Here.

1 THE CLERK: Stargel?

2 REPRESENTATIVE STARGEL: Here.

3 THE CLERK: Williams, A.?

4 REPRESENTATIVE A. WILLIAMS: Here.

5 THE CLERK: Williams, T.?

6 REPRESENTATIVE T. WILLIAMS: Here.

7 THE CLERK: Workman?

8 REPRESENTATIVE WORKMAN: Here.

9 THE CLERK: Chair Nehr?

10 REPRESENTATIVE NEHR: Here.

11 THE CLERK: A quorum is present.

12 REPRESENTATIVE KIAR: Thank you, Katie.

13 Representatives, members of the audience,
14 all of you out there, please silence all of
15 your electronic devices, and if anyone from the
16 public wants to speak on this proposed
17 Committee Bill, there are speaker cards up
18 front on either side of the podium.

19 Members, at our last meeting, we
20 workshopped two options for the State Senate
21 map. The first was the State Senate map
22 proposed by the Florida Senate's Committee on
23 Reapportionment.

24 The second was the public submission from
25 the Florida State Conference On the NAACP.

1 Today we are going to take up one proposed
2 Committee Bill, which is identical to the map
3 proposed by the Florida Senate's Committee on
4 Reapportionment.

5 In your packet, you will find a Bill
6 analysis, maps and statistics for this proposed
7 Committee Bill. A single copy of the actual
8 text is also available in back of the room.
9 Alex -- Jason -- there we go, Jason has it.
10 Okay.

11 And the actual Bill language is the same
12 language that was e-mailed to you on
13 December 30th, when the meeting was noticed.
14 It is not in your packet, because each
15 Redistricting Bill is hundreds of pages of just
16 geographical numerations, whereas the maps and
17 data are probably what are most helpful for
18 your review.

19 So if you wish to review the printed copy
20 of the entire Bill as it would appear in
21 Florida Statutes, it is available behind us
22 right here with Jason.

23 Okay. At this time, we will take up
24 Senate Redistricting Subcommittee SRS 12-1. I
25 will present the Bill. So at this time, I will

1 turn the gavel over to Co-Chair Hukill.

2 REPRESENTATIVE HUKILL: Thank you very
3 much, Chairman. Chairman Nehr, you are
4 recognized to explain the Bill.

5 REPRESENTATIVE NEHR: Thank you, Madam
6 Chair.

7 This Bill is a complete reapportionment of
8 Florida Senate State Senate map. If you look
9 at the screen -- if you look at the screen, you
10 will see some comparisons between this map and
11 Florida's current State Senate map. The same
12 information is available in your packets.

13 For the 40 districts in this map, there is
14 1.84 percent total population deviation.
15 Compared to the current map, the Bill reduces
16 the number of our county splits from 45 down to
17 31, and the number of cities that are split
18 from 126 down to 78.

19 Looking at some of the more mathematical
20 compactness scores relating to perimeters and
21 height and width of districts, this proposed
22 Committee Bill consistently improves the
23 compactness of Florida's 40 State Senate
24 districts.

25 Looking at some of the more functional

1 compactness measures, such as drive times, the
2 Bill again consistently improves these measures
3 of compactness compared to the existing State
4 Senate map.

5 The proposed Committee Bill maintains
6 Florida's commitment to compliance with the
7 Federal Voting Rights Act, both Sections 2 and
8 5, and Florida's constitutional standards
9 regarding racial and language minorities.

10 In fact, the Bill increases the number of
11 50 percent plus Hispanic voting age population
12 districts from three in the current map to five
13 in the proposed Committee Bill. So the PCB
14 will likely increase representation for
15 Hispanic Floridians.

16 With that, Madam Chair, that is the Bill.

17 REPRESENTATIVE HUKILL: Thank you,
18 Mr. Chair.

19 Members, are there questions on the Bill?
20 Members, any questions on the Bill?

21 All right. There being no questions,
22 there are no amendments on the Bill, we will
23 take public testimony on the Bill.

24 Is there anyone in the public who would
25 like to address this Bill? If you would,

1 please step forward. Anyone want to address
2 the Bill?

3 All right. There being no public
4 testimony on the Bill, members, it is back to
5 us. Any debate on the Bill?

6 Representative Rouson, you are recognized.

7 REPRESENTATIVE ROUSON: Thank you very
8 much, Madam Chair.

9 This redistricting process is a solemn and
10 sober process. I have found in the hearings
11 that we have had, and in the committees, that
12 things have been discussed that there is enough
13 misunderstanding to go around for everybody,
14 and enough understanding for me to at this
15 point say that I am going to vote against the
16 Bill today.

17 I think it could use a few more tweaks and
18 changes, and I am hopeful that at the next
19 stop, these things will happen. I know there's
20 discussions taking place. And so I just want
21 everyone to understand that because I vote no
22 today doesn't mean I am not going to vote when
23 it hits the floor the same way, but I just
24 think that we have not done as much as we could
25 with this Bill.

1 Thank you.

2 REPRESENTATIVE HUKILL: Thank you very
3 much.

4 Members, anyone else have debate on the
5 Bill? Representative Caldwell, you are
6 recognized.

7 REPRESENTATIVE CALDWELL: Thank you, Madam
8 Chair, and I just wanted real quick to touch
9 base on the issue of statistics, if y'all could
10 put that back up on the screen.

11 I mean, I hear and appreciate what --
12 Representative Rouson's opinion that he just
13 shared, but I am going to say as you look at
14 this list here and the statistics, a massive
15 improvement from the current maps in nearly
16 every single category here, particularly in
17 deviations and the cities and counties split.

18 I think it is clear that we have made some
19 major improvements from what you had in the
20 year 2002, and I am very supportive of where we
21 are at right now.

22 REPRESENTATIVE HUKILL: Thank you very
23 much.

24 Members, anyone else on debate?

25 Representative Crisafulli, you are recognized.

1 REPRESENTATIVE CRISAFULLI: I would like
2 to further emphasize what Representative
3 Caldwell said. If you would, pull up the
4 current map, and that is the current map as of
5 where we are today, and then pull up the Bill
6 map, if you would.

7 Madam Chair, thank you. I think it just
8 clarifies what we are saying on statistical
9 purposes, as well as visually, I think these
10 are two significantly different maps. I just
11 wanted to see the differences visually, so
12 thank you.

13 REPRESENTATIVE HUKILL: Thank you very
14 much.

15 Members, anyone else in debate? Members?

16 All right. There being no further debate,
17 Representative Nehr, you are recognized to
18 close on your Bill.

19 REPRESENTATIVE NEHR: Thank you, Madam
20 Chair.

21 I don't have much to add, members, but I
22 just want to reiterate that this proposed
23 Committee Bill, when you reflect on those
24 issues that are pertinent in the law, makes
25 improvements in every single way in terms of

1 compactness, the use of city, county and other
2 boundaries, and in terms of representations for
3 racial and language minorities.

4 With those points in mind, I would like to
5 ask all of you for your favorable support on
6 this Bill.

7 REPRESENTATIVE HUKILL: Thank you very
8 much, Chair.

9 All right. Would you please call the roll
10 on the Bill?

11 THE CLERK: Representatives Boyd?

12 REPRESENTATIVE BOYD: Yes.

13 THE CLERK: Caldwell?

14 REPRESENTATIVE CALDWELL: Yes.

15 THE CLERK: Crisafulli?

16 REPRESENTATIVE CRISAFULLI: Yes.

17 THE CLERK: Cruz?

18 REPRESENTATIVE CRUZ: No.

19 THE CLERK: Eisnaugle?

20 REPRESENTATIVE EISNAUGLE: Yes.

21 THE CLERK: Hukill?

22 REPRESENTATIVE HUKILL: Yes.

23 THE CLERK: Jenne?

24 REPRESENTATIVE JENNE: No.

25 THE CLERK: Kiar?

1 REPRESENTATIVE KIAR: No.

2 THE CLERK: Logan?

3 REPRESENTATIVE LOGAN: Yes.

4 THE CLERK: Rouson?

5 REPRESENTATIVE ROUSON: No.

6 THE CLERK: Stargel?

7 REPRESENTATIVE STARGEL: Yes.

8 THE CLERK: Williams, T.?

9 REPRESENTATIVE T. WILLIAMS: Yes.

10 THE CLERK: Williams A.?

11 Workman?

12 REPRESENTATIVE WORKMAN: Yes.

13 THE CLERK: Chair Nehr?

14 REPRESENTATIVE NEHR: Yes.

15 REPRESENTATIVE HUKILL: All right.

16 Members, by your vote, PCB seven -- I'm sorry,

17 PCB SRS 12-0 -- I'm sorry, 01, okay, 12-01 will

18 be reported favorably. And with that, I will

19 turn the gavel back over to Chair Nehr.

20 REPRESENTATIVE NEHR: Thank you, Madam

21 Chair.

22 On behalf of Chair Hukill and myself, I

23 would like to thank all the members of the

24 subcommittee for your service and investment in

25 this process.

1 It has been a pleasure to work with all of
2 you, and thanks again. And with that,
3 Representative Crisafulli moves we rise.

4 (Whereupon, the proceedings were
5 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 12 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 16th day of February, 2012.

CLARA C. ROTRUCK

Notary Public

State of Florida at Large

Commission Expires:

November 13, 2014

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HOUSE REDISTRICTING SUBCOMMITTEE MEETING
MONDAY, JANUARY 9, 2012

Transcribed by:
CLARA C. ROTRUCK
Court Reporter

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

2 REPRESENTATIVE SCHENCK: Okay. Welcome,
3 everybody, to the first and last meeting of the
4 House Redistricting Subcommittee 2012, luckily
5 and hopefully. With that, Katie, you are on.
6 Call the roll.

7 THE CLERK: Representatives Baxley?

8 REPRESENTATIVE BAXLEY: Here.

9 THE CLERK: Bernard?

10 REPRESENTATIVE BERNARD: Here.

11 THE CLERK: Campbell?

12 REPRESENTATIVE CAMPBELL: Yes.

13 THE CLERK: Clarke-Reed?

14 REPRESENTATIVE CLARKE-REED: Here.

15 THE CLERK: Corcoran?

16 REPRESENTATIVE CORCORAN: Here.

17 THE CLERK: Diaz?

18 REPRESENTATIVE DIAZ: Here.

19 THE CLERK: Dorworth?

20 REPRESENTATIVE DORWORTH: Here.

21 THE CLERK: Drake?

22 REPRESENTATIVE DRAKE: Here.

23 THE CLERK: Frishe?

24 REPRESENTATIVE FRISHE: Here.

25 THE CLERK: Hooper?

1 REPRESENTATIVE HOOPER: Here.

2 THE CLERK: Julien?

3 REPRESENTATIVE JULIEN: Present.

4 THE CLERK: Nuñez?

5 REPRESENTATIVE NUNEZ: Here.

6 THE CLERK: Rogers?

7 REPRESENTATIVE ROGERS: Here.

8 THE CLERK: Young?

9 REPRESENTATIVE YOUNG: Here.

10 THE CLERK: Chair Schenck?

11 REPRESENTATIVE SCHENCK: Here.

12 THE CLERK: A quorum is present.

13 REPRESENTATIVE SCHENCK: Thank you, Katie.

14 All right. I hope everybody had a good
15 holiday. Welcome back to sunny and warm
16 Tallahassee, and with that, we are going to
17 roll right into it.

18 Members, if you will recall, I know it's
19 been a while and I know there's been some
20 holidays in between, at our last meeting we
21 workshopped five options for the State House
22 map.

23 Today we are going to narrow those options
24 and take up three of the five proposed
25 Committee Bills. And just so we are all on the

1 same page, let me give you guys an update of
2 where we are at.

3 Co-Chair Dorworth has filed an amendment
4 to four of the five of those options. You all
5 should have copies of those in your packets --
6 that each clean up the options in terms of city
7 boundaries, adopt some initial requests we
8 received from the public, and incorporates some
9 additional input from our staff and legal
10 counsel, so that no matter which three options
11 we pick, they are in good order for the
12 redistricting -- the full Committee's
13 consideration. No other member has filed any
14 amendments.

15 In your packet, you will find the Bill
16 analyses, maps and data report for each PCB,
17 along with the data report and maps for each
18 proposed amendment. Also in the front of your
19 packets you will find a cheat sheet of the PCB
20 numbers, their corresponding redistricting plan
21 numbers and the plan numbers of the amendments.
22 If you want a copy of the Bill language, a
23 single copy of each is available here in the
24 back row on these chairs.

25 Redistricting Bill language is rather --

1 is a rather large description of which
2 geography is in each district. So rather than
3 kill a bunch of trees, we decided to be
4 ecologically friendly today and print one copy
5 of each, and it is available to you if you want
6 to review it. It is the same exact Bill
7 language that was e-mailed to you on
8 December 30th when today's meeting was noticed.

9 Now, members, before we go any further, we
10 have a few open questions from our last
11 meeting, and I wanted to do -- I wanted to have
12 these questions answered before we go any
13 further.

14 So with that, I am going to recognize our
15 policy chief, Mr. Jeff Takacs, and he is going
16 to go ahead and answer those questions. So
17 Jeff, the floor is yours.

18 MR. TAKACS: Thank you, Mr. Chairman.

19 There were three kind of open questions
20 that were out there from the previous meeting,
21 two of which dealt with Broward County and the
22 third dealt with Escambia County.

23 So what I would like to do is we have some
24 visuals for the first example, which came to us
25 from Representative Bernard, which dealt with

1 the Hispanic population within Broward County
2 and the potential of building districts to that
3 end.

4 As staff, what we did, you can see here on
5 the map, this is actually the current proposal
6 that would be outlined --

7 REPRESENTATIVE SCHENCK: Jeff, let me
8 interrupt. Is your mike on? Okay.

9 MR. TAKACS: Am I just not speaking into
10 it? Do I need to get it --

11 REPRESENTATIVE SCHENCK: Maybe we can get
12 it turned up or --

13 MR. TAKACS: Can you hear me now?

14 REPRESENTATIVE SCHENCK: Can you guys hear
15 him okay?

16 A VOICE: Yes.

17 REPRESENTATIVE SCHENCK: Okay, go ahead.

18 MR. TAKACS: Thank you, sir.

19 The map that you see here on the screen
20 before you is the proposal that you would see
21 in maps 9015, 9017, 9021 and 9023.

22 Again, the question was asked in our last
23 meeting by Representative Bernard is, thinking
24 about the Hispanic population within the
25 county, the number 25 percent was given of the

1 total county's population being Hispanic, is
2 there some potential of building a district
3 solely in Broward County that would -- would be
4 a Hispanic district.

5 As staff, we took three different attempts
6 to create this district. You will see on the
7 map there on the left, under attempts number
8 one, it is actually the District 1 that you see
9 there that kind of goes from northwestern
10 Broward County all the way down to the county
11 line and then over towards the east.

12 You can see basically from the general
13 shape of this district that it was not the most
14 attractive-looking districts, to say the least,
15 as far as building a district within the map,
16 and would be relatively inconsistent with the
17 vast majority of the districts that are in the
18 current plans.

19 Thinking about how these districts would
20 perform, and you can see the district to the
21 right in attempt number two is District 27,
22 kind of a similar look, talking about, you
23 know, all of northwestern Broward County and as
24 it moves towards the east.

25 Thinking about the actual performance of

1 these two districts, District -- the District 1
2 on the left there, it would be a
3 majority-minority Hispanic district -- again,
4 given that shape, that was what it took to get
5 it to that percentage -- while the district on
6 the right, obviously a cleaner shape, is only a
7 48 percent Hispanic voting age population for
8 that specific district. So, again, these were
9 two attempts that we as staff made to try to
10 draw such a district.

11 As we look to -- this is the third
12 attempt. I should probably step back for just
13 a second. One of the challenges that we faced
14 with attempts one and two is as we moved that
15 district to the east to try to create that
16 district, the performance of the
17 African-American districts within Broward
18 County was coming into jeopardy.

19 So what we did with attempt three was to
20 try to start with what we have currently on the
21 map and then try to create that district, which
22 you can see there is District 104, obviously
23 getting a little bit closer as far as a better
24 shape, but the actual VAP of that specific
25 district is 46 percent.

1 Also, too, when you look at this map as we
2 used it off of 9017 and 9015 and the others, it
3 would also create some challenges with District
4 99 as it has some non-contiguous points there
5 within that district, so those would have to be
6 addressed.

7 And, again, it just basically seemed like
8 a non-workable option as we were trying to go
9 through these different examples thinking about
10 the questions that came up in the last meeting.

11 When you take a step back and actually
12 just look at Broward County, we did this
13 similarly in the meeting last time, was when
14 you look at the actual VTDs within Broward
15 County, you look at the Hispanic voting age
16 population of 35 percent or greater, while
17 there are some concentrations in that northwest
18 and kind of south and southwest areas of the
19 county, basically the rest of the Hispanic
20 communities in Broward County are quite
21 dispersed, making it difficult to draw a
22 compact district that would be compliant with
23 Amendment 5. So, again, kind of going through
24 several different iterations, that was what we
25 ran up against and what we thought was an

1 unworkable scenario for the Broward County
2 Hispanic community.

3 I should also mention that -- thinking
4 about building those districts, I will go back
5 to attempts one and two, even to attempt three,
6 and we will look at those for a second.
7 Thinking about amendment 1 -- I'm sorry,
8 attempt one potentially being a
9 majority-minority Hispanic district, but then
10 attempts two and three not meeting that
11 threshold, you could actually potentially put
12 the number of Hispanics that would be in the
13 Broward County delegation from two, what they
14 are currently, potentially to zero. And that
15 was another issue that we were facing as we
16 were trying to create these various attempts,
17 thinking about with was stated in the meeting
18 that we had last. So that kind of is the
19 run-through of that particular issue that was
20 raised in the last meeting.

21 The second issue that was brought to us
22 also in Broward County deals with the number of
23 cities and the actual cities within Broward
24 County that are kept whole within these various
25 plans, and I wanted to actually just do a quick

1 run-down of the cities that are kept whole
2 within the various proposals.

3 In maps 9015, 9017, 9021 and 9023, the
4 cities of Parkland, Hillsborough Beach,
5 Lauderdale-by-the-Sea, Sea Ranch Lakes, Weston,
6 Pembroke Park, Lighthouse Point and West Park
7 are kept whole within that map. Thinking of
8 map 9019, which has kind of a refresher and a
9 reminder, map 9019 was a specific exercise that
10 we did per the direction of our co-Chairs
11 thinking about having a map that has a minimal
12 population deviation of plus or minus 1,000
13 people, as well as trying to keep as many VTDs
14 whole as possible within a plan. The cities
15 that are kept whole in Broward County in that
16 particular plan are Parkland, Coconut Creek,
17 Hillsborough Beach, Lauderdale-by-the-Sea, Sea
18 Ranch Lakes, Lighthouse Point, West Park and
19 Pembroke Park. Thinking about the amendments
20 that are before you today, we actually in the
21 interim went back and looked at Broward County
22 and all over the state to see if there were
23 other ways that we could keep more
24 municipalities whole within the map, and there
25 are actually two Broward County cities that

1 will be kept whole if the amendments are
2 adopted here today, and those two cities are
3 Coconut Creek and Cooper City. So that is the
4 explanation of the cities that are kept whole
5 in Broward County in the various plans.

6 And the third issue was in Escambia
7 County. Representative Bernard asked about
8 there was some public input in the Pensacola
9 meeting about two specific neighborhoods in
10 Escambia County and which district they were
11 in. Those two specific communities are the
12 Lincoln Park community -- neighborhood, I
13 should say, and the Wedgewood neighborhood.

14 While -- when we did the research after
15 the meeting, it is hard it get the actual
16 parameters of what that neighborhood looks
17 like. What we were able to do was we were
18 actually able to determine that there is
19 actually a Lincoln Park Elementary School and a
20 Wedgewood Middle School both in Escambia
21 County. So kind of thinking of both of those
22 schools are kind of the center of the
23 neighborhood or, you know, kind of a focal
24 point of the neighborhood, using both of those
25 two points, both of those schools and

1 presumably both of those neighborhoods are
2 actually outside of the city limits of
3 Pensacola, they are to the northwest, and
4 thinking about the various options that are
5 before you, both of those neighborhoods are in
6 House District 1, to answer that question.

7 So, Mr. Chairman, that -- those are the
8 issues that we had from the last meeting.

9 REPRESENTATIVE SCHENCK: Thank you very
10 much. Members, any questions? Questions about
11 any of those responses?

12 Okay. Representative Rogers, you are
13 recognized.

14 REPRESENTATIVE ROGERS: Thank you,
15 Mr. Chairman.

16 I am not sure if staff would be able to
17 explain the amendments, if we are keeping the
18 two cities in Broward County whole based on the
19 amendments that have been filed or the request
20 of those cities, what impact though that would
21 have on what was presented to us at the last
22 meeting?

23 REPRESENTATIVE SCHENCK: Yeah, I would
24 say, Representative Rogers, and it is up to
25 staff, but I would say why don't we wait until

1 we are actually discussing the amendments,
2 which ones we are going to take, which ones we
3 are not, and then in that discussion, you --
4 Jeff or Alex can go ahead and touch that
5 subject and answer those, how's that? Okay.

6 All right. Any other ques- --
7 Representative Bernard.

8 REPRESENTATIVE BERNARD: Thank you,
9 Mr. Chair.

10 I want to thank you for addressing the
11 concerns that I had regarding the Hispanics in
12 Broward, but I have another question regarding
13 those two communities in Escambia County. I
14 just want to know if -- I haven't looked at the
15 map to see which one is District 1. Is
16 District 1 the district that includes
17 Pensacola, or -- I don't know if it includes,
18 because I haven't had a chance to look at the
19 map.

20 REPRESENTATIVE SCHENCK: Jeff, you are
21 recognized.

22 MR. TAKACS: Thank you, Mr. Chairman.

23 House District 1 is the district that is
24 wholly in Escambia County. It does not have
25 any of the City of Pensacola in it. The

1 entirety of the City of Pensacola is kept whole
2 within District 2, which is the district to the
3 south of District 1.

4 REPRESENTATIVE BERNARD: Thank you.

5 REPRESENTATIVE SCHENCK: Okay. Other
6 questions? Representative Clarke-Reed.

7 REPRESENTATIVE CLARKE-REED: Thank you,
8 Mr. Chair, and happy new year to you and
9 everyone else on the Committee.

10 REPRESENTATIVE SCHENCK: Same to you.

11 REPRESENTATIVE CLARKE-REED: I would like
12 to know, then, where is Lincoln Park -- those
13 two communities? What district are they in?

14 REPRESENTATIVE SCHENCK: Jeff.

15 MR. TAKACS: Thank you, Mr. Chairman.

16 Both of those two neighborhoods -- again,
17 using the school, the address of the schools
18 that I was able to determine, thinking of if
19 those schools are kind of the center point of
20 both of those neighborhoods, both of those
21 neighborhoods are in House District 1 under the
22 current proposals, which is the district that
23 is wholly within Escambia County.

24 REPRESENTATIVE CLARKE-REED: Okay.

25 REPRESENTATIVE SCHENCK: Okay. If there

1 are no other questions, then, Jeff, we
2 appreciate your research and your answers. I
3 know you are going to sit tight and give us
4 another presentation in a minute.

5 Okay, members, now in terms of which three
6 of the five PCBs we take up, I have a
7 suggestion as to how we can make that decision,
8 but certainly I am open to anyone's thoughts on
9 the matter.

10 Chair Dorworth and I asked our staff to
11 prepare a visual that compares each PCB and
12 even the amendments being offered by co-Chair
13 Dorworth by several of the various measurements
14 that are included in the data reports. This
15 comparison is also printed out for you in front
16 of each of your packets. And for those of
17 you -- it is in your left -- it is in your left
18 pocket there. It says "Comparing Options,
19 State House," okay?

20 These measurements give us a snapshot as
21 to how these plans meet up with the standards
22 in the law in terms of compactness, adherence
23 to city and county lines, and impacts on racial
24 and language minorities. Members, I know that
25 the differences between most of these maps are

1 very subtle, but when I looked at this chart
2 and I asked staff some questions about what
3 decisions were made to create these maps --
4 these differences and what the numbers showed,
5 I found that what I thought was a reasonable
6 path to picking three of the maps from the
7 subcommittee to pass on to the full committee,
8 and that is simply this: Let these numbers
9 guide our decisions. The standards in the law
10 are supposed to reduce the politics of this
11 process. My thought -- and, again, I want to
12 hear yours -- is we pick the three options that
13 put up the best numbers, it's as simple as
14 that.

15 And with that, I am going to recognize
16 Jeff Takacs again to walk us through these
17 numbers. So with that, members, I would ask
18 you to take out your charts, and, Jeff, you are
19 going to walk us through the numbers.

20 MR. TAKACS: Thank you, Mr. Chairman.

21 What I would like to do is if you look at
22 the chart here that is on the screen, as well
23 as in your packets as the Chairman stated, what
24 I want to do is kind of talk about briefly each
25 of those categories and what they mean and what

1 they mean in the redistricting process. As you
2 can see, on the left-hand side is each plan's
3 name. You will also see that we have actually
4 included each of the amendments to those plans
5 if they were to be adopted as well, as well as
6 how they relate to the current map that is in
7 law today.

8 The next column there is the deviation
9 percentage. That is clearly the population
10 deviation for the plan as a whole. You will
11 note that the -- that 81.58 percent number is
12 actually looking at the current House map with
13 today's current census data. So that is where
14 that number comes from, and if you think about
15 it, that is the purpose of redistricting is to
16 take that number, like an 81.58 percent, and
17 reduce it significantly to get to close to
18 equal population for each districts.

19 Moving to the right, pretty obvious there,
20 county splits, those are the numbers of Florida
21 counties that have districts that cross their
22 lines. Similarly, city splits, same concept,
23 the geography of a city boundary being crossed
24 by a district.

25 Moving to the right again, we are going to

1 get into some compactness measures. The first
2 there is the perimeter base. What that means
3 is it is the base shape of the district. So
4 what you would do is take the closest
5 polygon-type shape, whether it is a rectangle
6 or other polygon shape, and take the shape of
7 the district and make it the polygon that is
8 the closest to the shape of that district, and
9 then measure the sides and the perimeter of
10 that base shape.

11 Similar concept to the base shape is the
12 perimeter. For the circle, what you would do
13 is take the shape of the district and then draw
14 a circle around it and then measure the
15 perimeter of that circle. So that's what that
16 measurement is.

17 Moving again to the right, the perimeter
18 for the convex hull, what that measures is if
19 you were to take the shape of a district -- the
20 best way I can describe this is if you were to
21 take the shape of a district and then take a
22 rubber band and then wrap it as tightly as you
23 could around the shape of the district, you
24 would then take that rubber band and measure
25 all of its sides to get that convex hull metric

1 there on the sheet.

2 Thinking about the next measurement, which
3 is width and height, that is, again, taking the
4 -- looking towards the base shape and looking
5 at the width and height of that base shape. It
6 is not actually the raw -- thinking of if you
7 took all of the sides of the district and added
8 it all together, it is actually -- what it is
9 is the width and height of that base shape.

10 Moving again to the right, as we look down
11 the chart, we get into more of the functional
12 compactness type measures. These are kind of
13 taking these districts and putting them into
14 real terms for the people and the
15 Representatives that will represent those
16 people. The first one is a straight line,
17 miles apart, taking the furthest two end points
18 of that district and then drawing a straight
19 line between those two points and then
20 measuring that straight line in terms of miles.
21 The next would be miles to drive, relatively
22 self-explanatory there, how many miles it is to
23 drive from one end of the district to the
24 other.

25 And thinking about all of these numbers,

1 especially to the -- thinking about the
2 straight line and the miles to drive and
3 minutes to drive, that is the average of all of
4 the districts is -- so for miles to drive in
5 the current map, if you were to look at that as
6 an example, in the current map it is 17 miles
7 to drive, which would be the average for
8 residents to drive around the district. And,
9 again, that's also been converted into minutes,
10 thinking about the roads that are in that
11 district and their speed limits as a factor in
12 that minutes to drive number.

13 And, again, kind of continuing to the
14 right here on the second page, these are the
15 various districts that are dealing with
16 specific VAPs for black and Hispanic districts,
17 and you can see they are given with 30 percent
18 or greater VAP, 40 percent or greater,
19 50 percent or greater and 60 percent or greater
20 for both black and Hispanic in those specific
21 districts.

22 So now that I have explained kind of all
23 of the categories, what I would like to do is
24 kind of just real briefly look at each of the
25 plans for those various proposals so you can

1 see those numbers as they function.

2 Again, looking at the population
3 deviation, without looking at amendments, you
4 are looking at 9017 being 3.84. 9019, of
5 course, is 1.26, which is the lowest, again,
6 because of the exercise that we were given by
7 our co-Chairs, thinking about creating a map
8 that has a plan that is plus or minus 1,000
9 people, as well as those split VTDs, but
10 obviously that population deviation comes into
11 fruition with 9019's population deviation of
12 1.26.

13 Again, looking at the various plans,
14 again, we also have the amendments listed there
15 for you for your review, and you can see that
16 -- and we will talk about amendments later, but
17 we did our best to try to lower a lot of those
18 numbers within the various amendments to the
19 plan that they are amending.

20 Again, moving to county splits, the
21 current State House map splits 46 counties.
22 You can see here that the various proposals and
23 amendments are mostly in the low 30s, with the
24 exception of 9019 being in the high 30s at 39.
25 Again, the concept there again with that map

1 was to really hone in on the standards of
2 looking at trying to lower that population
3 deviation, as well as taking a look at VTDs,
4 and the creation of that is that you are not
5 looking as much at the county boundary lines,
6 and that's what happens is that in order to
7 grab for certain population to get within that
8 range, et cetera, an additional, you know,
9 eight or nine counties were split in that map.

10 Looking at city splits, again, the current
11 House map splits 170 cities, and you can see
12 that the plans significantly reduce that and
13 the amendments reduce them even further.
14 Again, looking at 9019, again, it's kind of the
15 same principle that relates to the county
16 boundary lines. When you are really looking at
17 trying to grab population to get it to a more
18 equal number, you are not worrying as much
19 about the geography of a city, so more cities
20 were split within that plan.

21 Again, the perimeter base, on that base
22 shape of the district, you are looking at
23 16,491 miles is the total for the current House
24 plan, and each of the -- each of the proposals
25 and the amendments significantly reduce those

1 numbers as well. Again, 9019 stands out as the
2 highest with the perimeter base being 15,083.

3 Again, perimeter circle, thinking about
4 the shape of that circle that would go around
5 the district, the current map is 13,683 miles,
6 and, again, you can see from the various
7 proposals and amendments, that number is
8 reduced significantly.

9 Perimeter for the convex hull, again, the
10 shape of the rubber band, the current map total
11 is 10,728 miles, and, again, you will see that
12 all of the proposals and amendments are lower
13 than that number, in the low 10,000s.

14 Again, width and height, 6,643 for the
15 current map, and each of the proposals and
16 amendments reduced that number.

17 Again, straight line, miles apart from the
18 furthest two ends of the district, you are
19 looking at an average of 12 miles, whereas with
20 the proposals and amendments, most of them are
21 9, with the exception of, again, 9019 being
22 10 miles to drive. Seventeen miles was the
23 average. Again, 14 is actually the average for
24 all of the proposals and amendments. And then
25 minutes to drive, 26 would be the minutes to

1 drive for the current plan, and, again, 22 for
2 most of the plans that are before you, and the
3 amendments, with the exception of 9019, goes up
4 to 23, and 9023 is at 23 as well. That is
5 prior to the amendment. You can see there that
6 the amendment to 9023 would drop that number
7 back down to 22.

8 Looking at the black VAP districts, the
9 current map has 17 that are 30 percent or
10 greater. You will see that the proposals and
11 the amendments, most of them bring that number
12 up to 18. 9019 is still at 17, and 9023 is at
13 17 as well. Forty percent, current map 13.
14 The proposals, most of them are at 14, with the
15 exception of 9023. And then looking at
16 50 percent or greater, current map 11, and all
17 of the proposals and amendments before you are
18 at 12. And then 60 percent or greater --
19 again, this is using current data. We have
20 three districts that are currently 60 percent
21 or greater. They weren't necessarily at
22 60 percent or higher at the time they were
23 built ten years ago, but that is what the data
24 shows today, and the -- most of the proposals
25 bring that to either one or two. And then

1 moving to the right, we are thinking about
2 Hispanic voting age population, 30 percent or
3 greater current, the map has 22. The proposals
4 and the amendments all bring it to 23.
5 Forty percent or greater, the current map is
6 16. All of the proposals or amendments bring
7 that number to 19 or 18. Fifty percent or
8 greater, current district plan has 13. All of
9 the proposals and amendments bring that number
10 to 16 or 15. And then, again, 60 percent or
11 greater, the current map has 11, and the
12 amendments and the proposals bring that to
13 either 10 or 11.

14 So, Mr. Chairman, that's kind of a
15 walk-through of what that chart is and how it
16 works.

17 REPRESENTATIVE SCHENCK: Thank you for
18 that, Jeff. Members, you can tell Jeff is a
19 lot of fun at a party.

20 With that said, any -- any questions? Any
21 questions on the numbers and what they mean on
22 the chart, or thoughts about how they relate to
23 our five proposals? Representative Young.

24 REPRESENTATIVE YOUNG: Thank you,
25 Mr. Chairman.

1 Yeah, Jeff, you guys have done a great
2 job, thank you. Thank you for doing that on
3 behalf of all of us.

4 Just a quick question. I understand that
5 each map -- the differences in each map are
6 really based on the different approach taken
7 and things that you chose to stress in each
8 different approach, and I was wondering, in
9 terms of the metrics and the measurements, if
10 you could just kind of flesh out a little more
11 maybe which approach you favored in each of the
12 maps so we could compare them better. This is
13 a great comparison sheet, by the way, but I
14 just think just a little more detail, if you
15 could.

16 REPRESENTATIVE SCHENCK: You are
17 recognized.

18 MR. TAKACS: Certainly. Thank you,
19 Mr. Chairman.

20 Yes, Representative, certainly. Let me go
21 back to the first page there. Thinking about
22 the different decision points that are in each
23 of the proposals and in each of the amendments,
24 just kind of walk through briefly, 9015 deals
25 with the three districts that are in the Big

1 Bend area, thinking about the City of
2 Tallahassee only being split twice versus three
3 times, that is the difference between 9015 and
4 9017, as well as the area to the north, kind of
5 north central Florida area, that deals with
6 Alachua County being split twice versus three
7 times. When you only split Alachua County
8 twice, that leads to Union County being split
9 when it doesn't mathematically need to be.

10 When you look to -- again, 9019 I talked
11 about as the exercise of being the -- keeping
12 the population deviation low to plus or minus
13 1,000 people and then keeping VTDs whole as a
14 priority. That doesn't -- again, that kind --
15 you see how that affects the counties and city
16 splits as I talked about, and it also has some
17 impacts on the compactness of each of those
18 districts, because obviously each -- each of
19 those districts are shrinking and growing to
20 try to grab those populations, and sometimes
21 you are having to go quite a bit of a distance
22 to grab that population.

23 When you look to 9021 and 9023, that's in
24 the southern Florida end, and 9021, a big
25 difference in the compactness scores for that

1 map is looking at how Palm Beach County is
2 configured. If you recall, 9021 has a
3 horizontal black majority-minority district in
4 it that runs basically from Lake Okeechobee all
5 the way to Riviera Beach. 9023 and the other
6 proposals have a north-to-south configuration
7 for that majority-minority black district, kind
8 of along the transportation corridors of I-95
9 and U.S. 1.

10 What -- looking at these numbers, what
11 happened was is that the north-to-south
12 configuration for that majority-minority black
13 district made the entire county more compact,
14 and obviously that district itself was more
15 compact versus the horizontal east-to-west
16 configuration of that district. So that was
17 the big -- the big stand-out within that
18 particular plan as far as the east-to-west
19 configuration of that majority-minority black
20 district being essentially less compact. It
21 kind of bears fruit here in 9021 as far as some
22 of those compactness scores being higher than
23 the other options that are before you.

24 The other difference within 9021 also
25 deals with Charlotte and Lee Counties. If you

1 recall that Charlotte County is kept whole
2 within 9015, 9017 and 9023, but what we do is
3 within Charlotte and Lee County in 9021,
4 thinking about where people live and trying to
5 -- there are certain times -- if you recall
6 from the workshop, there are certain times
7 where a county boundary might not be in the
8 best place functionality for where those people
9 live. So what we did with that plan was we
10 changed some of the districts around in Lee
11 County to make it more functional for the
12 people that live there, as well as Charlotte
13 County, and what ultimately happens is that the
14 western Lee County district for population
15 purposes has to come up into Charlotte County
16 and split that county.

17 So those are kind of the walk-throughs of
18 each of those plans and what kind of led to
19 some of those different compactness scores that
20 you see on the chart.

21 REPRESENTATIVE SCHENCK: Do you have a
22 follow-up?

23 REPRESENTATIVE YOUNG: Follow-up, please.

24 REPRESENTATIVE SCHENCK: Sure.

25 REPRESENTATIVE YOUNG: Yeah.

1 Mr. Chairman, I could be jumping the gun a
2 little bit, but I might as well just put it out
3 there while we are looking at this comparison
4 chart. As I compare the city/county splits and
5 the deviations and so forth, I mean, it
6 definitely looks to me like 9019 is not as
7 strong as the others. And, you know, in every
8 public hearing that I went to, I think I was at
9 12, I listened to the testimony of the folks
10 that were saying, you know, please keep our
11 cities and counties together as much as we can,
12 draw compact districts, and, you know, I am
13 looking at this, it is better than the existing
14 map for sure, but, you know, you've got 39
15 counties split, 133 cities split and other
16 deviations that -- I mean other factors that
17 make this less attractive. So, you know, for
18 what it is worth, it definitely seems like this
19 is the one that is less consistent with the
20 public testimony. So my suggestion would be
21 that of the ones that we've got, maybe we look
22 at throwing out 9019.

23 REPRESENTATIVE SCHENCK: Okay. Did I see
24 Representative Clarke-Reed? Do you have a
25 question?

1 REPRESENTATIVE CLARKE-REED: Yes, I do. I
2 wanted to know if we are going to be able to
3 see these maps now that you -- you know, with
4 the changes that you were telling us about,
5 once we are discussing a map, I was wondering
6 if you could bring it up so that we could
7 actually see the changes that were made on the
8 maps.

9 REPRESENTATIVE SCHENCK: Representative
10 Clarke-Reed, to answer your question, the maps
11 have not changed since we workshopped them.
12 What we are trying to do right now is we are
13 going to decide which three we are going to
14 take up, and then those maps will be changed
15 through amendments. So, yes, as we go through
16 each one, as we make that decision, as we go
17 through each one, yes, you will be able to see
18 -- you will be able to see what the changes are
19 and we will have those up for you, okay?

20 REPRESENTATIVE CLARKE-REED: Follow-up,
21 Mr. Chair?

22 REPRESENTATIVE SCHENCK: Sure.

23 REPRESENTATIVE CLARKE-REED: I just want
24 to make sure I am understanding what you are
25 saying. You are at -- this information that is

1 being presented to us, you are saying that
2 there are no maps that show these variations of
3 what -- the information that is being given?

4 REPRESENTATIVE SCHENCK: No, no, no. What
5 I am saying is that these -- these numbers
6 speak to the five maps that were workshopped in
7 the last committee meeting, so they have not
8 been -- those maps have not been changed. So,
9 for example, if it is possible, and I don't
10 know it is, if you wanted to see 9015, the map
11 that corresponds with those numbers, yes, we
12 can -- I assume you have that or you could put
13 that up, right, Jeff?

14 MR. TAKACS: Yes, sir.

15 REPRESENTATIVE SCHENCK: Okay.

16 REPRESENTATIVE CLARKE-REED: Thank you,
17 that is what I --

18 REPRESENTATIVE SCHENCK: What I was saying
19 was, once we decide which three of the five, we
20 would do exactly that. Do you understand what
21 I am saying to you?

22 REPRESENTATIVE CLARKE-REED: I understand
23 what you are saying to me, but I want to see
24 all of them.

25 REPRESENTATIVE SCHENCK: Okay. That is

1 fine, we can do it.

2 Okay. Members, other -- while Jeff is
3 pulling that up, other comments or questions?
4 Representative Corcoran.

5 REPRESENTATIVE CORCORAN: I don't want to
6 precisely parrot what Representative Young
7 said, but in looking at the -- and agreeing
8 with your concept, I think if you look at 15
9 and 17 and as amended, where they reduce the
10 city splits by virtually 50 percent from the
11 current map, I think that not only are we
12 moving towards the direction of what the law is
13 requiring us to do, and as Representative Young
14 said, the testimony -- it was also the
15 testimony, interesting enough, from the
16 Supervisors of Elections in every single
17 hearing I went to who said they would rather
18 see us go up a little bit in deviation and not
19 have those city splits than have a lower
20 deviation and have a tremendous amount of city
21 splits, and so kind of piggy-back on what
22 Representative Young said, I think looking at
23 your criteria and seeing that reduction, city
24 splits of over 50 percent, following the
25 testimony of the public and also the law, I

1 think that that would be a direction I would
2 like to see us move toward.

3 REPRESENTATIVE SCHENCK: Thank you. Jeff,
4 do you want to just maybe run through this?

5 MR. TAKACS: Yes, thank you, Mr. Chairman.

6 This is map 9015. Again, as you recall,
7 this was one of the maps that -- actually, this
8 was the very first map that I presented in our
9 last meeting, which was the one that kind of
10 took the longest where I went into great detail
11 to every district-by-district description as to
12 how they were built.

13 The biggest differences within this
14 proposal versus the other proposals is dealing
15 with the Big Bend area, and actually Leon
16 County specifically. If you look at Districts
17 7, 8 and 9, in this configuration, the City of
18 Tallahassee is split three ways between the
19 three districts. And what we do with -- like,
20 as an example, 9017, which I can certainly
21 bring up for you, and, of course, all of the --
22 we have all of the maps here blown up that we
23 can put on an easel for you as well to review.
24 What we do with 9017 is -- if you will -- I
25 will talk here a moment as Ben brings up

1 another iteration of My District Builder and
2 puts up plan 9017. As he is doing that, the
3 other difference between the two plans deals
4 with Clay County and just basically a cleaning
5 up of the lines within District 18, which is in
6 the northwest corner of --

7 REPRESENTATIVE SCHENCK: Hey, Jeff, what
8 we are going to do is I am going to have -- I
9 have asked Alex just to turn the easels this
10 way so that any members can then just see them
11 all at the same time, because we are going to
12 spend a lot more time doing this once we
13 actually get into amendments and bills. So if
14 they would just turn them around so we can
15 quickly get a snapshot of the differences.

16 MR. TAKACS: Thank you, Mr. Chairman.

17 REPRESENTATIVE SCHENCK: Representative
18 Clarke-Reed, quickly.

19 REPRESENTATIVE CLARKE-REED: Mr. Chair, I
20 don't want to prolong the meeting, but my thing
21 is that while we are talking about the
22 amendments and the -- you know, anything that's
23 being done, can we reference that map at the
24 same time so we can move this along?

25 REPRESENTATIVE SCHENCK: Absolutely.

1 REPRESENTATIVE CLARKE-REED: That is all I
2 am asking.

3 REPRESENTATIVE SCHENCK: Okay. So if that
4 is the case, yes, we are going to do that, it
5 was my plan to do that, so --

6 REPRESENTATIVE CLARKE-REED: Yes.

7 REPRESENTATIVE SCHENCK: -- we will move
8 right into that.

9 Members, any other comments, questions
10 about whittling from five to three?
11 Representative Nuñez.

12 REPRESENTATIVE NUNEZ: Thank you,
13 Mr. Chairman, and I actually agree with
14 Representative Corcoran as it relates to maps
15 9015 and 9017, I believe those are good options
16 for us and deserve our support here today.

17 As far as the maps that will be the third
18 option that we will be sending on to the full
19 committee, I am between map 9021 and 9023, and
20 as it relates to those two maps and as you
21 compare them to each other and you look at the
22 metrics, I certainly believe that the
23 measurements favor map 9023, and that is the
24 one that I would support here today and would
25 urge the Committee to consider moving along to

1 the next step.

2 REPRESENTATIVE SCHENCK: Okay, great.

3 Other members? Representative Baxley.

4 REPRESENTATIVE BAXLEY: Thank you,
5 Mr. Chairman, and I want to certainly
6 congratulate the committee staff for the amount
7 of detail that they have gone into and
8 furnished to us prior to this meeting,
9 particularly the Bill analysis of these. And
10 everything that I have heard here discussed in
11 the meeting, I certainly agree with those valid
12 points, and I know that primarily we are
13 looking at the metrics and the numbers. This
14 is a numbers thing, it has to work out in terms
15 of numbers and comply in terms of numbers.

16 But I am also reflecting, and I think it
17 is important for us in this Committee to
18 reflect on a lot of discussion in the hearings
19 and make sure that we are reflecting on the
20 public input. I heard a lot in all the public
21 meetings about the general appearance of the
22 maps, and when I look at these, particularly
23 9015, 9017, 21 and 9023, they -- when you look
24 at them, they actually all look improved and
25 more squared-up, and I think the general

1 appearance of the map is important to people
2 that appeared before committee, and the more it
3 made sense to them. So, you know, I am
4 reflecting on that and I am reflecting also on
5 what kinds of things they said about keeping
6 communities whole, which has been mentioned
7 here. And so those four maps, to me, in
8 reviewing the analysis and then what we have
9 seen here today in the meeting, speak to me as
10 being rooted in that public input, which is
11 very important to me, and I would be
12 comfortable voting for any of those four today.

13 REPRESENTATIVE SCHENCK: Okay. Members,
14 any other comments or questions?

15 All right. Well, thank you for the input.
16 From what I heard, and just so you know,
17 members, after having -- Chair Dorworth and I,
18 after having the staff put this together, I
19 believe that the numbers bear out 9017, 9015,
20 and 23 are three -- are the three of the five
21 best for what we are looking for. So with
22 that -- and I think that is what I kind of
23 heard today around the table as well. So with
24 that, we are going to move into --

25 REPRESENTATIVE ROGERS: Would you please

1 say those numbers again?

2 REPRESENTATIVE SCHENCK: Representative
3 Rogers, do you have a question?

4 REPRESENTATIVE ROGERS: Same question.

5 REPRESENTATIVE SCHENCK: The numbers?
6 9017, 15 and 23.

7 REPRESENTATIVE ROGERS: Mr. Chairman?

8 REPRESENTATIVE SCHENCK: Sure.

9 REPRESENTATIVE ROGERS: Thank you,
10 Mr. Chairman.

11 As staff goes through this process of
12 explaining, because some of us are very visual
13 people, could you also keep in mind the
14 pre-clearance communities as you make your
15 summation and your comments that we -- you can
16 make comments as to what has affected, impacted
17 those communities. Thank you.

18 REPRESENTATIVE SCHENCK: Yes. Okay. With
19 that, then, members, at this time we are going
20 to take up PCB 9017 -- PCB-2. Way too many
21 numbers to keep track of here.

22 Okay. So we are here on PCB-2, which is
23 map 9017, and with that, I am gladly turning it
24 over to Chair Dorworth to explain.

25 REPRESENTATIVE DORWORTH: Thank you,

1 Mr. Chairman.

2 PCB HRS 12-02, which is also map 9017,
3 makes some dramatic improvements to the House
4 district map, in comparison of the current
5 House district map. It reduces the counties
6 split by 16, the cities split by 71 and is
7 significantly more compact than the current
8 map. The map also preserves the opportunities
9 for racial and language minorities in Florida
10 to elect the candidate of their choice, and we
11 believe that this map actually creates new
12 opportunities in certain areas of the state.

13 That is a description, Mr. Chairman.

14 REPRESENTATIVE SCHENCK: Thank you.

15 Okay, members, questions on the Bill? We
16 are on the Bill.

17 Seeing no questions on the Bill, which we
18 have already workshopped, then Chairman
19 Dorworth has filed an amendment, so we are
20 going to go right into the amendment.

21 Chairman Dorworth, you are recognized to
22 explain the amendment.

23 REPRESENTATIVE DORWORTH: Thank you,

24 Mr. Chairman.

25 The amendment provides -- improves on the

1 map even further by reducing the number of
2 cities split by 15 and reducing many of the
3 measurements in relation to compactness, such
4 as the perimeter and width plus height.

5 Mr. Chair, for the benefit of all the
6 committee members, Jeff Takacs has a short
7 PowerPoint that provides some visuals, which I
8 think we had some desire to see, to help
9 further illustrate the changes in the
10 amendment. So I would like to recognize Jeff
11 with the information, sir.

12 REPRESENTATIVE SCHENCK: Okay. Thank you
13 very much. Jeff, you are recognized then to
14 visually take us through the changes in the
15 amendment.

16 MR. TAKACS: Thank you very much,
17 Mr. Chairman. I am going to take a second
18 while the PowerPoint comes up here, and what we
19 have done is for each of the changes that are
20 made in the various amendments, we have a
21 visual to show just what that change is and how
22 it was made, and in many instances we do a
23 before and after. So what I would like to do
24 is walk through -- what I would like to do is
25 kind of walk through the various changes to

1 amendment one.

2 The first issue, the tribal chairman of
3 the Miccosukee Tribe of Indians of Florida
4 suggested that all of their camps, with the
5 exception of one, which I will talk about in a
6 second, be placed into a single district. The
7 one that would be held out is actually within
8 Monroe County, and when making this request,
9 the tribal chairman understood that we may not
10 want to break the county line just to include a
11 tribal camp into a district. So with the
12 exception of that one camp, their request was
13 to have all of their camps be within a single
14 district.

15 So as you can see, what we have done, as
16 you look at the yellow district there, which is
17 106, and its neighbor to the east, kind of that
18 dark blue-purplish color is 105, what we do is,
19 thinking about how that district is -- comes
20 along Tamiami Trail, what we do is we just
21 place all of those camps within House District
22 105, as opposed to them being split between 105
23 and 106 as they are in the current proposal.
24 So, again, you see there's a before shot and an
25 after shot of the change. It is a subtle

1 change to 106 and to 105, but that subtle
2 change brings all of those camps requested into
3 District 105. And, again, here you can see
4 this is just kind of a map looking along
5 Tamiami Trail of those different camps that,
6 again, are brought into District 105.

7 The next issue deals with the population
8 of the people of Burnt Store Marina. And to
9 describe where Burnt Store Marina is, if you
10 look at the before picture of the map there,
11 the yellow district -- if you see where
12 District 76, which is the yellow district, and
13 the orange district, which is District 77, to
14 the northeast corner of District 76, you see
15 that tiny little nub basically that sticks out,
16 a little finger that sticks out between the two
17 districts, that essentially is the 1,700 plus
18 residents of Burnt Store Marina. And when you
19 look at District 76 and you look at basically
20 its population center being to the south end of
21 the county where the City of Bonita Springs is,
22 functionally for the people of Burnt Store
23 Marina, that is a far trek to get to the
24 population center of their district, and
25 presumably, thinking about representation, it

1 would be quite a distance for them to get to
2 their Representative, assuming that the office
3 would be in that area of the population center.
4 So to make that change, you can see in the
5 after picture, it's basically kind of
6 straightened out that line to include the
7 people of Burnt Store Marina into District 77,
8 which is also most -- actually, it is all of
9 the City of Cape Coral as its boundaries for
10 District 77.

11 I should also mention in this change you
12 will also notice in the before and the after,
13 the number underneath the district number is
14 the population deviation for those districts,
15 and what you will see is that grabbing those
16 1,700 people and making the changes to it
17 affect all of the other districts within Lee
18 County, because, again, as you remember from
19 the workshop, we have four districts that are
20 wholly within Lee County, 76 through 79 are
21 wholly within Lee County, and so to maintain
22 that, the population deviations for those
23 districts changed. In fact, they changed to
24 the end that District 79 there in eastern Lee
25 County in the after picture is -- its deviation

1 is minus 2,929, which would actually be a new
2 low mark as far as the under-populated
3 districts within the plan. It would actually
4 change the total deviation for this plan to
5 3.98 percent. And, again, that is the people
6 of Burnt Store Marina, and this came -- we
7 actually saw this as staff. We found that
8 this -- we saw this nub, saw this population,
9 and wanted to bring those residents closer in
10 proximity to where their Representative would
11 be.

12 The next issue, as you see, deals with the
13 three districts within Escambia, Okaloosa and
14 Santa Rosa Counties. If you look at the top
15 picture there, that is District 4 and how it
16 borders around the City of Crestview. As you
17 recall, District 4 is wholly within Okaloosa
18 County, it is everything south of I-10, with
19 the exception of the city boundaries of
20 Crestview to the north of I-10. We actually
21 received some feedback from the Okaloosa County
22 Supervisors of Elections' office asking that we
23 make some subtle changes to District 4 to not
24 just be the city boundaries, but to kind of
25 expand those boundaries slightly to include

1 some of the area neighborhoods that are just
2 outside of the city limits. Thinking about --
3 you know, thinking about their purposes as far
4 as running elections and things of that sort,
5 they thought it made more sense to bring some
6 of those residents just outside of the city
7 boundaries into District 4 and those geographic
8 boundaries.

9 If you look to the picture to the south
10 there, that is District 2, the brown district
11 there that is in Escambia and Santa Rosa
12 Counties. We received some feedback from the
13 residents of Santa Rosa County, specifically we
14 listed A. Austin here, thinking about how
15 Navarre and Navarre Beach are connected to
16 Districts 2 and 3. Districts 2 and 3 split the
17 people of Navarre and Navarre Beach within the
18 two districts, and as you can see there, all
19 the way to the east of District 2 in that
20 picture, just that kind of tip there is the
21 southern tip of Santa Rosa County, and you will
22 see here in the after photo of all three of
23 those counties, what we do is we just bring the
24 district back to the county line, keep that
25 area of the county whole, and then what we do

1 is adjust the population by moving District 2
2 slightly into Escambia County, and then again
3 when you look to District 4, its -- its
4 boundary changed per the request of the
5 Supervisor of Elections' office as it relates
6 to the City of Crestview and those
7 neighborhoods just outside of the city
8 boundaries. So that's that particular issue.

9 Moving into southeast Florida, we saw an
10 article in *The Stuart News* dealing with the
11 actual City of Stuart. There was a
12 redistricting hearing in that area that several
13 legislators attended, and basically the main
14 message of that meeting was that the people of
15 the City of Stuart wanted to be kept whole
16 within a single House district. So to that
17 end, you will see this is the before picture.
18 If you look specifically at District 83, which
19 is the brown district there, that is the before
20 picture, and then here is the after. What we
21 do is we move the boundary of that district to
22 the east and then down to grab the entire
23 population of the City of Stuart, which was
24 roughly an additional 5,000 people or so, and
25 then District 82, which had the other portion

1 of the City of Stuart then comes north up to
2 the county line. So that would make the City
3 of Stuart within Martin County whole within
4 District 83.

5 Moving next, this will be kind of a
6 similar theme here, as you see moving forward,
7 there are several cities that we found that
8 could be kept whole within this map. This
9 second example here is the City of Bartow. You
10 will see there that there are 65 people from
11 the City of Bartow that are actually within
12 District 1 and not within the district to the
13 south, which is District 56. So what we do
14 is -- is to bring all of the city boundary into
15 District 56. You will see there the after shot
16 is the illuminated area there to the south is
17 the city boundaries of the City of Bartow, and
18 we just bring that all into District 56.

19 Next is dealing with -- an issue dealing
20 with Miami-Dade County. At the advice of our
21 legal counsel, we looked into making District
22 113 into a Hispanic majority-minority district
23 that is more likely to perform Hispanic than
24 the one in the proposal, which is 9017.

25 Additionally, legal counsel suggested improving

1 the Hispanic performance of District 114, if
2 possible. So, again, 113, there looking at the
3 eastern area of Miami-Dade County, and then 114
4 is to the southwest of 113. So that is the
5 current configuration. In a moment, I will go
6 to the -- I will go to the amendments proposal
7 for Miami-Dade County.

8 What this amendment does is it makes
9 changes to Districts 113, 112, 102, 108, 109
10 and 111. You can see the big difference. I
11 will kind of hop back and forth between the
12 before and after.

13 In the before, if you look at 113 and 112
14 as they relate to one another, 113 becomes
15 smaller in size as District 112 becomes larger
16 in size. Again, I will kind of -- I'm going to
17 keep flipping back and forth as I talk about
18 these various districts so you can see the
19 before and after.

20 If you look at District 114, it kind of
21 has that cornered edge there to the northeast,
22 and as we go to the amendment, as District 112
23 comes further south, it takes away a part of
24 that edge, but still there still is a straight
25 edge there within District 114.

1 Again, going back to District -- let's see
2 here. Looking at Districts 108 and 109, you
3 can see their current shape. What we do is
4 actually make in this process the districts of
5 108, 109, 111, which is to the west of that, as
6 well as 102, which is all the way in northern
7 Miami-Dade County, and you will see here in the
8 after, all of those districts that I just
9 mentioned, their compactness measures are
10 improved between the proposal and the
11 amendment. So all of those districts are, in
12 essence, more compact in the amendment.

13 Also, too, I should mention that the City
14 of Opa-Locka is now kept whole within a
15 district which was currently split in the
16 proposal. So thinking about this, District
17 113, its existing likelihood of producing a
18 Hispanic community's candidate of choice is
19 maintained, as well as that same existing
20 likelihood for District 114. So those are the
21 differences in the amendment for Miami-Dade
22 County.

23 I should also mention, when you look at
24 Miami-Dade County as a whole and thinking about
25 this amendment, when you look at District 115,

1 which is kind of the grayish district there,
2 everything to the west of that district is not
3 affected in this amendment. It is everything
4 to the east of that amendment that is affected
5 by the amendment.

6 REPRESENTATIVE SCHENCK: And, Jeff, I
7 think Alex wants to add something while we are
8 talking about Miami-Dade.

9 Go ahead, Alex, you are recognized.

10 MR. KELLY: Thank you, Mr. Chair.

11 Members, I just wanted to add a little bit
12 of additional information here. District 113
13 today is an existing and performing Hispanic
14 majority-minority seat, so this was an effort
15 to make sure that that seat maintained its
16 ability to perform and -- and so is District
17 114. In terms of the shift in population, what
18 essentially happens is that District 112 had a
19 very, very strong likelihood of performing
20 Hispanic. So essentially some of the
21 neighborhoods in District 112 that had high,
22 high likelihood of performing, some of those
23 neighborhoods were moved into District 113 to
24 bring the Hispanic voter registration of the
25 district up to a level at which our counsel

1 believed it would perform, and as Jeff noted,
2 it also gave a small boost to District 114 to
3 provide a little more comfort, again, make sure
4 that the district would maintain its ability to
5 elect for a Hispanic candidate of choice.

6 Just to also frame some of the details in
7 regards to Districts 102, 109 and 108, the
8 lines -- if Jeff maybe could kind of go back
9 and forth on the slides -- the lines in the
10 districts, they are -- for instance, in 102,
11 102 kind of had two sort of feet, or so to
12 speak. It now doesn't. And between District
13 111, 108 and 109, the lines that are used north
14 to south are much more along consistent
15 roadways utilizing the notion that -- giving
16 the -- minimizing voter confusion by ensuring
17 that if you are on this side of the road, you
18 are in this district, if you are on this side
19 of the road, you are in that district. So
20 trying to create a more compact and, you know,
21 geometrically appropriate shape between those
22 districts and use roadways better.

23 So thank you, Mr. Chair, I just wanted to
24 add that clarification.

25 REPRESENTATIVE SCHENCK: Thank you, Alex.

1 Okay, Jeff, you are recognized to move on
2 then.

3 MR. TAKACS: Thank you, sir.

4 Next is -- since our last meeting, as
5 staff we studied numerous ways to try to make
6 Orange County and potentially other counties
7 within central Florida and their districts more
8 compact and more adherent to city boundary
9 lines. You can see here on the map in front of
10 you, this is the before picture. This is the
11 current Bill prior to the amendment. Some of
12 the districts that I want to point out that you
13 will see some changes in, you will see in south
14 Lake County, District 32 along the Turnpike
15 there, comes into southwest Orange County. We
16 make some changes to that, and you will see in
17 the after shot in just a moment.

18 Thinking about Districts 30 and 45, they
19 also make some changes in an effort to be more
20 compact and adherent to city and county
21 boundary lines. So I will go ahead and go to
22 what the after shot would look like, and I will
23 kind of walk you through that and I will start
24 with south Lake County.

25 As you can see in the previous map, and I

1 will kind of again kind of flip back and forth
2 slowly between the various maps, as you look at
3 32, it used the Turnpike, and then 32 went into
4 Orange County. Instead, what happens here with
5 District 32 is that it is now wholly in Lake
6 County and it is actually -- the boundary there
7 between District 32 and 31 is actually the city
8 boundaries of the City of Tavares. So making
9 that change then affected obviously District
10 31, which is now the district that crosses from
11 Lake into Orange County into the general Apopka
12 area.

13 As we move south, we will look at
14 Districts 45 and 44. Again, I will kind of go
15 to the before picture. You can see kind of the
16 bumpy edge, for lack of a better term, for the
17 northern edge of District 45, and you will see
18 District 44 and its boundary there with
19 District 32, and as you move to the proposal,
20 District 44 now comes to the county line since
21 District 32 is wholly within Lake County and
22 goes from south Lake up to the north to
23 Tavares, and you will see as well that District
24 45 has some smoother lines along roadways as
25 well.

1 As I -- I should mention here, thinking
2 about municipalities that are kept whole within
3 this proposal versus the Bill, the
4 municipalities of Leesburg, Groveland,
5 Minneola, Maitland, Edgewood, Belle Isle and
6 Lake Buena Vista are all kept whole within this
7 amendment, and it actually also improves the
8 compactness for Districts 28 and 29, which are
9 in Seminole County. District 30, which sees
10 some changes, that is now the district that
11 comes from Seminole County into Lake, as
12 opposed to 49, which is in the Bill, that was
13 the district that came into Seminole County.
14 Also, the compactness scores for Districts
15 45 -- 44, 45, 46, 47, 48 and 49 saw
16 improvements as well.

17 So that's kind of the walk-through of the
18 changes in central Florida. It does impact
19 three counties. Lake, Seminole and Orange are
20 all affected by this amendment.

21 REPRESENTATIVE SCHENCK: Before you move
22 on, Jeff, I am going to recognize Alex again.
23 Go ahead, Alex.

24 MR. KELLY: Thank you, Mr. Chair. I just
25 want to add, too, members, in terms of map

1 9017, as it's been filed as a PCB and this
2 change here, District 45 in both cases is a new
3 opportunity for -- to elect an African-American
4 candidate. It is about a 40 percent -- has
5 about a 40 percent black voting age population.
6 So both in the original drawing of it and in
7 the drawing that now better adheres to roadways
8 and compactness, it still maintains the same
9 black voting age population. And in the other
10 minority districts, there is a
11 majority-minority existing African-American
12 seat in the map, and, likewise, a Hispanic
13 seat, and both of those maintain similar
14 numbers in terms of their African-American and
15 Hispanic voting age populations.

16 REPRESENTATIVE SCHENCK: Thank you. All
17 right, Jeff, you are recognized to continue.

18 MR. TAKACS: Thank you, Mr. Chairman.

19 Moving on here, I am going to talk about a
20 series of municipalities that are kept whole
21 within the amendment, kind of talk through them
22 briefly, and I've got visuals here to show the
23 city boundaries and how they are affected.

24 This first issue here deals with the City
25 of Cooper City. What happened was that as we

1 look at the districts of 98 and 99, two people
2 -- the City of Cooper City was split by two
3 people. Obviously that is something that we
4 wanted to correct, that was unintentional. So
5 now all of the City of Cooper City is whole
6 within this amendment, and those two people can
7 be joined with the rest of their city.

8 This next issue deals with a small
9 non-populated area of Districts 42 and 41.
10 District 42 is the area that has the
11 unpopulated portion of the City of Dundee
12 within it. So in an effort to keep that city
13 whole, you can see the city boundaries there in
14 pink as it crosses over into the light blue
15 into the dark blue. We bring all of the City
16 of Dundee into District 41.

17 Going back to Broward County, this is --
18 again, two people in the City of Coconut Creek
19 were separated from the rest of their city
20 residents between two districts, and so we keep
21 the -- between Districts 92 and 96. So what we
22 do is we keep the City of Coconut Creek whole
23 within this amendment as well.

24 Similar concept, the City of Atlantis in
25 Palm Beach County, there were 11 people

1 erroneously separated by two districts, 87 and
2 90, and so we moved all of the City of Atlantis
3 and its people into District 90.

4 And there is one more issue, Mr. Chairman,
5 on the amendment, and it is in Bay County. We
6 received some feedback from a resident of Bay
7 County who made a suggestion that its
8 airport -- that the Panama City area airport
9 should be included into District 6, which is
10 the district that is wholly within Bay County.
11 So you can see the before picture, if you look
12 at the northern boundary of District 6 and then
13 you look at the after boundary -- after photo,
14 if you look at the boundary of the district,
15 you will see that kind of straight edge area
16 there in the middle of the district, that is to
17 include the airport within the district. It
18 did affect some population, but actually, by
19 making that adjustment, it actually makes the
20 populations of Districts 5 and 6 closer to each
21 other and more equal to one another.

22 So Mr. Chairman, that is the amendment.

23 REPRESENTATIVE SCHENCK: All right, Jeff,
24 thank you very much.

25 Okay, members, questions on the amendment?

1 Questions on the amendment? Representative
2 Bernard.

3 REPRESENTATIVE BERNARD: Thank you,
4 Mr. Chair.

5 I just wanted to ask a question in regards
6 to District 102. I don't know which district
7 number it is currently right now, but what --
8 it seems to me that it used to be more of a
9 Miami-Dade County district. Just based on this
10 map, it just seems like we have shifted more
11 into Broward. Is that the case?

12 REPRESENTATIVE SCHENCK: Jeff, you are
13 recognized.

14 MR. TAKACS: Thank you, Mr. Chairman. I'm
15 sorry, I am going to recognize --

16 REPRESENTATIVE SCHENCK: Go ahead, Alex.
17 It is a simple answer.

18 MR. KELLY: Thank you, Mr. Chair.

19 Yes, the district does move further into
20 Broward County. When we looked at the
21 districts in this area, particularly that
22 district, 108 and 109 and 107 and I believe
23 101, there were four existing performing
24 majority-minority -- actually, one of them was
25 49 percent, had a 49 percent black voting age

1 population, but essentially four existing
2 majority black districts there, and then a
3 district that was performing, I believe, at
4 either 34 or 36 percent black voting age
5 population, and in order to maintain all five,
6 actually there is a slight push -- District 102
7 further into Broward County, so, yes, it is
8 further into Broward County.

9 REPRESENTATIVE BERNARD: Mr. Chair?

10 REPRESENTATIVE SCHENCK: Follow-up, go
11 ahead.

12 REPRESENTATIVE BERNARD: Regarding Miami
13 Gardens, did we split -- how many districts is
14 Miami Gardens split into now based on this
15 current configuration?

16 REPRESENTATIVE SCHENCK: We are going to
17 look that up.

18 REPRESENTATIVE BERNARD: Thank you.

19 REPRESENTATIVE SCHENCK: Other questions
20 on the amendment? Questions on the amendment?

21 Being none then, Representative Bernard,
22 did you have any other questions besides that
23 one?

24 REPRESENTATIVE DORWORTH: If I might just
25 take a moment while we are looking for this. I

1 would like to just make a quick announcement,
2 an introduction. I've got my elections
3 supervisor, Mike Hertel, in the audience today.
4 He came here apparently to check my numbers and
5 make sure we kept this honest, so welcome,
6 Mike, he is a good man in town. Thanks for
7 being here. And with this, we are just going
8 to keep talking until said time as we have an
9 answer to the question. So --

10 REPRESENTATIVE SCHENCK: Representative
11 Bernard, four splits to the city. Yep.

12 Okay. Seeing no other questions on the
13 amendment, we are going to move to public
14 testimony on the amendment. Anybody in the
15 public wishing to speak to the amendment?

16 Seeing none, debate on the amendment.
17 Members, we are in the debate on the amendment.

18 Seeing none, Representative Dorworth, you
19 are recognized to close on the amendment.

20 REPRESENTATIVE DORWORTH: Thank you,
21 Mr. Chairman.

22 Again, if you read this, before the
23 amendment, there were a reduction of 71 city
24 splits. This has 15 more. As you can see step
25 by step, I think it made it better in every

1 way. With that, I would ask for your vote.

2 REPRESENTATIVE SCHENCK: All right. Thank
3 you, then.

4 All in favor of the amendment, signify by
5 saying aye.

6 (Chorus of ayes.)

7 REPRESENTATIVE SCHENCK: Opposed?

8 Okay, show the amendment passes.

9 We are back on the Bill as amended, back
10 on the Bill as amended. Anybody in the public
11 wishing to speak to the Bill as amended?

12 Seeing none, debate on the Bill as
13 amended? Debate on the Bill as amended?
14 Representative Julien. Okay.

15 Seeing no debate then, Representative
16 Dorworth, you are recognized to close on PCB-2.

17 REPRESENTATIVE DORWORTH: I waive close.

18 REPRESENTATIVE SCHENCK: Okay, waive
19 close. Katie, please call the roll.

20 THE CLERK: Representatives Baxley?

21 REPRESENTATIVE BAXLEY: Yes.

22 THE CLERK: Bernard?

23 REPRESENTATIVE BERNARD: No.

24 THE CLERK: Campbell?

25 REPRESENTATIVE CAMPBELL: Yes.

1 THE CLERK: Clarke-Reed?
2 REPRESENTATIVE CLARKE-REED: No.
3 THE CLERK: Corcoran?
4 REPRESENTATIVE CORCORAN: Yes.
5 THE CLERK: Diaz?
6 REPRESENTATIVE DIAZ: Yes.
7 THE CLERK: Dorworth?
8 REPRESENTATIVE DORWORTH: Yes.
9 THE CLERK: Drake?
10 REPRESENTATIVE DRAKE: Yes.
11 THE CLERK: Frishe?
12 REPRESENTATIVE FRISHE: Yes.
13 THE CLERK: Hooper?
14 Julien?
15 REPRESENTATIVE JULIEN: No.
16 THE CLERK: Nuñez?
17 REPRESENTATIVE NUNEZ: Yes.
18 THE CLERK: Rogers?
19 REPRESENTATIVE ROGERS: No.
20 THE CLERK: Young?
21 REPRESENTATIVE YOUNG: Yes.
22 THE CLERK: Chair Schenck?
23 REPRESENTATIVE SCHENCK: Yes.
24 Okay, so the Bill passes.
25 Members, we are going to read up -- we are

1 going to take up the second Bill, which will
2 now be PCB-1 since inexplicably I went to two
3 for some reason. We are now on PCB-1, which is
4 map 9015. Everybody can follow along, PCB-1,
5 9015, and I am going to recognize Chairman
6 Dorworth for the Bill explanation.

7 REPRESENTATIVE DORWORTH: Thank you,
8 Mr. Chairman.

9 PCB HRS 12-01, which is also map 9015,
10 makes dramatic improvements to the House
11 district map in comparison to the current House
12 district map. It reduces the counties split by
13 15, cities split by 71 and is significantly
14 more compact than the current map. This map
15 also preserves the opportunities for racial and
16 language minorities in Florida to elect the
17 candidate of their choice, and we believe that
18 this map will actually create new opportunities
19 in certain areas of the state.

20 REPRESENTATIVE SCHENCK: Thank you.
21 Questions on the Bill? Questions on the Bill,
22 members?

23 Seeing none, are there amendments?
24 Chairman Dorworth has filed one amendment, we
25 are going to roll right into that. So,

1 Chairman, you are recognized to explain
2 amendment one.

3 REPRESENTATIVE DORWORTH: Thank you, sir.

4 The amendment improves on the map even
5 further by reducing the number of counties
6 split by one, and that is Union County, cities
7 split by 15, and reducing many of the
8 measurements in relation to compactness such as
9 the perimeter and width plus height.

10 Mr. Chair, for the benefit of all the
11 committee members, yet again I would like to
12 ask Jeff Takacs to give a short PowerPoint
13 presentation to provide some visuals to help
14 further illustrate the changes in the
15 amendment. So I would like to recognize Jeff.

16 REPRESENTATIVE SCHENCK: Thank you. Jeff,
17 before you are recognized, I am just going to
18 say, members, as you guys probably have known
19 from seeing the material, many of these changes
20 in the amendment are the same ones we just went
21 over to the previous Bill, so with that in
22 mind, Jeff, I am going to say, you know, for
23 the ones that are the same, you don't have to
24 go into that level of detail again, okay?

25 MR. TAKACS: Yes, sir.

1 REPRESENTATIVE SCHENCK: With that, you
2 are recognized.

3 MR. TAKACS: Yes, sir, thank you very
4 much.

5 Thinking about what the Chairman just
6 said, I will go quickly over the ones that we
7 have already talked about, the similarities
8 between the amendments and the amendment that
9 we just -- that was just adopted.

10 This is the tribal chairman of Miccosukee
11 and their camps. It is the same as the
12 amendment before.

13 Thinking about Lee County and the folks of
14 Burnt Storm Marina, again, it is the same as
15 the amendment that was adopted on the previous
16 Bill.

17 Thinking about that three-county area in
18 the Panhandle, Escambia, Santa Rosa and
19 Okaloosa Counties, here is the after picture.
20 It is the same as the amendment that was just
21 adopted on the previous Bill.

22 Thinking about the City of Stuart, same
23 thing, it is kept whole within this amendment
24 as well, just as it was in the amendment to the
25 previous Bill.

1 Again, the City of Bartow, same concept,
2 it is kept whole within this amendment just as
3 it was in the previous amendment.

4 Miami-Dade County. Miami-Dade County is
5 exactly the same. If you look at the after
6 picture here, it is exactly the same as the
7 amendment that we just heard and that was
8 adopted by the subcommittee.

9 Looking at the Lake, Orange and Seminole
10 County area, it is exactly the same as the
11 amendment that was just adopted.

12 Here is a difference that I will walk
13 through briefly. We received a suggestion by
14 our co-Chairs, Schenck and Dorworth, that we
15 look at maps 9015 and 9017 and resolve some of
16 the differences, and we do that within that
17 northern central Florida area that I spoke
18 about briefly before, thinking about Union
19 County and thinking about Alachua County and
20 how they are split. This is the current
21 proposal. You can see that if you look at
22 Alachua County in District 20, it is kind of
23 the purplish district there right in the middle
24 of that map. It is -- that and its neighbor in
25 Alachua County as well, the green district

1 there, 21, they both split Alachua County
2 twice. Thinking about the populations of that
3 region, what that leads to is that Union
4 County, which is the Union to the north -- I'm
5 sorry, which is the county to the north of
6 Alachua, is then split between Districts 19 and
7 10. So what the amendment does, looking at the
8 after photo, is it brings some of District 10
9 into Alachua County, which would then split
10 Alachua County three ways, but then when you
11 look at Union County, Union County is now kept
12 whole, and then when you actually look at
13 District 20, I will go back to the before shot,
14 you can see it has a lot of rough edges there
15 to the west, so by bringing District 10 into
16 Alachua County in the amendment, a lot of those
17 lines are then smoothed out, because it doesn't
18 have to go all the way up to the county line
19 for its population. So that is a difference,
20 that is something new that is in this
21 amendment, but it is also identical to what we
22 saw in 9017.

23 REPRESENTATIVE SCHENCK: I think Alex
24 wants to follow up something as well. You are
25 recognized.

1 MR. KELLY: Thank you, Mr. Chair.

2 I just wanted to -- a subtle note in
3 regards to District 18. Because the shift of
4 District 19 further over to Union, District 18
5 has taken a much more of a rectangular shape, a
6 much more compact shape in this particular
7 configuration.

8 REPRESENTATIVE SCHENCK: Thank you, Alex.
9 Jeff, you are recognized again.

10 MR. TAKACS: Thank you, Mr. Chairman.

11 Moving forward, Cooper City is kept whole
12 within the amendment, just as the previous
13 amendment did. Same thing with the Cities of
14 Dundee, Coconut Creek, the City of Atlantis,
15 and then again, looking at the airport within
16 Bay County, it is also brought into District 6,
17 the Bay County district in this amendment as
18 well. Mr. Chairman, that is the amendment.

19 REPRESENTATIVE SCHENCK: Thank you very
20 much, Jeff.

21 Okay, members, questions on this
22 amendment? Questions on the amendment?

23 Seeing none, is there any public testimony
24 on the amendment? Public testimony on the
25 amendment?

1 Seeing none then, debate on the amendment,
2 members, debate on the amendment?

3 Seeing none, Representative Dorworth, you
4 are recognized to close.

5 REPRESENTATIVE DORWORTH: Again,
6 Mr. Chairman, in the previous amendment, we had
7 16 county splits and we had 86 total city
8 splits after the amendment. If it was adopted
9 to the PCB, this would actually make it the
10 same, there would be 16 and 86. I would ask
11 for your favorable support.

12 REPRESENTATIVE SCHENCK: All right, thank
13 you. All those in favor of the amendment,
14 signify by saying aye.

15 (Chorus of ayes.)

16 REPRESENTATIVE SCHENCK: Opposed, nay.
17 Okay, show the amendment passes.

18 We are now back on the Bill as amended,
19 back on the Bill as amended. Is there any
20 public testimony to the Bill as amended?

21 Seeing none, debate on the Bill as
22 amended. Any debate on the Bill as amended?

23 Okay. Seeing none, Representative
24 Dorworth, you are recognized to close on PCB-1.

25 REPRESENTATIVE DORWORTH: I waive close,

1 sir.

2 REPRESENTATIVE SCHENCK: Thank you.

3 Representative Dorworth having waived close,

4 Katie, please call the roll.

5 THE CLERK: Representatives Baxley?

6 REPRESENTATIVE BAXLEY: Yes.

7 THE CLERK: Bernard?

8 REPRESENTATIVE BERNARD: No.

9 THE CLERK: Campbell?

10 REPRESENTATIVE CAMPBELL: No.

11 THE CLERK: Clarke-Reed?

12 REPRESENTATIVE CLARKE-REED: No.

13 THE CLERK: Corcoran?

14 REPRESENTATIVE CORCORAN: Yes.

15 THE CLERK: Diaz?

16 Dorworth?

17 REPRESENTATIVE DORWORTH: Yes.

18 THE CLERK: Representative Diaz?

19 REPRESENTATIVE DIAZ: Yes.

20 THE CLERK: Okay. Dorworth?

21 REPRESENTATIVE DORWORTH: Yes.

22 THE CLERK: Drake?

23 REPRESENTATIVE DRAKE: Yes.

24 THE CLERK: Frishe?

25 REPRESENTATIVE FRISHE: Yes.

1 THE CLERK: Hooper?

2 REPRESENTATIVE HOOPER: Yes.

3 THE CLERK: Julien?

4 REPRESENTATIVE JULIEN: Yes.

5 THE CLERK: Nuñez?

6 REPRESENTATIVE NUNEZ: Yes.

7 THE CLERK: Rogers?

8 REPRESENTATIVE ROGERS: No.

9 THE CLERK: Young?

10 REPRESENTATIVE YOUNG: Yes.

11 THE CLERK: Chair Schenck?

12 REPRESENTATIVE SCHENCK: Yes.

13 And with that, show the Bill passes.

14 Members, please try to pay attention when
15 your name is called, Representative Diaz.

16 Okay, members, we are going to move on to
17 PCB-05. With that, Representative Dorworth,
18 you are recognized.

19 REPRESENTATIVE DORWORTH: Thank you,
20 Mr. Chairman.

21 PCB HRS 12-05, which is also map 9023,
22 makes dramatic improvements to the House
23 district map in comparison to the current House
24 district map. It reduces the counties split by
25 16, the cities split by 72 and is significantly

1 more compact than the current map. This map
2 also preserves the opportunities for racial and
3 language minorities in Florida to elect a
4 candidate of their choice. That's --

5 REPRESENTATIVE SCHENCK: Thank you.
6 Questions on the Bill, members, questions on
7 the Bill?

8 Seeing none, we are now on amendments.
9 Representative Dorworth, you are recognized to
10 explain your amendment.

11 REPRESENTATIVE DORWORTH: Thank you,
12 Mr. Chairman.

13 The amendment improves on the map even
14 further by reducing the number of cities split
15 by seven and reducing many of the measurements
16 in relation to compactness such as the
17 perimeter and width plus height.

18 Mr. Chair, for the benefit of all the
19 committee members, let's ask Jeff yet again to
20 give a short PowerPoint presentation and
21 provide some visuals to help further illustrate
22 the changes in the amendment. So I would like
23 to recognize Jeff.

24 REPRESENTATIVE SCHENCK: Thank you. And,
25 Jeff, as I'm recognizing you, same as last

1 time, just go ahead and quickly glance over the
2 ones we have already seen and then highlight
3 the changes.

4 MR. TAKACS: Yes, sir, will do. Thank
5 you, Mr. Chairman.

6 REPRESENTATIVE SCHENCK: Go right ahead.

7 MR. TAKACS: Again, same concept for the
8 tribal camps of the Miccosukee Tribe of
9 Indians, the same as the previous amendments.

10 Same thing with the residents of Burnt
11 Store Marina, the same amendment that was
12 previously adopted.

13 Looking at those -- the three-county area,
14 Escambia, Santa Rosa and Okaloosa Counties,
15 those three -- four districts, I should say,
16 are exactly the same from the previous
17 amendment.

18 Again, the City of Stuart is kept whole
19 now within District 83 in this amendment just
20 as it was in the previous amendments.

21 Same thing with the City of Bartow. It is
22 now in District 56 as the other amendments.

23 The Miami-Dade configuration is exactly
24 the same between this amendment and the
25 previous amendments that were adopted.

1 The City of Cooper City kept whole just as
2 it was in the previous amendments, the City of
3 Dundee is as well, as is the City of Coconut
4 Creek and the City of Atlantis, and the airport
5 issue within Bay County is now within District
6 6, and so you've actually seen every pieces of
7 what is in this amendment.

8 REPRESENTATIVE SCHENCK: Okay, members,
9 any questions on the amendment? Questions on
10 the amendment?

11 Seeing none, is there any public testimony
12 on this amendment? Anybody in the public
13 wishing to speak to this amendment?

14 Seeing none, members, debate on the
15 amendment? Debate on the amendment?

16 Seeing none, Representative Dorworth, you
17 are recognized to close on this amendment.

18 REPRESENTATIVE DORWORTH: Again, this
19 improves the Bill by maintaining 16 county
20 splits, increasing the city splits from -- I'm
21 sorry, decreasing city split by 72 -- 79. I'd
22 ask for your favorable support.

23 REPRESENTATIVE SCHENCK: Okay.
24 Representative Dorworth, having closed, all
25 those in favor of the amendment, signify by

1 saying aye.

2 (Chorus of ayes.)

3 REPRESENTATIVE SCHENCK: All those
4 opposed? Okay, show the amendment passes.

5 We are now back on the Bill as amended,
6 back on the Bill as amended. Any public
7 testimony to the Bill as amended?

8 Seeing none, is there debate on the Bill
9 as amended? Debate on the Bill as amended?

10 Seeing none, Representative Dorworth, you
11 are recognized to close on the Bill as amended.

12 REPRESENTATIVE DORWORTH: I waive close.

13 REPRESENTATIVE SCHENCK: Okay.

14 Representative Dorworth having waived close,
15 Katie, please call the roll.

16 THE CLERK: Representative Baxley?

17 REPRESENTATIVE BAXLEY: Yes.

18 THE CLERK: Bernard?

19 Campbell?

20 REPRESENTATIVE CAMPBELL: Yes.

21 THE CLERK: Clarke-Reed?

22 REPRESENTATIVE CLARKE-REED: No.

23 THE CLERK: Corcoran?

24 REPRESENTATIVE CORCORAN: Yes.

25 THE CLERK: Diaz?

1 REPRESENTATIVE DIAZ: Yes.

2 THE CLERK: Dorworth?

3 REPRESENTATIVE DORWORTH: Yes.

4 THE CLERK: Drake?

5 REPRESENTATIVE DRAKE: Yes.

6 THE CLERK: Frishe?

7 REPRESENTATIVE FRISHE: Yes.

8 THE CLERK: Hooper?

9 REPRESENTATIVE HOOPER: Yes.

10 THE CLERK: Julien?

11 REPRESENTATIVE JULIEN: Yes.

12 THE CLERK: Nuñez?

13 REPRESENTATIVE NUNEZ: Yes.

14 THE CLERK: Rogers?

15 REPRESENTATIVE ROGERS: No.

16 THE CLERK: Young?

17 REPRESENTATIVE YOUNG: Yes.

18 THE CLERK: Chair Schenck?

19 REPRESENTATIVE SCHENCK: Yes.

20 Members, with your vote, so the Bill

21 passes.

22 Okay, members, that actually concludes our

23 work on this subcommittee. It has been a long

24 process that started way back before the public

25 hearings. I want to congratulate all of you, I

1 have enjoyed working with some of you, but I am
2 sure you have all worked hard. And on a
3 serious note, on a serious note, members, what
4 we have done here is important work, and quite
5 frankly, I cannot begin to explain how hard our
6 staff has worked in preparing all of these
7 maps, all of these numbers and all of the data.
8 They've had to put in a lot of long hours. So
9 I want to congratulate them and thank them for
10 all of their hard work, although their work
11 continues on with the full committee.

12 And so with that, members, if there's
13 nothing else, Chairman Dorworth moves we rise.

14 (Whereupon, the proceedings were
15 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 79 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 16th day of February, 2012.

CLARA C. ROTRUCK

Notary Public

State of Florida at Large

Commission Expires:

November 13, 2014

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CONGRESSIONAL REDISTRICTING SUBCOMMITTEE WORKSHOP

THURSDAY, DECEMBER 8, 2011

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 REPRESENTATIVE HOLDER: We will now call
3 the Congressional Redistricting Subcommittee to
4 order. Members, if we could have your
5 attention. Ben, could you call the roll,
6 please?

7 THE CLERK: Representatives Abruzzo?

8 REPRESENTATIVE ABRUZZO: Here.

9 THE CLERK: Albritton?

10 REPRESENTATIVE ALBRITTON: Here.

11 THE CLERK: Brodeur?

12 REPRESENTATIVE BRODEUR: Here.

13 THE CLERK: Burgin?

14 REPRESENTATIVE BURGIN: Here.

15 THE CLERK: Chestnut?

16 REPRESENTATIVE CHESTNUT: Here.

17 THE CLERK: Fullwood?

18 REPRESENTATIVE FULLWOOD: Here.

19 THE CLERK: Goodson?

20 REPRESENTATIVE GOODSON: Here.

21 THE CLERK: Horner?

22 REPRESENTATIVE HORNER: Here.

23 THE CLERK: Legg?

24 REPRESENTATIVE LEGG: Here.

25 THE CLERK: Passidomo?

1 REPRESENTATIVE PASSIDOMO: Here.

2 THE CLERK: Plakon?

3 REPRESENTATIVE PLAKON: Here.

4 THE CLERK: Reed?

5 REPRESENTATIVE REED: Here.

6 THE CLERK: Taylor?

7 REPRESENTATIVE TAYLOR: Here.

8 THE CLERK: Trujillo?

9 REPRESENTATIVE TRUJILLO: Here.

10 THE CLERK: Chair Holder?

11 REPRESENTATIVE HOLDER: Here, and with a
12 quorum present, members, we will go ahead and
13 begin.

14 Today we are work-shopping the seven
15 options for the congressional map that were
16 released on Tuesday. And I wanted to mention
17 that this is a workshop -- as this is a
18 workshop, there will be no votes taken today.
19 This is a time for you to ask questions, to
20 learn about the work that staff did in creating
21 these options and to possibly propose
22 alternatives to these maps.

23 After today, Chair Weatherford announced
24 that we were -- that we will -- we're still set
25 for voting as a subcommittee on these options

1 around the first week of session. So that
2 gives everyone here a full month to share these
3 maps with constituents, discuss them with
4 colleagues in the House and possibly even craft
5 amendments if you feel compelled to.

6 Just to make sure that we are in the
7 correct technical posture, these maps are
8 essentially co-Chairs' proposals, similar to
9 how the appropriation subcommittees often begin
10 their work.

11 At our next meeting, it is our intent to
12 consider and vote on these very same maps in
13 the form of PCBs, at which time we will pick
14 three, vote on them, and in doing so, send them
15 to the full redistricting committee.

16 You should know that I am open as to how
17 we go about picking three. If you want to
18 state your preferences today, or if you want to
19 take this month in between meetings, study the
20 maps further, work with our staff or me or
21 co-Chair Legg, that is certainly fine to do.
22 But at our next meeting, we will consider any
23 amendments that are filed and vote three of
24 these plans out. If you wish to file an
25 amendment, please, please, please work with our

1 staff in advance of that meeting.

2 Are there any questions? Representative,
3 you are recognized.

4 REPRESENTATIVE TAYLOR: Thank you, Mr.
5 Chair. I just want to get a clear picture of
6 the actual procedure that you outlined
7 initially before we got started, and as I
8 noticed, that the Senate is due to vote on
9 their specific maps when they come back in
10 session on the 17th and 18th. And particularly
11 I wanted to ask you about the process where --
12 and I thought we were going to do this similar
13 to how we do our appropriations, which was to
14 be in conferences with them on agreeing to a
15 map. Are we still going to more or less
16 conference with them on finalizing a map?

17 REPRESENTATIVE HOLDER: Well, thank you
18 for your question. What you are referring to
19 is the final map that is decided upon by the
20 main redistricting committee. What we are
21 going to do is we are going to submit three
22 maps from this committee to the main
23 redistricting committee, and the main
24 redistricting committee, from my understanding,
25 and I will verify this with Chair Weatherford

1 if you would like, will come up with one map
2 that will represent the House's proposal, and
3 at that point, if there is -- if we pass -- if
4 that map passes out of the main body of the
5 House and it is different from the map that the
6 Senate passes out of their body, then there
7 would be some sort of a conference to figure
8 out what -- if we go with the House map, the
9 Senate map or a combined map or any changes
10 that are made to it.

11 REPRESENTATIVE TAYLOR: Just to follow up,
12 Mr. Chair, I just thought that you would do
13 that prior to taking the main vote on the
14 House, just like we do with the appropriations,
15 we go into the conference committees --

16 REPRESENTATIVE HOLDER: Mr. Kelly, did I
17 -- did I explain that properly, or did -- is it
18 similar to that or -- correct me if I was
19 wrong.

20 MR. KELLY: Thank you, Mr. Chair.

21 Representative Taylor, there is -- as the
22 Chair is outlining, there is no formal official
23 decision made. It is contingent upon if there
24 is disagreement. If there is agreement, then
25 obviously there wouldn't need to be a

1 conference process. But just looking back ten
2 years ago, there was no conferencing of the
3 maps. Whatever negotiations occurred, occurred
4 prior to some kind of process like that. So it
5 really depends on the bills that the House and
6 the Senate have as you approach the floor, if
7 they are far apart and require some kind of
8 more detailed conference process or if they can
9 be negotiated in terms of just House and Senate
10 messages. So really, looking forward, it is
11 hard it to say exactly how that will unfold
12 until the Legislature gets there.

13 REPRESENTATIVE TAYLOR: Okay. Thank you,
14 Mr. Chair. I am just a little --

15 REPRESENTATIVE HOLDER: You are
16 recognized.

17 REPRESENTATIVE TAYLOR: I'm sorry. I am
18 just trying to get a clarification, because it
19 looks like the Senate has already moved forward
20 with what they want, and they are aligned up to
21 vote on that on the 17th and 18th of January
22 when they come back. So I am just trying to
23 understand how that will impact us when we are
24 trying to develop the congressional map.

25 REPRESENTATIVE HOLDER: Well, I don't

1 think -- I mean, certainly it impacts us with
2 whatever product they come up with, but their
3 process of coming up with a map is their
4 process. It may not be the same as what our
5 process is. Once they pass a map out, that is
6 the Senate map. And if the House map is
7 different from the Senate's map, then we will
8 work out the differences in what would be a
9 method like what you are accustomed to with
10 conferencing. However, I think what Mr. Kelly
11 was explaining, and, again, I don't want to
12 speak for you, and correct me if I am wrong,
13 but that process has not been determined
14 because in the past, when you and I both were
15 not here in the last redistricting, they didn't
16 have to go through that conferencing process or
17 negotiation process. Is that correct? Thank
18 you.

19 Any other questions, members?

20 That being said, members, we give our
21 staff -- we gave our staff direction via our
22 prior committee meetings to strictly adhere to
23 federal law, including the appropriate
24 maintenance of Florida's majority-minority
25 seats, and to strictly and plainly adhere to

1 our new state law such that not diminishing
2 from current opportunities for minorities means
3 not diminishing.

4 Moreover, to utilize a plan reading -- to
5 utilize a plain reading of Florida Law embraces
6 the use of county boundaries and other
7 boundaries that are clearly visible on the map,
8 embracing districts that give Florida voters a
9 greater chance to communicate to their elected
10 officials, whether that means having the entire
11 city or county in a district, or that means
12 drawing districts that are geographically
13 compact and accommodating to the constituency
14 as in ensuring that there is a transportation
15 corridor that links the district together.

16 Very specifically, we asked staff to
17 really focus on south Florida in dealing with
18 all the very complex legal issues that exist
19 there, to spend much of their time to get those
20 pieces right and then subsequently present us
21 with options in the rest of the state where it
22 seems that there are multiple legal appropriate
23 options, and, lastly, to include specific
24 public input where legally appropriate.

25 Today, Alex Kelly will be presenting the

1 options for the congressional map, and members,
2 I would suggest that we allow Alex to finish
3 one region at a time before we ask questions.
4 So if you have a question, just get my
5 attention, and then I will recognize you at the
6 next pause in the presentation. And members of
7 the audience, if we have time at the conclusion
8 of today's presentation, we will take public
9 input, so if you wish to speak and you have not
10 already filled out an appearance card, please
11 make sure that you do.

12 And with that said, Alex, you are
13 recognized to begin the presentation.

14 MR. KELLY: Thank you so much, Mr. Chair.

15 Members, for today's presentation, we will
16 be using My District Builder in the meeting.
17 However, if you wish, in your packet, there are
18 several pages of the maps, so if you wish to
19 use your packet in lieu of using the screen and
20 the overhead or your computer -- and, of
21 course, if I get ahead of where you are
22 looking, just let me know, and I will be happy
23 to slow down and go back over something.

24 In your packet, just to walk through the
25 contents of it, you will find that there is --

1 as actually you had a presentation in your last
2 meeting, the data analysis report is there
3 really for you to evaluate how these proposals
4 compare to the current map, whether they split
5 fewer counties, whether they improve different
6 measures of compactness, and, of course, they
7 are really -- it is a tool for you to make your
8 policy decisions. But, of course, we are happy
9 to answer any questions regarding that.

10 And then in terms of the maps, we have, of
11 course, seven maps. They are on display around
12 the room, too, if you wish to get up and take a
13 look at the maps. We are going to walk through
14 one at a time, but before we do that, as the
15 Chair was saying, there are some common points
16 in all the maps, and so I am going to walk
17 through those points first that are the same in
18 every map, and then when we go through the
19 alternatives, just cover the points of
20 difference.

21 First, at a global level, all the maps are
22 of equal population at this point, meaning
23 every single district in all seven options has
24 either a zero or one person deviation from the
25 ideal population. So they are all already in

1 the posture of being able to pass just based on
2 that standard. All of the districts are
3 contiguous. Florida has one unique item, which
4 is the Dry Tortugas, where the Dry Tortugas
5 will always show up as being not contiguous
6 just because there is no -- there is no way to
7 get to the island except for leaving the Keys,
8 but, otherwise, all the districts are
9 contiguous.

10 In terms of equal population, you will
11 notice in almost every congressional district,
12 because you need to get the population to zero
13 or one person difference, there's always that
14 point, that point where equal population was
15 achieved. And so you might see a point in the
16 map and wonder why was that point or that
17 particular neighborhood divided. That is the
18 location typically where equal population was
19 achieved in the map.

20 In terms of making all seven maps, the
21 directive that we received, using a plain
22 language approach to creating options, creating
23 alternatives, we focused very heavily on whole
24 counties, whole cities, trying to use
25 transportation corridors as both an artery for

1 a district or to make a clear boundary for a
2 district, using the terms that people commonly
3 use at the public meetings that they indicated
4 were of relevance to them, that meant something
5 to them in their daily lives, so that the maps
6 could have meaning to as many Floridians as
7 possible in terms of if you are on this side as
8 of the road, you are in this district, if you
9 are on this side of the highway, you are in
10 this district, or if you are in this county,
11 you just know that you are in this district by
12 virtue of the whole county being in the
13 district.

14 Every single one of the maps increases the
15 number of counties that are kept whole in the
16 map, every -- from the current, compared to the
17 current map. Every single one of the options
18 increases the number of cities that are kept
19 whole. Every single one of the maps increases
20 the number of VTDs that are kept whole, and as
21 we discussed before, a VTD -- an easy way to
22 look at a VTD is it is a neighborhood or a
23 subdivision. So in terms of trying to make
24 sure that there are few instances when the back
25 end of a subdivision ends up in a different

1 district, we have increased the number of VTDs
2 that are kept whole in every single one of the
3 options that you will be considering.

4 So to discuss some of the common points in
5 all the maps, what we have showing right now is
6 plan 9001, and Districts 1 through 2 and
7 Districts 18 through 27 are the same in every
8 single map. Districts 1 through 2 are the
9 districts in Florida's Panhandle; 18 through
10 27, which we will cover in a moment, are the
11 districts in the southern part of the state,
12 Lee County south, Hendry south and St. Lucie
13 south to the southern part of the state.

14 Districts 1 through 2 were districts that
15 showed up in many public submissions very, very
16 frequently, dozens of public submissions, and
17 relatively speaking, this part of the state is
18 less complicated to draw in terms of the legal
19 issues you might have to deal with. And so at
20 the counsel of and the direction of our Chair,
21 we made this comment in every single map and
22 basically took a whole-county approach,
23 dividing Holmes County -- we can kind of zoom
24 in just to see where that division occurs just
25 to give you an idea of how we do something like

1 a division of county. And what we can show you
2 is when we divide the county -- I've just
3 turned on the city boundary lines -- what we
4 make sure of is that this city is entirely in
5 one district, and that this city is entirely in
6 the other, so making sure that when we make
7 that division, we didn't split any geography
8 unnecessarily. That is a common trait
9 throughout the maps. We will turn back on the
10 county names.

11 Districts 2 and 3 in all of the maps
12 divide Madison County, and, again, the same
13 principle, not dividing any city unnecessarily
14 along those lines. Comparing that to the
15 current map, which we have available, the
16 current map, District 2, moved it onto the
17 southern end of the eastern side of District 1.
18 So, in a sense, as opposed to having the
19 districts overlap in the counties, it is just
20 plainly taking an east to west, making a cut,
21 making a cut, moving to the next district.
22 District 4 today, which comes all the way over
23 into Leon County, would no longer come all the
24 way over into Leon and into the Panhandle.

25 Coming back to plan 9001, we are going to

1 move to, again, the other common points in all
2 the maps, looking at the southern part of the
3 state.

4 As was discussed in the November 3rd
5 meeting that you had, the legal issues in the
6 part of the state, you have -- in this part of
7 the state, you have five majority-minority
8 seats, you have three Section 5 Voting Rights
9 Act counties, and so the implications of
10 drawing these seats and running afoul of the
11 Federal Voting Rights Act and state law
12 regarding districts for racial and language
13 minorities is very high if you are not careful
14 in these districts.

15 So the approach was to attempt to have a
16 best drawing of these and then utilize them in
17 all of the maps. The approach -- if you think
18 back to that meeting, we discussed the issue of
19 how to effectively create a Hispanic majority
20 district that actually performs that way, and
21 the same issue can occur for an
22 African-American district and any minority
23 district in that you have to make sure the
24 district actually performs for the language or
25 racial minority community that you are drawing

1 the district for.

2 What we discussed in the November 3rd
3 meeting was that approximately along the
4 Tamiami Trail is a concentration of Hispanic
5 Floridians that are frequently registered to
6 vote. So all three districts, Districts 25, 26
7 and 27, all intersect at that point to ensure
8 that their actual numbers will warrant actually
9 calling the district a Hispanic majority
10 district, it will actually perform for a
11 Hispanic candidate.

12 At the same time though, we did take an
13 approach to cosmetically -- clean up the
14 cosmetics of the districts, try to give them
15 more of a geometric shape. Of course, you have
16 the Gulf and you have the Atlantic on either
17 side, so there's only so much you can do with
18 the Keys and so forth, but in trying to give
19 them a better cosmetic shape in order to make
20 it easier for voters to understand which
21 district they may be in, if you compare them to
22 the current map, as you will see, District 21
23 doesn't have that kind of clear shape through
24 communities by roadways. So primarily what we
25 have done is we have cleaned up this region of

1 the map, giving them all a more geometric, more
2 understandable shape. And all three districts
3 still maintain their majority-minority status.

4 In terms of District 24, in the current
5 map, that is District 17. District 24 is also
6 a majority-minority African-American seat, and
7 it is a seat that has a significant
8 concentration of Haitian-Americans. And so the
9 seat has been maintained to maintain its
10 majority-minority status. The black voting age
11 population in this seat is 55.7 percent, and
12 the Haitian population in the district is
13 approximately 15 percent of the district. So
14 an effort was made to maintain both of those
15 numbers so that both -- again, it would
16 maintain its majority-minority status, but also
17 to make sure that the language minority
18 community was in the same district.

19 Moving up to District 20, which is also a
20 majority-minority district, and it is also a
21 Section 5 covered jurisdiction because part of
22 the district today is in Hendry County, and so
23 in drawing the seat, we've made sure that the
24 district still maintains a portion of -- well,
25 the African-American community in the Clewiston

1 area so that we can comply with the Section 5
2 protections for that community. The rest of
3 Hendry County is -- where the Hispanic
4 population is much more considerable is lined
5 up with Congressional District 25, a Hispanic
6 majority district.

7 Congressional District 20, compared to the
8 current map, no longer goes into -- in the
9 proposals, no longer would go into Martin and
10 St. Lucie Counties. Today the district
11 stretches to Ft. Pierce in St. Lucie County.
12 So in this configuration, we were able to
13 maintain the majority-minority status and
14 reduce the district to impacting three counties
15 as opposed to five. The district has a
16 significant concentration of African-Americans
17 in both Broward and Palm Beach Counties.

18 An effort was made, too, if we will zoom
19 in here some on the Broward County area, an
20 effort was made here to incorporate whole
21 cities where possible, and also as much as
22 possible to smooth out the lines, essentially
23 use streets more frequently, knowing that this
24 area, because of the different implications of
25 the Voting Rights Act, you have different seats

1 all sort of intersecting at this point, it does
2 become a difficult grouping of seats to draw
3 and to configure, at the very minimum where we
4 could, utilizing street lines to provide the
5 voter an easier understanding of they are
6 either in the district or not, not dividing up
7 neighborhoods, or reducing the division of
8 neighborhoods as frequently as possible.

9 Now I will give you a sense of the current
10 map just to compare the two. This is the
11 current map. So as you can see in the current
12 district, in the current district, which is 23,
13 and it is this light greenish district that is
14 on the screen, as you can see, roadways are
15 used much less frequently in that, and because
16 of that, neighborhoods are likely divided. So
17 in terms of meshing the district as best as
18 possible with the other districts around it, we
19 made those changes and still maintained the
20 majority-minority status in the district.

21 Coming back to the map, I will turn on the
22 view of municipal boundary lines. You can get
23 a sense of how it is that we drew the district.
24 As I highlight over these, when they highlight,
25 that is an entire city. As you can see, entire

1 cities were located within the district --
2 those are the boundaries of Ft. Lauderdale, but
3 entire cities here were located within the
4 district as best as possible.

5 In addition, the issue that we had in this
6 area in terms of complying with the Voting
7 Rights Act but drawing the other seats is that
8 this sort of pocket, if you will, between
9 District 20, which is the purple district --
10 between District 20, again, which is the purple
11 district, District 25, which is a Hispanic
12 majority seat, these are all Hispanic majority
13 seats, Districts 26 and 27, District 24 is an
14 African-American majority seat, the issue is
15 this territory is unoccupied, and so had to be
16 assigned to districts, and what we were faced
17 with is having two districts come into this
18 area. What we chose to do was use 595 as a
19 dividing line as much as possible between those
20 two districts, and where we could, again,
21 including whole cities in those districts, and
22 where we could not, trying to minimize the
23 impact on the cities such that we would try not
24 to divide a city more than twice if we had to
25 divide it.

1 Now, I will zoom in on District 23. As
2 you can see, there are whole cities, if we
3 highlight over, included in the district. So,
4 for instance, the City of Dania, Hollywood is
5 split, but, again, where we could, as much as
6 possible, we included whole cities within the
7 district.

8 Moving up the coast, Districts 21 and 22
9 share similar communities, share similar
10 boundary lines. When we tried to draw them,
11 what we opted for was a north-south approach
12 given the boundaries of the other districts
13 around them. Between the two districts, we
14 originally targeted the roadways as to be a
15 dividing line. What we found was that there
16 were several municipalities that were just on
17 one side or the other of the roadways. And so
18 after first drawing using a roadway, we then
19 opted to shift the boundary lines to reflect
20 the boundaries of those municipalities. So as
21 we move north through District 21 and District
22 22, what you see, you see the highlights, you
23 see city boundaries either in one district or
24 the other as frequently as possible. So, for
25 example, the City of Boca Raton is entirely in

1 District 22.

2 Moving up the coast, essentially when
3 we're talking in terms of this being the
4 southern part of the state, there are then
5 communities left in Palm Beach County which
6 have yet to be assigned, and there are
7 communities left in Collier County that are
8 left to be assigned, and so we drew these
9 districts in common in all the maps, too,
10 because they share very much a relationship
11 with all of the other districts in the southern
12 part of the state.

13 District 18 -- it would probably be best
14 to go to the current map and show you the
15 existing district.

16 And just to reflect back for a moment, as
17 I mentioned before, the District 20 that we
18 have drawn in all the maps being proposed, the
19 District 20, as I said, took the district out
20 of St. Lucie and Martin Counties and still
21 maintained its majority-minority status. As
22 you see here in the current map, it is District
23 23 today. That is the alignment of the
24 district going all the way up to the Ft. Pierce
25 community in St. Lucie County.

1 District 16 in the current map then takes
2 part of Palm Beach, which is the same sort of
3 issue that we have in your options that you are
4 looking at, but then it wraps around -- if you
5 are going through Martin and St. Lucie County,
6 it wraps around and goes all the way over to
7 Charlotte County. And so that wrapping around,
8 going over to the western side of the state, is
9 now out of the maps, out of these proposals,
10 and, instead -- I will turn on the county
11 boundary lines -- instead, District 18 takes in
12 all of St. Lucie County, all of Martin County,
13 the remaining portions of Palm Beach that were
14 not assigned to the other districts, and then
15 to get its equal population, it goes into
16 Okeechobee County.

17 Another thing that we were trying to
18 accomplish in all the maps, House maps as well,
19 was not having districts unnecessarily cross a
20 boundary like Lake Okeechobee to where a
21 constituent may be actually physically have a
22 difficult time getting to their elected
23 officials, and vice-versa. So, anyway, this
24 district though just goes up to the
25 southeastern end of Okeechobee County.

1 Now, there are some other points that are
2 similar in all the maps. I will cover them in
3 more specific detail as we look at each map,
4 but to give you a sense of those now, we will
5 still use 9001 just to give you a sense of
6 those similarities.

7 In the southern part of the state, there
8 is essentially something of a rural Florida
9 district in all of the maps. It takes
10 different forms depending on how other
11 decisions are made, but in this map, District
12 17, very consistent with a lot of the public
13 testimony that came from communities in these
14 areas, utilizes State Road 17 as a
15 transportation corridor, and it includes a lot
16 of rural communities, rural parts of Polk
17 County, in this case, Hillsborough County as
18 well. When you look at District 16, District
19 16 is Sarasota and Manatee Counties.

20 Another common point in all the maps is
21 all of the maps have a district that takes in
22 most of Sarasota and Manatee Counties.
23 However, Sarasota and Manatee are
24 approximately, if you total them together,
25 about 5,000 people too many for a congressional

1 district. So in every case, part of the rural
2 communities in Manatee -- oh, and sometimes
3 Manatee and Sarasota are taken into the more
4 rural Florida district. So, again, in this
5 case, and you will see variances to this, but
6 in this case, the rural district takes in all
7 of Charlotte County, but otherwise, many rural
8 communities and then even goes into parts of
9 southeastern Hillsborough County.

10 A point that we will cover in some of the
11 other maps, but it does not exist in this map,
12 is the creation of -- an attempt to create some
13 kind of Hispanic opportunity district in
14 central Florida. This map doesn't attempt to
15 create in some form or fashion the proposal
16 that was submitted to you in Orlando. Some of
17 the other maps do. So that point is not common
18 in every single map.

19 Now, in terms -- what you will see in the
20 other maps, you are always going to see a
21 district that is similar to District 13,
22 although always slightly different boundary
23 lines, a district that is wholly located in
24 Pinellas County. One of the things that we
25 were conscious of in drawing options for you is

1 that there is a desire amongst many of these
2 counties to ensure that they have a
3 congressional representative who is from the
4 county. And so we were conscious of, in terms
5 of working with counties like Pinellas,
6 Hillsborough, Pasco, Orange, Volusia, Brevard
7 and so forth, Duval, looking at the question of
8 whether or not they would have a congressperson
9 actually from the county. And so in every map,
10 you are going to see a district wholly located
11 in Pinellas County. Next to it, District 14,
12 you are going to see in some form or fashion in
13 most of the plans as well -- in all the plans,
14 it is a district that represents the minority
15 communities in Hillsborough and Pinellas in
16 large part, but it is not -- it is not today a
17 performing district for African-Americans or
18 Hispanics, but the current district today does
19 take in those communities in Pinellas and in
20 Hillsborough Counties, and, again, in varying
21 ways, we create a district in every one of the
22 maps that does so. This district was closer,
23 although not exact closer to the current
24 configuration; however, the current
25 configuration of the district also goes into

1 Manatee County, this district does not. So
2 this district is exclusively in Hillsborough
3 and Pinellas Counties.

4 You are going to see in different forms,
5 different variations of District 15, in this
6 case it is a district that is mostly a
7 Hillsborough County seat with approximately
8 30,000 residents in Pinellas County as well,
9 and so in the different maps we explore the
10 question of whether basically the east and
11 northern side of Hillsborough can and should
12 have a seat unto its own, or whether in some
13 cases it will be lined up with Polk County.

14 Moving to the northern part of the state,
15 all of the maps have some version of a seat
16 that recreates the opportunity district for
17 African-Americans between the Jacksonville and
18 Orlando areas, including Gainesville. This
19 particular version in plan 9001 is unique. We
20 attempted to draw the seat a little bit
21 differently in this particular map. This
22 particular map -- actually, let me reflect on
23 the current map.

24 Mr. Chair, while I am loading this, if
25 there are any questions --

1 REPRESENTATIVE HOLDER: Any good stories
2 or jokes or anything to say? A legitimate
3 question?

4 REPRESENTATIVE TRUJILLO: Yeah, a
5 legitimate question.

6 REPRESENTATIVE HOLDER: Representative
7 Trujillo, you are recognized for your question.

8 REPRESENTATIVE TRUJILLO: Thank you, Mr.
9 Chair.

10 My question is on Congressional District
11 25. I know you mentioned the language
12 minorities trying to keep those districts
13 together. It seems like, and I actually
14 received a letter from the City of Hialeah, in
15 most of the maps it seems like Hialeah is split
16 into -- into multiple districts. I believe
17 part of it is in 25, and I want to say the
18 other part is in 24, I might be wrong on that,
19 but I know at least part of it is in 25. What
20 was the reasoning behind that? I know the City
21 of Hialeah is a language minority, it is also a
22 Hispanic seat and they have an interest on
23 staying together if -- I guess throughout the
24 amendment process, we can sort that out later,
25 but what was the rationale behind splitting up

1 that city?

2 REPRESENTATIVE HOLDER: Mr. Kelly.

3 MR. KELLY: Thank you, Mr. Chair.

4 Representative, in terms of creating an
5 effective district for a minority community,
6 you have to consider factors regarding whether
7 the minority community is actually politically
8 cohesive, will actually vote and be able to
9 elect a candidate of choice. In doing so, the
10 boundaries were picked in such a way to make
11 sure that all three districts maintain that.
12 The voter performance, the turnout amongst the
13 Hispanic community, Hispanics are registered to
14 vote and actually vote in the Hialeah area is
15 significant, as is along that corridor are the
16 Tamiami Trail, Fountainebleau, that area of
17 Miami-Dade County. As a result, all three
18 seats -- and this is the drawing of Hialeah
19 right here -- all three seats take from that
20 area to ensure that they all perform.

21 So that is -- that is the rationale. It
22 wasn't directed towards one particular
23 community in any way, and attempts were made as
24 best as possible to keep cities whole, but, of
25 course, you know, to your prerogative, we can

1 certainly take a look at different
2 configurations, but it was for those reasons.

3 REPRESENTATIVE HOLDER: Representative
4 Taylor, you are recognized.

5 REPRESENTATIVE TAYLOR: Thank you, Mr.
6 Chair. Outside of the voter performance data,
7 was there any other data that you utilized in
8 creating the districts?

9 REPRESENTATIVE HOLDER: Mr. Kelly.

10 MR. KELLY: Thank you, Mr. Chair.

11 Representative Taylor, we used only the
12 data that is in My District Builder. Generally
13 speaking, our work was limited to census data
14 and data from the American Community Survey.
15 For the minority districts, where needed, only
16 where needed, we did look at data values such
17 as if the Hispanic community had a significant
18 voter registration total to make sure that
19 there were actually enough Hispanic Floridians
20 who actually were registered to vote in those
21 communities. So in those limited
22 circumstances, we went beyond the data from the
23 census and the American Community Survey.

24 REPRESENTATIVE TAYLOR: Just a quick
25 follow-up, Mr. Chair.

1 REPRESENTATIVE HOLDER: Follow-up.

2 REPRESENTATIVE TAYLOR: So that data was
3 the only data that you used in trying to
4 determine the minority access seats?

5 REPRESENTATIVE HOLDER: Mr. Kelly.

6 MR. KELLY: Thank you, Mr. Chair. Yes,
7 the data in My District Builder, nothing else.

8 REPRESENTATIVE TAYLOR: Thank you.

9 REPRESENTATIVE HOLDER: Are we ready to
10 continue?

11 MR. KELLY: Yes, sir.

12 REPRESENTATIVE HOLDER: Great.

13 MR. KELLY: So in thinking about
14 Congressional District 5 and all of the options
15 that are proposed, it is most similar to the
16 existing Congressional District 3, which
17 encompasses the African-American communities in
18 Jacksonville, Gainesville, parts of Orange
19 County and in some communities in between such
20 as Palatka. The current district splits Clay
21 County, the current district splits Volusia,
22 splits Seminole. In the maps that you will see
23 today, all of the maps take this district and
24 essentially shift it out of Volusia entirely
25 and they shift it out of Seminole entirely. In

1 fact, Seminole County is whole in every single
2 one of the maps in different ways. In some
3 maps, it goes into Volusia; in some maps, it
4 goes into Orange; some maps, it goes into both.
5 But the District 5 in all of the proposals is
6 no longer in Volusia County, no longer in
7 Seminole County.

8 In terms of proposal 9001, this one
9 proposal did have a unique version or a --
10 let's say sort of an unconventional look to the
11 district in that instead of going through Clay
12 County, the district instead exits the west
13 side of Duval, goes through -- and I will turn
14 on the county lines -- goes through
15 unincorporated communities in Baker County,
16 encompasses all of Bradford, and so then it
17 comes into the northern part of Alachua County
18 and then has a similar configuration in terms
19 of the rest of the district. However, in all
20 of the proposals, the district does somewhat
21 lessen its impact on Orange County. For
22 example, the district doesn't go into --
23 actually, I want to make sure this is -- I am
24 turning on the city boundary lines. In all of
25 the proposals, the district does not go into

1 the Ocoee community; however, in all the
2 proposals, the district does encompass the
3 entirety of Apopka. So, where possible, we
4 made an attempt to change the boundaries such
5 that whole cities could be included in or not
6 in the district, so long as it didn't prevent
7 the ability to maintain the African-American
8 opportunity district.

9 In the other proposals you will look at
10 though, the Congressional District 5 in the
11 other proposals is identical in all the rest of
12 them, different in that the rest of them don't
13 go into Bradford and Baker Counties.

14 REPRESENTATIVE HOLDER: Mr. Kelly, if we
15 could entertain a question. Representative
16 Taylor, you are recognized.

17 REPRESENTATIVE TAYLOR: Thank you, Mr.
18 Chair.

19 In the creation of that particular
20 district, was there a decrease in the amount of
21 African-Americans, or did that number pretty
22 much stay the same?

23 REPRESENTATIVE HOLDER: Mr. Kelly.

24 MR. KELLY: Thank you, Mr. Chair.

25 There was a slight decrease in the

1 creation of all the different versions that you
2 will see today. This particular version is the
3 -- the current map, the African-American
4 population is 49.87 percent of the voting age
5 population. In this particular version, the
6 African-American voting age population is 47
7 and a half percent. So it is close to -- it is
8 close to about a 2.4 percent drop in this
9 particular version. In all the other versions
10 that you will see today, the voting age
11 population for that district is approximately
12 48.11 percent.

13 What we looked at in terms of when this --
14 when this actually map was physically created
15 and then looking at the other maps that we
16 created, in between that time, the NAACP
17 submitted a plan for the Legislature's
18 consideration. In their drafting of a similar
19 district to this, they drafted a district that
20 was 48 percent even African-American. So they
21 reduced the black voting age population by
22 approximately 1.97 percent. So in the other
23 versions, we kept that threshold just slightly
24 above what the NAACP submitted to the
25 Legislature.

1 REPRESENTATIVE HOLDER: Representative
2 Taylor, follow-up?

3 REPRESENTATIVE TAYLOR: Thank you, Mr.
4 Chair, and I am trying to be brief with my
5 questions. But with that 2.4 percent, does
6 that fall into a situation where they are no
7 longer able to elect someone of their choice?

8 REPRESENTATIVE HOLDER: Mr. Kelly.

9 MR. KELLY: Thank you, Mr. Chair.

10 We do not believe that it affects the
11 likelihood that the African-American community
12 there can elect a candidate of choice, so we
13 believe it has no impact.

14 REPRESENTATIVE HOLDER: Please proceed.

15 MR. KELLY: And so now at this point, we
16 will dive more into plan 9001, specifically the
17 points that we haven't covered yet, and then we
18 will get into the other plans.

19 In this plan, because of the moving of
20 Congressional District 5 to cover parts of
21 Baker and all of Bradford County, that changes
22 the dynamics of what's going on in north
23 Florida and how you can keep counties whole,
24 keep other geography aligned. So you have in
25 the northern part of the state two districts

1 that have significant population in Duval
2 County, Congressional District 3 and
3 Congressional District 4. However, in each
4 case, at least half the district, if not more,
5 comes from outside of Duval County. So in the
6 case of Congressional District 3, the
7 exterior -- the non-Duval portions of the
8 district include all of Nassau County and
9 includes several rural counties to the west.

10 Congressional District 4 encompasses all
11 of Clay County and approximately half of St.
12 Johns County, including all of St. Augustine.
13 And so in Congressional District 4, about half
14 the district, about a 50/50 split, half the
15 district is in Clay and St. Johns County, half
16 is in Duval Counties.

17 As a result of this configuration in plan
18 9001, Putnam, Flagler and Volusia Counties were
19 able to be kept whole in this particular
20 proposal. And in terms of how the proposals
21 work, in terms of how you are able to keep
22 certain counties whole and not keep others
23 whole, this is an interesting example in that
24 this map keeps -- keeps the African-American
25 seat in Congressional District 5, it keeps

1 Seminole County whole, it keeps Volusia County
2 whole and it keeps Brevard County whole. So
3 essentially at that point in terms of drawing
4 the map, a wall in the map has been created,
5 and so the rest of the work then has to occur
6 on the other side of the map, because,
7 obviously, in terms of making that decision, no
8 district can pass through.

9 Moving down the coast briefly, again,
10 Congressional District 8 keeps all of Brevard
11 County whole and all of Indian River County
12 whole. The district needed about 15,000
13 additional Floridians, so the district moves
14 into the eastern side of Orange County.

15 District 9, again, as I noted earlier, is
16 not creating or attempting to create the
17 Hispanic access opportunity district in central
18 Florida. What District 9 is doing in this case
19 is including all of Osceola County, the
20 northern half of the population in Polk County,
21 and then to get its equal population, going
22 into the Zephyrhills area in Pasco County.

23 District 10 is predominantly an Orange
24 County seat with approximately 150,000
25 residents in Lake County as well. And, again,

1 coming back to that point that I mentioned
2 earlier about trying to give counties the
3 surety, the major counties at least, the surety
4 of having a congressperson from their district,
5 that was something that we thought about in the
6 context of creating these seats, this is likely
7 creating a seat that would produce an Orange
8 County member of Congress. And so in that
9 sense, if you look at the seats in terms of
10 what counties are kept whole, Brevard,
11 Seminole, Orange, Pinellas, Hillsborough have
12 seats -- Pasco, that have seats that are
13 significantly populated from those counties,
14 and so trying, again, to make sure that
15 counties have an opportunity to have
16 representation, something that was heard
17 frequently throughout the public meetings.

18 Moving to District -- District 10 goes up
19 and basically stops in Leesburg. It doesn't go
20 into Tavares, Eustis, Mt. Dora in Lake County.
21 The district essentially stops in the lake --
22 the lake -- the lakes in southern Leesburg, and
23 actually it is a common point in a lot of the
24 maps, the boundaries of the City of Leesburg
25 are very difficult to work with, whereas the

1 boundaries of the other cities in Lake County
2 are more clear, typically, and so Leesburg
3 oftentimes is the city that -- where the
4 population stops for these districts.

5 Congressional District 11 encompasses
6 communities northwest of Congressional District
7 10. It is a district that is largely based out
8 of the population in Marion County. Despite
9 Congressional District 5 coming in and taking
10 some communities, it is really centered around
11 Marion County, includes all of Levy, northern
12 parts of Hernando, Sumter, including most of
13 The Villages community, and then the
14 communities of Lady Lake, Tavares, Eustis, Mt.
15 Dora, in Lake County.

16 Congressional District 12 centers around
17 most of Pasco County, again, though, excluding
18 some of the Zephyrhills area -- actually, the
19 City of Zephyrhills is in Congressional
20 District 12, but the community just to the east
21 of it is not. Congressional District 12
22 includes all of Hernando County and then the
23 portions basically south of The Villages in
24 Sumter County.

25 And we described the districts in Pinellas

1 and Hillsborough, but just to go over them
2 again, Congressional District 13 is entirely in
3 Pinellas County, Congressional District 15 is
4 mostly in Hillsborough County, but does include
5 some population in Pinellas. And we'll zoom in
6 just to give you an idea of where that divide
7 occurs in Hillsborough County. There was a lot
8 of testimony about the communities of
9 Riverview, Brandon, Valrico, so to the extent
10 possible, oftentimes in the map we attempted to
11 align those communities together, again, to the
12 extent possible.

13 And then Congressional District 14 crosses
14 from the predominantly Hispanic and
15 African-American communities in Tampa into the
16 predominantly African-American communities in
17 St. Pete, and then also in this particular
18 example, taking up many of the transportation
19 routes across the bay. And, again, unlike the
20 current map though, not going into Manatee
21 counties.

22 In terms of this rural county seat and
23 where the population centers are, the
24 predominant populations are Polk County and
25 Charlotte County, but in neither case are they

1 more than 30 or 35 percent of the district, so
2 really the district's population is very much
3 spread out throughout these counties, making
4 the label appropriate to call it more of a
5 rural county district.

6 That is Congressional Plan 9001. If there
7 are any questions -- otherwise, I will move on
8 to plan 9003.

9 REPRESENTATIVE HOLDER: Representative
10 Horner, you are recognized for a question.

11 REPRESENTATIVE HORNER: Thank you, Mr.
12 Chairman. District 9, how close is that to a
13 true Hispanic opportunity district? You said
14 it was shy of that.

15 REPRESENTATIVE HOLDER: Mr. Kelly.

16 MR. KELLY: It is shy -- thank you, Mr.
17 Chair, sorry.

18 Representative, the -- if you reflect on
19 the proposal that was submitted to the
20 Legislature, the organization submitted a
21 district that would be about forty -- have a
22 43 percent Hispanic voting age population. At
23 that percentage, the district is questionable
24 as to whether it would perform for the Hispanic
25 community. Certainly the community would be an

1 influence in the seat. So using that as the
2 sort of baseline, that even at the percentage
3 that was submitted, it would be questionable as
4 to whether it would perform for the Hispanic
5 community, the seat, District 9 here, is
6 25 percent, about 25 and a half percent
7 Hispanic.

8 REPRESENTATIVE HORNER: Thank you.

9 REPRESENTATIVE HOLDER: Representative,
10 you -- Representative Reed, you are recognized.

11 REPRESENTATIVE REED: Thank you, Mr.
12 Chair. I have a question. Is Congressional
13 District 3 protected under the Federal Voting
14 Rights Act or law, federal law?

15 REPRESENTATIVE HOLDER: Mr. Kelly.

16 MR. KELLY: Thank you, Mr. Chair.

17 The existing Congressional District 3 is
18 not protected under federal law, it is
19 protected under state law.

20 REPRESENTATIVE REED: Thank you.

21 REPRESENTATIVE HOLDER: Any other
22 questions?

23 Okay. We will move on.

24 MR. KELLY: So the plan now on the screen
25 is plan 9003. So starting up in Duval County,

1 in terms of just looking at the differences
2 from plan 9001 to plan 9003, in this particular
3 map, the Duval/Nassau County seat is much more
4 concentrated in those counties. The seat runs
5 down somewhat into St. Johns County, includes
6 part of the Ponte Vedra area. It doesn't
7 include all of western Duval, although it does
8 include the Baldwin community, but not all of
9 western Duval County. So this seat in this
10 particular design is predominantly a
11 Duval/Nassau County district likely to produce
12 a Duval County candidate in most circumstances.

13 Looking at Congressional District 3, this
14 district is now almost, not entirely, but
15 almost exclusively a rural county seat,
16 excluding portions of Gainesville that are in
17 the district. So it encompasses several entire
18 rural counties. Again, as you looked at the
19 map before, and all the maps, the split
20 occurring in Madison County, but otherwise,
21 several complete counties throughout the map.
22 And in this particular case, we actually
23 designed this district so that Alachua County
24 would only have two districts. So, in other
25 words, the district wouldn't come down further

1 into Marion or come down into Citrus County,
2 but that Alachua County would only have two
3 seats, this district and District 5. That is
4 why the split occurs in southwestern Duval
5 County. So in terms of decisions, in terms of
6 how to look at whether a certain county should
7 have one seat or two seats or three seats, that
8 is how those decisions were made, and then
9 those are the practical effects of them; in
10 this case, Duval -- has a little portion of
11 Duval that is in -- albeit, it is a rural
12 portion of Duval, in Congressional District 3.

13 The differences that are most stark in
14 terms of this concept of Congressional District
15 5 and comparing it to the current Congressional
16 District 3, which Representative Reed was just
17 asking about, this particular design of the
18 district includes all of Palatka, all of
19 Apopka, all of Green Cove Springs. So in an
20 effort to look at the different components of
21 the law, not just the provisions regarding
22 racial and language minorities, but the other
23 provisions regarding taking into consideration
24 political and geographical boundary lines,
25 where the city impacts a smaller to moderate

1 size city, a city is wholly included in the
2 district. So all of the City of Reddick in
3 Marion County is included in the district. So,
4 again, all of Palatka, all of Green Cove, all
5 of Apopka. And, again, like the configuration
6 described in the prior plan, this district
7 doesn't have any impact now on the Ocoee area,
8 and so it is predominantly Apopka and then
9 parts of Orlando, and in all the districts,
10 too, it includes the Eatonville community.

11 Now, as was described earlier, Seminole
12 County and Volusia County are no longer in that
13 seat in any of these proposals. In this
14 particular proposal, plan 9003, Congressional
15 District 6 includes most of St. Johns County,
16 including all of St. Augustine, all of Flagler,
17 the southern non-Palatka portions of Putnam and
18 then most of Volusia County. However, and you
19 will see this in a couple of the maps submitted
20 today, the Seminole County seat interacts with
21 some of the southern cities in Volusia County.
22 And so if we turn on the -- just the city
23 lines, in this particular case, you can see one
24 entire municipality kept whole. DeLand is not
25 kept whole -- I'm sorry, Deltona is not kept

1 whole, but you will see a different version
2 later where these cities are all kept whole
3 coming across the Seminole/Volusia line.

4 Now, in this particular plan, there are
5 impacts from the seats in central Florida that
6 will push essentially the rural county seat
7 into Brevard and Indian River County. So in
8 this particular plan, Congressional District 8
9 still encompasses parts of Orange County;
10 however, it is a greater number of residents of
11 Orange County in order that the district in the
12 center part of the state encompasses many of
13 the rural communities in Brevard and Indian
14 River.

15 In this particular map, there is the
16 creation of a district similar to the one,
17 although not identical, similar to the one
18 regarding the sort of Hispanic access, Hispanic
19 opportunity seat in central Florida. This seat
20 has approximately a 40 percent Hispanic voting
21 age population. It does go from Orange into
22 Osceola into Polk Counties, and it does
23 encompass several whole cities. In designing
24 this seat, we attempted to clean up and make
25 more compact the geography based on what was

1 submitted to the Legislature. So we
2 essentially used that design, but then altered
3 it to encompass whole cities, try to bring some
4 more compact shapes to it, try to encompass
5 county boundary lines better, in this case
6 Osceola County being split into just two
7 districts, as opposed to the plan that was
8 submitted that could have split the county into
9 three. So things like that were considered.

10 As you zoom in on Polk County, we will
11 turn on the city boundary lines, you will see
12 that the Cities of Haines City and Davenport
13 are located entirely in the county. And just
14 an example as to how we drew seats like this,
15 these cities are entirely -- I'm sorry,
16 entirely within the district, I should say.
17 And then you will see that in terms of where
18 the boundaries are, why the boundaries are
19 where they are, oftentimes it is because of
20 either a nice, clean roadway that is probably
21 going to be well recognized by the
22 constituency, or in this case, city boundary
23 lines from the districts just outside of it.
24 Again, that -- the voting age population for
25 the Hispanic community in this district is

1 approximately 40 percent.

2 In terms of attempting to create a
3 district like that, we did find that how you
4 attempt to do that, particularly what you did
5 with Osceola County, affected decisions greatly
6 in Orange and Brevard and Indian River. And so
7 you will see, I believe, three or four
8 different versions of this seat in order to
9 show how this seat can impact the other
10 counties around it. In this particular case,
11 as a result of creating this seat, you now have
12 a seat that is more split between Orange
13 County, Polk and Lake County, and in this case,
14 also into Sumter County, for the most part the
15 non-Villages parts of Sumter, although it does
16 include some of the incorporated area that The
17 Villages occupy. But District 10 encompasses
18 the remaining portions of Lake County, still a
19 significant portion of Orange and of Polk;
20 however, the seat by population is truly more
21 of a Lake County seat at this point in terms of
22 the greatest concentration. However, no
23 county, Lake, Orange, Polk, Sumter, is greater
24 than 50 percent of this seat, but it certainly
25 changes the dynamics of what is going on in

1 Orange and central Florida.

2 District 11 is still largely a Marion
3 County-based seat, although it does include all
4 of Hernando and Citrus Counties, which
5 encompass about half of the district. So about
6 half of the district is Marion and The Villages
7 communities and some other unincorporated areas
8 of Sumter, and the other half of the seat is
9 Hernando and Citrus Counties.

10 In this particular design, and you will
11 see this also a couple times in the maps that
12 were created, this particular map takes the
13 proposed Congressional District 12, includes
14 all of Pasco County, so it is about a
15 two-thirds Pasco County-based seat, and then
16 takes in portions of northeastern Pinellas, the
17 Oldsmar area, some unincorporated communities
18 and northwestern Hillsborough Counties, in an
19 attempt -- as you can see if you zoom into
20 the lines here, attempt was used, or attempt --
21 it was attempted to very much use roadways as
22 best as possible to get a very clean look to
23 the district, again, to make it easier on the
24 constituency to know that they're -- you know,
25 on this side of the road, you are in this

1 district, on that side of the road, you are in
2 that district. And this is a good example
3 right here in the Hillsborough County portion
4 where equal population was achieved, and so
5 this is where we were actually getting to the
6 point of trying to find one, two people to make
7 sure that the district had equal -- either the
8 ideal population or one person deviation from
9 that.

10 District 13 and 14 are fairly similar to
11 the basic concept of what you saw in the prior
12 map in terms of 13 being totally included in
13 Pinellas, and 14, Hillsborough and Pinellas.
14 However, from this point, we changed how it is
15 that we used some of the boundary lines in
16 defining 13 and 14, and so in the design of
17 this seat, we used the bridges and roadways
18 more frequently to make sure that the boundary
19 lines have a more coherent, clean, geometric
20 type shape. District 14, the eastern border of
21 the district is Interstate 75. In this
22 particular example, we made sure that Temple
23 Terrace was not in the district. Temple
24 Terrace testified and asked to be included in
25 one seat only, and so Temple Terrace is in

1 District 15. And in this particular case,
2 again, if you compare it to the prior map, I
3 will give you an example in terms of how we
4 defined the boundaries. There is no exact,
5 clear definition as to where the districts end
6 in plan 9001. In terms of plan 9003, we have
7 that much straighter, much north to south
8 boundary line in Pinellas County and into
9 downtown St. Pete.

10 Now, in this particular example, the
11 eastern Hillsborough County seat encompasses
12 also a significant population from Polk County.
13 So in the prior, you saw that the rural seat
14 came into southern Hillsborough. In this case,
15 the Hillsborough seat is almost mostly in
16 Hillsborough, but also has significant
17 communities in Lakeland, in Bartow, running
18 along major roadways in Polk County as well,
19 although it is still mostly about two-thirds a
20 Hillsborough County seat. Now, as you can see,
21 generally what we are doing here is just
22 following major roadways through Lakeland into
23 Bartow.

24 Mr. Chair, if you want to pause if there
25 are any questions.

1 REPRESENTATIVE HOLDER: Members, any
2 questions? Representative Horner, you are
3 recognized for a question.

4 REPRESENTATIVE HORNER: Thank you, Mr.
5 Chairman.

6 And, Mr. Kelly, I don't expect you to have
7 the numbers in the Senate plan off the top of
8 your head, though I wouldn't be surprised if I
9 did, you are very capable. The District 9, the
10 Hispanic opportunity seat, on this map clearly
11 has a much more geometric shape than say the
12 Senate map. It is a lot cleaner. What is the
13 difference in the Hispanic voting age
14 population in this map versus Senate? And if
15 you don't have it off the top of your head, I
16 would understand.

17 REPRESENTATIVE HOLDER: Mr. Kelly.

18 MR. KELLY: Thank you, Mr. Chair.

19 I believe that the Senate map is
20 approximately 42 percent Hispanic. This
21 particular configuration here is 40.16 percent,
22 so this is .04 percent, no real difference. So
23 basically they are the same percentage.

24 REPRESENTATIVE HORNER: So we are getting
25 basically the same percentage with a much more

1 compact, reasonable shape? That is my
2 characterization, not yours.

3 REPRESENTATIVE HOLDER: Mr. Kelly.

4 MR. KELLY: Yes, sir, thank you.

5 That was our attempt is to encompass city
6 boundary lines better and draw the district as
7 compactly as possible.

8 REPRESENTATIVE HOLDER: Any other
9 questions? Moving on.

10 MR. KELLY: Thank you, Mr. Chair.

11 And, lastly, in this map, the rural county
12 seat, in terms of the western side of this
13 seat, it is very similar because of the
14 decisions of how we picked to build the attempt
15 at the Hispanic opportunity district, and also
16 because of what was done in Congressional
17 District 15 encompassing all of eastern
18 Hillsborough County, the rural county seat
19 then, again, pushes into -- into Brevard and
20 Indian River, into the rural parts of those
21 counties, and encompasses a significant portion
22 of Osceola as well. And that is map 9003.

23 At this time, I am going to load up maps
24 9005 and seven. I would be happy to answer any
25 questions while I am doing so.

1 REPRESENTATIVE HOLDER: Representative
2 Taylor.

3 REPRESENTATIVE TAYLOR: Thank you, Mr.
4 Chair.

5 In developing all of the maps, you took
6 the same approach pretty much. Is there a
7 change in how you approached each map?

8 REPRESENTATIVE HOLDER: Mr. Kelly.

9 MR. KELLY: Thank you, Mr. Chair.

10 I feel as though, in terms of where we
11 started and really started with plan 9001, I
12 feel as though we more frequently used major
13 roadways and in a sense matured the maps, used
14 major roadways to create more clear boundary
15 lines. At first, we started very significantly
16 with the premise of keeping counties whole, and
17 didn't abandon that, but in terms of where
18 counties are not kept whole, we more frequently
19 went for recognizable roadways. At first, we
20 probably looked to city boundary lines only and
21 then eventually incorporated both into that
22 equation and tried to -- oftentimes you have
23 to, unfortunately, either split the roadway or
24 split the city, and so, again, at first, we
25 weren't really factoring in roadways as much,

1 and as our maps matured, brought roadways more
2 frequently into the discussion.

3 REPRESENTATIVE HOLDER: Follow-up?

4 REPRESENTATIVE TAYLOR: Thank you, Mr.
5 Chair.

6 In going through the different variations,
7 how different are the maps when -- are you
8 switching from cities to streets, and streets
9 to counties, or are you following pretty much
10 the same methodical strategy?

11 REPRESENTATIVE HOLDER: Mr. Kelly.

12 MR. KELLY: Thank you, Mr. Chair.

13 Oftentimes we tried to use in the latter
14 maps that we drew, major roadways more
15 frequently, again, or more recognizable
16 streets, streets that perhaps went through the
17 entire county, streets that are commonly known
18 to people in the communities. Didn't do so as
19 frequently early on in the drawing of our maps.
20 So they vary to that degree.

21 And then I would say the other most
22 significant lesson learned in terms of drawing
23 the maps was dealing with the question of
24 whether or not there would be the Hispanic
25 opportunity district in central Florida and its

1 configuration, and if you couple that with what
2 you do in Hillsborough County, lessons learned
3 as to how that affects the rest of the state,
4 how compactly you can draw the rest of the
5 state, and so our decisions matured in that
6 sense in order to -- we never wanted to have
7 one district create an unnecessary impact on
8 another district to where the only reason the
9 other district is the way it is is because of
10 the first. And so we never wanted that
11 situation, we wanted every district to have a
12 reason, to have a methodology, a thoughtful
13 process. And so, again, just incorporating
14 roadways more frequently and incorporating some
15 lessons learned.

16 REPRESENTATIVE HOLDER: I think that's all
17 the questions, so we will move on in the
18 presentation.

19 MR. KELLY: So now we are looking at plan
20 9005. In this particular plan, starting again
21 in northeast Florida, this plan separates
22 Nassau County, for the most part, from the
23 major population of Duval, not entirely
24 separating it from Duval County, but separates
25 it from where most of the population exists in

1 Duval County. And so Nassau County joins,
2 relatively speaking, what you will see in all
3 the maps in different forms or fashion, a rural
4 county Florida district in northern Florida.
5 In this particular district, Clay County is
6 probably the predominant community, although
7 Alachua County is still significantly
8 represented in this district, and the rural
9 communities themselves still represent about
10 half of the district. The result of that and
11 how we got to those lines was District 4. We
12 started at the southern end of St. Johns County
13 and then took that district as far into Duval
14 until we got the population numbers correct.
15 So in this particular District 4, all of St.
16 Johns County is kept whole in the map, and,
17 again, the district is likely -- it is a
18 significantly Duval County-based seat, more
19 than two-thirds based out of Duval County.

20 Looking to Congressional District 6 --
21 well, I should say Congressional District 5 at
22 this point is the same in the rest of the maps
23 as the prior plan you just looked at,
24 encompassing all of Palatka, all of Apopka, all
25 of Green Cove; again, about a 48.1 percent

1 black voting age population in that district.
2 In this particular design, all of Flagler
3 County and much of Putnam is aligned with all
4 of Volusia and then northern parts of the
5 population in Brevard County. It is not much
6 population. Brevard is essentially where the
7 district gets its equal population numbers.
8 The result of that is that the seat has -- or
9 the districts here have all of Seminole in
10 District 7, including portions of the
11 Maitland/Winter Park areas in Orange County,
12 which frequently, because those communities
13 touch right next to Congressional District 5 --
14 I believe actually on all the maps, Maitland
15 and Winter Park are aligned with the district
16 that encompasses all of Seminole County.

17 In this particular design, we come back to
18 most, but not all, of Brevard being together in
19 the same seat, all of Indian River. So unlike
20 the prior where you saw Indian River or the
21 rural communities were separated out, all of
22 Indian River, and then it's still a significant
23 portion of the communities in Orange County.
24 And so in reflecting on the decision to include
25 all of Brevard or not all of Brevard, that

1 impacted -- impacted in some of these maps how
2 much of an impact Orange County would have on
3 those seats, although in this particular case,
4 Brevard County is still significantly the
5 majority of the district.

6 In this particular example, this map did
7 not attempt to create the Hispanic access seat
8 in central Florida. It does include all of
9 Osceola County and then essentially a northern
10 slice of Polk County coming out of the Lakeland
11 area up to the Osceola County line. The
12 District 9 in this particular case has a 28.6
13 percent Hispanic voting age population.

14 Chair, I think there may be a question.

15 REPRESENTATIVE HOLDER: Yes,
16 Representative, you are recognized.

17 REPRESENTATIVE FULLWOOD: Thank you, Mr.
18 Chairman. Question: Going back up to
19 Congressional District 3, I know there's a
20 couple of prisons like in Bradford and one of
21 the other counties. Are those -- are prisoners
22 counted in those numbers?

23 REPRESENTATIVE HOLDER: Mr. Kelly.

24 MR. KELLY: Thank you, Mr. Chair.

25 Yes, Representative, all Florida

1 residents, including inmates, are counted in
2 those numbers.

3 REPRESENTATIVE FULLWOOD: So the
4 African-American --

5 REPRESENTATIVE HOLDER: Representative
6 Fullwood.

7 REPRESENTATIVE FULLWOOD: I'm sorry --

8 REPRESENTATIVE HOLDER: That's all right.

9 REPRESENTATIVE FULLWOOD: -- Mr. Chairman,
10 if I may follow up?

11 REPRESENTATIVE HOLDER: Sure.

12 REPRESENTATIVE FULLWOOD: So the
13 African-American percentages you gave, do we
14 know what percentages are prisoners or actual
15 -- I think you said 41 percent are African --

16 REPRESENTATIVE HOLDER: Mr. Kelly.

17 REPRESENTATIVE FULLWOOD: -- are black?

18 MR. KELLY: Thank you, Mr. Chair.

19 In terms of Congressional District 3,
20 there's not a significant African-American
21 voting age population in the district, in
22 Congressional District 3 as it is on this map.
23 But, yes, all inmates in any correctional
24 facility are counted at their residence, if it
25 was that correctional facility on April 1,

1 2010. So if that is where they resided, that
2 is where they were counted, and so they are
3 included in the numbers in those districts.

4 REPRESENTATIVE FULLWOOD: So we count --
5 Mr. Chair, if I may follow up?

6 REPRESENTATIVE HOLDER: Representative
7 Fullwood, sure.

8 REPRESENTATIVE FULLWOOD: I apologize, I
9 am a little rusty today.

10 REPRESENTATIVE HOLDER: In -- to answer
11 part of that question, it is about 14 -- almost
12 14 and a half percent in the total district.

13 REPRESENTATIVE FULLWOOD: In the total
14 district?

15 REPRESENTATIVE HOLDER: Yes.

16 REPRESENTATIVE FULLWOOD: If I may, Mr. --
17 of that 14 percent -- I got my four and one
18 mixed up. Of that 14 percent, do we know the
19 percentage of those individuals that are in
20 prisons?

21 REPRESENTATIVE HOLDER: Mr. Kelly.

22 MR. KELLY: Thank you, Mr. Chair.

23 No, we do not.

24 REPRESENTATIVE FULLWOOD: And if I may,
25 one last follow-up question?

1 REPRESENTATIVE HOLDER: Absolutely, follow
2 up.

3 REPRESENTATIVE FULLWOOD: Are we -- should
4 we be counting folks who can't vote?

5 REPRESENTATIVE HOLDER: Mr. Kelly.

6 MR. KELLY: Thank you, Mr. Chair.

7 The question of counting individuals in
8 prison relates largely also to the question of
9 counting college students, nursing home
10 residents, persons who have yet to gain their
11 citizenship. They are all counted at their
12 place of residence. And so the law and the way
13 that Florida, and to my knowledge, most states
14 operate, operate consistently in that a person
15 is counted where they reside on April 1, 2010.
16 There are some different procedures for
17 overseas military and so forth, but, otherwise,
18 individuals are counted at their place of
19 residence in order to have a consistent count,
20 a legally sound count, across the board.

21 The question is an interesting question.
22 The Census Bureau has done a lot of research on
23 in terms of inmates, again, relating it to
24 college students, nursing home residents. It
25 is very difficult to get -- if you were to

1 attempt to count such individuals elsewhere, it
2 is very difficult to get an accurate, reliable
3 count, because records for where a person may
4 reside are not consistent. In many cases when
5 you talk about an inmate or someone in any kind
6 of state or county correctional facility, their
7 former residence may not be their former
8 residence anymore. And so it is oftentimes
9 very difficult, and it would make the counting
10 of Florida residents less accurate than
11 counting those residents at their place of
12 residence on that given day.

13 REPRESENTATIVE HOLDER: Follow-up?

14 REPRESENTATIVE FULLWOOD: Just one last
15 follow-up, Mr. Chairman.

16 REPRESENTATIVE HOLDER: Sure.

17 REPRESENTATIVE FULLWOOD: I guess the only
18 difference is for college students and folks in
19 nursing homes, they do have the wherewithal to
20 vote via absentee ballot or whatever. If you
21 are in prison, you can't vote via absentee or
22 early voting or whatever, so there is a pretty
23 big distinction, I would say.

24 Thank you, Mr. Chairman.

25 REPRESENTATIVE HOLDER: Thank you. Any

1 other questions? Moving on.

2 MR. KELLY: Mr. Chair --

3 REPRESENTATIVE HOLDER: Unless you would
4 like to respond.

5 MR. KELLY: Just the dialogue, tying that
6 back to some of the questions that came up
7 earlier about a performing minority district
8 and so forth, that is why when those kind of
9 questions are looked at, we are required to
10 also look at data that pertains to whether or
11 not the community would actually perform for a
12 minority candidate, whether or not it is even
13 possible to actually draw the minority
14 opportunity or majority-minority seat in the
15 area. So in terms of that, in terms of
16 citizenship, we are required to look at
17 multiple data sets, again, all in My District
18 Builder, but we are required to look at
19 multiple data sets so that when the Legislature
20 stakes its claim to a district truly being a
21 likely-to-perform district, that it can say so
22 with some accuracy. Thank you, Mr. Chair.

23 REPRESENTATIVE HOLDER: Sure. Moving
24 forward.

25 MR. KELLY: Moving down to -- let's see

1 where we left off. Oh, we left off with
2 Congressional District 8 and 9.

3 So in this particular case, Congressional
4 District 9, I believe, is approximately a
5 25 percent -- I'm sorry, 28.6 percent Hispanic
6 voting age population.

7 Congressional District 10 is approximately
8 a 55, 60 percent Orange County-based seat,
9 although there is a significant population in
10 the seat from Lake County. So Lake County --
11 actually, it is probably closer to about 65/35
12 in terms of percentages. So Lake County is a
13 significant portion of Congressional District
14 10 in this example.

15 And in this particular design of 9 and
16 10 -- turn on the city boundary lines -- this
17 particular design takes the portions of 9 that
18 go into Orange County away from, not entirely,
19 but away from much of downtown Orlando and more
20 to the east side of the county. However, of
21 course, Congressional District 8 is coming over
22 from the east to west to grab population and
23 get its equal population. So that is why the
24 districts intersect at this point, because
25 they're all essentially achieving their equal

1 population right around the same point.

2 Congressional District 11, similar to the
3 other maps, in some form or fashion takes on
4 what tend to be some rural counties and then
5 also some sort of mid-sized counties. In this
6 case, the district is still largely a Marion
7 County-based seat with several rural counties,
8 pieces of southern Alachua County, all of
9 Citrus, and in this case, a little bit of
10 Hernando and all of Sumter. And this is a good
11 example of where a decision had to be made of
12 either dividing Sumter, dividing Hernando. In
13 this particular map, the decision was to divide
14 Sumter, but in any case, the option could be to
15 instead keep Hernando whole and divide a
16 different community perhaps. And so you will
17 see in the other maps, Congressional District
18 10 may come into Polk County, allowing 11 to
19 take part of Lake and allowing Hernando to stay
20 whole. So that is how the pieces shift around
21 the map depending on essentially, for your
22 policy decisions, who you opt or what counties
23 you opt to keep whole, what geography you opt
24 to tie together.

25 In Congressional District 12, as you will

1 see in most of the maps, it is very much
2 centered around Pasco County, most of Hernando,
3 and then similar to one of the maps you looked
4 at before, it encompasses a bit of the Oldsmar
5 community and northeastern Pinellas County.
6 Again, most of Pinellas, most of the rest of
7 Pinellas is in -- or I should say Congressional
8 District 13 is encompassed entirely in Pinellas
9 County, similar to the Congressional District
10 14 that you saw in the previous map, the more
11 straight lines, roadways, using Interstate 75
12 was used to create a much more geometrically
13 sound Congressional District 14. In this
14 particular case, essentially the math was done
15 to take the rest of Hillsborough, put it in a
16 district, and then encompass -- as we mentioned
17 before, Sarasota plus Manatee County is just
18 slightly too large for a -- for a congressional
19 district. So that additional population was
20 put into Hillsborough so that the seat could be
21 exactly Hillsborough -- the remaining portions
22 of Hillsborough and then the additional
23 left-over population in rural parts of Manatee
24 County.

25 And so essentially a lot of these maps,

1 those kinds of calculations were used before
2 drawing a district in order to try to achieve a
3 certain result, in this case, having a seat
4 that is predominantly a Hillsborough County
5 seat.

6 As a result, the seat that encompasses
7 much of rural Florida, because we've kept
8 Brevard and Osceola and Indian River whole and
9 because we have a seat that encompasses all of
10 the eastern side of Hillsborough, the rural
11 county seat now has to push further into Polk
12 County, and it encompasses much more of
13 Lakeland than it does in the other examples.

14 And that is Congressional -- that is plan
15 9005. Unless there are any questions, I can
16 move on to plan 9007.

17 REPRESENTATIVE HOLDER: Members, any
18 questions?

19 No questions.

20 MR. KELLY: Thank you, Mr. Chair.

21 REPRESENTATIVE HOLDER: Moving forward.

22 MR. KELLY: In this particular plan,
23 reflecting back on some of the choices that
24 were made previously about Duval County, this
25 particular plan encompasses all of Duval

1 County, excluding the portions in Congressional
2 District 5, all of Duval County, the remaining
3 portions, all of Nassau County and then a
4 little bit of the Ponte Vedra area in
5 Congressional District 4. So this is
6 probably -- if you want to say a Jacksonville
7 area/northeast Florida district, this is
8 probably the most northeast Florida of the
9 northeast Florida districts. And then the
10 rural counties are tied together similar to you
11 have seen before. In this case though, because
12 the Jacksonville/Clay, Jacksonville/Baker
13 county lines were held so that the districts
14 didn't cross the county lines, their result is
15 the district comes -- the Congressional
16 District 3 comes somewhat into northwestern
17 Marion County, although not actually impacting
18 the City of Ocala, and still the predominant
19 portion of Marion is in another district.

20 Congressional District 6, as you have seen
21 similar to one of the other proposals,
22 encompasses most, but not all of St. Johns, all
23 of Flagler, all of the portions of Putnam that
24 are essentially south of the middle of the
25 county, south of -- south of -- I believe it's

1 State Road -- south of this line, the city is
2 held whole, and then in this particular case,
3 as in all the maps, Palatka is held whole in
4 Congressional District 5.

5 In this particular map, in map 9007,
6 Volusia County is not held whole, because the
7 equal population numbers are reached at this
8 point. Congressional District 7, which still
9 includes parts -- well, all of Seminole,
10 Maitland, Winter Park, interacts with the
11 cities here in southern Duval -- I'm sorry,
12 Volusia County. And, again, what we had
13 before, to be held whole, city splits, city
14 splits. So the population equality, population
15 deviation or reaching the ideal population was
16 made at this point in the districts.

17 And, again, coming back to a question that
18 Representative Taylor asked before, it was
19 points like that where the equal population was
20 achieved, but perhaps a major roadway or a city
21 boundary line was crossed. As the maps
22 matured, we tried to reduce the number of times
23 that those decisions impacted a community, a
24 roadway or a city boundary, something to that
25 effect.

1 In this particular example, Congressional
2 District 8 goes into Osceola County as opposed
3 to going into Orange. So the 15,000 Floridians
4 that Congressional District 8 needs are in
5 Osceola County as opposed to eastern Orange.
6 The result of that and of other decisions in
7 the map, in this particular case, too, again
8 attempt to create a Hispanic opportunity seat.
9 This is the same design seat that you looked at
10 before that included all of certain cities in
11 Osceola County and in Polk County. This --
12 because of that, because of keeping Brevard
13 whole, because of keeping Indian River whole,
14 the rural seat goes further into the eastern
15 rural parts of Orange County.

16 Congressional District 10, in this
17 particular case, as we have discussed a couple
18 of times before, really actually becomes very
19 much a Lake County seat, not so much so that it
20 is a majority of the district, but Lake County
21 is about ten or twenty thousand more people
22 than the Orange County portion of the district,
23 and the Polk County portion is significant too.

24 The nuance to this particular -- we will
25 jump ahead to Congressional District 15 for a

1 moment. The nuance to this particular
2 congressional district is that it uses very
3 much the boundary lines of the City of Lakeland
4 to separate 10 and 15. So the majority of
5 Lakeland ends up in Congressional District 15,
6 and then it stretches out somewhat further into
7 the middle part of the county.

8 While I am doing this, Mr. Chair, if there
9 are any questions.

10 Thank you, Mr. Chair.

11 Again, most of Marion County is still
12 included in the 11th Congressional District; in
13 this case, all of Citrus, all of Hernando, all
14 of Sumter. So the design in this particular
15 case, the choice that was made was keep
16 Hernando, Sumter and Citrus all whole, not take
17 the district at all into Lake County.

18 And similar to a design you have seen
19 before, this Congressional District 12 makes a
20 nice, clean cut down a roadway into
21 northeastern Pinellas, allowing 13 to be all in
22 Pinellas County, and 12 then runs closer to the
23 Interstate, Interstate 75, in Hillsborough
24 County. And, again, it is a Pasco County --
25 about two-thirds Pasco County-based seat.

1 This Congressional District 14, very
2 similar to the ones that you've looked at
3 previously, is using these roadways to make
4 clear boundary lines, and, again, all of Temple
5 Terrace is included in Congressional District
6 15. And then the resulting rural county seat,
7 as I mentioned before, because of the decisions
8 about what counties to keep whole, this seat
9 runs up actually all the way into Orange
10 County. And so this is probably the most
11 expansive of the rural county seats that we
12 have discussed.

13 And so those are plans 9005, 9007. I am
14 going to load up plans 9009 and 9011.

15 REPRESENTATIVE HOLDER: Members, any
16 questions?

17 No questions, so as soon as they are
18 loaded, please continue.

19 MR. KELLY: Thank you, Mr. Chair.

20 For this particular map, we will start
21 south and move north as opposed to how we moved
22 before. This is map 9009. In this particular
23 case, there was an attempt to create a Hispanic
24 opportunity district in District 9. This seat,
25 I believe, was approximately 38 and a half

1 percent Hispanic. I am going to check my
2 numbers to make sure.

3 REPRESENTATIVE HOLDER: That is correct.

4 MR. KELLY: This particular District 9
5 attempted to use, as best as possible, a clean
6 southern line in terms of defining the
7 district's boundaries; again, trying to mesh
8 the concepts of creating an opportunity for the
9 Hispanic community, but complying with the
10 standards of compactness, trying to comply as
11 best as possible with the use of city boundary
12 lines.

13 In this particular case though, unlike the
14 prior examples that you have seen, this
15 particular example includes all of the City of
16 St. Cloud as well. So it is all of Kissimmee,
17 all of St. Cloud. The prior examples you have
18 looked at divided St. Cloud, and so this
19 includes all of the city, and it includes all
20 of the Poinciana community on both the Osceola
21 and Polk County sides, and it uses Interstate 4
22 to create this nice, clean border, and then it
23 achieves its equal population in Orange County
24 and in this region of Polk County as well. The
25 impact of that is essentially you have

1 something close to, not exactly, but close to a
2 line in Polk and Osceola Counties, and
3 everything south is in your rural county
4 district. In this particular example, like you
5 have looked at before, we did the math to
6 ensure that District 15 was entirely in
7 Hillsborough and that rural part of Manatee
8 County, so District 17 doesn't go into any of
9 the rural or eastern sides of those counties.

10 Thirteen and 14, I believe you have looked
11 at the exact versions of these before. In this
12 particular case, Congressional District 12
13 still encompasses a little bit of northeastern
14 Pinellas and all of Pasco; however, it is
15 missing the top portion of Hernando County. So
16 it does not encompass all of Hernando.

17 Congressional District 8 is actually
18 exactly what you have looked at before in other
19 cases. It is all of Brevard, Indian River, and
20 then portions of the eastern rural sides of
21 Orange County.

22 Congressional District 11 encompasses some
23 of northern Lake County, and in this particular
24 case, this was an attempt to include the cities
25 of Lady Lake and other smaller municipalities

1 in the district to keep The Villages community
2 together. And, generally speaking, as you
3 heard in testimony during your travels this
4 summer, The Villages community, there is an
5 incorporated side in Sumter County, there's the
6 City of Lady Lake in Lake County and then
7 there's some unincorporated area in very
8 southern Marion County. So this would actually
9 include what people commonly refer to as The
10 Villages in a particular district. It is all
11 of Sumter, all of Levy. In this particular
12 case, it splits Gilchrist County though in this
13 particular map. In doing so, what it allowed
14 was Congressional District 3 coming all the way
15 to -- using the Alachua County line. So, in
16 other words, Alachua is only split two ways as
17 a result of the decision to keep -- to split
18 Gilchrist.

19 Now, in this particular case, in this one
20 map, Nassau County is actually not kept whole.
21 Essentially the middle of Nassau County,
22 approximately U.S. 1, in that region of the
23 county, is used as a divider in such that the
24 Hilliard and Callahan communities of Nassau
25 County are put in with the rural county

1 district that encompasses several rural
2 counties, including Clay and including the west
3 sides of Duval, such that the east side of
4 Nassau, Jacksonville, Duval County, the
5 beaches, and the northern parts of St. Johns
6 County are all in a district. And we'll just
7 zoom in to observe -- in this particular case,
8 St. Augustine is split in this particular map.
9 And so if you were tempted to maybe not split
10 at St. Augustine, you would have to -- you
11 essentially lose the nice line at the bottom of
12 the district, and so there is a trade-off there
13 in terms of having a very clear line in the
14 district, or splitting a city. And it is just
15 a good example of how those trade-offs can
16 occur when, of course, you have to meet the
17 equal population mandate.

18 As noted before, this Congressional
19 District 5 is identical to the ones that you
20 have seen in everything but plan 9001.

21 Congressional District 6 in this
22 particular example includes, again, parts of
23 St. Augustine, southern St. Johns, parts of
24 Putnam, all of Flagler and all of Volusia
25 Counties. So in this particular design,

1 Brevard, Seminole and Volusia Counties were
2 kept whole, similar to the very first plan that
3 you looked at, except that in that very first
4 plan, Congressional District 5 encompassed
5 parts of Baker and Bradford, opening up Clay
6 County in that particular map.

7 In terms of the next map -- well,
8 actually, Mr. Chair, if there are any questions
9 about that map?

10 REPRESENTATIVE HOLDER: Any questions?

11 Seeing none, please continue, Mr. Kelly.

12 MR. KELLY: Thank you, Mr. Chair.

13 Map 9011, the next to the last map that
14 you will be looking at, at this particular
15 point, we started to look for potentially a
16 different answer to the questions of
17 Congressional District 17, how it interacts and
18 borders with Congressional District 15, how it
19 interacts with the attempt to create the
20 Hispanic opportunity district, and this map
21 does attempt again to do that. In this
22 particular map, Congressional District 9 is
23 that Hispanic opportunity seat. It is just
24 slightly below 40 percent. So it is about 39
25 and a half percent, I believe.

1 As a result of the design, this particular
2 case, not going into Polk County, Congressional
3 District 17 encompasses more of Polk County.
4 Congressional District 17 encompasses just the
5 southern -- for the most part, not completely,
6 but for the most part, not very populated
7 portions of Osceola County. Congressional
8 District 17 also goes into Hillsborough County
9 probably more significantly than it does in any
10 of the other maps, and the attempt here in
11 terms of using that boundary line -- of course,
12 as you can tell, similar to some of the other
13 maps, this is where those equal population
14 numbers were achieved. Literally we were
15 getting down to a single person in a district.
16 The attempt here was to have the Riverview,
17 Brandon, Valrico communities together as
18 requested in Congressional District 15, and
19 with the exception of those maps where 75 was
20 not used as a border like this, in this
21 particular design we were able to achieve that
22 request and per the law use a geographical
23 boundary that is well-recognized in
24 Hillsborough County as a dividing line. And if
25 you follow the boundary here, for the most

1 part, it is actually running along one roadway.
2 The roadway itself has some bends to it, but it
3 is just following a roadway.

4 And coming back to the question, again,
5 Representative Taylor asked before, from a
6 staff perspective, we felt like our map drawing
7 at this point, the use of these boundary lines
8 when appropriate, roadways when appropriate,
9 cities, really was maturing in terms of our
10 design and map drawing.

11 In this particular example, let's take a
12 look at the boundaries of Lakeland. All of
13 Lakeland is included in Congressional District
14 15. It is still predominantly probably 65,
15 70 percent a Hillsborough County seat; however,
16 all of Lakeland and a more significant
17 population of Polk County is included in the
18 seat. And so in doing so, we were able to keep
19 several cities whole and try to respect those
20 boundaries as best as possible. And the cities
21 intersect at this point in Polk County.

22 One of the similarities I would like in
23 Polk County to Lake County, in terms of when
24 you do have to divide the county, one of the
25 nuances you deal with are several lakes, and

1 because of that, it is difficult in instances,
2 unless it works out perfectly with population,
3 to use roadways. So oftentimes you are using a
4 mixture -- I should say to use one roadway.
5 Oftentimes because of that, because of the
6 lakes, you are using a mixture of different
7 roadways when you are dividing counties like
8 Polk, counties like Lake.

9 In this particular case, as is most but
10 not all the examples you have seen today, the
11 rural county seat does not cross over into the
12 eastern counties, except for the one or two
13 examples you looked at before. So this rural
14 county seat stays more in the center of the
15 southern part of the state, and it does have
16 significant communities both in Polk and
17 Charlotte Counties again, so there is not one
18 predominant community in the district.

19 In this particular case, not all of the
20 rest of Lake County, but a good portion of it
21 is included in the seat that stems out of
22 Orange County, District 10, but it also
23 includes parts of the Celebration community and
24 areas east -- I should say west of Interstate 4
25 in Osceola County, and it includes, of course,

1 parts of northern Polk, as you can see. The
2 predominant community here is probably the Lake
3 County community, although the Orange County
4 community is not far behind that, and in terms
5 of Polk County, it is still about 180,000
6 residents in Polk County. So there's are some
7 significant communities in terms of this
8 particular district.

9 You have seen variations of 12, 13 and 14
10 before as they are here. Because of the
11 decisions in Polk and in Lake County, in this
12 particular case, as in one of the earlier
13 examples, you see Citrus, Hernando and Sumter
14 Counties together in a district, but still very
15 much of Marion County is included in that
16 district, albeit a lesser portion than you have
17 seen before.

18 In this particular case, Alachua County is
19 only split two ways, because in large part of
20 the decision in terms of coming down into
21 Marion County. However, in this particular
22 map, what you see that is different is,
23 excluding the portions of Congressional
24 District 5, you see a Congressional District 4
25 that is otherwise the rest of Duval, the rest

1 of Nassau and Baker County perfectly. It
2 worked out actually by a fluke that in terms of
3 designing these districts, that we were able to
4 -- to deal with the legal responsibilities of
5 Congressional District 5 and actually perfectly
6 place all of Baker, all of Nassau and Duval.
7 So it was nice just to have a district that met
8 the equal population without having to make a
9 great effort to get the equal population.

10 Congressional District 3, again,
11 encompasses many rural counties, although
12 unlike the prior maps, does not include Baker
13 since it's aligned with the Duval and Nassau
14 district.

15 In this particular example, St. Johns
16 County is kept whole, all of Flagler, much
17 of -- the southern half of Putnam, minus
18 Palatka, not all of Volusia. Now, in looking
19 closer as we have before in terms of the
20 Volusia County area, trying to work with the
21 city boundary lines in this area, this was
22 probably our best effort in terms of keeping
23 cities whole in Volusia as Congressional
24 District 7 goes into Volusia County. So,
25 again, maturing the maps, working with the mix

1 of roadways and city boundary lines, this was
2 probably our most mature effort of taking
3 Congressional District 7 into Volusia County.
4 And, again, Congressional District 7 includes
5 all of Seminole, and then Maitland, Winter
6 Park, and then its equal population is achieved
7 in this area, Congressional District 8 comes
8 over, and somewhat different to the prior
9 examples you've looked at, Congressional
10 District 8 in some of the prior examples
11 grabbed a broader -- a broader slice of Orange,
12 but encompassed a lot of area that didn't have
13 much population. In this particular case, we
14 used the roadway much more specifically in
15 order to make really a cleaner cut in terms of
16 where the districts divide; again, using that
17 roadway, a common point or boundary that people
18 will usually recognize.

19 And then Congressional District 9, which
20 is, again, a 39 and a half percent, roughly,
21 Hispanic voting age population, gained
22 significant population in this particular case
23 from Orange County. So the base of the
24 district is really Orange County, although
25 significant portions of the communities in

1 Osceola County as well.

2 And with that, Mr. Chair, unless there are
3 any questions, I will move on to the next map.

4 REPRESENTATIVE HOLDER: Members, any
5 questions?

6 There are no questions, so we will
7 continue, please, Mr. Kelly.

8 MR. KELLY: I am just going to load up map
9 9013, the last map. In map 9013, similar to
10 what you have seen before in one of the other
11 examples -- I think I incorrectly before said
12 this only happened once, but I do recall it
13 now, it happens twice where we have Nassau
14 County split in a particular district and you
15 have that division running down into St. Johns
16 County, but then because of that, creating that
17 nice, clean line in St. Johns County, it does
18 end up splitting the City of St. Augustine, but
19 in this particular case, keeping all of Volusia
20 whole.

21 The primary difference in this particular
22 map from what you have seen before -- as you
23 can see, Volusia is whole, Brevard is whole --
24 is how we attempted to accomplish the creation
25 of the Hispanic majority -- or Hispanic

1 opportunity district, I shouldn't say majority.
2 This is -- this is the most Hispanic of any of
3 the Congressional District 9s we created. This
4 district, I believe, is 40.3 percent Hispanic.
5 It does go into Polk County, which is in part
6 what affects those numbers. Also, in part, the
7 district doesn't go as far into Orange, and so
8 that gave it that extra roughly one percent
9 Hispanic voting age population. As you can
10 see, we zoom into 7, in this particular case,
11 unlike the prior map 7, is all Seminole and
12 then pushing south into Orange County.

13 This particular area, as you see this kind
14 of division between 7 and 8, the census
15 geography is very difficult to work with in
16 this area of the state. And so if there is a
17 division that occurs, it unfortunately can take
18 a shape like this in this area just because the
19 geography itself is somewhat limited. But this
20 is also where Congressional District 7 gained
21 its exact population totals. And we were
22 trying as best as possible in those instances
23 to not split a subdivision or neighborhood,
24 again, if possible.

25 But Congressional District 9, as I said,

1 is about 40.3 percent Hispanic, and we will
2 take a look at the Polk County area that it
3 impacts. I think I said all of Osceola. I
4 should say all of Osceola east of Interstate 4
5 is in the district.

6 One of the -- one of the nuances of
7 Osceola and Polk Counties is this sort of
8 overlapping area. Poinciana is right here and
9 here, and this overlapping area, if you -- if
10 you choose not to unite these areas, you can
11 always have an odd shape from Osceola County
12 and Polk County, and so here, part of our
13 actual consideration was the actual cosmetics
14 of the district, and so in terms of not just
15 trying to create an opportunity for Hispanics,
16 but also trying to use roadways, clean lines as
17 best as possible, county lines as best as
18 possible, to create a cosmetic look to the
19 district too, that would be appropriate to the
20 voters' mandate. However, in this particular
21 case, unlike one of the examples you looked at
22 before, it doesn't as cleanly deal with all the
23 city boundary lines, although it still does
24 attempt to keep cities whole as much as
25 possible. What it does more lean on are the

1 major roadways and the divisions.

2 In this particular example also, thinking
3 about the Congressional District 15s that you
4 have looked at, how they interact with Polk
5 County, in this particular case, it does not
6 include all of Lakeland, it does include most
7 of it, but not all of it, and it leans heavily
8 on the roadways to divide 17 and to divide 15,
9 to divide 10 from 17 -- I'm sorry -- to, yeah,
10 divide 10 from 17 and 15. So this is very much
11 with Congressional District 9, 10, 15, 17,
12 using roadways to create the nice, clean
13 esthetic look to the districts.

14 And you have seen versions, of course, of
15 13 and 14 before. The one thing is a little
16 different about 13 here is that the portion of
17 the District 12 and where it comes into
18 Pinellas County, in this particular case, it
19 comes in and takes Tarpon Springs. So instead
20 of coming in northeastern Pinellas, it comes in
21 northwest Pinellas, although, again, as you can
22 see, still attempting to use roadways as
23 cleanly as possible, create a nice esthetic,
24 and for the constituents, an understandable
25 look to where the districts do divide. You can

1 see most of Tarpon Springs is included in
2 District 12, running the district along this
3 roadway. In this particular case, Pasco and
4 Hernando are kept whole, again, with the
5 predominant part of Tarpon Springs. The
6 decision in terms of District 11 and where
7 to -- essentially it has to divide some county
8 and its southern border the way it is designed
9 here. The decision was to go into Lake County,
10 because it was going to have to be divided
11 either way because of the population. So as
12 opposed to maybe potentially dividing parts of
13 Hernando, the decision was to go further into
14 Lake, encompassing all of Lady Lake, all of
15 Fruitland Park, much of Leesburg, although not
16 impacting the -- what was testified to in the
17 public tour was referred to as the Golden
18 Triangle of Tavares, Eustis, Mt. Dora, in that
19 area. So that area south in Lake County is all
20 together in Congressional District 10. And,
21 again, similar to what you have seen before, it
22 really is tipping the scale, that district
23 actually more into Lake County, but not so much
24 so that Lake, Polk or Orange is a majority of
25 that district.

1 But District 11 having all of Sumter, all
2 of Citrus, all of Levy, and it really still is
3 though very much a Marion County seat in this
4 design, and then it goes into some of southern
5 rural Alachua County.

6 One of the things -- a nuance of what we
7 were trying to accomplish when it is that we
8 divided this area in Alachua, we attempted to
9 not divide Gainesville three ways. Gainesville
10 is divided in part by Congressional District 5
11 already, and so in terms of what cities we
12 would go into, what territory we would take, we
13 were attempting to not have Gainesville divided
14 into three congressional districts. So that is
15 why, in terms of not creating a flat line in
16 this particular area, we didn't want a city
17 unnecessarily divided that way unless it was
18 the only choice. And so this leaves
19 Gainesville only divided twice and takes the --
20 part of the southwestern rural part of Alachua
21 County as the dividing line.

22 And if I can kind reflect back on the
23 prior plan that you just looked at -- or I
24 should say actually plan 9009, in that
25 particular plan, that plan kept the Alachua

1 line whole, so Alachua County itself was only
2 divided twice, but it split Gilchrist. And so
3 between plan 9009 and 9013, that was one of the
4 trade-offs. And then, again, the rural county
5 seat that has the western, more rural sides of
6 Nassau and Duval and then a series of rural
7 counties.

8 And, Mr. Chair, with that, those are the
9 seven staff options that were produced, and we
10 would be happy to answer any other questions
11 you may have.

12 REPRESENTATIVE HOLDER: Thank you very
13 much, Alex, for that very thorough explanation
14 of all the different maps.

15 Members, are there any questions for Mr.
16 Kelly? Representative Chestnut.

17 REPRESENTATIVE CHESTNUT: Thank you, Mr.
18 Chair.

19 I guess my question in terms of looking as
20 you went through all of the maps here from 9001
21 to nine thousand, I guess, thirteen, 5 and 20,
22 they don't quite meet the definition of
23 "compact" and "contiguous," and I am assuming
24 that is because -- because of the state
25 requirements, 5 and 6, saying you can't

1 diminish a minority type of district, and I am
2 assuming -- which one takes precedence? I
3 guess my question is, which one takes
4 precedence in terms of when you drew the maps?

5 REPRESENTATIVE HOLDER: Mr. Kelly.

6 MR. KELLY: Thank you, Mr. Chair.

7 Representative Chestnut, all the
8 districts -- let me assure you, every district
9 in the maps are contiguous. Every single
10 district in every proposal presented in all
11 three subcommittees, they are contiguous.

12 In terms of compactness, let's start with
13 Congressional District 20. Congressional
14 District 20 takes on a much more compact shape
15 than the existing district today. The existing
16 district today has a sort of lower arm that
17 goes to Miramar. This district -- this design
18 doesn't have that anymore. The current
19 district today has a sort of upper arm that
20 goes to Ft. Pierce. This district doesn't have
21 that. So in terms of respecting the
22 communities, Palm Beach, Broward, and
23 respecting the voters' intent to have whole
24 counties, whole cities, together, Congressional
25 District 20 was designed very much to have as

1 least impact as possible, and really has a
2 positive impact on keeping cities together.
3 The southern portion of Congressional District
4 20 in Broward County very much takes in several
5 whole cities into it. So it was designed to
6 use the roadways more clearly, take in whole
7 cities.

8 So in terms of the law and how that
9 impacts it, the first and most significant law
10 that impacts Congressional District 20 is
11 really Section 5 of the Voting Rights Act,
12 which implicates that today, Hendry County,
13 African-Americans have an African-American
14 Representative, and that in itself needs to be
15 maintained.

16 Section 2 of the Voting Rights Act is
17 implicated here, because it is a
18 majority-minority seat. That was maintained by
19 actually drawing a more compact seat that more
20 frequently used city boundary lines, respected
21 the boundaries of Martin and St. Lucie by not
22 going into those counties. And so really it
23 was -- we were able to mesh the different
24 principles in the drawing of Congressional
25 District 20.

1 In the case of Congressional District 5,
2 the Voting Rights Act is not implicated in that
3 district. We are leaning much on the state law
4 that requires that the district cannot diminish
5 the existing opportunity for, in this
6 particular case, a racial minority. We used
7 the NAACP's submission to give us some
8 guidance, not necessarily in terms of the
9 communities that they picked, I believe they
10 still opted to go into the Sanford area, we
11 didn't go into Seminole County at all, but we
12 did use it to give us some guidance in terms of
13 what they deemed was an acceptable
14 African-American voting age population. So
15 our -- in the proposal, in the staff proposal,
16 the African-American voting age population is
17 just slightly higher than what the NAACP
18 submitted, but that said, an effort was made in
19 terms of the communities that the district
20 impacts -- Apopka, Green Cove Springs, Palatka
21 -- not to divide those cities unnecessarily,
22 but actually to keep them whole. Likewise, as
23 I mentioned, the district no longer goes into
24 the African-American communities in Sanford,
25 because in our estimation, it was unnecessary

1 to maintain the ability to perform and its
2 current likelihood of performing for an
3 African-American candidate. So we believe that
4 we maintained that likelihood and complied with
5 Tier 1 of Florida's law, but yet at the same
6 time brought the seat in better alignment with
7 notions of keeping cities whole, respecting
8 county boundaries where we could, and so we
9 still believe there it is meshing as best as
10 possible, albeit it certainly does lean more so
11 probably on Tier 1 of Florida Law, we do
12 believe that we incorporated parts of Tier 2 as
13 well.

14 REPRESENTATIVE HOLDER: Any other
15 questions? Representative Taylor.

16 REPRESENTATIVE TAYLOR: Yes, Mr. Chair,
17 and my question is not for Alex, but for you,
18 an approximation of the timeline on when
19 Chairman Gaetz and Chairman Weatherford feel
20 like all the maps are voted on and voted out
21 and moved on to the next stop. Is there an
22 approximation on when they feel like that is
23 going to occur?

24 REPRESENTATIVE HOLDER: Well, I can only
25 tell you that in -- we are getting close to the

1 end of our meeting, and part of my closing is
2 to disclose to the Committee that we are going
3 to approximately in the first week of session
4 take up these maps as PCBs and choose three of
5 those maps to give to Chair Weatherford and the
6 main committee, redistricting committee. At
7 that point, I really can't say as far as what
8 the main committee's intention is as far as the
9 timing is concerned, but that is something that
10 I think that would be a good question for Chair
11 Weatherford.

12 REPRESENTATIVE TAYLOR: Okay. And a
13 follow-up on that: Will our work be completed
14 at that point, or will we continue to meet and
15 take up maybe amendments or other proposals or
16 work on other PCBs?

17 REPRESENTATIVE HOLDER: The -- I would
18 assume, and I will verify through Alex, that if
19 the -- the amendments would be -- would be
20 worked on through that first week, is that
21 correct, Alex, or do you want to go ahead and
22 field that question?

23 MR. KELLY: Thank you, Mr. Chair.

24 Certainly, Representative Taylor, if there
25 are amendments that are proposed in the

1 subcommittee, they will be dealt with in the
2 subcommittee. It is my general understanding,
3 although as Chair Holder is noting, there is no
4 specific timeline after the first -- the
5 roughly first week of session vote for the
6 subcommittee, it is my understanding at that
7 point, once you vote and the PCBs become actual
8 bills, at that point, the business of the
9 subcommittee would be done. But that said, I
10 certainly would probably recommend you consult
11 with Chair Weatherford as well.

12 REPRESENTATIVE TAYLOR: Okay. One final
13 question, Mr. Chair.

14 REPRESENTATIVE HOLDER: Make it very
15 quick. You've got five seconds.

16 REPRESENTATIVE TAYLOR: Okay. Thank you.

17 REPRESENTATIVE HOLDER: Thank you.

18 Representative Fullwood, can you --

19 REPRESENTATIVE FULLWOOD: Counting down.

20 REPRESENTATIVE HOLDER: Okay. Got you,
21 appreciate it.

22 Members, with no additional business,
23 Representative Horner moves that we rise, and
24 without objection, we are adjourned.

25 (Whereupon, the proceedings were

1 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 99 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 16th day of February, 2012.

CLARA C. ROTRUCK

Notary Public

State of Florida at Large

Commission Expires:

November 13, 2014

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SENATE REDISTRICTING SUBCOMMITTEE WORKSHOP
THURSDAY, DECEMBER 8, 2011

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 REPRESENTATIVE NEHR: The Senate

3 Redistricting Subcommittee meeting will come to

4 order. Katie, will you call the roll, please?

5 THE CLERK: Representatives Boyd?

6 REPRESENTATIVE BOYD: Here.

7 THE CLERK: Caldwell?

8 REPRESENTATIVE CALDWELL: Here.

9 THE CLERK: Crisafulli?

10 REPRESENTATIVE CRISAFULLI: Here.

11 THE CLERK: Cruz?

12 REPRESENTATIVE CRUZ: Here.

13 THE CLERK: Eisnaugle?

14 REPRESENTATIVE EISNAUGLE: Here.

15 THE CLERK: Ford?

16 REPRESENTATIVE FORD: Here.

17 THE CLERK: Hukill?

18 REPRESENTATIVE HUKILL: Here.

19 THE CLERK: Jenne?

20 REPRESENTATIVE JENNE: Here.

21 THE CLERK: Kiar?

22 REPRESENTATIVE KIAR: Here.

23 THE CLERK: Logan?

24 REPRESENTATIVE LOGAN: Here.

25 THE CLERK: Rouson?

1 REPRESENTATIVE ROUSON: Here.

2 THE CLERK: Stargel?

3 REPRESENTATIVE STARGEL: Here.

4 THE CLERK: Williams, A.?

5 Williams, T.?

6 REPRESENTATIVE T. WILLIAMS: Here.

7 THE CLERK: Workman?

8 REPRESENTATIVE WORKMAN: Here.

9 THE CLERK: Chair Nehr?

10 REPRESENTATIVE NEHR: Here.

11 THE CLERK: A quorum is present.

12 REPRESENTATIVE NEHR: Thank you.

13 Before we get started, I would like
14 everybody to welcome Representative Eisnaugle
15 to our committee. Representative, glad to have
16 you on board. And if -- just for the record,
17 Representative Williams, Al Williams, has an
18 excused absence.

19 Members, today we are work-shopping two
20 proposed State Senate maps, and the first of
21 which is the map proposed by our counterparts
22 in the Florida Senate, the second being the
23 public submission to the -- from the Florida
24 State Conference of the NAACP.

25 Everyone received an e-mail last Friday

1 from Redistricting Committee Chair Weatherford
2 outlining why we are work-shopping these two
3 proposals today.

4 Co-Chair Hukill and I want to reiterate
5 one point from Tuesday's meeting of the
6 Redistricting Committee. When Chair
7 Weatherford simply noted that while this is a
8 change in what we are work-shopping, the big
9 picture expectations of passing a legally
10 compliant and thoughtful work product are the
11 same, and as such, you the members of this
12 committee, will still ultimately decide what
13 this subcommittee chooses to send to the
14 Redistricting Committee. As this is a
15 workshop, there will be no votes taken today.
16 This is a time for you to ask questions, make
17 suggestions and discuss options.

18 After today, we are still set for voting
19 as a subcommittee around the first week of
20 session, and so that everyone gives -- excuse
21 me, so that gives everyone here a full month to
22 share these maps with your constituents,
23 discuss them with your colleagues in the House
24 and possibly even craft amendments if you feel
25 compelled to do so.

1 Now, just to make sure we are in the
2 correct technical posture, at our next meeting
3 it is currently our intent to consider and vote
4 on the Senate's proposed map in the form of a
5 PCB. Of course, if there are any amendments
6 filed, we will consider those and proceed as we
7 would with any other legislation.

8 If you do wish to file an amendment,
9 please -- and I will say please and please
10 again -- work with our staff in advance of the
11 meeting before filing the amendment.

12 Are there any questions? Seeing no
13 questions, with that said, members, Jason
14 Poreda will be giving today's presentation.
15 Members, I would suggest that we allow Jason to
16 finish a region at a time before we ask
17 questions of him, so that if you do have a
18 question, just get my attention, I will
19 recognize you at the next pause in the
20 presentation. And members of the audience, if
21 we have time at the conclusion of today's
22 presentation, we will take public input. So if
23 you wish to speak and have not already filled
24 out an appearance card, please make sure that
25 you do so.

1 With that, Jason, you are recognized to
2 begin the presentation.

3 MR. POREDA: Thank you, Chairman Nehr.

4 As the Chairman said, we will be
5 work-shopping two maps today, Senate
6 Reapportionment Committee's proposal and the
7 public submission from the NAACP. We will be
8 primarily looking at the Senate Reapportionment
9 Committee's proposal, and only looking at the
10 NAACP map for specific districts. The reason
11 for this is when we looked at the NAACP map as
12 a whole, there are some problems that stand out
13 with it that we didn't feel like we could
14 consider the map in the whole. The first
15 problem is the population deviation is very,
16 very high. The total deviation is 9.96
17 percent, a little over 20,000 voters, plus or
18 minus, which in comparison to the Senate
19 proposals map, which is about three percent, it
20 is about 2.9 percent. Also, the high amount of
21 county and city breaks, 41 of the 67 counties
22 were broken in that particular map, and 121
23 cities of the 411 cities we have here in
24 Florida. Also, Hendry County, which is a
25 Section 5 county, covered under Section 5, in

1 the current plan, 100 percent of that county is
2 included in a minority district, District 39,
3 that has a black voting age population of 29.1
4 percent and a Hispanic voting age population of
5 43 percent. The NAACP proposed plan puts all
6 of Hendry County in District 27 on their map
7 with a black voting age population of 10.1
8 percent and a Hispanic voting age population of
9 22.6 percent, which would significantly
10 diminish that county -- the minority
11 population's ability to elect a candidate of
12 choice there. It also has a lot of
13 similarities to the current plan, and as we
14 have traveled through all the meetings
15 throughout the state and received tons of
16 public input expressing the public's kind of
17 concerns with how the current map looks. So
18 with all of those points in mind, that's why we
19 are not going to be looking at the NAACP map in
20 full, but just looking at it specific -- for
21 specific districts.

22 And, again, as the Chairman said, I will
23 kind of be presenting the map regionally with a
24 brief look at the current map just to kind of
25 give you an idea of where we are starting from

1 and then go from there. So with that, you can
2 see on the screen right now -- and everything
3 that I am presenting is in your packets that
4 you can -- with printouts and screen shots of
5 all the districts and all the data, but
6 currently you can see here on the screen, these
7 are the current congressional districts in the
8 Panhandle, Districts 2, 4 and 6. I will go
9 over to the Senate's proposed map, and you can
10 see that Districts 2 and 4 I will kind of
11 present together, those districts were drawn
12 horizontally, sharing a border that follows the
13 Intracoastal Waterway, the Yellow River,
14 Interstate 10 and the eastern boundary of Bay
15 County and the southern boundary of Jackson
16 County.

17 There was public testimony in Pensacola,
18 Ft. Walton Beach and Panama City supporting
19 drawing Panhandle districts of a similar
20 orientation, and there were several public
21 submissions that also drew maps in a very
22 similar way.

23 District 4 links cities along the coast by
24 State Route 98. District 2 is primarily linked
25 by Interstate 10.

1 An example of some of the public plans
2 that drew districts in a similar way, I won't
3 read them all, but public plan submission 7,
4 number 80, 90, 99, among others, drew districts
5 in this very similar way.

6 Moving further to the east, you can see
7 District 6 is currently constituted entirely of
8 11 whole counties and doesn't break any of
9 those county lines, Gadsden, Calhoun, Gulf,
10 Liberty, Franklin, Taylor, Wakulla, Jefferson,
11 Leon, Madison and Hamilton Counties. They are
12 linked together primarily by I-10, along with
13 several other state routes that go into those
14 counties, and there are also proposed maps by
15 the public that draw a very similar district in
16 that area.

17 Moving further to the east, kind of
18 finishing up the Panhandle, District 3 -- I
19 will try to shrink this down so we can see the
20 whole district -- District 3 combines rural
21 counties in north Florida and the Nature Coast.
22 It also contains part of Marion County. Just
23 outside of -- the border of the district kind
24 of goes down I-75 within Marion County and goes
25 around the City of Ocala.

1 Testimony was heard in the Gainesville
2 meeting supporting the grouping of many of
3 these counties together, and additional
4 testimony was heard in support for keeping as
5 much of the Nature Coast counties together as
6 possible. And that kind of finishes up the
7 Panhandle before we finish moving into the
8 northeast Florida or -- now -- Chair, now would
9 be a good time to pause for any questions.

10 REPRESENTATIVE NEHR: Does anyone have any
11 questions?

12 Seeing no questions, continue.

13 MR. POREDA: Okay. The next district,
14 moving into northeast Florida, is District 14.
15 It is another district made up entirely of
16 whole counties, three counties: Alachua,
17 Bradford and Clay County. In the Jacksonville
18 and Gainesville public meetings, there was
19 support for keeping these counties together.
20 Wholly, individually, this district keeps them
21 all together by combining them. Public plan
22 143 and 121 draw a similar district in this
23 area. And then moving to the north to District
24 5, District 5 keeps all of Nassau County and
25 then part of Duval County together to make up

1 the proper population necessary for a Senate
2 district. At the Jacksonville public meeting,
3 we heard from residents of Nassau County
4 expressing their interest to be kept together
5 in whole. This district does that.

6 Moving a little bit to the south, and I
7 will zoom out a little bit so we can see the
8 whole district, District 1 preserves the core
9 of an existing district that has long elected
10 an African-American member of the Senate. The
11 district connects northeastern portions of the
12 state from the St. Johns River Basin between
13 Jacksonville and Daytona Beach along Interstate
14 95. Testimony was heard in Jacksonville urging
15 the maintenance of such a district to preserve
16 the minority voting opportunities in the
17 region. The black voting age population for
18 the district is 47.85, which is very similar to
19 the current district as it is today, 46.88
20 percent.

21 And this is one of the districts that we
22 will take a look at the NAACP map to see what
23 they did. This district, you can see that the
24 borders of the district are similar in that
25 they go from the Duval/Jacksonville area kind

1 of down Interstate 95 all the way to Daytona
2 Beach, picking up some city populations along
3 the way. The NAACP's map has a voting age
4 population for this -- black voting age
5 population for this district of 47.15.

6 The next district in this area is District
7 8, you can see right here. It connects coastal
8 cities along I-95 and Route 1A from the
9 Jacksonville beaches to Daytona Beach down in
10 Volusia County. Testimony was heard in St.
11 Augustine and the Daytona Beach meeting urging
12 keeping St. Johns and Flagler Counties together
13 in some capacity. Public plans 143, 146 and
14 155 drew a similar district that you see here
15 on the Senate proposed map -- I'm sorry, the
16 Senate proposed map, including the NAACP map.

17 District 20 now, moving to the other side
18 from District 1, this district connects Marion
19 County with Putnam County and the northeast
20 part of Lake and Sumter Counties. Testimony
21 from The Villages public meeting supported
22 keeping the incorporated part of The Villages
23 in Sumter County with Lady Lake and Lake County
24 and the southern part of Marion County
25 containing Summerfield, which make up a compact

1 community in the area, and there were several
2 public plans that drew a similar district in
3 this area as well.

4 District 7 is made up -- contains the
5 majority of Volusia County, and a lot of public
6 testimony was heard in Daytona Beach in support
7 of a district that would be primarily based in
8 Volusia County. And it also keeps a lot -- a
9 number of cities within Volusia County whole,
10 and the district boundary within Volusia County
11 takes those city boundaries into account.
12 Public plans 84 and 146 drew a very similar
13 district in the area.

14 And this is another good opportunity,
15 before we move into the Orlando/Orange County
16 area, to take a break and ask questions, if
17 anyone has any.

18 REPRESENTATIVE NEHR: Members, does
19 anybody have any questions?

20 No questions. Jason, you can move on.

21 MR. POREDA: Okay. Moving into the
22 central Florida area, District 22 contains the
23 majority of Seminole County, as well as parts
24 of Orange County, necessary to attain the
25 necessary population for a Senate district.

1 Public plans 64, 72 and 146 drew a very similar
2 district containing the majority of Seminole
3 County in the central Florida area.

4 District 24, just south of that -- I might
5 have zoomed in a little too much there --
6 creates a new majority-minority Hispanic
7 district in central Florida with a Hispanic
8 voting age population of 50.53. It keeps the
9 City of Kissimmee whole while connecting it
10 with similar areas in Orange and Polk Counties.
11 Testimony from the Orlando public meeting
12 supported the idea of a similar orientation and
13 demographic district in this area, and we
14 received numerous publicly submitted plans that
15 had a similar district with a similar
16 orientation. Public plans 92, 95, 102 and
17 others had a similar district in the central
18 Florida area.

19 Moving a little bit more north to District
20 19, which connects the largely urban and
21 minority parts of Orlando, Ocoee, Winter
22 Garden, Apopka, Maitland, Winter Park, Sanford
23 and Eatonville. Public testimony was heard in
24 the Orlando meeting for supporting a district
25 that joined these areas together. The current

1 District 19 has traditionally elected a
2 minority candidate of choice, and this district
3 maintains that likelihood with a black voting
4 age population of 40.01 and a Hispanic voting
5 age population of 20.73.

6 The NAACP map drew this district -- I will
7 zoom down to that. As you can see, that is the
8 District 19 that the NAACP map has, and their
9 -- on their district, the black voting age
10 population is 38.73 percent and the Hispanic
11 voting age population is 22.12 percent,
12 compared to the Senate maps of 40.01 for black
13 voting age population and 20.73 of the Hispanic
14 voting age population.

15 Now, District 9 contains kind of the
16 remaining part of the western Orange County, as
17 well as part of -- kind of the southern part of
18 Lake County, and these areas are linked by the
19 Florida Turnpike and I-4. And these similar --
20 a similar district to this was drawn by the
21 public in plans 84, 143 and 146, and I know I
22 didn't do it before we moved into this area,
23 but the current map, just to kind of give you a
24 basis of what the map currently looks like in
25 that area -- so you can see those are what the

1 districts look like as they currently are on
2 the current map, and we will go back to the
3 Florida Senate proposed map so you can see the
4 changes there.

5 And now I will talk about District 15 just
6 to the south, which contains the majority of
7 Osceola County and connects it with Orange
8 County and Polk Counties. There was publicly
9 submitted plans that drew a similar district in
10 this area, plans 143, 146 and 147.

11 And that would now -- we kind of finish
12 that Orlando, kind of central Florida area.
13 Now would be a good time to pause and take any
14 questions, if there are any.

15 REPRESENTATIVE NEHR: Members, does anyone
16 have any questions about this particular area?

17 Seeing no questions, you can move on.

18 MR. POREDADA: Okay. Thank you, Chairman.

19 And we will move on to the Tampa Bay area
20 map. I will quickly show the Committee what
21 the current map looks like in that area. So
22 there you can see what the current makeup of
23 the Tampa Bay area looks like as it is today.
24 And then moving over to the Florida Senate's
25 proposed proposal, you can see District 11

1 keeps Hernando County whole and connects it
2 with a majority of Sumter County and part of
3 Pasco County just to the south of Hernando
4 County. I-75 and Route 19 and Suncoast Parkway
5 link all of these areas together. In Wesley
6 Chapel, we heard support for a district that
7 would join Sumter and Hernando and Pasco
8 Counties together, and this district
9 accomplishes that. Public plans 80, 105 and
10 108 have a similar district orientation in this
11 area of the state.

12 Moving a little bit south to District 12,
13 this connects south central and eastern parts
14 of Pasco Counties, the Cities of Land O'Lakes,
15 Wesley Chapel and western Hillsborough County.
16 Testimony was heard from the Wesley Chapel
17 public meeting supporting the idea of a
18 district that connected these areas together,
19 and there's public plans that drew similar
20 districts in the area as well.

21 Moving a little bit into Pinellas County,
22 this district, 13, was drawn entirely within
23 Pinellas County, and actually doesn't break any
24 city boundaries within the county, which I can
25 say is an accomplishment with the city

1 boundaries in Pinellas County. There was much
2 public testimony and submissions wanting a
3 district wholly within Pinellas County. Public
4 submissions 7, 56, 83, 91 and others drew a
5 very, very similar district.

6 District 16 joins part of Tampa and St.
7 Petersburg along with other cities in Pinellas
8 County. I-275 connects the two portions -- the
9 two counties together, and district -- plans
10 117, 91 and 83 drew a similar district that
11 joined the bays together.

12 District 18, I will zoom out a little bit
13 so we can get a full view of the district.
14 This district joins mostly the urban and
15 largely minority areas of Tampa, St. Petersburg
16 and Bradenton. The current District 18 has
17 traditionally elected a minority candidate of
18 choice, and this district maintains that
19 likelihood with a black voting age population
20 of 37.32 percent and a Hispanic voting age
21 population of 27.5 percent. Today the district
22 is 39.46 percent black voting age population
23 and 23.31 percent Hispanic voting age
24 population. This is another district that
25 we'll move to the NAACP map to see how they

1 drew this area. You can see that they drew a
2 district -- they drew district boundaries very
3 similar to what the Florida Senate has
4 proposed, and the breakdown of their
5 demographic numbers are a black voting age
6 population of 35.46 percent, and 30.6 percent
7 Hispanic voting age population.

8 Moving to District 10, which is kept
9 entirely within Hillsborough County, and at the
10 Tampa meeting there was testimony supporting a
11 district -- a Senate district that remained
12 completely within Hillsborough County, keeping
13 such areas as Bradenton and Apollo Beach
14 together. And there's public plans that drew a
15 similar district, although none of those
16 publicly submitted plans kept it entirely
17 within Hillsborough County, but the vast
18 majority of it was. But it is very similar to
19 how it is oriented on the Florida Senate's
20 proposal.

21 And now District 21 will be the last
22 district before I ask for questions. This
23 contains the majority of Manatee County with --
24 the majority of Manatee County, as well as
25 parts of eastern Hillsborough County and

1 western Polk Counties. The Cities of Anna
2 Maria, Bradenton Beach, Holmes Beach, Mulberry
3 and Plant City are entirely kept within this
4 district, and there is a -- public plan 143
5 drew a similar district of similar orientation.
6 And that kind of completes the Tampa Bay
7 region, if we will take a break for questions
8 if anyone has any.

9 REPRESENTATIVE NEHR: Members, does anyone
10 have a question for -- you are recognized,
11 Representative.

12 REPRESENTATIVE T. WILLIAMS: Thank you. I
13 guess I could just question Senate District 18
14 and how that complies with Amendments 5 and 6,
15 because that just looks like gerrymandering to
16 me. How do you --

17 REPRESENTATIVE NEHR: You are recognized
18 to answer the question.

19 MR. POREDA: Thank you, Chairman.

20 That district -- I should have mentioned
21 when I presented the district, so thank you,
22 Representative Williams, for pointing it out.
23 Hillsborough County is a Section 5 county
24 protected under the Voting Rights Act, so in
25 order -- that district needs to be redrawn so

1 the minority representation in that area is not
2 diminished, and that is why -- the reason why
3 that district was drawn the way it was.

4 REPRESENTATIVE NEHR: Representative
5 Williams, follow-up? No. Thank you.

6 Anyone else have any questions?

7 You can move on, Jason.

8 MR. POREDA: Thank you, Chairman.

9 We will now move down southwest Florida,
10 starting first with kind of the central
11 district and then moving southwest so you can
12 see on the current map -- I will zoom out a
13 little bit so you can get a full view of the
14 area. So that is how southwest Florida is
15 currently situated on the map. Now moving to
16 the Senate's proposed map, as you can see,
17 District 17 is made up entirely of the counties
18 in the center of the state. DeSoto, Glades,
19 Hardee, Highlands, Okeechobee Counties are kept
20 whole, as well as parts of Charlotte County,
21 Martin, Polk and St. Lucie County. In the
22 Wauchula meeting, there was supported testimony
23 that -- to keep the joining of all these
24 central counties together and keeping them
25 together. District -- public plan 72 drew a

1 similar district that you see here on the
2 proposal.

3 District 23 is made up entirely of
4 Sarasota County, as well as the coastal areas
5 of Charlotte County. I-75 and Route 41 join
6 this area together very -- very well. There
7 were several people in the Sarasota meeting who
8 testified supporting the idea of keeping
9 Sarasota whole. There was also additional
10 testimony supporting the idea of joining the
11 coastal areas of these counties together.
12 Public plan 7, 90, 92, as well as others drew a
13 similar district connecting cities such as
14 North Port, Venice, Port Charlotte and Grove
15 City.

16 District 27 joins the southern part of
17 Charlotte County, including all of the Cities
18 of Punta Gorda, and then in Lee County, the
19 entire City of Ft. Myers. It is primarily
20 linked by I-75. At the Lehigh Acres meeting,
21 there was support for keeping the City of
22 Bonita Springs whole, as well as Lehigh Acres
23 whole, and in a district that is primarily
24 based in Lee County, which this district
25 accomplishes. And public plan number 60 drew a

1 very similar district.

2 District 37 contains the coastal areas of
3 Collier County and Lee County. The district
4 contains all of the Cities of Cape Coral,
5 Everglades, Ft. Myers Beach, Marco Island,
6 Naples and Sanibel. And just like a lot of the
7 districts in the southwest, it is joined mostly
8 by I-75 and then the Tamiami Trail.

9 And that kind of finishes the southwest
10 portion of the state. I pause for any
11 questions.

12 REPRESENTATIVE NEHR: Members, any other
13 questions?

14 Seeing no questions, if you would move on
15 to the next section, please.

16 MR. POREDA: Great. Thank you, Chairman.

17 With that, again, I will move quickly back
18 to the current map and we will start by kind of
19 going through the Space Coast area of the east
20 coast and move down into Miami-Dade and Monroe
21 County.

22 So you can see this is what the current
23 area looks like in Brevard and Indian River
24 Counties kind of going down the east coast of
25 Florida. On the Senate proposed map, you can

1 see the difference -- I will flip back quickly
2 since I had to move the map around. That is
3 what it looks like today, and this is what the
4 proposed map suggests.

5 District 26 on the map is made up
6 primarily of Brevard County, the southern part
7 that is not included in the District 7 to the
8 north, and western Indian River Counties. It
9 breaks no city lines. In the Melbourne
10 meeting, there was support for keeping a Senate
11 district primarily based in Brevard County, and
12 this district -- by also recognizing that
13 Brevard County had to be split into two Senate
14 districts just based on population, so this
15 accomplishes that. And just like for the rest
16 of the districts going down the east coast of
17 Florida, I-95 is the primary transportation
18 route for this district, and there were several
19 plans that drew a similar district -- publicly
20 submitted plans, I'm sorry, that drew a similar
21 district as this.

22 District 28 is a district that joins the
23 coastal regions of Indian River, St. Lucie,
24 Martin and a small part of Palm Beach County.

25 At the Stuart meeting, Stuart public

1 meeting, there was testimony that supported the
2 idea of a district of similar orientation that
3 would keep these areas of the Treasure Coast
4 together. And, again, publicly submitted plans
5 64, 108 and 120 drew a similar district in this
6 area.

7 Looking a little bit further south into
8 Palm Beach County, District 25 joins the
9 coastal areas of Palm Beach and Broward
10 Counties together from Jupiter in Palm Beach to
11 the border -- northern border of Ft.
12 Lauderdale. At the Boca Raton and Davie
13 meetings, there was many people who testified
14 in support of a district that connected the
15 cities along the coast of Broward and Palm
16 Beach County together, cities such as Pompano
17 Beach, Boca Raton, Delray Beach and Palm Beach,
18 among others. Publicly submitted plans 89,
19 123, 147 and 155 drew a similar district in
20 this area.

21 As we move to now District 29, which also
22 connects Palm Beach and Broward Counties, it
23 unites largely the urban and minority areas
24 along Interstate 95 and U.S. 1, connecting the
25 two counties together, preserves the core of an

1 existing district that has consistently elected
2 candidates of preference by minority voters.
3 The black voting age population in this
4 district is 55.7. Today that district is black
5 voting age population of 60.73.

6 On the NAACP's map, we will move over to
7 that area, we can see they drew a very similar
8 district in orientation, and their District 29
9 contains a black voting age population of
10 57.68. This district also includes the entire
11 City of Lauderhill and Lauderdale Lakes, paying
12 attention to those city boundary lines. And
13 several members of the public supported
14 maintaining the idea of a district like this,
15 as well as many of the publicly submitted
16 plans.

17 District 30 just to the west of District
18 29 is entirely within Palm Beach County, is
19 oriented along the principal transportation
20 routes within the county that run north-south,
21 and at the meetings in the area in Boca Raton,
22 there was an interest for keeping this area
23 together since it is so condensely populated.

24 And now, moving a little bit to the west,
25 District 34 on the proposed map is made up of

1 western Palm Beach and Broward Counties. In
2 the Boca Raton meeting, there was support for a
3 district joining these two areas of the
4 counties together. U.S. 27, 98 and Route 441
5 make up the primary transportation route that
6 really joins this whole area and these two
7 counties together.

8 Moving a little bit south, you can see
9 District 32 is entirely within Broward County.
10 It is a very geographically concentrated
11 district that contains all of the Cities of
12 Tamarac, North Lauderdale, Coral Springs,
13 Margate, Coconut Creek and Parkland. Testimony
14 was heard in the Davie meeting supporting that
15 these areas be kept together because of their
16 geographic proximity. And public plans also
17 drew very similar districts, but it being so
18 geographically compact.

19 District 31, this district is also
20 entirely within Broward County. It -- travel
21 through the district is facilitated by
22 Interstate 75 and 95, as well as 595 and
23 several other thoroughfares that run east-west.
24 And, again, at the Davie meeting, there was a
25 lot of support for the idea of joining of the

1 cities of Cooper City and Davie, which this
2 district does.

3 And before we continue south and finish
4 out south Florida, I can pause and ask for any
5 questions about what we just --

6 REPRESENTATIVE NEHR: Any questions on
7 these sections of the presentation?

8 Seeing no questions, you are welcome to
9 move on.

10 MR. POREDA: Thank you, Chair.

11 I will quickly kind of take the current
12 map down and show you the area I just showed
13 you, as well as the area of Miami-Dade, so you
14 can see what it currently looks like on the
15 map.

16 So you can see these are the districts
17 within Miami-Dade County, and then if I move
18 north into Broward County and Palm Beach
19 County, you can see the area that I just went
20 through after going through the Space Coast on
21 the current map.

22 We will next move to District 33, which
23 has a history of electing a candidate preferred
24 by minority voters. The district includes all
25 of the Cities of Miami Gardens, Opa-Locka,

1 Biscayne Park, West Park, Pembroke Park, plus
2 portions of North Miami, North Miami Beach,
3 Hallendale Beach and Holly- -- Hollywood,
4 Miramar and Pembroke Pines. The black voting
5 age population in this district is 57.75.
6 Today that district is 59.22 percent. And on
7 the NAACP map, if I go to that area, you can
8 see their District 33 right there is a very
9 similar orientation, a very geographically
10 compact district, and its current -- its black
11 voting age population on their map is
12 60.13 percent.

13 Moving now to another geographically
14 compact district on the proposal, if I go back
15 to the Senate proposed map, District 40, this
16 is a geographically concentrated district and
17 contained entirely within Miami-Dade County.
18 This is a majority-minority Hispanic district
19 with a Hispanic voting age population of 86.87.
20 Today this district is 90.45 percent Hispanic
21 voting age population. This concentrated area
22 is made up of the Cities of Hialeah, Hialeah
23 Gardens, Medley, Miami Lakes, Miami Springs,
24 Virginia Gardens and a part of Doral. There is
25 support in the Miami public meeting for keeping

1 these cities together because they are so
2 geographically concentrated, and to preserve
3 the -- preserve the ability for the minority
4 candidates to be elected.

5 District 35 runs along the coast of
6 Miami-Dade County and is entirely within the
7 County of Miami-Dade. There was significant
8 testimony supporting the idea that -- of Miami
9 Shores being included in a coastal district
10 within Miami-Dade County. This district
11 contains 13 whole cities and parts of seven
12 others, and is actually a -- on the Senate's
13 proposed map, this brings the Hispanic voting
14 age population above 50 percent for the first
15 time. It is 50.53 percent. And the publicly
16 submitted map 85 drew a very similar district
17 as this on the map.

18 Zooming back in, District 36 is also
19 entirely within Miami-Dade County and is also a
20 majority-minority Hispanic district with a
21 voting age population of 83.43 percent. Today
22 that district is 79.16 percent. It includes
23 all of South Miami and West Miami, and there
24 was testimony in the South Miami meeting for
25 keeping these areas together to preserve the

1 likelihood of electing a minority candidate of
2 choice.

3 Chair, I will pause at this time for any
4 questions.

5 REPRESENTATIVE NEHR: Are there any
6 questions on this particular section of the
7 map? Representative Jenne.

8 REPRESENTATIVE JENNE: Thank you,
9 Chairman. And my question really is more of a
10 curiosity question. As I look at District 35
11 in the south end on the water there, why does
12 it extend like that in that semi-circular -- do
13 you see where I am talking about?

14 MR. POREDA: I do. That is just simply
15 where the census block lines take the --

16 REPRESENTATIVE JENNE: Okay.

17 MR. POREDA: -- take it up to the coast.

18 REPRESENTATIVE JENNE: Okay. I was just
19 curious, because I know it is not a geological
20 feature, so I didn't know what it was. Thank
21 you.

22 REPRESENTATIVE NEHR: Thank you. You can
23 move on.

24 MR. POREDA: Absolutely. Thank you,
25 Chairman.

1 District 38 right next to District 36 is
2 also entirely within the County of Miami-Dade
3 in another geographically compact area,
4 containing all of the Cities of Sweetwater, but
5 also includes the areas of Kendall and The
6 Hammocks. There was public testimony in the
7 Miami meeting for supporting of keeping these
8 areas together to preserve the ability to elect
9 minority candidates of choice. This is a
10 majority Hispanic district with a voting age
11 population of 83.48 percent. Today this
12 district has a voting age population --
13 Hispanic voting age population of 81.78. And
14 there was public plans that drew a similar
15 district.

16 Finally, I will zoom out so we can see all
17 of District 39, or most of it. This district
18 preserves the core of an existing district that
19 has consistently elected a candidate preferred
20 by minority voters and is also covered by
21 Section 5 of the Federal Voting Rights Act by
22 including all of Hendry County, Monroe County
23 and a part of Collier County, all Section 5
24 counties. The black voting age population in
25 this district is 35.11. The Hispanic voting

1 age population is 39.54 percent. Today that
2 district is 29.14 percent black and 43.03
3 percent Hispanic. And on the NAACP map, you
4 can see they drew a similar district
5 orientation, but as I mentioned before, this is
6 the district that they removed from Hendry
7 County, but just as a reference, the district
8 that they drew had a black voting age
9 population of 35.04 percent and a Hispanic
10 voting age population of 39.62 percent.

11 And that concludes the presentation of the
12 map, Chairman. I will take any questions, if
13 there are any.

14 REPRESENTATIVE NEHR: Members, does
15 anybody have any questions of the map in
16 general?

17 Being no questions, Jason, that was an
18 excellent and well-prepared presentation.
19 Thank you very, very much.

20 Now we move on to the public comments.
21 Does anybody in the audience have any comments
22 that they would like to make about the map?

23 Seeing none, so members, so, again, in
24 January, approximately the first week of
25 session, we intend to take this map up as a

1 proposed Committee Bill. Are there any
2 questions regarding that? Representative
3 Jenne.

4 REPRESENTATIVE JENNE: Since we are
5 looking at two maps, which map would that be
6 specifically?

7 REPRESENTATIVE NEHR: The Senate Bill, we
8 are looking at the Senate Bill.

9 REPRESENTATIVE JENNE: Thank you.

10 REPRESENTATIVE NEHR: You're welcome.

11 Are there any other questions?

12 Seeing no other questions, I just want to
13 make a comment about that everybody should have
14 a Merry Christmas and happy holidays.

15 Does anyone on the Committee have any
16 comments to make?

17 Seeing no comments, seeing no questions,
18 seeing nothing else, Representative Eisnaugle
19 moves we rise.

20 (Whereupon, the proceedings were
21 concluded.)

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C E R T I F I C A T E

STATE OF FLORIDA)
COUNTY OF LEON)

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

That the foregoing pages 2 through 34 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 16th day of February, 2012.

CLARA C. ROTRUCK

Notary Public

State of Florida at Large

Commission Expires:

November 13, 2014

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HOUSE REDISTRICTING SUBCOMMITTEE WORKSHOP

THURSDAY, DECEMBER 8, 2011

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 REPRESENTATIVE DORWORTH: Good afternoon.

3 I will go ahead and call this meeting to order.

4 Can we please call the roll?

5 THE CLERK: Representatives Baxley?

6 REPRESENTATIVE BAXLEY: Here.

7 THE CLERK: Bernard?

8 REPRESENTATIVE BERNARD: Here.

9 THE CLERK: Campbell?

10 REPRESENTATIVE CAMPBELL: Here.

11 THE CLERK: Clarke-Reed?

12 REPRESENTATIVE CLARKE-REED: Here.

13 THE CLERK: Corcoran?

14 REPRESENTATIVE CORCORAN: Here.

15 THE CLERK: Diaz?

16 REPRESENTATIVE DIAZ: Here.

17 THE CLERK: Drake?

18 REPRESENTATIVE DRAKE: Right here.

19 THE CLERK: Frishe?

20 REPRESENTATIVE FRISHE: Here.

21 THE CLERK: Hooper?

22 Julien?

23 REPRESENTATIVE JULIEN: Present.

24 THE CLERK: Nuñez?

25 REPRESENTATIVE NUNEZ: Here.

1 THE CLERK: Rogers?

2 REPRESENTATIVE ROGERS: Here.

3 THE CLERK: Schenck?

4 Young?

5 REPRESENTATIVE YOUNG: Here.

6 THE CLERK: Chair Dorworth?

7 REPRESENTATIVE DORWORTH: Here.

8 THE CLERK: We have a quorum.

9 REPRESENTATIVE DORWORTH: Thank you,
10 Katie.

11 Members, today we are work-shopping the
12 five options for the State House map that were
13 released on Tuesday. As this is a workshop,
14 there will be no votes taken today. This is a
15 time for you to ask questions, to learn about
16 the work that staff did in creating these
17 options and to possibly propose alternatives to
18 these maps.

19 After today, Chair Weatherford announced
20 that we are still set for voting as a
21 subcommittee on these options around the first
22 week of session. So that gives everyone here a
23 full month to share these maps with
24 constituents, discuss them with your colleagues
25 in the House and possibly even craft amendments

1 if you feel compelled to.

2 Just to make sure that we're in the
3 correct technical posture, these maps are
4 essentially co-Chair proposals, similar to how
5 the appropriations subcommittees often begin
6 their work.

7 At our next meeting, it is our intent to
8 consider and vote on these very same maps in
9 the form of PCBs, at which time somehow we will
10 pick three, vote on them, and then in doing so,
11 send them to the full redistricting committee.
12 Frankly, I am open, and I believe Chair Schenck
13 is as well, as to how we go about picking the
14 three maps. If you want to state your
15 preferences today, or if you want to take this
16 month in between meetings, study the maps
17 further, work with our staff or me or co-Chair
18 Schenck, that is fine, too, but in our next
19 meeting, we will consider any amendments that
20 are filed and vote three of these plans out.
21 If you do wish to file an amendment, please, I
22 am begging you here, please work with our staff
23 in advance of the meeting as amendments that
24 are filed at the Committee will be very
25 difficult because of the technical nature of

1 the amendment.

2 Are there any questions?

3 Seeing no questions, members, we gave our
4 staff direction via our prior committee
5 meetings. We told them a few things, to look
6 heavily at county boundary lines. That was not
7 an exclusive standard, but we did tell them to
8 look significantly because the average
9 Floridian does know and understand county
10 boundaries. And certainly this summer we heard
11 person after person stress county boundaries as
12 their motivation for supporting the changes to
13 the state's Constitution.

14 Moreover, we asked staff to incorporate
15 various best practices in their drawing of the
16 maps, so that I think -- I think it was Chair
17 Baxley who said every district has a purpose
18 and every district should do something
19 positive. Likewise, co-Chair Schenck and I
20 asked that in at least one map, our staff put
21 greater stress on standards other than county
22 lines, and so today they have for us a map that
23 stresses equal population and keeping VTDS
24 whole.

25 Finally, we asked that our staff present

1 maps that really paint the picture for us as
2 members of where the staff had legitimate
3 questions about what the best decision is in
4 drawing the map.

5 Today Jeff Takacs will be presenting the
6 options for the House map. Our staff director,
7 Alex Kelly, will also be making remarks during
8 the presentation. Members, I would suggest
9 that we allow Jeff and Alex to finish a region
10 at a time before we ask questions. So if you
11 have a question, just get my attention, and I
12 will recognize you at the next pause in the
13 presentation. And for the members of the
14 audience, if we have time at the conclusion of
15 today's meeting, we will take public input. So
16 if you wish to speak and you have not already
17 filled out an appearance card, please make sure
18 that you do so.

19 With that said, Jeff, you are the man of
20 the hour and you are recognized to begin the
21 presentation.

22 MR. TAKACS: Thank you very much, Mr.
23 Chairman.

24 What I would like to do is start with the
25 first proposal numerically, which is the

1 proposal that ends in numbers 9015. Before I
2 actually kind of dive into the map, I will be
3 toggling back and forth between the current map
4 and the proposed map. As I am making the
5 presentation, there are blown-up pictures of
6 areas of the map in your packet, so you can
7 follow along there if you are unable to or
8 don't want to follow on the screen.

9 So thinking about the proposal that ends
10 with number 9015, again, before I dive in, I
11 want to kind of give you some numbers about the
12 map as a whole and then we will go into the
13 first region, the Panhandle area.

14 Of Florida's 67 counties in that proposal,
15 36 counties are kept whole within that map, 312
16 cities of Florida's 411 incorporated cities are
17 kept whole, and of Florida's 9,436 VTDs, 8,955
18 of them are kept whole.

19 Thinking about the current map, whole
20 counties, again, 36 in the proposed; current
21 map, 21. Whole cities in the proposed map,
22 312; the current map, 241. Thinking about
23 those VTDs, again, the current map, 8,259; the
24 proposal, 8,955. So each of those numbers have
25 increased, meaning that more counties, cities

1 and VTDs are kept whole in the proposed map.

2 The map you see here on the screen is the
3 Panhandle area of the current districts. You
4 can see Districts 1, 2, 3, 4, 5 and 7, you can
5 see a little bit of 6 there in green towards
6 the bottom, but that is the basic Panhandle
7 region, and now I will show you the proposed
8 districts for that region, and I will just
9 start by talking about District 1.

10 As you can see, all of District 1 is
11 wholly within Escambia County. Again, as Chair
12 Dorworth said, something that we heard time and
13 time again throughout the public hearings
14 across the state was that people wanted to see
15 districts wholly contained within counties and
16 they wanted to see their legislator come from
17 their county or their area. So starting with
18 District 1 there, it is, again, wholly within
19 Escambia County.

20 Thinking about the boundary there, what
21 will be important, and I will probably do this
22 now, and I may go back and forth throughout the
23 presentation, but what I am going to do also is
24 turn on the city boundary lines. I am going to
25 have to zoom in a little bit to do that so that

1 you can see them, but a lot of times throughout
2 this map when you see a specific boundary that
3 may look a little funny or it may have an
4 interesting, you know, kind of a bob or a weave
5 to it, a lot of times it is because it is
6 following around a city boundary line.

7 As an example, if you look at the boundary
8 between District 1 there in green and District
9 2 there in the brown color, the City of
10 Pensacola is kept whole within District 2, so
11 that's what creates that border area between
12 Districts 1 and Districts 2.

13 Moving on to District 2, there you can
14 see -- thinking about Escambia County, its
15 population is too large for that of a House
16 district, so it has to extend into its
17 neighboring county, Santa Rosa. So that's what
18 that does here. It has, again, all of the City
19 of Pensacola, it has all of the City of Gulf
20 Breeze and it continues down to that bottom
21 edge of the shoreline there in Santa Rosa
22 County.

23 Thinking about Santa Rosa County, its
24 population mathematically is able to be kept
25 whole within a House map, but because of the

1 reasons I just stated, it neighboring a county
2 that has to be split -- actually, it neighbors
3 two counties that have to be split, Okaloosa to
4 its east does as well -- based on its
5 geography, not its math, but its geography,
6 Santa Rosa County also then has to be split.
7 In fact, what I will probably do is zoom out
8 just a little bit, and when I want to point out
9 a specific city boundary line, I will do that,
10 so that this way we can see all of District 3
11 here. You can see all of District 3, it
12 encompasses the rest of Santa Rosa County, and
13 then most of the northern half of Okaloosa
14 County, you can see that that boundary line
15 between Districts 3 and 4 is actually I-10, but
16 there's a little bit of a jut out there kind of
17 in the middle of the county. That is the City
18 of Crestview. So the entire City of Crestview
19 is kept whole within House District 4 in this
20 proposal. And then, again, the county boundary
21 line is the remaining boundary for District 3
22 as it moves into Okaloosa County.

23 District 4 is everything south of
24 Interstate 10 in Okaloosa County, with the
25 exception of the City of Crestview. Again,

1 pretty simple, pretty cut and dry. Again,
2 trying to keep legislative districts wholly
3 within a county as much as we can, we were able
4 to accomplish that here with Okaloosa County.

5 Moving to the east here with District 5,
6 District 5 keeps four smaller counties whole
7 within it. Those counties are Walton, Holmes,
8 Washington and Jackson Counties. You will see
9 a little bit there to its southern end that it
10 does come into Bay County here in this area.
11 To get it within an acceptable population
12 range, it had to grab from other areas. Bay
13 County's population is too large to be wholly
14 kept within a House district, so we chose to
15 take some portions of Bay County and include it
16 in District 5.

17 That then takes me to the next district in
18 Bay County, which is District 6. In the Panama
19 City hearings, we heard from many of the
20 residents there talking about they wanted all
21 of Bay County or as much of Bay County as
22 possible within one district. As I just said,
23 their population is too large for a whole
24 district, but the vast majority of Bay County
25 can be within one district, and that is

1 achieved here with District 6. Thinking about
2 city boundary lines as well, all of the City of
3 Panama City is in District 6.

4 What I would like to do now before I go on
5 to talk about District 7 is just toggle back
6 for a moment to the current map just so that
7 you can get a look, you know, as we move ahead,
8 getting closer towards the Big Bend area, so
9 you can just kind of get a preview of what the
10 current map looks like and then we will toggle
11 back to the proposed.

12 District 7 has all of Calhoun, Gulf,
13 Liberty, Franklin and Wakulla Counties within
14 its limits, and has portions of Leon County as
15 well. On this map -- and Chair Dorworth talked
16 about certain areas of the map where there are
17 different decision points for us. This is one
18 of them. In this particular map, the City of
19 Tallahassee is split three ways between
20 Districts 7, 8 and 9. We will show you an
21 option later in the meeting that would split
22 the City of Tallahassee twice and the impact
23 that it would have on the Big Bend region in
24 those districts and those counties. Okay. So,
25 again, thinking about -- it keeps all of those

1 counties whole and then it comes into the
2 southern end there of Leon County and splits
3 Tallahassee, as I just said.

4 When we looked at the demographics of Leon
5 County and its neighbor, Gadsden County, we
6 were able to determine that a majority-minority
7 black district could -- in that area could be
8 recreated as there is one today. That district
9 here on the screen is District 8. I will try
10 to get a little bit better of a view here for
11 you. As you can see here, with District 8, we
12 were able to have all of Gadsden County kept
13 whole within the district, and then it also
14 shares portions of Leon County and the City of
15 Tallahassee as well. Its black voting age
16 population is 50.25 percent. Within this
17 district, there are several cities that are
18 kept whole. Those cities are Blountstown --
19 I'm sorry. Those cities are Midway, Havana,
20 Quincy, Gretna, Greensboro and Chattahoochee.

21 As we move a little bit to the east here,
22 you will see District 9. District 9 has the
23 remaining portions of Leon County in
24 Tallahassee there, which is basically the
25 northern end of the county. The district then

1 also extends to the east to keep all of
2 Jefferson County, Madison County, Taylor County
3 and Lafayette Counties whole. It also keeps
4 the Cities of Monticello, Greenville, Madison,
5 Lee, Perry and Mayo whole within its limits as
6 well.

7 REPRESENTATIVE DORWORTH: Jeff, if I might
8 interrupt for a moment, Alex, you have a
9 comment to throw in at this moment?

10 MR. KELLY: Thank you, Mr. Chair.

11 Just wanted to at this point sort of
12 introduce in terms of one of the best practices
13 that was utilized in this map, if you think
14 about the first nine House districts that Jeff
15 just described, the mathematics of those nine
16 districts help draw the equation. In a sense
17 what we did was we looked at Lafayette County
18 west and determined that that was approximately
19 nine seats. And there were several portions of
20 the House map, the counties, the way that they
21 are configured, where you can do that, you can
22 commit to a certain combination of counties,
23 determine that those counties equal a certain
24 number of seats and then create a division that
25 seemingly very much adheres to the points that

1 are raised in Florida's new constitutional
2 standard. So in kind of summing that up, in
3 many cases, the work that we did on the map, we
4 let the math help drive the drawing of the
5 seats where it was appropriate and where it
6 worked out.

7 REPRESENTATIVE DORWORTH: Thank you. This
8 would probably be as good a time as any to take
9 a break for any questions from any of the
10 members.

11 Any member questions? Representative, you
12 are recognized.

13 REPRESENTATIVE BERNARD: Thank you, Mr.
14 Chair.

15 In regards to District -- District 2, I
16 remember when we traveled, there was public
17 testimony in regards to those two
18 African-American communities in the Pensacola
19 area that was split the last time. Do you know
20 what we did with those -- those communities
21 during -- in this map, please?

22 REPRESENTATIVE DORWORTH: You are
23 recognized.

24 MR. KELLY: Thank you, Mr. Chairman.

25 If those communities are within the city

1 limits of Pensacola, we have incorporated all
2 of the City of Pensacola within District 2. I
3 would have to double-check the specific
4 locations of those neighborhoods that you
5 mentioned, but if they are within the city
6 limits, District 2 has all of the city limits
7 of Pensacola within it.

8 REPRESENTATIVE BERNARD: Follow-up,
9 Mr. Chair?

10 REPRESENTATIVE DORWORTH: Representative
11 Bernard.

12 REPRESENTATIVE BERNARD: Thank you, Mr.
13 Chair.

14 Also, there was public testimony with
15 regards to Gulf Breeze where the residents who
16 showed up at that meeting where they said that
17 they didn't want to be part of District 2 and
18 they thought that it should have been in
19 District -- Gulf Breeze should not be part of
20 that district. What decisions did we make
21 regarding that?

22 MR. TAKACS: Thank you, Mr. Chairman.

23 A couple of things that factor into that,
24 thinking about the location of the City of
25 Pensacola and the location of the City of Gulf

1 Breeze, obviously, since we had to extend the
2 district into Santa Rosa, there was an option
3 there of do you have all of District 1 in
4 Escambia County or all of District 2 in
5 Escambia County. We chose to have all of
6 Escambia County into District 1 so that we
7 could keep all of Pensacola into the city of
8 District 2. Then thinking about having to --
9 thinking about the old district versus the
10 current district, this District 2 has more of
11 Santa Rosa County than the previous district
12 did. So we have all of Gulf Breeze and then it
13 extends to the bottom there of that coastline
14 of Santa Rosa County.

15 REPRESENTATIVE DORWORTH: Any further
16 questions?

17 REPRESENTATIVE BERNARD: No further
18 questions.

19 REPRESENTATIVE DORWORTH: Jeff, if you
20 would.

21 MR. TAKACS: Thank you so much, Mr.
22 Chairman.

23 What I would like to do is we are going to
24 go back to District 10. District 10 consists
25 of all of Hamilton, Suwannee, Columbia and

1 Baker Counties. As you can see, they are kind
2 of towards the little northeastern end of
3 District 10. It also has a portion of Union
4 County, which would obviously split that county
5 between two different districts.
6 Mathematically, Union County can be kept whole
7 within a House plan, and we will actually see a
8 different look of how Union County could be
9 within a district in another option. Again,
10 that is one of the decision points that we have
11 for you to review.

12 Again, thinking about keeping counties
13 whole, this district does that with the four of
14 them. Thinking about the cities that are kept
15 whole within House District 10, those would be
16 Jennings, Jasper, Live Oak, White Springs, Lake
17 City, Glen St. Mary, Macclenny, Fort White and
18 Branford. So those are cities that are kept
19 whole within that particular district.

20 Out here just a little bit, we are going
21 to go to District 11, and as Mr. Kelly had
22 stated earlier, as much as it was possible, we
23 would let mathematics drive how we would craft
24 districts on these various proposals, and this
25 is one of those examples where the populations

1 of Nassau County and Duval County combined
2 equal roughly that of six House seats. So what
3 we did was just that, keeping those two
4 counties whole together, creating the one
5 district, which is District 11 there that you
6 can see, which has all of Nassau County and
7 then parts of Duval County, and then we created
8 five districts that are wholly within Duval
9 County.

10 Thinking about District 11, it does extend
11 into Duval County to incorporate some entire
12 cities. Those entire cities there are on the
13 eastern -- kind of southeastern area of the
14 district, and those cities are Atlantic Beach,
15 Neptune Beach and Jacksonville Beach, again,
16 all kept whole within District 11.

17 As we move from the east to the west in
18 Duval County and look at District 12, Districts
19 12, 13 and 14 were drawn somewhat in tandem to
20 try to create districts that took up a small
21 amount of geography in an urban area. Thinking
22 about doing that, we tried to follow roadways
23 as much as possible, as well as VTDs and
24 railways. In the process of creating these
25 three districts, Districts 13 and 14 became

1 majority-minority black districts. So that is
2 District -- okay, so District 12, 13, and then
3 District 14, again, as we continue to move in
4 that direction, again, 13 and 14 are both
5 majority-minority black districts, and those
6 would be recreating similar opportunities that
7 exist today for those minority communities in
8 that area.

9 District 15 was created by taking the
10 entire population of that southwestern portion
11 of Duval that wasn't in 14, and that also
12 includes the City of Baldwin. There is an area
13 there in that district, and I will zoom in a
14 little bit so you can get a better look at it,
15 where it does have to cross the St. Johns River
16 here in this area. That is strictly for
17 population. And so what we tried to do to make
18 that as best as possible for the constituents
19 and for the Representative that would serve
20 them as far as proximity and being able to get
21 to one another, this line here is in fact a
22 bridge. So there is -- there is a connection
23 between this area here, the district and on the
24 other side of the St. Johns.

25 District 16 uses the remaining portion of

1 Duval County that is not included in the other
2 five districts that are wholly within the
3 county to create somewhat of a geographic shape
4 there in that southeastern quadrant of Duval
5 County. Thinking about the borders of that
6 district, roadways and railways were used to
7 create the boundaries of that district when the
8 county line wasn't used there in the south and
9 to the west.

10 And, Mr. Chairman, that is probably also a
11 pretty good point to stop for questions,
12 thinking about that large of an area.

13 REPRESENTATIVE DORWORTH: Do any members
14 have any questions of staff?

15 No questions. Jeff, you are doing a great
16 job, keep it up.

17 MR. TAKACS: Thank you, Mr. Chairman.

18 So we are going move a little bit to the
19 south here with District 17. We received
20 testimony in the St. Augustine public hearing
21 from numerous residents asking that St. Johns
22 County be kept whole within a single district.
23 That county's population is too large to all be
24 within a single House district, but what we did
25 here was kept District 17 wholly within St.

1 Johns County.

2 Thinking about the construct of this
3 district, it is obviously all of the northern
4 half of St. Johns County. It does have all of
5 the City of St. Augustine within its borders,
6 as well as St. Augustine Beach, and it uses
7 County Road 214 and VTDs as its boundary ways.

8 We will move just a little bit. As we
9 continue to move south -- excuse me, I am
10 actually going to go to the west of District
11 18, my apologies.

12 While we were in Jacksonville for the
13 public hearing, we heard from many residents of
14 Clay County who, again, kind of a similar
15 theme, wanted to keep Clay County whole within
16 a legislative district. Again, thinking about
17 its county's population, it is too large for a
18 single House district, but House District 18 in
19 this proposal is a response to that request in
20 that it is wholly kept within Clay County. It
21 takes a very populated area of northeastern
22 Clay County, thinking about the City of Orange
23 Park is wholly kept within that district.

24 Moving to the south with District 19,
25 District 19 has all of Putnam County, all of

1 Bradford County and then the other half of
2 Union County that I talked about earlier.
3 Again, you are going to see a different option
4 for Union County later on in the meeting, but,
5 again, Bradford County and Putnam County are
6 kept whole within that particular district, and
7 there are numerous cities that are kept whole
8 within the district as well, including Green
9 Cove Springs, Penney Farms and Keystone
10 Heights.

11 Now we are going to get to District 24.
12 District 24 contains the population of St.
13 Johns County that is not within its neighbor to
14 the north, District 17. As the District moves
15 south, it keeps all of Flagler County whole, as
16 you can see there illuminated on the map, whole
17 within the district, and also has portions of
18 Volusia County within it as well for
19 population. During the St. Augustine public
20 hearing, we did hear from many residents that
21 would like to see St. Johns County and Flagler
22 County connected, which we do so here, and
23 there were folks who wanted to see all of
24 Flagler County, and specifically the City of
25 Palm Coast, whole within a district, and we

1 achieved both with House District 24 in this
2 proposal. That's all of my comments that are
3 virtually for that district.

4 REPRESENTATIVE DORWORTH: Jeff, hold on
5 one second. Alex, do you have something to
6 say?

7 MR. KELLY: Thank you, Mr. Chair. In just
8 in regards to this district, in terms of how it
9 comes into two portions of Volusia County, we
10 originally tried to draw this such that it
11 would only come into the northern, more coastal
12 side of Volusia County. The issue that we ran
13 into in terms of what was also being drawn in
14 Volusia, and what Jeff will explain in a
15 moment, is that there are three seats located
16 entirely in Volusia County, which was very
17 consistent with the public requests that were
18 heard there, and one of those seats is
19 maintaining an opportunity for
20 African-Americans in Volusia County that exists
21 today. The combination of those things led to
22 a situation where had we only brought District
23 24 into the northern coastal side of Volusia,
24 Ormond Beach would have been split three ways.
25 That was seemingly an unnecessary thing. So

1 partly it comes into the northern side, not
2 into Ormond at all, and partly it comes into
3 the western side, accounts for the City of
4 Pierson, but doesn't in any way affect the
5 other cities. And a predominant theme in
6 Volusia County was utilizing the city
7 boundaries. That is why -- I just wanted to
8 explain that is why it comes into the northern
9 and sort of western sides of the rural parts of
10 Volusia.

11 REPRESENTATIVE DORWORTH: Thank you.
12 Jeff, you are recognized.

13 MR. TAKACS: Thank you, Mr. Chairman.

14 And as Mr. Kelly said here, I will show
15 all of Volusia County with District 24 taking
16 those specific populations of Volusia County as
17 was stated. Now three whole districts can be
18 wholly within Volusia County, and those
19 districts are 25, 26 and 27.

20 I will start with 25, which is there to
21 the east. It has -- and talking about the City
22 of Ormond Beach, District 25 has most of the
23 City of Ormond Beach within it; again, trying
24 to avoid that three-way split, as Mr. Kelly
25 mentioned. It also has the Cities of Port

1 Orange, Ponce Inlet and New Smyrna Beach whole
2 within District 25 as well. I am thinking
3 about the city boundaries -- I mean, I'm sorry,
4 the county -- the district boundaries of that
5 district. City boundaries played a heavy part
6 in creating that district, as well as State
7 Road 415 to the west.

8 Thinking about Volusia County, its census
9 geography is a little harder to navigate than
10 that of some of the other counties across the
11 state. So what we had to do was instead of
12 using census geography, we had to look to city
13 boundaries, and after we did that and kind of
14 looked at the cities and where they were
15 located, it kind of helped to form where those
16 districts would take shape.

17 The next district there over to the west
18 is District 26. Portions of Volusia County
19 have traditionally elected an African-American
20 to the Florida House, and District 26 recreates
21 that opportunity while keeping the vast
22 majority of the City of Daytona Beach and all
23 of the City of Deland within its district.
24 State Road 44 and I-4 are major boundaries
25 between this district and its neighbor,

1 District 27.

2 I will move just a little bit south here
3 so you can see District 27. It is contained
4 all within southern Volusia County, and it has
5 the entire City of Deltona in it, which was
6 something that we received a lot of testimony
7 in that Daytona Beach public hearing. The
8 folks in the City of Deltona felt that, you
9 know, as the largest city in that county, that
10 they should be kept whole within a legislative
11 district, and District 27 accomplishes that.
12 Some other cities that are kept whole within
13 District 27 are De Bary and Oak Hill.

14 I will jump around here and come back over
15 to this kind of northern Florida area of the
16 state. Going to take a look at that District
17 20 there, which is in eastern Alachua County,
18 as well as portions of Marion County. Those
19 areas of the state have also traditionally
20 elected an African-American to the Florida
21 House of Representatives. This district here,
22 District 20, recreates that opportunity for
23 those communities, and uses roadways and county
24 lines as boundaries to keep -- to keep that
25 district there, as well as VTDs. Cities that

1 are kept whole within this district are
2 Hawthorne, Waldo, La Crosse, Archer, Micanopy,
3 McIntosh and Reddick.

4 Again, thinking about the different
5 decision points, this is another area where
6 there is a decision point to be made. Thinking
7 about that District 10 that we were talking
8 about and how it splits Union County, another
9 option that is available to it is to keep Union
10 County whole and take that population and split
11 Alachua County three times, as opposed to the
12 two times that we see here on this map. And I
13 will show you what that map looks like during
14 that proposal, but that is something to kind of
15 think about as we move forward.

16 This map splits Alachua County into two
17 pieces, and that is what they look like there,
18 District 20 to the east, District 21 to the
19 west.

20 REPRESENTATIVE DORWORTH: Jeff, let me
21 just stop you there. I think Alex had a
22 comment on this one.

23 MR. KELLY: Thank you, Mr. Chair.

24 In kind of tying together some of the
25 districts that Jeff has described -- and, Jeff,

1 if you could scroll back up to where we could
2 see some of District 10 -- the decision point
3 that we were going through in terms of drawing
4 this was we were thinking of keeping Alachua
5 County only divided twice. The result of that
6 is it pulls more of District 20 up into Alachua
7 County, pulls it out of Marion County. In
8 terms of maintaining -- what we were trying to
9 maintain was a 31 percent black voting age
10 population, District 20, in order to comply
11 with the provisions in state law regarding
12 racial and language minorities. In terms of
13 doing that, it ended up resulting in what in
14 our impression in terms one of the maps that
15 you will look at later, it resulted in the
16 split in Union County. And the map that you
17 will look at later, I won't go into a great
18 detail about it now, but that map, instead of
19 splitting Union, that map brings District 10
20 into Alachua County and we think was able to
21 make a better use of roadways and so forth,
22 still maintain the minority district. So that
23 was kind of the decision point and how that
24 compares to the map that you will look at in a
25 little bit.

1 MR. TAKACS: Thank you, Mr. Chairman.

2 Moving along here to District 21, besides
3 the portions of western Alachua County, it does
4 have all of the counties of Dixie and Gilchrist
5 within its boundaries here. You can see those
6 here. Cities that are kept whole within
7 District 21 are Horseshoe Beach, Cross City,
8 Bell, Trenton, all of Newberry and High
9 Springs.

10 Moving to the south with District 22,
11 District 22 has all of Levy County and then
12 portions of Marion County. Thinking about
13 Marion County, its population is too large for
14 that other House district, so it does have to
15 be split. So thinking about where Levy County
16 is positioned and its neighbors to the north
17 and to the south, both being counties that can
18 be kept whole in a House plan, we decided to go
19 east with the remaining population of District
20 22. Again, several cities kept whole within
21 District 22, including Cedar Key, Chiefland,
22 Otter Creek, Bronson, Williston, Dunellon,
23 Inglis and Yankeetown.

24 This district does split Ocala and Fanning
25 Springs. Thinking about that area there in

1 Marion County where those divides occur between
2 District 22 and its neighbors, VTDs were used
3 as the boundary lines between the two
4 districts.

5 Moving just to the east there, staying in
6 Marion County is House District 23 in this
7 proposal. As we heard, again, in many other
8 counties, the residents of Marion County
9 expressed their desire to have their county
10 kept whole within a district during The
11 Villages and Gainesville public hearings as we
12 traveled the state this summer. District 23 is
13 wholly kept within Marion County and is in
14 response to that request. All of the City of
15 Belleview is within that district.

16 Mr. Chairman, that is probably a good
17 stopping point for questions before we move
18 into the central Florida area.

19 REPRESENTATIVE DORWORTH: Are there any
20 questions before we enter into central Florida?

21 You are recognized, Representative
22 Bernard.

23 REPRESENTATIVE BERNARD: Thank you, Mr.
24 Chair.

25 Jeff, what did we do with the rest of Clay

1 County?

2 REPRESENTATIVE DORWORTH: You are
3 recognized, Jeff.

4 MR. TAKACS: Thank you, Mr. Chairman.

5 If we go back here into District 19, it
6 has the remaining portion of Clay County.
7 Again, thinking about Clay County's population,
8 it does have to be split by at least two House
9 districts. We do achieve that minimum number
10 of splits here with the two. District 19 then
11 also has all of Putnam and Bradford County as
12 well.

13 REPRESENTATIVE DORWORTH: Thank you. You
14 are recognized, Representative Julien, for a
15 question. You look like you had a -- all
16 right, never mind. Continuing on.

17 MR. TAKACS: Thank you, Mr. Chairman.

18 Moving into the central Florida region of
19 the state, starting there with District 28 in
20 Seminole County, District 28 is wholly kept
21 within Seminole County. Its boundaries with
22 District 29 run along U.S. 17/92 in most
23 sections, and the district is constructed in a
24 way that the City of Winter Springs is whole
25 within its limits here. Let me zoom in a

1 little bit so you can get a little bit closer
2 look. The City of Oviedo was also kept whole
3 within this district as well.

4 As we move to District 29, District 29 is
5 also kept whole and entirely within Seminole
6 County as well, again, thinking about U.S.
7 17/92 as the main boundary line between
8 Districts 28 and 29. District 29 also there to
9 the -- to its west uses Markham Woods Road and
10 Markham Road as divisions as well. The cities
11 of Lake Mary and Longwood are both kept whole
12 within this House district.

13 Before I go into District 30, which then
14 starts us in Orange County, I wanted to talk
15 about Orange County and really as a whole, so I
16 should zoom out a little bit, because this will
17 be another one of those decision points that
18 you will have to review here later today.

19 When you look at District 30 there in the
20 northwest corner of the county, I also want to
21 draw your attention to District 45, which is
22 its neighbor to the south. When we were
23 looking at the demographics of the population
24 within the county, we were able to find that a
25 majority-minority Hispanic district, which had

1 previously been in both Osceola and Orange
2 Counties, can be created, which is District 48,
3 and I will talk about that later. But then
4 there are also opportunities to create a
5 majority-minority black district, as well as a
6 potentially second black district all within
7 Orange County.

8 This map achieves that, thinking about
9 District 45 kind of being a new district, so to
10 speak, that would have an opportunity to elect
11 a black member to the Florida House of
12 Representatives. So thinking about that
13 District 45 and then 30, its neighbor to the
14 north, if you look at the shape of the two of
15 them combined, they basically take on the shape
16 of a square, with the population of Seminole
17 County within District 30 and then its eastern
18 -- I mean, its Orange County portion there to
19 the west and then all of District 45, the two
20 districts combined make a square-like shape.

21 As we move to the south, again, District
22 46 is a majority-minority black seat,
23 recreating that opportunity for that community
24 and that region. And then when you move to the
25 east and you see -- you see District 48, which

1 is the yellow-colored district, that is a
2 majority-minority Hispanic district solely
3 within Orange County; again, thinking about the
4 previous district was in both Orange and
5 Osceola.

6 When you look at the eastern edge of 46
7 and the western edge of 48, there is a bit of a
8 pocket there of population that would not make
9 sense to go into either district, because it
10 would hurt those likelihoods of minorities
11 having the opportunity to elect the candidate
12 of their choice. So what we did there was,
13 thinking about that pocket of population
14 created that shape, that rectangular-based
15 shape between the two districts running from --
16 there's portions of downtown Orlando in it, as
17 well as portions of Maitland and Winter Park
18 there in Orange County. So that was kind of an
19 example of when you are looking at the core of
20 a county and the core of the county's
21 population as far as thinking about where
22 potential minority districts can go, we saw
23 that those two cores existed where Districts 46
24 and 48 are, and then that pocket of population
25 that was not within those cores, so we decided

1 to do the best we could to make a geometric
2 shape there, that rectangular shape, which is
3 the vast majority of District 47.

4 As we continue to move a little bit to the
5 east and north a little bit with District 49
6 there, in the Orlando meeting we received
7 testimony requesting that there be essentially
8 a University of Central Florida-based district
9 within Orange County. District 49 achieves
10 that. If you were to zoom in a little bit
11 there, you can see that essentially all of the
12 campus of the University of Central Florida is
13 within that district, as well as a lot of the
14 area -- the neighborhood areas where students
15 reside and work, et cetera, are in District 49
16 as well. So essentially that is a UCF-based
17 seat, so that public request would be addressed
18 here within that -- within that district.

19 Zoom out here a little bit, and before I
20 go to District 50 and to the east, I am going
21 to come back to the west here a little bit.
22 When you think about the square that is created
23 with Districts 30 and 45, and then you think
24 about what I was talking about before as far as
25 the core of the districts that make up what is

1 in this proposal Districts 46 and 48, there is
2 a pocket there in southwest Orange County that
3 was not assigned to a district yet at this
4 point. When you look at that population, as
5 you can see from the map here, it is too big to
6 have one single House district within it, so it
7 had to have two -- two districts within it. So
8 that is how 44 essentially was created, as well
9 as 32.

10 While I zoom in here a little bit on 44,
11 you can see there are a lot of lakes and
12 waterways in this area of the state, and we
13 used many of those to create the boundary of
14 that district, as well as roadways here, you
15 can see this straight edge here is a roadway,
16 as well as, you know, there are some city
17 boundaries here as well.

18 So then thinking about how 44 then goes
19 into 32, there was a decision that had to be
20 made then at that point as far as, you know,
21 you have that pink district there, you have the
22 southwest Orange County portion of that
23 district, and you know you have to cross the
24 Orange County line in one way, shape or form,
25 because you just don't have the population

1 necessary, so which way do you go essentially
2 is the question. After looking at the
3 different roadways and looking at different
4 possible ways to build a district, we saw that
5 the Turnpike would make for a good division and
6 complete that district and have a south --
7 south Lake, kind of a southwest Orange type of
8 a district using all of the Turnpike as its
9 boundary, and all of those cities there in
10 south Lake, including Clermont, are kept whole
11 within that district.

12 Now I will go back over to District 50,
13 which is in the eastern area of Orange County
14 here. Again, we actually had a similar
15 decision --

16 REPRESENTATIVE DORWORTH: Actually, Jeff,
17 real quickly, let me stop you so Alex can make
18 a comment.

19 MR. KELLY: Thank you, Mr. Chair.

20 Just wanted to interject in terms of
21 thinking about the area that Jeff has just
22 described when he described the sort of pocket
23 that exists between the majority-minority
24 Hispanic seat and the majority-minority
25 African-American seat in Orange County, and the

1 difficult decisions in terms of using the lakes
2 and roadways and so forth and how they are
3 made, one of the key points, coming back to the
4 Chair's instructions of making sure that every
5 district has value, no district is simply just
6 what was left over, this was a challenging area
7 of the map to draw, but in terms of using those
8 roadways, in terms of using city boundaries,
9 still maintaining the state's obligations
10 towards the Federal Voting Rights Act, we felt
11 like that this staff proposal -- and this area
12 does appear in multiple plans, that we felt
13 like every district did serve a purpose towards
14 the Voting Rights Act, towards using city
15 boundary lines, using compactness, using
16 roadways when appropriate, and, again, making
17 sure that every district served a purpose and
18 had a positive to it.

19 REPRESENTATIVE DORWORTH: You are
20 recognized.

21 MR. TAKACS: Thank you, Mr. Chairman.

22 Moving on there to District 50, which is
23 in the eastern half of Orange County, that is a
24 fairly highly populated area of the county, it
25 is a high growth area as well, and we heard a

1 lot of testimony from folks asking that that
2 eastern Orange County be kept whole and kept
3 together within a district, which we do here
4 with District 50.

5 Again, thinking about what Mr. Kelly just
6 said, and also thinking about the directives
7 that we had as far as trying to make sure that
8 every district has a purpose and every piece of
9 a district has a purpose, again, that purple
10 area of Orange County that makes up District 50
11 was too small to be an entire House district,
12 so, again, we had to think about where do we
13 cross into another county, where do we go. And
14 so thinking about some major roadways there in
15 eastern Orange County, they continue on into
16 the area of Brevard County that makes up the
17 rest of District 50, including all of the City
18 of Titusville; again, thinking that there are
19 at least two, I think three major roadways that
20 connect that area of Brevard County to that
21 area of Orange County.

22 Also what is interesting and we will talk
23 about here as we look into Brevard County is by
24 taking that specific population of Brevard
25 County, what we were then able to do is create

1 three whole seats wholly within Brevard County,
2 but before I get there, Mr. Chairman, that is
3 probably a good -- thinking about central
4 Florida and Orlando being a large area, a good
5 spot for questions.

6 REPRESENTATIVE DORWORTH: Good thought.

7 Any questions?

8 Seeing none, keep on trucking.

9 MR. TAKACS: Okay. So I will zoom down
10 here a little bit and show all of Brevard
11 County.

12 As you can see here, again, after District
13 50 was completed, grabbing all of the City of
14 Titusville in that northwest area of Brevard
15 County, three whole seats are now within
16 Brevard County: 51, 52 and 53. As you can
17 see, each district has essentially horizontal
18 lines creating a northern, central and southern
19 district within the county, which was something
20 that we heard in the public testimony when we
21 were in the Brevard County area for that public
22 hearing, thinking about, you know, again, a
23 northern, central and southern seat.

24 District 51, focusing on that, works its
25 way down to include all of the Cities of Cocoa,

1 Cape Canaveral, Rockledge and Cocoa Beach.
2 That boundary way that I just talked about
3 between 50 and 51 is predominantly made up of
4 VTDs.

5 Moving on to the central district within
6 Brevard County, District 52, thinking about its
7 boundary ways, roadways were used quite a bit.
8 Specifically State Road 500, Babcock Street,
9 Florida Avenue, Lipscomb Street and Commerce
10 Park Drive comprise the bulk of the southern
11 boundary there between 52 and 53. It also
12 includes most of the City of Palm Bay -- I'm
13 sorry, that is District 53. District 52 --
14 let's see, it does actually end up splitting
15 the Cities of Melbourne and West Melbourne, but
16 in order to keep the populations within those
17 three Brevard County districts somewhat equal,
18 those splits had to occur.

19 The southern district there, District 53
20 in this proposal, runs from the south, from the
21 State Road 500, Commerce Park Drive and other
22 boundaries, all the way down to the county
23 line. And as I just said, it includes most of
24 the City of Palm Bay and has all of the Cities
25 of Malabar and Grant-Valkaria.

1 Going to come back over here to this area
2 of central Florida. Looking at District 31,
3 District 31 is wholly contained within Lake
4 County. Again, kind of a theme with as many of
5 these districts as possible is that a district
6 is wholly contained within a county when
7 possible. District 31 does that here with Lake
8 County. Again, that southern border there is
9 the Florida Turnpike. When the Legislature was
10 in Lake County hearing testimony from the
11 people of that area, we did hear testimony in
12 support of keeping the Golden Triangle area,
13 which is Eustis, Mt. Dora and Tavares, whole
14 within a district. District 31 does just that.
15 It actually also ends up keeping the Cities of
16 Umatilla, Howey-in-the-Hills, Astatula and
17 Montverde also kept whole within that district
18 as well.

19 I have already talked about District 32.
20 I will move on to District 33.

21 District 33 begins in the northwest corner
22 of Lake County, including all of the Cities of
23 Lady Lake and Fruitland Park, and extends into
24 both Marion and Sumter Counties. The district
25 would end up including the large retirement

1 community known as The Villages, which has
2 portions in all three counties.

3 District 33 does keep Sumter County whole,
4 which is similar to the district when we were
5 going through the cross-jurisdictional
6 communities versus keeping counties whole
7 exercise, that was a very similar district to
8 the one that was provided in that example for
9 you, and that is the example here. The main
10 difference is that the Lake County portion also
11 has all of the City of Fruitland Park, as I
12 mentioned a moment ago. This district also
13 keeps the Cities of Wildwood, Coleman,
14 Bushnell, Center Hill and Webster whole as a
15 result.

16 Before I get into the Tampa Bay area, I am
17 going to move south to Osceola County.

18 REPRESENTATIVE DORWORTH: Jeff, give me a
19 second here so Alex can say something.

20 MR. TAKACS: Certainly.

21 MR. KELLY: Thank you, Mr. Chair.

22 Jeff, I guess if you could actually get
23 back over to Citrus and Hernando. Members, in
24 terms of -- if you work your way down the coast
25 and looking at Citrus and Hernando and Pasco,

1 and even actually extending this example all
2 the way down through Sarasota County, it is a
3 good -- or several examples of where we started
4 to bring the math back into this very
5 specifically and put Hernando and Citrus County
6 together, you know, we noticed that Pasco
7 County equated to three House districts, and so
8 anyway, just noting that as you work your way
9 down the coast there, as Jeff gets to those
10 different districts, those counties divide up
11 very evenly. Pinellas, Hillsborough, Manatee
12 and Sarasota Counties divide up into 18 seats
13 almost exactly, and so anyway, just noting
14 that -- that that principle was used very much
15 in that part of the state.

16 REPRESENTATIVE DORWORTH: You are
17 recognized, Jeff.

18 MR. TAKACS: Thank you, Mr. Chairman.

19 When we looked at Osceola County, as I
20 mentioned earlier, and the demographics of the
21 population there, we noticed that there was an
22 opportunity to create a majority-minority
23 Hispanic district wholly contained within the
24 county, and that is District 43 on this map
25 here. Thinking about that district, it has a

1 Hispanic voting age population of 54.95
2 percent, and also contains the entirety of the
3 City of Kissimmee within its limits. Thinking
4 about its boundary ways, it uses city
5 boundaries, as well as a lake and U.S. 92 as
6 its boundaries to the east. To the west,
7 Poinciana Boulevard is used as the predominant
8 boundary.

9 District 42, which is the eastern Osceola
10 seat that comes into areas of Polk County, does
11 keep the City of St. Cloud whole and runs into
12 the southern area there all the way down to the
13 county line of Osceola and extends into Polk,
14 as I just said. In that western end of the
15 district, Highway 27 was used as the boundary
16 between it and its neighbor to the west, which
17 is District 56.

18 Moving to the northwest of Osceola County
19 there, you will see a portion of that county
20 and then a lot of northern Polk County is
21 within District 39. This district is made up
22 of portions of Lakeland, Auburndale, Lake
23 Alfred and Haines City, but keeps the Cities of
24 Davenport and Polk City whole. District 39
25 uses the county line as its western and

1 northern boundaries, and a combination of
2 railway and State Road 600 as its southern
3 boundary.

4 District 40 is a square-like shaped
5 district in western Polk County, and is wholly
6 within the county as well. It is comprised
7 almost entirely of the City of Lakeland, and
8 uses roadways to make up its northern, eastern
9 and southern boundaries, while the county line
10 makes up its western boundary.

11 District 41 is another district wholly
12 contained within Polk County, and is comprised
13 of portions of Winter Haven, Haines City, Lake
14 Wales and Bartow. The Cities of Lake Hamilton
15 and Eagle Lake are kept whole within the
16 district. When you look at that remaining
17 portion of Polk County -- down here a little
18 bit to show all of the district -- when you
19 look at the -- that remaining portion there
20 that I haven't discussed within Polk County,
21 when you couple that with all of DeSoto and all
22 of Hardee County, it makes up the population of
23 a House district. This actual district is in
24 concert with what we heard in the Wauchula
25 meeting where folks testified in the creation

1 of a district where U.S. 17 was used as the
2 main transportation artery for a district.
3 That is done here as U.S. 17 runs through
4 almost the entire center of the entire
5 district, including the areas of Ft. Meade,
6 Wauchula and Arcadia down to the southern end
7 of the district.

8 As Mr. Kelly said, I will now go over to
9 the west Florida area, talking about, again,
10 using mathematics as the driver to how
11 districts would be laid down between Districts
12 34 and 35. All of Citrus and Hernando Counties
13 can be two districts, and that is what we did
14 here, keeping Citrus County whole in District
15 34 and having the rest of its population come
16 down into northwestern Hernando County.
17 Thinking about the boundary ways that are used
18 there, U.S. 19, also known as Commerce Way,
19 would actually be a transportation corridor
20 within that district. You can actually kind of
21 see it there kind of in the center of that
22 district. To the east, the district's
23 predominant boundary is the Suncoast Parkway,
24 as well as VTDs, VTDs to the south. The
25 exception of where the city's boundary does

1 kind of have a little bit of a divot is where
2 it carves around the boundary of the City of
3 Weeki Wachee, and that was done in order to
4 keep all of its city limits within District 35.
5 Speaking of which, District 35 is wholly
6 contained within Hernando County, in addition
7 --

8 REPRESENTATIVE DORWORTH: Excuse me, Jeff.

9 MR. TAKACS: Yes.

10 REPRESENTATIVE DORWORTH: I've got a
11 question for you. What is the population of
12 Weeki Wachee?

13 MR. TAKACS: Mr. Chairman, the population
14 Weeki Wachee, I believe, is ten.

15 REPRESENTATIVE DORWORTH: Thank you.

16 MR. TAKACS: But it is important -- but it
17 is important to note, thinking about the
18 standards that we are operating under, a city
19 boundary is a city boundary, and if we are able
20 to respect it, we will.

21 District 35 is wholly contained within
22 Hernando County. In addition to keeping all of
23 the ten folks in the City of Weeki Wachee
24 whole, it also keeps the City of Brooksville
25 whole as well.

1 Moving to the south, as Mr. Kelly said,
2 the population of Pasco County is that of
3 roughly three House districts, and you can see
4 that's what was done here with Districts 36, 37
5 and 38. When we were in Wesley Chapel hearing
6 public testimony, we heard from a lot of folks
7 asking for essentially this layout. It is a
8 little bit different from what those folks
9 stated, because they gave specific divisions as
10 far as roads that could be used as dividing
11 lines between the districts, but because of
12 population reasons, a lot of those boundaries
13 weren't able to be used. But we did the best
14 we could to create close to vertical lines to
15 separate the three districts, and, again, they
16 are all wholly within Pasco County.

17 Thinking about District 36, it is the
18 western Pasco district and includes all of the
19 Cities of Port Richey and New Port Richey.
20 U.S. Highway 19 and Little Road are used as the
21 predominant borders between it and the central
22 Pasco district, District 37.

23 District 37 contains unincorporated areas
24 of central Pasco County. In fact, no
25 incorporated cities are within this district.

1 The Suncoast Parkway would serve as a major
2 transportation artery throughout the district
3 and is centrally located within it. The
4 district keeps the Cities of Dade City, St.
5 Leo, San Antonio and Zephyrhills -- I'm sorry,
6 that is the district to the east, I'm sorry,
7 because there are no cities in District 37, my
8 apologies.

9 Moving on to District 38 there, that
10 eastern district, I-75 would be the major
11 transportation corridor for it, and it keeps
12 the Cities of Dade City, St. Leo, San Antonio
13 and Zephyrhills whole within it.

14 As we continue to move to the south, I am
15 going to kind of go from a far view and then
16 zoom in here a minute. As Mr. Kelly stated, if
17 you look at the populations of Pinellas,
18 Hillsborough, Manatee and Sarasota Counties in
19 this region here, combined they all equal that
20 of roughly 18 House seats. What that means is
21 that specific county boundaries of this area
22 can be kept intact. If you look at the
23 northern boundary between Pinellas and
24 Hillsborough and its neighbor to the north,
25 Pasco, and then as we move down this way, you

1 can see that this boundary is kept intact, this
2 boundary is kept intact, as well as the
3 southern end of Sarasota County. So you are
4 able to keep those -- those county boundary
5 lines intact, and what that ends up doing is
6 creating a lot of straight lines between -- in
7 that area and that region of the state.

8 Okay. I will zoom in here a little bit
9 and start within Hillsborough County, start
10 within that northeastern district there,
11 District 58. District 58 includes all of the
12 Cities of Plant City and Temple Terrace.
13 Thinking about the City of Temple Terrace, we
14 did receive public testimony in favor of
15 keeping it whole within a legislative district,
16 and we were able to do that here with District
17 58.

18 As we then kind of move forward, I will
19 zoom out here a little bit again, as you start
20 to look into the downtown Tampa area, this is
21 the City of Tampa, the city limits right here,
22 as you start to look at Hillsborough County as
23 well as the City of Tampa and their
24 populations, in doing the research, we were
25 able to determine that a majority-minority

1 black district and a majority-minority Hispanic
2 district could be built in this area. The
3 results of that research would ultimately
4 become Districts 61 and 62 respectively, 61
5 being here, 62 being here. District 61 has a
6 black voting age population of 51.26 percent,
7 and District 62 has a Hispanic voting age
8 population of 51.89 percent.

9 Moving here up to the north with District
10 63, District 63 is a north central
11 Hillsborough-based district that includes areas
12 of the City of Tampa as well. Thinking about
13 the districts I have been talking about, 58,
14 61, 62, 63, again, all wholly kept within
15 Hillsborough County, it is important to note.
16 District 63 uses Morris Bridge Road as a main
17 boundary between it and District 58, as well as
18 Bruce B. Downs Boulevard, East Fletcher Avenue,
19 North Nebraska Avenue and East Busch Boulevard
20 are used there to create its southern boundary.

21 Just a little bit to the west, District 64
22 is one of two districts that has portions of
23 both Hillsborough and Pinellas Counties. While
24 being located in the northwest quadrant of
25 Hillsborough County, the district is built in

1 such a manner in Pinellas County as to keep the
2 cities of Oldsmar and Safety Harbor whole
3 within it.

4 As you look to the south of District 62,
5 there are areas of Hillsborough County that
6 would have reduced the opportunities for
7 minorities to elect a candidate of their
8 choice, and those areas all happen to be around
9 the Water's Edge there, which is what makes up
10 in this proposal District 60. Thinking about
11 the Water's Edge, as well as roadways such as
12 South U.S. Highway 41 to the east, that was
13 essentially how District 60 was constructed.

14 Looking to the east of District 60 is
15 District 59 here in that lime green color. It
16 was created by using roadways as the
17 predominant boundary between it and all of its
18 neighbors. This district links the
19 unincorporated areas of Brandon, Riverview and
20 Valrico all again wholly within Hillsborough
21 County. We received public testimony asking
22 that those three unincorporated areas be linked
23 within a district, again, thinking about
24 Brandon, Riverview and Valrico, and District 59
25 does that.

1 Moving here to the southeast, District 57
2 is comprised of that southeastern quadrant of
3 Hillsborough County. While using the county
4 boundary for its eastern and southern
5 boundaries, the district also uses I-75, U.S.
6 41, Gibston Road, Boyette Road, Fishhawk
7 Boulevard, Bell Shoals Road and others to make
8 its boundaries for the rest of the district.
9 This district also has no incorporated cities
10 within its boundaries.

11 As we move to the southwestern area of
12 Hillsborough County and Pinellas and beyond,
13 District 70 is a district that, as you can
14 imagine, we studied quite a bit. We looked at
15 bringing the seat entirely only into
16 Hillsborough and Pinellas Counties, but by
17 doing so, we would bring the black VAP of this
18 district down from 49 percent to roughly
19 42 percent. We believe that this was
20 problematic based on the review of voter
21 registration data for the community as this
22 would significantly diminish the district's
23 ability to elect an African-American candidate.
24 So that the realization that we had was that we
25 had to maintain a seat that was similar to the

1 one that exists today. Changes had to be made
2 for it for population, and we did that by
3 adding areas of Hillsborough County to that
4 district.

5 Thinking about that and thinking about a
6 district that has four counties within it, what
7 we then did was kind of take a step back, and
8 after taking a step back and looking at this
9 district, what we wanted to do, thinking about
10 its neighboring districts, was to make sure
11 that the neighboring districts would -- how do
12 I say this? We wanted to make sure that the
13 other districts would be able to have as clean
14 of lines as possible as it borders up with that
15 District 70. We never wanted for one seat to
16 be -- I guess what I am saying is we didn't
17 want District 70's lines to be the dictator of
18 districts -- district lines for 71, 73 and 72.
19 So what we were able to do, again, thinking
20 about having Hillsborough, Pinellas, Manatee
21 and Sarasota Counties all being 18 districts
22 together, what we were able to do is, thinking
23 about that, was able to and allow us to create
24 districts that have clean lines within Manatee
25 and Sarasota Counties.

1 REPRESENTATIVE DORWORTH: Let me stop
2 right there. I think it is important -- do you
3 want to make the note, Alex? Alex, go ahead.

4 MR. KELLY: Thank you, Mr. Chair.

5 There was an interesting combination of
6 competing issues here in terms of drawing this
7 area, and as Jeff said, we really did spend a
8 lot of time trying to get this correct.

9 District 70, because it is in Hillsborough
10 County, it is impacted by Section 5 of the
11 Voting Rights Act, and so the Department of
12 Justice, along with the two other
13 majority-minority seats in Hillsborough County,
14 are going to be reviewed per that pre-clearance
15 process. We knew that it is was important to
16 maintain its ability to elect an
17 African-American candidate. At the same time,
18 as Jeff was discussing, with Sarasota and
19 Manatee, there were public requests that very
20 specifically from the meeting, I believe at New
21 College in Sarasota, where the request was to
22 put two seats that were wholly or mostly in
23 Sarasota, two seats wholly or mostly in Manatee
24 County. When we took a step back, as Jeff has
25 just done here with the map, we realized that

1 actually the mathematics of how much of Manatee
2 and Sarasota that District 70 impacts actually
3 is what allows you then to locate otherwise
4 four seats wholly in Manatee and Sarasota. And
5 so we attempted and think achieved to make the
6 seats work together to meet that public
7 request, comply with Section 5 of the Voting
8 Rights Act and make that region work together
9 as a whole, not just one seat, as Jeff said,
10 not just one seat driving the discussion, but
11 all the seats working together.

12 REPRESENTATIVE DORWORTH: You are
13 recognized.

14 MR. TAKACS: Thank you, Mr. Chairman.

15 Moving on to Pinellas County there,
16 looking to the north end of the county there is
17 District 65. Again, thinking about counties
18 being wholly located -- districts being wholly
19 located within a county, District 65 is wholly
20 located within Pinellas County. It also keeps
21 the Cities of Tarpon Springs and Dunedin whole
22 within it, and thinking about the City of
23 Dunedin, we did receive public testimony in
24 favor of keeping the City of Dunedin whole
25 within a legislative district.

1 As you move south and you look at these
2 next four districts, 66, 67, 68 and 69, when
3 you look at the peninsula and the population
4 there, what we were able to find is thinking
5 about that main straight line here between 66,
6 67 and 68 being a railway, essentially what
7 that did was create kind of a quadrant type of
8 scenario where we could create four districts
9 in the peninsula that would have a quadrant
10 type of feel to it. District 66 is kind of the
11 northwest quadrant seat of the four. It
12 includes parts of Clearwater and Largo, and all
13 of the Cities of Belleair, Belleair Bluffs,
14 Belleair Shore, Indian Rocks Beach and
15 Seminole. Thinking about that, thinking of
16 that southern tip of 66 there, you see where it
17 kind of has that dip here, that is the City of
18 Seminole. That is why it has that look to it,
19 because it dips down to grab all of the City of
20 Seminole and put it within District 66.

21 Also, thinking about Pinellas County,
22 thinking about that Largo public hearing, we
23 did hear a lot of testimony from the small
24 cities and then asking that small cities be
25 kept whole within a legislative district and

1 not be split. Thinking about District 66,
2 again, those cities that I mentioned do keep
3 many small cities together and whole within it.

4 As we look to District 67, it is that
5 northeast quadrant seat as I was talking about
6 of the peninsula. It contains the eastern
7 halves of Clearwater and Largo, and uses
8 roadways as the predominant eastern and
9 southern boundaries of the district, and,
10 again, that -- to the west is that railway.

11 District 68 is the southeastern peninsula
12 quadrant district. It is comprised mostly of
13 portions of Pinellas Park and St. Petersburg.
14 The county line serves as the main eastern and
15 southern boundaries, and, again, that railway
16 to the west.

17 District 69 is the southwestern peninsula
18 district, and is comprised mostly of small
19 coastal cities like South Pasadena. We
20 actually heard from the Mayor of South
21 Pasadena, thinking about those small cities,
22 asking that a lot of small cities be kept whole
23 and together within a district. Sixty-nine
24 does that, as well as District 66. Let's see
25 here. In fact, thinking about the cities that

1 are whole within District 69, there are nine
2 cities that are kept whole within that
3 district.

4 As we move south, obviously we have talked
5 about District 70. As we look to District 71
6 as we move into Manatee County again, thinking
7 about that grouping of 18 districts that fit
8 nicely within the four counties, District 71 is
9 comprised of all of the western portions of the
10 county and also has western portions of
11 Sarasota County. It is important to note, and
12 I will zoom in here a little bit, and I know we
13 talked about this in a previous meeting,
14 thinking about the community of Longboat Key,
15 Longboat Key here -- and I don't have the
16 county lines turned on, but the City of
17 Longboat Key, you can actually see it here a
18 little bit, the county line is right here, but
19 the City of Longboat Key is in both Manatee and
20 Sarasota Counties. This district does include
21 all of Longboat Key there on the western end
22 there of the district. Other cities kept whole
23 within that district are Anna Maria, Holmes
24 Beach and Bradenton Beach. The district does
25 split portions of Palmetto, Bradenton and

1 Sarasota, however.

2 Moving on to eastern Manatee County here
3 with District 73, District 73 is comprised of
4 the remaining portions I haven't mentioned
5 within Manatee County there in the eastern
6 portion and extends into northeastern Sarasota
7 County to make almost a shape of a square.
8 Again, if you were to turn that county line
9 off, you would see that District 73 almost has
10 a bit of a square appearance to it. The
11 portion of Sarasota within the district
12 includes the large community of Lakewood Ranch,
13 which is kept whole. That was an area that we
14 did receive public testimony in support of
15 keeping whole as that community also is in both
16 counties. It is right there at the border and
17 stretches between Manatee and Sarasota
18 Counties. It is kept whole within District 73.

19 District 72 in Sarasota County is wholly
20 within Sarasota County there in the northwest
21 area. While it uses the county line as its
22 boundaries to the north and to the west, I-75
23 is its predominant border to the district's
24 east. It also contains the eastern portion of
25 the City of Sarasota as well.

1 The southernmost district of the grouping
2 of 18 that I mentioned before in the four
3 counties is District 74. It is made up of the
4 southern end of Sarasota County and contains
5 all of the Cities of Venice and Newport. For
6 the district's northern border, Clark Road was
7 used as -- until it connects to the county
8 boundary.

9 Mr. Chairman, thinking about -- that is a
10 large area that we just covered.

11 REPRESENTATIVE DORWORTH: Questions for
12 Mr. Takacs?

13 MR. TAKACS: Skip over southwest Florida
14 for just a minute and kind of come back this
15 way. Looking there at that brownish district
16 there, District No. 55, it is comprised of
17 three whole counties: Highlands, Glades and
18 Okeechobee. More of the population was needed
19 to complete the district, so, again, thinking
20 about establishing the district that was these
21 three counties, if you look all around that
22 county, there are -- there are whole counties
23 there to its north, to its west, even to its
24 south, so thinking about where we wanted to go
25 to get the extra population needed to complete

1 the district, we went to the east to St. Lucie
2 County to complete the districts, and that is
3 what you see there in that -- in this area here
4 of St. Lucie County to complete District 55.
5 The district keeps the Cities of Avon Park,
6 Sebring, Lake Placid, Okeechobee and Moore
7 Haven whole. Up here a little bit.

8 Looking at District 54, District 54 is
9 comprised of all of Indian River County and a
10 northern portion of St. Lucie County. VTDs and
11 roadways were used to create that southern
12 border there of the district in St. Lucie
13 County, and the district is also able to keep
14 all of the incorporated town of St. Lucie
15 Village whole within District 54. This
16 district also includes all of Fellsmere,
17 Sebastian, Orchid, Indian River Shores and Vero
18 Beach.

19 Moving just to the south here, District 84
20 in the red color there, District 84 is wholly
21 contained within St. Lucie County. This is
22 something that actually does not occur on the
23 House map is that there is no district that is
24 wholly within St. Lucie County. The county
25 line and the shoreline to the east, roadways to

1 the north, and city boundaries to the west, and
2 roadways and county lines to the south is
3 what's used to make up the boundaries for this
4 district. The district contains all of the
5 City of Ft. Pierce and a portion of Port St.
6 Lucie, a city that mathematically had to be
7 split because its population is larger than
8 that of a House district.

9 Moving south into District 83, District 83
10 contains that southern area there of St. Lucie
11 County, which includes portions of Port St.
12 Lucie and moves on into northern Martin County.
13 Martin County is another example of a county
14 that mathematically, because of its population,
15 it could have been kept whole, but like Santa
16 Rosa County in the Panhandle, because of its
17 location, you've got -- this is Martin County
18 here. You've got St. Lucie County to its
19 north, it is too large for a House district, so
20 St. Lucie County has to be split, and as you
21 move down here into Palm Beach County,
22 obviously one of the largest counties in the
23 state, it also has to be split. So when you
24 look at Martin County having two neighbors that
25 both have to be split, and as you look to the

1 west here in Okeechobee County, theoretically
2 you could connect the two counties within a
3 district, but you would -- it would be around
4 Lake Okeechobee, and there would be virtually
5 no way for -- there is no connecting -- there
6 is not a bridge here over Lake Okeechobee, so
7 to speak. I mean, I know there's roadways
8 around the lake, but it would be very difficult
9 for the constituents to meet with their
10 Representative, and vice-versa, their
11 Representative to meet with their constituents.
12 So, again, Martin County had to be split
13 basically due to its geography.

14 REPRESENTATIVE DORWORTH: Jeff, let me
15 interrupt you for a second so Alex can make a
16 comment.

17 MR. KELLY: Thank you, Mr. Chair.

18 Just to add to Jeff's point, one of the
19 practical issues that we confronted there was
20 it was basically a decision between Indian
21 River or Martin in terms of how you build from
22 the south from Palm Beach or how you build from
23 the north from Brevard, but the decision came
24 down to keeping either Indian River whole or
25 keeping Martin whole, and the configuration

1 here opted to keep Indian River whole. And in
2 part, the Martin County district goes into
3 northern Palm Beach. Because the decision was
4 either Indian River or Martin, there was
5 testimony -- numerous testimony in the meetings
6 in the Stuart and Palm Beach areas about the
7 relationship between Indian River -- I'm sorry,
8 between Martin and Palm Beach, so because of
9 that either/or decision, that is how in part we
10 arrived at that conclusion to keep Indian River
11 whole and to split Martin.

12 REPRESENTATIVE DORWORTH: You are
13 recognized, Jeff.

14 MR. TAKACS: Thank you, Mr. Chairman.

15 Thinking about District 83, it does keep
16 all of the incorporated Towns of Ocean Breeze
17 Park and Sewall's Point whole within its
18 limits. The Martin Highway was used as the
19 predominant boundary with that -- in that
20 southern end there of the district; again,
21 almost a straight, clean line between Districts
22 83 and 82.

23 Looking at District 82, it contains most
24 of Martin County, as you can see. And, again,
25 as Mr. Kelly said, it does link with northern

1 areas of northern Palm Beach County, which we
2 did receive numerous testimonies in support of
3 linking those two areas together within a
4 single House district. While Districts 82 and
5 83 split the City of Stuart, District 82 keeps
6 the Cities of Jupiter Island, Tequesta and
7 Jupiter Inlet Colony whole within its limits.

8 As we move south again, thinking about
9 Palm Beach County, this was a similar situation
10 to what we saw in Volusia and Brevard Counties,
11 whereas when you have a district that comes
12 into the county, what it ended up creating was
13 a population that was roughly equal to that of
14 a whole number of House seats. So what you see
15 here is that there are -- there are nine
16 districts that are in Palm Beach County, 82
17 being one of them, and then the other eight are
18 wholly within Palm Beach County. What that
19 also means is that, again, thinking about
20 keeping county boundary lines intact, the
21 western boundary is kept intact, as is the
22 southern boundary as it connects to Broward
23 County. This is -- no districts cross these
24 lines here.

25 As we move into Palm Beach County, we will

1 look at District 85. District 85 is based in
2 northern Palm Beach County and contains the
3 entire Cities of Palm Beach Gardens, Juno Beach
4 and North Palm Beach. It also contains
5 portions of the City of West Palm Beach as
6 well. VTDs and the county line are the
7 predominant boundaries around this district.

8 Moving just to the south there in that
9 purple district, District 86 contains all of
10 the Cities of Wellington, Loxahatchee Groves,
11 Royal Palm Beach and Haverhill. Its eastern
12 boundary is comprised of roadways, including
13 the Florida Turnpike, Forest Hill Boulevard and
14 Southern Boulevard, to name a few.

15 When we again took a look at Palm Beach
16 County and studied the demographics of its
17 makeup, we were able to -- okay, I will zoom in
18 here a little bit so we can get a closer look
19 at some of these districts within the county.
20 When we were -- when we were studying the
21 demographics of Palm Beach County and looking
22 where specific populations are together, we
23 were able to notice that there is the
24 possibility of building a majority-minority
25 Hispanic district, as well as a

1 majority-minority black district, all, again,
2 wholly within Palm Beach County. In this
3 proposal, those districts ended up becoming 87
4 and 88, respectively.

5 Thinking about District 87, its Hispanic
6 voting age population is 50.02 percent, and
7 several cities are kept whole within it,
8 including Palm Springs, Cloud Lake, Glen Ridge
9 and Lake Clarke Shores. The district also
10 contains portions of Lake Worth and Green
11 Acres.

12 Looking at District 88, currently in this
13 area of Palm Beach County, specifically looking
14 at the Riviera Beach area, there is a
15 majority-minority black district in this
16 region. District 88 in this proposal takes a
17 little bit of a different approach to it as the
18 current district runs east to west, and this
19 district runs north to south mainly along
20 Interstate 95 and U.S. 1 as the major
21 transportation corridors for the district.

22 Again, Mr. Chairman, thinking about the
23 different decision points that are in the
24 various options, you will see in one of the
25 later proposals that we do include the

1 horizontal majority-minority black district in
2 Palm Beach County for your review as well.

3 Thinking about the current District 88 in
4 the proposal, its black voting age population
5 is 51.77 percent, and it does have the vast
6 majority of the City of Riviera Beach, which is
7 the core of the African-American community in
8 this area. This district, District 88, also
9 contains both the incorporated Towns of Lake
10 Park and Mangonia Park in its entirety.

11 Moving to the east with District 89,
12 District 89 contains most of Palm Beach County
13 shoreline. That keeps many cities whole,
14 including Palm Beach Shores and the Town of
15 Palm Beach, South Palm Beach, Manalapan,
16 Hypoluxo, Ocean Ridge, Gulf Stream and Highland
17 Beach. Its western boundary consists of
18 roadways such as Military Trail, I-95 and U.S.
19 1.

20 Back in here on District 90, which is in
21 the central area of Palm Beach County, District
22 91 is a rectangular-shaped district -- I'm
23 sorry, that is 91. Let's go back to 90.
24 District 90 is more of a square shape, and it
25 is in central Palm Beach County. It is made up

1 of portions of Green Acres, Lake Worth and
2 Boynton Beach, and consists of all of the City
3 of Atlantis.

4 District 92 there in yellow is a
5 rectangular-shaped district in the southern end
6 of the county. Its major borders are the
7 Florida Turnpike to the west and Military Trail
8 to the east. It contains portions of Boca
9 Raton, Delray Beach and Boynton Beach, while it
10 keeps Golf Village whole.

11 REPRESENTATIVE DORWORTH: Jeff, give me a
12 second here so Alex can interject.

13 MR. KELLY: Thank you, Mr. Chair.

14 And one thing to notice in terms of this
15 part of the state, and you will see this also
16 to an extent in Broward County and in
17 Miami-Dade County, at this point we noticed
18 that many of the roadways, the Turnpike, U.S.
19 1, other roadways really gave great
20 opportunities to create definition in the
21 districts. And so for these counties, unlike
22 reflecting back on some counties we looked at
23 previously like Polk County and Lake County,
24 the roadways in these counties very, very
25 frequently gave an opportunity to create a

1 natural border, work with the city boundary
2 lines. And so you will see more frequently
3 that we used the roadways, of course, keeping
4 cities whole, too, but the roadways worked very
5 well in all of these counties.

6 REPRESENTATIVE DORWORTH: You are
7 recognized.

8 MR. TAKACS: Thank you, Mr. Chairman.

9 The final district to discuss in this
10 proposal for Palm Beach County is District 81
11 here. It is largely a western Palm Beach
12 district. As you can see, it runs essentially
13 from the northern border of the county all the
14 way down to the southern border of the county.
15 As Mr. Kelly mentioned, roadways being a good
16 boundary line to use to create definitive
17 lines, the Florida Turnpike was used in this
18 district, as well as VTDs to create its border.
19 Cities kept whole within this district are
20 Pahokee, Belle Glade and South Bay.

21 Mr. Chairman, that's probably a pretty
22 good stopping point for questions.

23 REPRESENTATIVE DORWORTH: Any questions?
24 Seeing none, keep on.

25 MR. TAKACS: Thank you, Mr. Chairman.

1 Moving south here into Broward County,
2 again, thinking about keeping county boundary
3 lines intact and thinking of the mathematics
4 that was able to create those eight wholly
5 contained House districts within Palm Beach
6 County, creating this line to be intact, it
7 just -- thinking about a county like that,
8 again, there's no districts that cross the
9 county boundary line into Broward County from
10 Palm Beach. As we move into Broward County,
11 again, looking at the northern and central
12 areas of Broward County, we studied the
13 demographics and were able to determine that
14 there were three black districts that could be
15 built, again, wholly within the county. Those
16 districts would end up becoming Districts 92,
17 94 and 95.

18 District 92 there at the northern area of
19 Broward County has a black voting age
20 population of 34 percent, and predominantly
21 uses roadways as its boundaries, including
22 Dixie Highway, the Florida Turnpike and State
23 Road 7, to name a few. It contains portions of
24 Deerfield Beach, Pompano Beach, Coconut Creek,
25 North Lauderdale, Ft. Lauderdale, Oakland Park

1 and Tamarac.

2 Moving south to District 94, it also uses
3 roadways as its predominant source for
4 boundaries, and has a black voting age
5 population of 54.56 percent. It contains
6 portions of several cities, including Oakland
7 Park, Wilton Manors, Lauderdale Lakes, Ft.
8 Lauderdale, Plantation and Lauderhill. This
9 district also uses the Sea Highway as its
10 eastern boundary, while it uses several
11 roadways to the west, including Broward
12 Boulevard, Sunrise Boulevard and Northwest 40th
13 Avenue.

14 Again, thinking about a large, heavily
15 populated county like this, for a lot of these
16 districts we used roadways as the predominant
17 boundary between the districts, because they
18 are easily identifiable by the people that live
19 in that community, and they also end up
20 creating good, clean lines and good,
21 geographically-shaped districts.

22 Thinking about that, looking at District
23 95, it contains portions of North Lauderdale,
24 Tamarac, Lauderhill, Sunrise and Plantation,
25 and has a black voting age population of

1 57.66 percent.

2 If we move here a little bit to the east,
3 again, thinking of geographically-shaped
4 districts, District 93 is essentially
5 rectangular-based and is located along the
6 shoreline of Broward County's northern half.
7 While its northern boundary is the county line
8 and its eastern boundary is the county line and
9 its shoreline, its western boundary is entirely
10 composed of Dixie Highway and its southern
11 boundary is made up of VTDs. It contains all
12 of the Cities of Hillsborough Beach, Lighthouse
13 Point, Lauderdale-by-the-Sea and Sea Ranch
14 Lakes, as well as portions of Deerfield Beach,
15 Pompano Beach, Ft. Lauderdale and Wilton
16 Manors.

17 REPRESENTATIVE DORWORTH: Jeff, could you
18 do me a favor? Can you show us where what the
19 current map looks like just so we can get some
20 feel for what that looks like versus --

21 MR. TAKACS: Certainly. Going to see if
22 we can establish the county boundary. I
23 believe that is the Broward County area, sir.
24 Yeah.

25 REPRESENTATIVE DORWORTH: So that is the

1 current map. Now let's see the new map, 2015.

2 Thank you.

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

4 Moving on to the northern area here of
5 District 96, District 96 contains all of the
6 City of Parkland and portions of Coral Springs,
7 Margate and Coconut Creek. While the county
8 line is its boundary to the north, it also uses
9 roadways and city boundaries as its border to
10 the east, west and south.

11 I will zoom out just a little bit so you
12 can see all of District 97 here, which is in
13 the -- kind of the northwestern half of Broward
14 County. District 97 includes portions of Coral
15 Springs, Tamarac, Plantation and Sunrise. As I
16 said, it uses the county line as its northern
17 and western boundaries, and that line there at
18 the southern end is Alligator Alley to define
19 the southern end of the district.

20 District 98, which is the brown district
21 there, is comprised of portions of Sunrise,
22 Plantation and Davie, and utilizes roadways and
23 city boundaries as its borders. Some of the
24 roadways used are Northwest 124th Avenue, Davie
25 Road, Broward Boulevard and Northwest 44th

1 Street.

2 Again, thinking about a lot of these
3 districts, thinking about 92, 93, 94, 95, 96,
4 97, all of the ones I have mentioned, 98, they
5 are all wholly contained within Broward County,
6 and that is important to note as we continue to
7 move across the county.

8 As we look at District 99 there, the blue
9 -- light blue-shaded district, it contains all
10 of the City of Cooper City and portions of
11 Plantation, Ft. Lauderdale, Dania Beach, Davie,
12 Hollywood, Pembroke Pines and Southwest
13 Ranches. Roadways were again used as the major
14 borders for the district, including Griffin
15 Road, Taff Road, Sheridan Street and U.S. 1.

16 District 100 there, the gray-colored
17 district, consists of the southern end of
18 Broward County's coastline and extends south
19 into Miami-Dade County. This is an example of
20 that Broward line being broken. It uses VTDs
21 as its northern and southern boundaries, and
22 roadways such as U.S. 1, which give it that
23 rectangular shape. It contains all of the
24 Cities of Aventura, Golden Beach, Sunny Isles,
25 Bal Harbor, Bay Harbor Islands, Indian Creek

1 and Surfside within its city limits as well.

2 Bear with me for just a second here. I am
3 going to turn off those city boundary lines.
4 Thinking about an area like Broward County that
5 have a lot of cities within it, I don't want
6 those red lines to get in the way of the
7 district -- the district lines.

8 As we move into the southern end of
9 Broward County, we studied the demographics of
10 this area and were able to determine that a
11 black district could be wholly built within
12 Broward County, and that of a majority-minority
13 black district could be built within portions
14 of Broward and Miami-Dade Counties combined.
15 Those would later become Districts 101 and 102.

16 District 101 is wholly within Broward
17 County and has a black voting age population of
18 36.37 percent. It contains all of Pembroke
19 Park and West Park, and portions of Hollywood,
20 Pembroke Pines, Miramar and Hallendale Beach.
21 Besides the county line as its southern
22 boundary, roadways are again used as the
23 boundaries for the rest of this district.

24 As I mentioned, District 102 crosses over
25 into Miami-Dade County, using roadways as its

1 predominant boundary around the district, and
2 it has a black voting age population of
3 52.76 percent.

4 Back into Broward County, this blue
5 district here, District 104, is wholly
6 contained within Broward County, and it keeps
7 the City of Weston whole. It uses Alligator
8 Alley as its northern boundary, and also I-75
9 is also a border to the east, among other
10 roadways.

11 And, Mr. Chairman, that is kind of the end
12 of Broward County, probably a good stopping
13 point for questions.

14 REPRESENTATIVE DORWORTH: Thank you, Jeff.

15 Members, do you have any questions?

16 Representative Clarke-Reed, you are recognized.

17 REPRESENTATIVE CLARKE-REED: Thank you,
18 Mr. Chair. I just wanted to -- had a question
19 about the performance data that is used in
20 drawing these maps. Did staff have any help
21 from any group or organization that went into
22 looking at the performance data and helping to
23 give information or input into this?

24 REPRESENTATIVE DORWORTH: I will go ahead
25 and recognize Alex Kelly to answer that

1 question.

2 MR. KELLY: Thank you, Mr. Chair.

3 Representative Clarke-Reed, no, we worked
4 entirely within the framework of the data that
5 is in My District Builder, data that we have
6 also made available publicly outside the
7 application, but the data in My District
8 Builder has been adequate enough for us as
9 staff to, when we have a district that is
10 perhaps required by the Federal Voting Rights
11 Act or in terms of complying with state law,
12 for instance, some of the districts that Jeff
13 described, trying to maintain, I believe, there
14 a 34 and a 36 black voting age population, in
15 terms of maintaining those districts, we do in
16 some cases need to use data that signifies what
17 percentage of registered voters are
18 African-Americans or Hispanics in terms of
19 determining whether the district will actually
20 truly perform for an African-American or
21 Hispanic candidate, making sure the State can
22 meet its legal obligation there. So we use the
23 data that is all included within My District
24 Builder in determining that, and that is --
25 and, again, there's no outside assistance or so

1 forth. That's all done by staff in-house with
2 the advice of counsel.

3 REPRESENTATIVE CLARKE-REED: Follow-up,
4 Mr. Chair?

5 REPRESENTATIVE DORWORTH: Absolutely. You
6 are recognized.

7 REPRESENTATIVE CLARKE-REED: Thank you.
8 The District 101 and 102 that you just
9 spoke about, these would -- this would be two
10 new additional minority districts?

11 REPRESENTATIVE DORWORTH: You are
12 recognized, Jeff.

13 MR. TAKACS: Thank you, Mr. Chairman. I
14 don't believe that is the case.

15 REPRESENTATIVE CLARKE-REED: You don't
16 believe that is the case?

17 MR. TAKACS: That is correct. I don't
18 believe that they would be new districts.

19 REPRESENTATIVE CLARKE-REED: Oh.

20 REPRESENTATIVE DORWORTH: Would you like
21 to expound on that, Alex?

22 REPRESENTATIVE CLARKE-REED: I wanted you
23 to expound on that, please.

24 MR. KELLY: Thank you, Mr. Chair.

25 Representative Clarke-Reed, no, in that

1 area, in northern Miami-Dade County and
2 southern Broward County, there are five
3 districts that currently today perform for the
4 African-American community for those seats, and
5 this map achieves the majority-minority status,
6 Jeff is going to describe a couple of them in a
7 little bit, but are majority-minority seats.
8 The District 101, I believe, is either 34 or
9 36 percent, and it today performs for
10 African-Americans, so these are existing seats.
11 They were reconfigured, and actually --
12 actually were able to, in at least four other
13 cases, make much better use of roadways to make
14 the districts take a more geometric shape. So
15 they were reconfigured to that extent, but they
16 are existing seats today, reconfigured in terms
17 of trying to both marry up Tier 1, and when we
18 could, Tier 2 of Florida's new constitutional
19 standards.

20 And I should add, forgive me, two of the
21 districts, I believe it is 107 and 108, their
22 location is unique in such that they also
23 maintain a language minority population. They
24 have significant Haitian-American communities,
25 so their boundaries are also determined much by

1 that.

2 REPRESENTATIVE CLARKE-REED: Thank you.

3 REPRESENTATIVE DORWORTH: Any other
4 questions?

5 REPRESENTATIVE BERNARD: Mr. Chair?

6 REPRESENTATIVE DORWORTH: Representative
7 Bernard, you are recognized.

8 REPRESENTATIVE BERNARD: Thank you, Mr.
9 Chair.

10 Just taking a look at -- what is the
11 percentage of the population in Broward County
12 that is Hispanic?

13 REPRESENTATIVE DORWORTH: You are
14 recognized, sir.

15 MR. TAKACS: The entire --

16 REPRESENTATIVE BERNARD: Yeah.

17 MR. TAKACS: -- county's population?

18 REPRESENTATIVE DORWORTH: Mr. Kelly, would
19 you like to answer while --

20 MR. KELLY: Thank you, Mr. Chair.

21 Jeff, you know what you could do is you
22 could actually just in a separate map build
23 Marion County into a single district and use
24 the percentage that way.

25 REPRESENTATIVE BERNARD: Broward County.

1 MR. KELLY: Broward County, I'm sorry,
2 Broward County.

3 REPRESENTATIVE DORWORTH: Do we have any
4 other questions?

5 REPRESENTATIVE BERNARD: Yes.

6 REPRESENTATIVE DORWORTH: You are
7 recognized.

8 REPRESENTATIVE BERNARD: What about the
9 percentage of Broward County that is black?

10 REPRESENTATIVE DORWORTH: If there's going
11 to be a chain of questions -- so you are
12 looking for the breakdown for --

13 REPRESENTATIVE BERNARD: Yeah, because I'm
14 trying to -- yeah.

15 REPRESENTATIVE DORWORTH: Representative
16 Rogers, if you had a question that there was
17 not -- that you didn't need Jeff to build a
18 model for, we could maybe direct that towards
19 Alex while he is doing that now.

20 REPRESENTATIVE ROGERS: Thank you, Mr.
21 Chairman. I will just continue on the path of
22 Rep Bernard, because I wanted to -- if you
23 could tell me the Haitian population in Broward
24 County, if you could. That it is a language
25 minority population, and we know there is

1 growth in that area also, and waiting to hear
2 from -- on the information before.

3 REPRESENTATIVE DORWORTH: Are you ready?

4 MR. TAKACS: Yes.

5 REPRESENTATIVE DORWORTH: Shoot.

6 MR. TAKACS: Thank you, Mr. Chairman.

7 I should ask one question though. Would
8 you like voting age population, or do you just
9 want total --

10 REPRESENTATIVE BERNARD: Just total
11 population, please.

12 MR. TAKACS: Broward County, the
13 percentage of the black population, according
14 to the 2010 census, is 28.2. And the Hispanic
15 population, again, Broward County, would be
16 25.0. Speaking of Representative Rogers'
17 question, the Haitian population of Broward
18 County is 5.31 percent.

19 REPRESENTATIVE DORWORTH: Representative
20 Bernard, I will go back to you for a follow-up
21 question.

22 REPRESENTATIVE BERNARD: Thank you, Mr.
23 Chair. Mr. Chair -- Jeff, is there like a
24 concentration of Hispanic votes or clusters in
25 Broward County based on the population that

1 they have in Broward County?

2 REPRESENTATIVE DORWORTH: You are
3 recognized, sir.

4 MR. TAKACS: Thank you, Mr. Chairman. Are
5 you saying that there are clusters of --

6 REPRESENTATIVE BERNARD: In the county,
7 because -- since they represent 25 percent of
8 the county, and you have presented five
9 majority -- five black seats, however -- which
10 is they're 20 percent African-American, let's
11 say black votes, and then 25 percent Hispanics,
12 what are we doing with the Hispanic votes in
13 that county?

14 REPRESENTATIVE DORWORTH: You are
15 recognized, Mr. Takacs.

16 MR. TAKACS: Thank you, Mr. Chairman.

17 I can look to see where there might be
18 clusters of population. I know that there are
19 districts that have Hispanic populations here
20 in this proposal that I haven't had a chance to
21 speak with yet that come into Miami-Dade
22 County, but I haven't had a chance to speak of
23 those districts yet.

24 REPRESENTATIVE BERNARD: Follow up,
25 Mr. Chair?

1 REPRESENTATIVE DORWORTH: You are
2 recognized, sir.

3 REPRESENTATIVE BERNARD: I don't know the
4 exact number, the total population for Broward
5 County, but I would probably say if you have --
6 I think the county is probably one point --
7 close to 1.7 million population. If we go
8 25 percent of that, that is about 400,000
9 population. I guess what I am trying to figure
10 out is, you know, can Broward County get its
11 own Hispanic drawn district since they have
12 such a huge population in Broward, if there is
13 a cluster in Broward?

14 REPRESENTATIVE DORWORTH: What I will do
15 is I will hand it over to Mr. Kelly to kind of
16 walk through the thinking on that, if you --

17 MR. KELLY: Thank you, Mr. Chair.

18 Jeff, why don't you go and pull up the
19 proposed map and zoom into the southern part of
20 the county, but let's make sure that we still
21 see -- is that 105, the light bluish district?
22 Make sure we see all that district. And let's
23 go ahead and turn on VTDs and shading, and
24 let's show Hispanic VAP at 35 percent.

25 And while Jeff is doing that, District

1 105, I do believe, has approximately a
2 43 percent Hispanic voting age population -- or
3 104, I'm sorry, I apologize, 104 has a 43
4 percent Hispanic voting age population.

5 Now, two of the seats -- Jeff, go ahead
6 and kind of shading on, shading off. Two of
7 the seats coming up from Miami-Dade, as Jeff
8 notes, those seats take in a significant
9 portion of -- at least in terms of southern
10 Broward County, the Hispanic communities right
11 there, and those go into Hispanic
12 majority-minority seats that are predominantly
13 in Miami-Dade County, but these do occupy some
14 of the Hispanic population of Broward.

15 Jeff, can we pull back some and get a
16 better view of 104? And let's see where the
17 Hispanic population in 104 is located. Okay.
18 So you can see that 104, including the City of
19 Weston, takes in a decent number -- amount of
20 that population.

21 Now, Jeff, let's go look at the east side
22 of the county and examine -- maybe zoom in a
23 little bit on the east side of the county and
24 examine the Hispanic population on the east
25 side of the county. We have gone a little too

1 far -- I'm sorry, I apologize, you got it
2 right. Okay. And now maybe scroll -- so in
3 terms of the northern part of the county,
4 there's not much of a Hispanic population.
5 What is there is somewhat scattered. Jeff, if
6 you scroll back down south -- okay. And let's
7 pan just a little bit east. Perfect. Okay.
8 So, again, in taking a look at where the
9 shading occurred, most of that population was
10 within the two seats that come in from
11 Miami-Dade County and then the seat that has
12 the 43 percent Hispanic population.

13 Jeff, could you -- could we see again
14 what's just south of 595, just kind of shade
15 on, shade off?

16 Okay. So in terms of the concentrations,
17 the concentrations have generally been
18 accounted for in those three seats, and then
19 there's some scattered population throughout
20 the rest of the county.

21 REPRESENTATIVE BERNARD: Follow-up,
22 Mr. Chair?

23 REPRESENTATIVE DORWORTH: Certainly.

24 REPRESENTATIVE BERNARD: So with over
25 400,000 potential -- the population of over 400

1 Hispanics that lives in that -- in that county,
2 do they have the ability to have a seat solely
3 in Broward County since you have about -- based
4 on the 29 -- 28 percent of blacks that you have
5 in Broward, you have put five seats; however,
6 you have 400,000 Hispanics that live in
7 Broward, and there's no seats that are
8 specifically in Broward County. I guess that
9 is not a question.

10 REPRESENTATIVE DORWORTH: I'll assume what
11 you are asking is can they look into that and
12 see if -- and we will ask -- we will ask Alex
13 and Mr. Takacs to do that, all right?

14 You had a question, Representative Rogers?
15 I was -- I cut -- I went back and forth there,
16 so did you have a follow-up to our earlier line
17 of questioning?

18 REPRESENTATIVE ROGERS: Thank you, Mr.
19 Chairman.

20 I would like to go back to the number of
21 minority seats that we are reflecting in
22 Broward County currently compared to what was
23 prior to the drawing of these maps.

24 REPRESENTATIVE DORWORTH: Okay. Recognize
25 Mr. Kelly.

1 MR. KELLY: Thank you, Mr. Chair.

2 The number of seats in Broward County, a
3 number of -- and, forgive me, you said
4 minority, or you said African-American
5 specifically?

6 REPRESENTATIVE ROGERS: I would say
7 African-American specifically.

8 MR. KELLY: Okay. It is the same number
9 of seats. There are -- there is a cluster of
10 three seats that touch the northern border,
11 touch the northern Broward/Palm Beach border.
12 Two of those seats are majority-minority, one
13 of which actually has a concentration of
14 Caribbean-Americans, which are maintained --
15 one of those seats is approximately a
16 34 percent black voting age population seat.
17 That is maintained. There are two seats in the
18 southern part of the county, one of which is
19 majority-minority, that is maintained, although
20 it comes further into Broward now, but it is
21 maintained. And then there is a 34 or
22 36 percent seat that is maintained. It is much
23 more compacted and squared up, but it maintains
24 the seat. So the seats overall look different
25 because of using more geometric shapes, but it

1 is the same number of seats.

2 REPRESENTATIVE DORWORTH: You are
3 recognized for a follow-up.

4 REPRESENTATIVE ROGERS: Thank you, Mr.
5 Chair.

6 I know when we were talking about the
7 northern Palm Beach County and Pensacola and
8 all of that, we referenced keeping cities
9 whole, especially if they are smaller cities,
10 because those communities would tell you they
11 want to -- they do things together, they attend
12 the same homeowner's association. What did we
13 do in Broward County? How many of the smaller
14 cities did we divide in over three members?

15 REPRESENTATIVE DORWORTH: You are
16 recognized, Mr. Takacs, to answer that.

17 REPRESENTATIVE ROGERS: Over two members.

18 MR. TAKACS: Thank you, Mr. Chairman.

19 So, Representative, let me make sure I
20 understand. You want to know how many cities
21 are kept whole within Broward County?

22 REPRESENTATIVE ROGERS: Yes.

23 MR. TAKACS: Mr. Chairman, it will take a
24 moment to dig out that research.

25 REPRESENTATIVE DORWORTH: Okay.

1 Representative Clarke-Reed, would you like to
2 ask a question while he is finding that?

3 REPRESENTATIVE CLARKE-REED: Yes, I would,
4 Mr. Chair. There is a large Brazilian
5 population. How did you account for that
6 population in Broward County?

7 REPRESENTATIVE DORWORTH: You are
8 recognized for that, Mr. Kelly.

9 MR. KELLY: Thank you, Mr. Chair.
10 Probably best to defer to counsel. I am not
11 sure that the Brazilian population is covered
12 under the law, if George Meros could approach
13 and answer the question.

14 REPRESENTATIVE DORWORTH: You are
15 recognized, Mr. Meros.

16 MR. MEROS: Thank you.

17 It depends -- there could be a language
18 minority, but it depends on the amount of the
19 population. If that population is a relatively
20 small amount of population that could not be a
21 majority in a single member district or a
22 significant portion of an existing
23 majority-minority district, it would not be
24 protected. So we would have to know more about
25 the specific number and where they are actually

1 located, but I doubt that number is significant
2 enough to where it would be protected under
3 state or federal law.

4 REPRESENTATIVE DORWORTH: Yes, ma'am.

5 REPRESENTATIVE ROGERS: In the census
6 (inaudible) there was a question that allowed
7 (inaudible).

8 MR. MEROS: I don't know what -- I can't
9 tell you off the top of my head what the census
10 numbers were with regard to Brazilian
11 population. I don't know that you could
12 self-identify, or if you did, what those
13 numbers are. So I don't -- but I can tell you
14 that staff used the census information in what
15 they did. I just -- I just don't know enough
16 about how many Brazilians there are and where
17 are they in a given area.

18 REPRESENTATIVE DORWORTH: We can research
19 that.

20 REPRESENTATIVE ROGERS: Yes, would you,
21 please?

22 MR. MEROS: Sure.

23 REPRESENTATIVE DORWORTH: Any other
24 questions?

25 Mr. Takacs, do you have an answer to --

1 MR. TAKACS: We're still researching the
2 number.

3 REPRESENTATIVE DORWORTH: Representative
4 Rogers, can we get back to you on that in a few
5 minutes, give them a few minutes to research it
6 and -- okay. Is it your preference -- do you
7 have someone back here doing that so that you
8 can continue on with your presentation?

9 MR. TAKACS: Yes, sir, I believe so.

10 REPRESENTATIVE DORWORTH: Representative
11 Julien, did you have a statement to make, or a
12 question?

13 REPRESENTATIVE JULIEN: Thank you, Mr.
14 Chair. I would like to start with a question,
15 and based on the answer, follow it up with a
16 statement based on the answer.

17 The -- when you gave the figures for
18 black, Hispanic and Haitian populations,
19 respectively, and I believe there were 25 --
20 28, 25 and 5, respectively, roughly, are you
21 getting those figures off of the census data?

22 REPRESENTATIVE DORWORTH: You are
23 recognized, sir.

24 MR. TAKACS: Thank you, Mr. Chairman.
25 Yes, sir.

1 REPRESENTATIVE JULIEN: Okay. Thank you.

2 REPRESENTATIVE DORWORTH: Follow-up
3 question?

4 REPRESENTATIVE JULIEN: No follow-up
5 question, but a statement rather. I believe
6 the figures for the Haitian population will be
7 low if you are going off of the census data.
8 And the reason I am making that statement is
9 because as written on the census, it doesn't
10 have a category of Haitian. So an individual,
11 in order to self-identify as Haitian or
12 Jamaican or Bahamian or Brazilian or whatever,
13 they would have to check off box number nine
14 and then handwrite what they want to
15 self-identify as. So I believe that the
16 population, to answer the question as to how
17 many Haitians do you have in any given area,
18 will probably be higher, because most of them
19 will probably check off a different box.

20 MR. TAKACS: Mr. Chairman, can I respond
21 to that?

22 REPRESENTATIVE DORWORTH: Yes.

23 MR. TAKACS: There is one step beyond the
24 census, and that is the American Community
25 Survey, also done by the census, and what that

1 survey does is that every year it is a rolling
2 survey to try to identify specific populations.
3 And what happens is that if you think about the
4 census of old, of how long it used to be and
5 then the recent change by the census to make it
6 shorter to the questions you talked about,
7 those short questions, the American Community
8 Survey is essentially the long form of the
9 census where those folks that are Haitian or
10 Jamaican or another that you mentioned, those
11 -- that is where that data was accumulated from
12 was from those folks answering the American
13 Community Survey, which is, again, a survey of
14 all Americans, all Floridians, that is done
15 every year. I believe it is one percent of the
16 country receives that survey every year, and it
17 is tabulated every year to get that survey and
18 it is mathematically proportioned out to
19 determine where those folks live and how many
20 of them there are.

21 REPRESENTATIVE DORWORTH: Mr. Kelly, I
22 think you had some additional information?

23 MR. KELLY: Thank you, Mr. Chair.

24 And, Representative Julien, as Jeff was
25 talking about the American Community Survey, it

1 is just that, it is a Census Bureau product,
2 but it is still just a survey. And so what we
3 often -- what we do in terms of when we use the
4 data for something like Haitian-American data,
5 data that might identify West Indies heritage
6 and so forth is because it is not necessarily
7 as accurate as the decennial census, what we
8 are doing in terms of building the district is
9 looking for a clustering, so that if
10 individuals perhaps were not surveyed, didn't
11 answer the question, if its accuracy, again,
12 varied from the accuracy of the decennial
13 census, we still looked for that clustering and
14 tried to build a compact district around that
15 clustering as best possible to account for any
16 potential error in the American Community
17 Survey.

18 REPRESENTATIVE DORWORTH: Follow-up
19 question, Representative Julien?

20 REPRESENTATIVE JULIEN: Just a -- thank
21 you, Mr. Chair, for recognizing me. More of a
22 follow-up statement as well.

23 The only reason I bring that up is because
24 during the census, the census taking, I happen
25 to have been in local government and I was a

1 very active part of the census count, and I can
2 tell you that some of the communities that I
3 worked with, like the Orientals, the Haitians,
4 the Bahamians and the Jamaicans, those groups,
5 they will be under-counted, regardless of how
6 you are doing it, because if you are taking a
7 statistical or random sampling, that is --
8 those are the groups that are going to be
9 under-counted because of certain factors that
10 goes into that segment of the American
11 population. So I just wanted to caution that
12 when you make a statement like you have five
13 percent Haitian-Americans in Broward County,
14 someone like me, I can tell you that I
15 disagree, but that is just because of
16 information that I am privy to. But that is
17 all, and I thank you for your indulgence, Mr.
18 Chair.

19 REPRESENTATIVE DORWORTH: Representative
20 Julien, what I would encourage you to do is to
21 sit down with the staff. Obviously with your
22 expertise, I think they would benefit a lot
23 from your opinion on that, and I would
24 encourage you in the intervening month to sit
25 down and to show where you think that could be

1 taking place and they will be waiting for you.

2 Any other questions?

3 Moving on.

4 MR. TAKACS: Mr. Chairman, I have answer
5 to the previous question of the cities in
6 Broward County.

7 REPRESENTATIVE DORWORTH: Here we go.

8 MR. TAKACS: Sixteen are kept whole.

9 REPRESENTATIVE DORWORTH: Sixteen cities
10 are kept whole. How many cities are there
11 total? Thirty-one? You are recognized.

12 A VOICE:

13 REPRESENTATIVE ROGERS: Thank you, Mr.
14 Chairman. Do you know the percentage of small
15 cities that were kept whole?

16 REPRESENTATIVE DORWORTH: I don't know
17 anybody who knows more geography than Jeff
18 Takacs in the state of Florida. I don't think
19 even he knows that. So can we -- we will give
20 the staff some time and we will follow up on
21 e-mail, okay?

22 A VOICE: Thank you.

23 REPRESENTATIVE DORWORTH: Anybody else?

24 Seeing none, sir, you are now recognized
25 to continue with your presentation.

1 MR. TAKACS: Thank you, Mr. Chairman.

2 Before we go into Miami-Dade County, what
3 I would like to do is actually go over to
4 southwest Florida. I'll get the map back in
5 its proper posture here, if you will bear with
6 me for just a moment.

7 Okay. I would like to start with District
8 75 there, and, again, as you look to Charlotte
9 and Lee Counties, again, this is an example of
10 mathematics being the driver of how districts
11 are built. And what I mean by that is when you
12 look at the population of Charlotte County, as
13 well as the population of Lee County, they were
14 both roughly the number of a whole number of
15 House districts. For Charlotte County, it is
16 one. For Lee County, it is four. So you can
17 see there that District 75 is entirely made up
18 of Charlotte County.

19 As we move into Lee County, you can see
20 here, again, four districts wholly contained
21 within Lee County. Forgive me, the color for
22 District 76 and its neighbor is the exact same,
23 so I hesitated for a moment there, I apologize,
24 on the screen. District 76, again, is in the
25 western area of Lee County, and it is basically

1 a Bonita Springs-based district.

2 As you move to the east and District 77,
3 that is essentially a Cape Coral-based
4 district, 78 there in red is essentially a Ft.
5 Myers-based district, and District 79 is
6 essentially a Lehigh Acres-based district;
7 again, all wholly contained within Lee County.
8 And thinking about those districts as a tandem,
9 as a four, again, thinking about when the
10 mathematics or the driver in districts are
11 wholly contained within a county, what we did
12 with these four was to try to keep their
13 populations roughly the same of each other, so
14 that one district didn't have more than the
15 other, trying to keep them close to one
16 another.

17 We move to the east and look at District
18 80. District 80 is in parts of Collier County
19 and contains all of Hendry County as a whole.
20 Previously this was one of those districts that
21 crossed the state, went from Collier to Broward
22 County, and we received testimony from folks
23 across the state asking for those types of
24 districts to be eliminated when possible. This
25 was something that was a possibility, so

1 District 80 was created to have parts of
2 Collier County and all of Hendry County.

3 Moving on to the southwest here in Collier
4 County, District 106 is based in western
5 Collier County. It keeps the City of -- Cities
6 of Naples, Marco Island and Everglades City
7 whole, and the major boundary line between 106
8 and 105 here is Tamiami Trail.

9 I will zoom out here a little bit to talk
10 about this next district in Collier County,
11 which is District 105. District 105 links the
12 Voting Rights Act Section 5-covered
13 jurisdiction of Collier County to that with
14 Miami-Dade County and Broward Counties. This
15 majority-minority Hispanic district has a
16 Hispanic voting age population of
17 68.69 percent. Roadways were used as the
18 predominant boundary lines to the west, while
19 VTDs are used as the boundaries to the south
20 and portions of its north. Roadways are used
21 to the east, including the Florida Turnpike and
22 Northwest 107th Avenue in Miami-Dade County.

23 Mr. Chairman, that concludes southwest
24 Florida.

25 REPRESENTATIVE BERNARD: Thank you, Mr.

1 Chair. So District 105, we were able to
2 include 68 percent Hispanic in that district,
3 is that correct?

4 MR. TAKACS: Yes, sir, it is voting age
5 population.

6 A VOICE: Okay. And we couldn't -- and
7 follow-up, Mr. Chair? But, however, we
8 couldn't create a district in Broward with the
9 population that they do have in Broward?

10 MR. TAKACS: Thank you, Mr. Chairman.

11 The makeup of District 105 is based more
12 on the populations of Miami-Dade County and
13 Collier County than it is in Broward. I mean,
14 obviously it has a portion of Broward, but it
15 is a small portion.

16 A VOICE: Okay, thank you.

17 MR. TAKACS: Moving on to Miami-Dade
18 County, again, when we studied the demographics
19 of the county, we discovered that there is a
20 possibility to create five districts that are
21 likely to perform for an African-American
22 candidate, and 11 majority-minority Hispanic
23 districts. I mentioned District 102 earlier,
24 which crosses into Broward and Miami-Dade
25 Counties, and that is one of the five that I

1 mentioned. So the four districts that are
2 likely to perform for an African-American
3 candidate are Districts 102, again, which I
4 mentioned, 107, 108, 109 and 117. I will kind
5 of zoom in here a little bit.

6 District 107 there in northern Miami-Dade
7 County is wholly contained within the county
8 and has a black voting age population of
9 56.86 percent. Both this district and District
10 108, as Mr. Kelly had mentioned, have
11 significant Haitian and West Indies
12 populations, and as language minorities, those
13 communities must be considered. District 107
14 has a Haitian population of 25.55 percent and a
15 West Indies population of 34.37 percent. House
16 District 108 in this proposal has a black
17 voting age population of 62.67 percent, a
18 Haitian population of 25.69 percent and a West
19 Indies population of 30.19 percent.

20 When building Districts 107 and 108, what
21 we did, as Mr. Kelly kind of mentioned, was a
22 way to try to work for those districts to have
23 similar or close to equal populations of the
24 Haitian community and the West Indies
25 communities, to have those be somewhat close.

1 And, again, thinking about those numbers, they
2 are relatively close.

3 As we look to the west there, District
4 109, it has a black voting age population of
5 50.09 percent, and its predominant border and
6 boundaries for the district are roadways. In
7 fact, thinking about pretty much the vast
8 majority of Miami-Dade County, roadways were
9 used basically for all of the districts to
10 determine their boundaries as they are easily
11 identifiable and recognizable by the
12 communities.

13 As I said earlier, there was a possibility
14 for 11 majority-minority Hispanic districts to
15 be built, including all or parts of Miami-Dade
16 County. Those are Districts 103, 105, which I
17 discussed earlier, which goes into Collier
18 County, 110, 111, 112, 113, 114, 115, 116, 118
19 and 119.

20 Looking here at District 103, this is a
21 district here in northern Miami-Dade County
22 that crosses into Broward County. It has a
23 Hispanic voting age population of 82.09
24 percent, and, again, as I said, roadways are
25 used as the major border for the district

1 basically on all sides.

2 To its neighbor there to the right, to the
3 east, District 110 is very rectangular in
4 shape. It has a Hispanic voting age population
5 of 87.95 percent, and, again, roadways are what
6 is used to create that rectangular shape.

7 District 111 to the southeast there has a
8 Hispanic voting age of 91.92 percent, and,
9 again, roadways are the predominant factor in
10 the borders and how they were established.

11 District 112, again moving, again, to the
12 southeast, its Hispanic voting age population
13 is 89.11 percent, and, again, roadways are used
14 in the creation of that, and you will note when
15 you look at this county as a whole, District
16 112 is essentially the smallest district of all
17 of the districts there in area.

18 When you look at District 113, again,
19 looking towards the east coast there of the
20 county, its Hispanic voting age population is
21 51.98 percent, but it should be noted that its
22 percentage of registered voters is 38.67, which
23 would mean that this district would be less
24 likely to elect an Hispanic candidate to the
25 Florida House of Representatives than the other

1 districts that I have mentioned earlier.

2 Moving on to District 114, its Hispanic
3 voting age population is 63.86 percent, and,
4 again, roadways are used as the predominant
5 border there, as well as VTDs here in this
6 region here.

7 Moving to the west, House District 115
8 under this proposal has a Hispanic voting age
9 population of 65.51 percent, and, again,
10 roadways were used to form this district.

11 Continuing on to the west, District 116
12 has a Hispanic voting age population of
13 84.57 percent, and, again, I sound like I am
14 repetitive, but roadways were again used in the
15 formation of this district. That was -- when
16 forming these districts in this county, that
17 was what we used most often. Again, they
18 create straight lines, they are easily
19 recognizable by the people that live there and
20 easily -- easy to describe for people when they
21 are looking to vote.

22 Continuing on to the west, House District
23 118 on this proposal has a Hispanic voting age
24 population of 81.21 percent, and House District
25 119 has a Hispanic voting age population of

1 86.77 percent.

2 Mr. Chairman, there's one other district
3 that I haven't mentioned. It is District 120.
4 It is in South Miami and extends down into
5 Monroe County. We received testimony from the
6 residents of Key West that they would like to
7 see all of the Keys and Monroe County kept
8 whole within a district, and House District 120
9 does just that. It keeps the cities of
10 Islamorada, Layton, Marathon, Key Colony Beach
11 and Key West whole within its limits.
12 Obviously, all of Monroe County helped create
13 the boundary ways for that -- for that
14 district, as well as VTDs and roadways.

15 Mr. Chairman, that concludes the plan
16 ending in 9015.

17 REPRESENTATIVE DORWORTH: Are there any
18 questions? You are recognized, Representative
19 Clarke-Reed.

20 REPRESENTATIVE CLARKE-REED: Thank you,
21 Mr. Chair.

22 Now, we've only done this map. Are we
23 going to continue on to do -- until we have
24 done all of these maps?

25 REPRESENTATIVE DORWORTH: Yes, ma'am.

1 There are -- in the different iterations of the
2 map, there are limited changes on certain
3 maps --

4 REPRESENTATIVE CLARKE-REED: Yeah.

5 REPRESENTATIVE DORWORTH: -- so we are not
6 going to have to go 1 through 120 on all of
7 them, but we will focus where there are some
8 differences in areas; otherwise, we would
9 probably be here until about two o'clock in the
10 morning, which I am game for, because I love
11 this, but I recognize that many of you are not.
12 We will just go by the differences.

13 Any other questions?

14 Representative Drake, would you like to go
15 to the podium and to repeat back to us what
16 Jeff just told us over the last two hours? All
17 right. I am just going to go on. You go ahead
18 and go to the next one, because I am mindful of
19 time.

20 MR. TAKACS: Thank you, Mr. Chairman.

21 I am going to move on to the proposal
22 ending in 9017, and there are only a handful of
23 changes between this map and the map that I
24 just previously discussed, so I will only
25 mention those differences as it relates to this

1 plan, so not to worry.

2 As we come here to the Big Bend area, and
3 I mentioned this in the presentation earlier,
4 this is what happens in Districts 7, 8 and 9
5 when you decide to only have the City of
6 Tallahassee split twice. What ends up
7 happening is that District 9 is wholly
8 contained within Leon County and runs from its
9 northern end to its southern end, and then what
10 happens is that District 7 only has kind of
11 this southwestern portion of Leon County and
12 then it continues on. Thinking about keeping
13 counties whole, it keeps these four counties
14 whole just like District 9 did in the previous
15 proposal, thinking about Jefferson County,
16 Lafayette County, Taylor County and Hamilton
17 County, they all four remain whole within this
18 proposal.

19 There are -- thinking about trying to only
20 split the City of Tallahassee twice, there were
21 some minor differences to District 8 within
22 this plan as well, and if you will bear with me
23 for just a moment, I believe that the -- the
24 change is that essentially the voting age
25 population -- black voting age population in

1 this district is 50.01 percent VAP for this
2 district. So that is the -- the minor change
3 there brought that about, but essentially that
4 is the difference. There's one other
5 difference on this map that I will talk about,
6 but I wanted to pause for questions in case
7 there was a question about this change versus
8 the previous proposal.

9 REPRESENTATIVE DORWORTH: Any questions on
10 that? You are recognized, Representative
11 Bernard.

12 REPRESENTATIVE BERNARD: Thank you, Mr.
13 Chair. Is Tallahassee split two ways in this
14 map versus three? I didn't -- I missed it, so
15 --

16 REPRESENTATIVE DORWORTH: You are
17 recognized.

18 MR. TAKACS: Thank you, Mr. Chairman.

19 That is correct. The previous map split
20 the City of Tallahassee three ways, and this
21 splits it twice, and then you can see what ends
22 up happening is that District 9 ends up being
23 wholly located within Leon County as opposed to
24 continuing on to Jefferson and those other
25 counties to the east. And District 7 takes its

1 place doing that.

2 REPRESENTATIVE DORWORTH: Any other
3 questions? Moving on.

4 MR. TAKACS: Okay. The other area that is
5 different in this map versus the proposal that
6 we previously discussed is this District 10
7 area. I talked about what would happen if
8 there was an effort made to try to keep Union
9 County whole. Let me zoom in here a little
10 bit. The previous proposal for District 10
11 split Union County, as you recall, in this area
12 here. With this option, what we decided to do
13 was instead of splitting Union County, we put
14 all of Union County within that House District
15 19, which is the one that runs here where
16 Bradford County is, and we decided to split
17 Alachua County a third time as opposed to the
18 two times in the previous proposal. And you
19 can see actually -- what I want to do is to
20 show the comparison esthetically, and just so
21 you can look at both of them side by side to
22 see what they look like, because there are some
23 pretty significant changes there. So here's --
24 okay. Here is Alachua County and then into
25 Marion where District 20 goes. So here is

1 Alachua County on the first proposal that we
2 discussed, and then here is the change. You
3 can see that the borders between Districts 10
4 and 20, instead of District 20 having to run
5 all the way up into that northern area there of
6 Alachua County, District 10 takes that
7 population so that it gets to the population
8 range that it needs to be, and then the
9 boundary line between Districts 20 and 21 are
10 predominantly now roadways as opposed to VTDs.
11 Let's see here.

12 REPRESENTATIVE DORWORTH: Let me stop you
13 real fast, Mr. Takacs. Mr. Kelly, do you have
14 something to interject?

15 MR. KELLY: Thank you, Mr. Chair.

16 Just there's also another what seemed to
17 be a positive ramification of this in that the
18 way that District 20 interacts with Marion
19 County, it was now able to hug the Marion
20 County line and follow State Road 27 into Ocala
21 so that there was a more sound border. The
22 previous example, the Levy to Marion County
23 seat actually came into two different parts of
24 Marion. In this case, it just follows the
25 roadway.

1 And then the other part that we should
2 note is that while we were working on this
3 difference, we also opted to clean up the
4 geometry of the all Clay County seat, District
5 18, which in the previous was more at an angle
6 running northwest to southeast. In this
7 particular case, it is more of a rectangle,
8 still including the same whole cities in 18 and
9 19 as the prior map did, but just taking a more
10 geometric shape.

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

12 Actually, those are all of the differences
13 between 9017 and 9015. So if there are any
14 questions, I can take them now before moving on
15 to the next.

16 REPRESENTATIVE DORWORTH: Any questions on
17 the 9017 map?

18 Seeing none, let's move on to 9019.

19 MR. TAKACS: Actually, with your
20 indulgence, Mr. Chairman, I would like to skip
21 to 9021, because it is also very similar to
22 9015, whereas 9019 needs a little more
23 explanation.

24 REPRESENTATIVE DORWORTH: Indulgence
25 granted. Do it, let's go.

1 MR. TAKACS: Thank you, Mr. Chairman. I
2 would like to bring this plan up, but while I
3 do so, I will talk a little bit about it before
4 we get to the visual.

5 The major differences here are both in
6 southwest Florida and southeast Florida.
7 Southwest Florida, the change is in that Lee
8 County/Charlotte County area, and what the
9 decision point there, the question that we had
10 was -- the question that we had was when you
11 break -- when you have the county line for that
12 District 75 -- I will zoom in on it and explain
13 it. When you have the county line be the line
14 for House District 75, what happens is that
15 this barrier island here is essentially cut
16 off, it is cut off in -- by its own county
17 boundary line in that it actually is within Lee
18 County, but for transportation purposes and for
19 just proximity purposes, it is actually closer
20 aligned with Charlotte County. So this option
21 takes that into account. So Charlotte County
22 is not kept whole within a district. It comes
23 down, District 75 comes down to grab that
24 population and have it more with the area that
25 it is closer aligned to, and that has effect on

1 the other four districts that were previously
2 all within Lee County.

3 As you can see here, this is the
4 difference here. I will go back to the -- kind
5 of show the before and after, so to speak.
6 Here is the before, here is 9015. You can see,
7 again, Charlotte County kept whole, the four
8 districts all in Lee County and how they
9 appear. This is the difference under this
10 proposal. And the thought process was, again,
11 thinking about linking people that are closer
12 to proximities than where the county line
13 dictated that split. District 76 is -- it has
14 some changes, obviously, because it doesn't go
15 all the way up to the Lee County line there on
16 the western end, and it continues down to the
17 south, grabbing all of the barrier islands
18 within Lee County and goes a little bit more to
19 the east. It is still a Bonita Springs-based
20 district, just as 76 was on the previous map.

21 Similarly, 77 is still a Cape Coral-based
22 district. It just has a different shape and
23 has some different populations within it.

24 District 78 is still basically a Ft.
25 Myers-based district. You can see its changes

1 here.

2 And probably the district that sees the
3 biggest change within this proposal and this
4 area of the state is District 79. It still has
5 all of eastern Lee County, but it also extends
6 into all of eastern Charlotte County. It is
7 still a Lehigh Acres-based seat, but, again,
8 because of the population that was taken by 75
9 as it kind of dipped down into Lee County, it
10 created kind of a shifting effect for the
11 populations of all the other districts, and
12 that is the result.

13 So, Mr. Chairman, if there are any
14 questions, I can entertain those as we move to
15 southeast Florida for this option.

16 REPRESENTATIVE DORWORTH: Any questions?
17 Moving on.

18 MR. TAKACS: Thank you, Mr. Chairman.

19 The next decision point within this plan
20 is within Palm Beach County. As I mentioned
21 before, 9015 has the north-to-south vertical
22 option as far as the majority-minority black
23 district. This is what the horizontal
24 majority-minority black district would look
25 like if it were built in similar area within

1 Palm Beach County. The City of Riviera Beach
2 is still, again, kind of the core of this
3 district, but basically the main difference is
4 the transportation corridor is changed to that
5 of Okeechobee Boulevard as opposed to I-95 and
6 U.S. 1. It continues on west here into the
7 Lake Okeechobee area, and thinking about the
8 Cities of Pahokee, South Bay and Belle Glade.

9 Thinking about a change like that, it
10 obviously has a ripple effect across the county
11 and changes almost every of the other districts
12 within the county, and I will kind of keep
13 going here. Eighty-one, that used to run from
14 the top of the county boundary line all the way
15 to the south, and that western area of the
16 county now is essentially cut in half in that
17 north-to-south area, so to make up for that
18 population, it had to move a little bit to the
19 east, which had an effect on all of the other
20 districts as well. It ends up pushing 91 down
21 and 90 down as well.

22 District 87 is pretty much unchanged.
23 There is, I think, a slight difference to it as
24 to where the two districts meet up along
25 roadways there. And District 85 sees some

1 changes, too. I don't believe 82 is changed.
2 It just changed just slightly for population
3 purposes, but there is no major difference
4 there.

5 REPRESENTATIVE DORWORTH: Mr. Kelly, you
6 are recognized.

7 MR. KELLY: Thank you, Mr. Chair.

8 If you recall, there was that city
9 boundary line that we caught that we realized
10 that like 30 people of a city were not included
11 with the city, so we corrected a city boundary
12 line in this draft, and then we also left that
13 correction in some of the other subsequent
14 drafts, too. So there was a slight correction
15 for the district, I think 82 it is without the
16 city boundary line.

17 MR. TAKACS: Thank you for that
18 clarification.

19 REPRESENTATIVE DORWORTH: Next, please.

20 MR. TAKACS: And, Mr. Chairman, that's
21 essentially all of this proposal. Again, this
22 proposal ending in 9021 is virtually
23 identical -- it is identical to 9015 with the
24 exception of those areas I mentioned.

25 REPRESENTATIVE DORWORTH: Any questions?

1 What is your preference for what map we
2 deal with next?

3 MR. TAKACS: If you are okay with it,
4 9023.

5 REPRESENTATIVE DORWORTH: 9023 sounds
6 delightful.

7 MR. TAKACS: Okay. Sorry for the delay
8 there.

9 There are two regions of the state which
10 are different within this proposal, 9023, than
11 that of 9015. Those regions that are changed
12 relatively significantly are the Duval
13 County/Jacksonville area, as well as the
14 central Florida area.

15 Here is the Jacksonville area. As you can
16 see, this somewhat changes the model of the six
17 districts fitting within Nassau and Duval
18 Counties, because now you have District 18 and
19 District 15 that both go into Clay County from
20 Duval County. District 15 comes down, you
21 know, into that Orange Park area, whereas
22 District 18 takes that western area of Duval,
23 thinking about the City of Baldwin, and then
24 extends down, actually has a very similar
25 border to the one we showed in the previous

1 proposal, it is just that the district now
2 extends up to the west around Orange Park and
3 around where District 15 takes Orange Park and
4 into western Duval County and the City of
5 Baldwin.

6 Mr. Chairman, if there any questions about
7 that --

8 REPRESENTATIVE DORWORTH: Any questions?

9 None. Moving on.

10 MR. TAKACS: And the -- thinking about the
11 central Florida region, the decision point here
12 resolves around House District 45. In the
13 previous plan that we discussed, that was a
14 district that had a black voting age population
15 of 40.3. The District 45 now, as you can see,
16 does not have a black voting age population
17 that would elect an African-American to the
18 House. And so basically by removing that
19 district, you can see the ripple effect that it
20 has across the county and across the region.
21 It actually has impacts on Seminole and Lake
22 Counties as well.

23 You can see that now District 29 has parts
24 of -- has parts of kind of that northern east
25 tip of Orange County and now comes into

1 Seminole County, as opposed to being solely and
2 wholly located within Seminole County.

3 District 28 is now the only district wholly
4 located within Seminole County.

5 District 30 -- if you recall, District 30
6 and District 45 in the previous plan created
7 that square shape between the two. District 30
8 is moved to the southeast and has portions of
9 Seminole County and Orange County, thinking
10 about like the Altamonte Springs area, which is
11 where it kind of, you know, goes on both sides
12 of the county line.

13 Thinking -- again, thinking about that
14 ripple effect, District 49 does change some of
15 its shape. The general premise of the district
16 is still the same in that it is a University of
17 Central Florida-based district that has its
18 kind of surrounding areas and neighborhoods
19 where the students work and play and study,
20 hopefully.

21 And as we move to the south, District 48
22 is also changed slightly to the effect that its
23 Hispanic voting age population drops to 52.44
24 percent from 54.14 percent.

25 Before -- thinking about District 46,

1 which is the majority-minority black district,
2 and thinking about District 48, which is the
3 majority-minority Hispanic district that I
4 discussed before, that pocket is now removed,
5 that rectangular pocket is now gone and that
6 moves 47 both up and down at the same time,
7 thinking about where Districts 48 meet and
8 where District 30 meets as well.

9 District 44 to the west of District 48 is
10 in a similar position, just takes on a
11 different shape, because when you are thinking
12 about changing -- significantly changing a
13 district like that, the ripple effect deals
14 with populations all throughout the county. So
15 District 44 takes on a different shape.
16 Similar concept, thinking about where the lakes
17 are, it uses a roadway as a border here between
18 it and District 32, but that changes that.

19 And then, again, continuing to the west,
20 District 32 is changed just where it meets up
21 with District 40 in Orange County, but, again,
22 the Turnpike is still used here for its
23 boundary, and the Lake County portion of this
24 district is unchanged from the previous
25 proposal.

1 Mr. Chairman, that explains that proposal.

2 REPRESENTATIVE DORWORTH: Any other
3 questions?

4 Seeing none, that concludes that map.

5 MR. TAKACS: Thank you, Mr. Chairman. The
6 next map, which is 9019, we had --

7 REPRESENTATIVE DORWORTH: While you are
8 loading that up, Mr. Takacs, why don't we let
9 Mr. Kelly explain the thinking behind this map.

10 MR. TAKACS: Sounds good.

11 MR. KELLY: Thank you, Mr. Chair.

12 Per your and co-Chair Schenck's
13 instructions, we were to look at some of the
14 other standards, particularly in terms of equal
15 population standard in Section 2 of Amendment
16 5, Florida's new redistricting law pertaining
17 to state legislative districts, and also we
18 were looking at VTDs, in a sense trying to have
19 population deviations that we picked was under
20 1,000 people, under -- so a smaller deviation
21 than some of the other maps you have looked at,
22 and in trying to keep as many VTDs whole as
23 possible, and so, in a sense, utilizing these
24 principles as much as possible, seeing how it
25 affects the map, seeing how it affects the

1 different other concepts in terms of keeping
2 counties whole, keeping cities whole, and in a
3 sense that way basically taking a Tier 2
4 standard and seeing how it compares there to
5 your true standards if you favor that
6 particular standard.

7 MR. TAKACS: Thank you, Mr. Chairman.

8 Thanking about those parameters, the
9 parameters that we used in the formation of
10 this particular option is that each district's
11 population needs to be within plus or minus a
12 thousand people, and basically we were given
13 the directive to keep as many VTDs, or the
14 voter tabulated districts, whole as possible.

15 To that end, the previous option, 9015,
16 splits 499 VTDs. This map here with this
17 option, 9019, splits just 57. On the other end
18 of that scale, that means that 9,379 VTDs are
19 kept whole within this map.

20 As you can imagine, trying to equal out
21 the population and using whole VTDs in that
22 process is going to essentially change the
23 shape of every district along the map. As you
24 can kind of think about the proposal of the
25 9015 option and then look at this map as I kind

1 of move around the state, you will see that
2 there are areas where thinking about like Bay
3 County as an example, the previous proposal
4 had -- you know, was all wholly located within
5 Bay County, and due to the population issues,
6 it had to come a little bit here to the west.
7 And the way I built this map was thinking about
8 9017 as the starting point, and then
9 essentially letting the math and the shapes
10 guide me. There was no other -- you know,
11 obviously, tried to keep counties whole and
12 cities whole when that was possible, but
13 basically letting the math and the shapes guide
14 me throughout the entire map. So you can see
15 just some differences.

16 The major difference between this map and
17 map 9015 is that in 9015, 36 counties are kept
18 whole, as I had mentioned earlier; on this map,
19 28 are kept whole.

20 Thinking about --

21 (Whereupon, the recording ended.)

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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 128 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 16th day of February, 2012.

CLARA C. ROTRUCK

Notary Public

State of Florida at Large

Commission Expires:

November 13, 2014

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REDISTRICTING COMMITTEE MEETING
TUESDAY, DECEMBER 6, 2011

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 REPRESENTATIVE WEATHERFORD: Okay. We are
3 going to ask everybody to find their seats so
4 we can get started. If we can get everybody to
5 find a seat, we are going to go ahead and get
6 started.

7 If we could, before we get started, Ben, I
8 would like you to call the roll.

9 THE CLERK: Representatives Adkins?

10 REPRESENTATIVE ADKINS: Here.

11 THE CLERK: Bernard?

12 REPRESENTATIVE BERNARD: Here.

13 THE CLERK: Chestnut?

14 REPRESENTATIVE CHESTNUT: Here.

15 THE CLERK: Dorworth?

16 REPRESENTATIVE DORWORTH: Here.

17 THE CLERK: Eisnaugle?

18 REPRESENTATIVE EISNAUGLE: Here.

19 THE CLERK: Fresen?

20 REPRESENTATIVE FRESEN: Here.

21 THE CLERK: Frishe?

22 REPRESENTATIVE FRISHE: Here.

23 THE CLERK: Holder?

24 REPRESENTATIVE HOLDER: Here.

25 THE CLERK: Hukill?

1 REPRESENTATIVE HUKILL: Here.

2 THE CLERK: Jenne?

3 REPRESENTATIVE JENNE: Here.

4 THE CLERK: Jones?

5 REPRESENTATIVE JONES: Here.

6 THE CLERK: Kiar?

7 REPRESENTATIVE KIAR: Here.

8 THE CLERK: Legg?

9 REPRESENTATIVE LEGG: Here.

10 THE CLERK: Nehr?

11 REPRESENTATIVE NEHR: Here.

12 THE CLERK: Precourt?

13 REPRESENTATIVE PRECOURT: Here.

14 THE CLERK: Rogers?

15 REPRESENTATIVE ROGERS: Here.

16 THE CLERK: Rouson?

17 REPRESENTATIVE ROUSON: Here.

18 THE CLERK: Schenck?

19 REPRESENTATIVE SCHENCK: Here.

20 THE CLERK: Workman?

21 REPRESENTATIVE WORKMAN: Here.

22 THE CLERK: Chair Weatherford?

23 REPRESENTATIVE WEATHERFORD: Here.

24 THE CLERK: Mr. Chairman, a quorum is

25 present.

1 REPRESENTATIVE WEATHERFORD: Great. Thank
2 you, Ben.

3 Members, I apologize for my voice. My
4 three-and-a-half-year-old passed on a cold that
5 I have not been able to shake for 12 days, so I
6 am still fighting the good fight, but bear with
7 me.

8 I first want to thank the Committee for
9 having patience. I think a lot of us were
10 hoping to start to have the beginning of maps
11 produced at the last committee week, which was
12 a few weeks ago. The amount of work that goes
13 into producing the maps that we are going to go
14 over today and have been released is
15 tremendous, and I first want to thank our staff
16 just for putting in the long hours that it's
17 taken to do this job, they have worked
18 extremely hard, and I think we have a product
19 here that I will talk to you about. So,
20 Alex -- led by Alex Kelly, thank you for your
21 work, and we appreciate you guys getting us
22 prepared for today.

23 I also think that when you talk about the
24 importance of these maps, that taking our time
25 was important. This process -- this journey

1 has started all the way up until the beginning
2 of this year when this Committee was formed,
3 and public testimony across the state, and we
4 are now in the process where we are making
5 maps, and soon we are going to be in the
6 process where votes will be taken. And so we
7 have a long way to go, but I think we have made
8 a lot of progress.

9 Likewise, I think that what we have today,
10 I believe that we have maps that are different
11 variations of maps, but maps that are legal and
12 maps that are very compliant to what we have
13 been asked to do at the federal and state
14 level. Likewise, we are very open to making
15 these maps better between now and the time that
16 we pass them during session. So let me say at
17 the outset that the maps that you see here
18 today, as they are workshopped this week on
19 Thursday and studied over the next few weeks, I
20 am very open to making changes, I am very open
21 to making improvements and I am very open to
22 making these maps better. Regardless of
23 whether it is congressional, State House or
24 Senate maps, every member of the House is
25 welcome to propose an amendment if they wish,

1 and every member of the public is welcome to
2 communicate with us about how they think we can
3 improve these maps.

4 Now, the test to passing an amendment is
5 going to be extremely clear. Any amendment
6 that any member of this body would offer, or a
7 member of this Committee would offer, has to
8 make the maps more compliant with state and
9 federal redistricting standards. So what I
10 want to make sure everybody understands is we
11 are welcome to amendments, we hope that there
12 will be improvements to this map, but they have
13 to be shown to be improvements to the legal
14 compliance that we've set forth and said that
15 we would follow and we have followed.

16 So with that said, at approximately noon
17 today, we published seven options for the
18 congressional map and five options for the
19 House map. They are available on the Web.
20 Most of you have probably seen them. You can
21 go to floridaredistricting.org or
22 myfloridahouse.gov.

23 Those options are also in your packets
24 that you have before you for you to view. Your
25 packet is essentially a guide to each one of

1 these options. We have already published this
2 packet on the floridaredistricting.org website
3 for the millions and millions of viewers around
4 the world who are interested in this. That was
5 a joke, hear a lot of laugh. In the guide you
6 will also find, for each redistricting map,
7 there is an overview page that details some of
8 the broader metrics for these plans, how many
9 counties, how many cities were kept whole, et
10 cetera. For each map, you will also find a
11 district-by-district summary of the population
12 and the demographic data. For each map, you
13 will also find a regional map. In your
14 meetings later this week, the subcommittees
15 will workshop maps and go into a much greater
16 detail than what we will do today.

17 What I wanted to do today is to cover some
18 basic points to see if any of our subcommittee
19 Chairs have any comments, and then open it up
20 to any questions or answers that a few of the
21 members from the Committee may have. However,
22 I would like to make a few points about these
23 maps.

24 The first is I think that our subcommittee
25 Chairs have given good direction to our staff

1 in making sure that these maps correspond to
2 the law first and foremost, to the public input
3 and also to the discussions that have occurred
4 so far in our subcommittees.

5 Second, I believe that these options
6 demonstrate a commitment to the basic notion of
7 not doing this process, the redistricting
8 process, the way that it has been done in the
9 past.

10 Third, I think that as you look at these
11 maps over the next few days, you will dive into
12 the details in your subcommittee, and I think
13 that you will find that a lot of the effort has
14 gone into making sure that these maps meet the
15 standards and the law in a way that can be
16 translated to real people and in plain
17 language. For example, all summer long, we
18 heard from people who wanted their legislators
19 to serve in smaller, more county-based, more
20 city-based districts, and in order that they
21 can focus on a few needs rather than struggling
22 to serve many counties and many cities. I
23 think several of these maps accomplish that
24 goal.

25 Fourth, everyone here and everyone back

1 home has at least one month between now and the
2 earliest that the subcommittee possibly could
3 vote on these maps. I expect the subcommittees
4 to target a vote around the first week of
5 session. So you have an entire month to share
6 with these maps with your constituents, to meet
7 with me, the subcommittee Chairs to work with
8 their staff or to just use the My District
9 Builder to ponder ways to improve maps. I will
10 make myself available to anyone. I will make
11 special trips to Tallahassee or anywhere else
12 to meet with anyone on this Committee or anyone
13 in the Chamber that wishes to meet and talk
14 about the maps. I want to make that clear.

15 With that said, I am going to take a
16 couple of moments to visually walk everyone
17 through how you can access these maps from the
18 Web, both today and in the future. So Katie
19 Crofoot who is with us and is helping us in the
20 office and doing a wonderful job, she is in
21 front of the computer, Katie, if you could,
22 first things first, you will see at the top of
23 the page buttons that link you to the social
24 media sites, I think everybody sees that, the
25 Facebook icons and Twitter and YouTube and

1 such. And then, Katie, if you would scroll
2 down to the bottom of the page, you will see
3 that our mailing address, phone, fax and e-mail
4 address is all there at the bottom. So all of
5 the same ways people have been communicating
6 with us thus far can still communicate with us
7 this way.

8 Scrolling back up to the My District
9 Builder, Katie, which is there on the right, My
10 District Builder is still up and running for
11 any members who want to utilize it, and I think
12 most people on this Committee are familiar with
13 that process. If you look down into the
14 "Public Input" button, that is where you can
15 see all the written and map submissions by the
16 public, and you can also blog about the options
17 that we release here today.

18 And then last, but probably most pertinent
19 to what we are doing today, is the
20 "Redistricting Bills" button. Katie, why don't
21 you click on that button for us real quick.
22 Okay. If you have not seen this page before,
23 it is a link to the myfloridahouse.gov website
24 where all the options will be listed. And
25 these options -- as these options become PCBs,

1 then formal bills and possibly amendments, the
2 data and supporting information for all of
3 those will be listed here and will be updated
4 very regularly. Of course, if you feel like
5 you are technically challenged, like I do, you
6 are always welcome to reach out to our staff,
7 and many of you, I know, have already been
8 working on that.

9 With that said -- thank you, Katie -- I am
10 going to offer the subcommittee Chairs an
11 opportunity to give brief comment, and if you
12 have anything to share, please do so.

13 Representative Dorworth, do you have
14 anything to share with the subcommittee?

15 REPRESENTATIVE DORWORTH: No.

16 REPRESENTATIVE WEATHERFORD: No? Okay.

17 Representative Holder, as Chair of
18 congressional committee, do you have anything
19 to share?

20 REPRESENTATIVE HOLDER: I do. Thank you,
21 Mr. Chair.

22 I just wanted at a high level to point out
23 a couple of things about congressional maps.
24 You are going to see a few consistencies in all
25 the maps, and then you are going to see some

1 differences.

2 What is consistent generally is South
3 Florida and the Panhandle. From working with
4 our staff and the presentations that we have
5 had in committee, south Florida is probably the
6 most difficult part of the map to draw in terms
7 of the legal issues, and the Panhandle is
8 probably the easiest. So we directed our staff
9 to focus the options on central Florida, Tampa
10 Bay, north and northeast Florida. In doing so,
11 we found that there really are several
12 legitimate ways to draw the central and
13 northeastern parts of the state, and so the
14 options essentially look at those regions from
15 the point of view of perhaps different counties
16 and different issues that were raised by the
17 public.

18 REPRESENTATIVE WEATHERFORD: Great. Thank
19 you very much, Representative Holder.

20 Representative Dorworth, did you have
21 something you wanted to add?

22 REPRESENTATIVE DORWORTH: Yes, sir. Thank
23 you.

24 I wanted to kind of take a plain language
25 approach to complying with the law here. As we

1 heard throughout all the testimony that we have
2 seen from the many meetings around the state,
3 there was a huge emphasis on keeping counties
4 whole. The current map keeps 21 counties
5 whole, and a couple of these proposals may keep
6 as many as 37 counties whole. Considering that
7 it is physically not possible to keep more than
8 38 counties whole in the State House map,
9 that's pretty good.

10 Regarding the House maps, you will see
11 that there has been a real focus across the
12 board to do so. So I think that is a positive
13 step for us. Even in those counties that are
14 larger than a single district, these maps
15 stress locating districts entirely within the
16 boundaries of a single county as often as
17 possible. I think that is consistent with what
18 we heard from people around the state, and, of
19 course, it is consistent with using
20 geographical boundary lines as the law
21 requires.

22 That's it, Mr. Chair.

23 REPRESENTATIVE WEATHERFORD: Thank you
24 very much, Chairman Dorworth.

25 I do want to note that when I announced

1 last week to all of you in an e-mail in regard
2 to the Senate maps, I talked about the fact
3 that the Senate Committee on Reapportionment
4 has opted not to release a proposal on the
5 State House map; rather, the Committee has
6 opted to focus on the options that we have
7 already released today for the House map.
8 After consulting with Chairs Hukill and Nehr
9 and Vice-Chairman Workman, we opted to do the
10 same. We are beginning our work-shopping
11 process with the State Senate map produced by
12 the State Senate as of a few weeks ago. In
13 addition, on the subcommittee, we will workshop
14 a State Senate map submitted by the NAACP in
15 our Thursday meeting. I know there's probably
16 some concern and questions about that issue,
17 and I would be more than willing to answer any
18 questions that you may have. I just want to
19 tell everyone that I -- what I have told you,
20 which is if you have any questions, you can ask
21 today or reach out to me at any point.

22 Regardless, the expectations are still the
23 same, to produce a legally compliant and
24 appropriate State Senate map that is reflective
25 of public input. The difference is simply that

1 we are agreeing to start by work-shopping to
2 produce a product by the Senate. Members and
3 committees are still free to use the full usage
4 and the range of the legislative process in
5 work-shopping and ultimately considering these
6 maps. And so I just wanted to stress that
7 there's nothing in my discussions with my
8 counterpart, Senator Gaetz, is meant in any way
9 to take away from your ability as a member of
10 this Chamber and a member of this Committee to
11 participate in the making of a Senate map.

12 Lastly, before we move forward to
13 questions, I think it is important to talk
14 about the timeline. As I stated before,
15 Thursday we will do a workshop and all the maps
16 that have been submitted thus far and work done
17 by staff. The hope is to have a vote in the
18 first week of session. We don't have to have a
19 vote on the first week of session, there is no
20 deadline, but I think that there has been a
21 commitment made by the Speaker and the
22 President and myself and my counterpart in the
23 Senate, after touring the state for several
24 months, that the timeline is very important,
25 and that the sooner we can get this done and

1 give certainty to this process, the better off
2 our Supervisors of Elections will be, the
3 better off our constituents will be. And so
4 our hope is by the first week of session to be
5 in a position to vote to send three maps to the
6 full Committee, which would be this Committee.

7 At that point, we will take our time to
8 evaluate the three maps that are submitted to
9 us and hopefully pick a map or pick a variation
10 of maps that are being considered.

11 So with that, everybody has a month to
12 study this. I hope you take the time to
13 understand it. This is a very serious process,
14 it is a very important process, it is a very
15 inclusive process, and we hope that everybody
16 in this room and in this Committee particularly
17 will take full usage of that.

18 So with that, I am now ready to take any
19 questions that any members may have. We will
20 start off with Representative Rouson. You are
21 recognized, sir.

22 REPRESENTATIVE ROUSON: Thank you very
23 much, Mr. Chair.

24 Some of us who attended the redistricting
25 hearing down in Sarasota/Manatee area, I can't

1 remember now where we were, but I politely put
2 some Band-Aids on my forehead, because District
3 55 was getting whooped on a little bit.

4 One of the things you said, Mr. Chair, is
5 adhering to a basic notion that -- of not doing
6 what was done before, and as much as possible
7 adhering to the law. I have had an outcry from
8 some people in parts of 55 that say although
9 the number has been changed to 70, nothing else
10 substantial -- substantially different was
11 done, and they are in quandary about effective
12 representation. And I am just wondering
13 what -- maybe if we can have staff answer what
14 was really done differently --

15 REPRESENTATIVE WEATHERFORD: I can answer
16 it.

17 REPRESENTATIVE ROUSON: -- other than
18 changing the number.

19 REPRESENTATIVE WEATHERFORD: Well, first
20 of all, I would never question the quality of
21 their representation, Representative Rouson. I
22 think they've got great representation in you.
23 But that being said, I think there's going to
24 be a lot of time in the workshops of these
25 committees to talk specifically about -- I

1 don't want to get in a process today where we
2 talk about specific districts, because that is
3 what workshops are for, but I will address this
4 issue, because it speaks to a broader issue,
5 and that is of the districts that are
6 minority-majority districts, particularly
7 districts that are in Section 5 counties.

8 And let me just say this: We have stated
9 from the very beginning of this process
10 certainly we are all aware of the Voting Rights
11 Act and what comes with that in Section 2 and
12 Section 5, but we are also very aware of what
13 the Constitution says. And it is our intention
14 on this Committee, and I think in this Chamber,
15 to make sure that minority communities are
16 still able to vote for a candidate of their
17 choice and that we do not have retrogression.

18 And so what I will tell you is not just in
19 any specific district, but in a broad sense
20 across the state of Florida, that will be a
21 consistent theme. We think the Constitution is
22 very clear, we feel that the Voting Rights Act
23 is very clear, and whether it is District 55 or
24 another district in another part of the state,
25 we feel that it is incumbent upon us to make

1 sure that there is not retrogression and that
2 those communities have the ability to vote for
3 a candidate of their choice, and that is why it
4 is reflected in this map. But going forward,
5 as we get into the workshop, there will be a
6 lot of opportunity to talk about the very
7 specifics of individual districts and the
8 counties that may be represented.

9 Representative Jenne.

10 REPRESENTATIVE JENNE: Thank you,
11 Chairman.

12 My question does not deal with specifics.
13 Instead, it is out of the seven congressional
14 maps that we have before us and the five House
15 maps that we have before us, how many of those
16 maps are based on citizen submissions?

17 REPRESENTATIVE WEATHERFORD: Citizen
18 submissions? Are any of them entirely a
19 submitted map from a citizen, is that what you
20 are saying?

21 REPRESENTATIVE JENNE: Yeah, either that
22 or how many of the maps had some basis in a
23 citizen submission?

24 REPRESENTATIVE WEATHERFORD: Yeah, that is
25 a good question.

1 REPRESENTATIVE JENNE: A significant
2 portion thereof.

3 REPRESENTATIVE WEATHERFORD: I can't speak
4 to -- I don't think we have any maps that were
5 a carbon copy of any map that was submitted
6 from the citizens, but I think there's --
7 there's two components to drawing every map.
8 The first component and the most important
9 component is to follow the law. All of us
10 swore to uphold the Constitution, put our hand
11 on the Bible and said that we would do so,
12 myself included. And so making sure we comply
13 with the standards of federal law and state law
14 are very important. We feel like these maps do
15 that, and the congressional maps I am speaking
16 of specifically.

17 Secondly, the second part is that we felt
18 like the public input was also extremely
19 important, it is extremely important in drawing
20 these maps. So I would say all of the maps are
21 a reflection of public input and an effort on
22 our part to make sure that we comply with all
23 the standards that we have to comply with both
24 at the federal level and state level.

25 So maps that were submitted, I am sure a

1 lot of the ideas and a lot of the concepts that
2 you see in our congressional maps were
3 submitted by the public, and if you would like
4 to sit down and meet with our staff and go
5 through those, I know they would be more than
6 willing to do so.

7 And as Representative -- as Alex Kelly
8 just told me, he said that a lot of those
9 questions will be addressed Thursday, too, in
10 the workshop. They will actually show a lot of
11 the public submissions and how they interact
12 with the congressional maps.

13 Any other questions, members?

14 All right. Well, I will tell everybody
15 one thing: This has been a -- a lot of work
16 has gone into this, and I appreciate the
17 patience of everyone on here, but this is
18 something we do once in a decade. It needs to
19 be done right, it needs to be done legally and
20 it needs to be done transparently. And I am
21 here to tell you that we have done that so far,
22 and I believe the House has honored its word in
23 the way that we said we would conduct ourselves
24 through this process. We will continue to do
25 so, and we look forward to each one of you

1 having a part of it. So thank you very much.

2 With that, Representative Rick Workman

3 moves we rise.

4 (Whereupon, the proceedings were

5 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 22 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 16th day of February, 2012.

CLARA C. ROTRUCK

Notary Public

State of Florida at Large

Commission Expires:

November 13, 2014

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CONGRESSIONAL REDISTRICTING SUBCOMMITTEE MEETING

THURSDAY, NOVEMBER 3, 2011

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 REPRESENTATIVE LEGG: Good morning. The
3 Congressional Redistricting Subcommittee will
4 come to order. Robert, will you call the roll?

5 THE CLERK: Representatives Abruzzo?

6 REPRESENTATIVE ABRUZZO: Here.

7 THE CLERK: Albritton?

8 REPRESENTATIVE ALBRITTON: Here.

9 THE CLERK: Brodeur?

10 REPRESENTATIVE BRODEUR: Here.

11 THE CLERK: Burgin?

12 REPRESENTATIVE BURGIN: Here.

13 THE CLERK: Chestnut?

14 REPRESENTATIVE CHESTNUT: Here.

15 THE CLERK: Fullwood?

16 REPRESENTATIVE FULLWOOD: Here.

17 THE CLERK: Goodson?

18 REPRESENTATIVE GOODSON: Here.

19 THE CLERK: Holder?

20 REPRESENTATIVE HOLDER: Here.

21 THE CLERK: Horner?

22 REPRESENTATIVE HORNER: Here.

23 THE CLERK: Passidomo?

24 REPRESENTATIVE PASSIDOMO: Here.

25 THE CLERK: Plakon?

1 Reed?

2 REPRESENTATIVE REED: Here.

3 THE CLERK: Taylor?

4 REPRESENTATIVE TAYLOR: Here.

5 THE CLERK: Trujillo?

6 REPRESENTATIVE TRUJILLO: Here.

7 THE CLERK: Chairman Legg?

8 REPRESENTATIVE LEGG: Here.

9 THE CLERK: Quorum is present, Mr. Chair.

10 REPRESENTATIVE LEGG: Thank you, Robert.

11 Before we start, I would just like to
12 thank Representative Taylor for requesting an
13 eight o'clock meeting, and so we accommodated
14 your schedule this morning. I am kidding.
15 Thank you guys for coming this morning at 8:00.
16 I know it is an early, early meeting, but
17 hopefully we can get you out of here and get on
18 to your business I know that many of you are
19 looking to do today.

20 Members, today's meeting will consist of
21 the continuation of the discussion of the key
22 decision points and options for the
23 congressional districts, including where we
24 left off last time, the options for urban
25 communities, options for high growth

1 communities and options for minority
2 communities.

3 We are also going to take a look at some
4 of the tools and measurements that many of you
5 requested, and what staff has -- and what we
6 have available for us to use when evaluating
7 completed legislatively produced maps, which
8 after this week is really the next step in this
9 process.

10 We are also going to hear a short
11 presentation regarding the page on
12 myfloridahouse.gov that you and the public will
13 be able to access to track the redistricting
14 bills as they move through the process.

15 Before we go any further, I want to take a
16 couple of minutes to talk about where we are at
17 this point. Members, what Chair Holder and I
18 have asked the staff to do is to have two
19 complete maps that we can have for a workshop
20 for our next meeting. We will make those maps
21 publicly available as soon as possible prior to
22 that meeting. We will then likely to have
23 another two to three workshops -- workshop at
24 -- two or three maps at the next workshop to
25 the committee meeting in December. So that

1 will give us four to five total plans to
2 workshop. There will be no votes taken at
3 these meetings.

4 At this point, no member bills have been
5 filed. If there are member bills filed by
6 November 14th, we will do our best to work
7 those into our December workshop.

8 I envision us proceeding forward in a
9 similar fashion to the way Appropriation does
10 where you can essentially refer to the workshop
11 options as the Chairman's proposals. I expect
12 then that all or most of them will be formally
13 introduced as PCBs where we will choose which
14 of the three to send to the big Committee.

15 If there is something that you would like
16 to have considered, please bring that forward
17 this week or in the November 14th Interim
18 Committee week.

19 To sum all that up, what this means is
20 that we are looking for -- looking at a vote on
21 PCBs, where we are looking at on the vote on
22 the PCBs in the subcommittees in the first week
23 of session. So between the December interim
24 week and session, you will have an entire month
25 to review the plans, share them with your

1 constituents and work on amendments, if need
2 be.

3 Chair Holder and I have directed the staff
4 to bring forward options in the following
5 manner reflecting on three basic fundamental
6 concepts: Strict adherence to federal law,
7 including that today there are five
8 majority-minority districts in Florida, and
9 that any plan we consider should include five
10 majority-minority districts; a plain reading of
11 Florida law as in simple and plain language
12 understanding as possible, to include specific
13 public input where legally appropriate.

14 I hope that kind of gives you an overview.
15 To kind of summarize all that, we are getting
16 into the real map-producing time. This will
17 kind of be the last part where we kind of look
18 over the concepts and we are actually going to
19 go start looking at maps.

20 With that, before we get into kind of the
21 staff presentations on some of these concepts
22 and some of the tools, are there any general
23 questions about kind of the road map?
24 Representative Passidomo.

25 REPRESENTATIVE PASSIDOMO: Thank you, Mr.

1 Chair. You know, I was thinking about this,
2 when we're asking staff to bring up some maps
3 for us to review, I remember at our last
4 meeting, and I think it was Representative
5 Albritton suggested that we use county boundary
6 lines as sort of the starting point, and then I
7 also -- what I would like to ask staff to do as
8 well is to think about this -- when we had all
9 those public hearings, members of the public
10 came up with all kinds of boundary lines that
11 were not just county. There was a number of
12 city boundary lines that were discussed and
13 geographical boundary lines, such as bodies of
14 water, you know, lakes and rivers, and even
15 highways. So when we look at maps, I would
16 like to be able to compare and contrast the
17 county lines and how they compare to city
18 boundary lines and other geographical boundary
19 lines when we are looking at the maps. Thank
20 you.

21 REPRESENTATIVE LEGG: Excellent point. We
22 will ask staff to incorporate some of that.
23 Representative.

24 A VOICE: I would like to, if I could,
25 maybe take that one step further. We did

1 receive, and I think you are absolutely
2 correct, a lot of good input from the public,
3 and I think it would be incumbent on us, either
4 this panel or ask staff, to take a look into
5 that public input and try to define what -- you
6 know, what direction they are giving us, what
7 best practices they have been utilizing, be a
8 good representation of their input and the
9 importance that holds for us. That way, when
10 we put our three maps forward, that we can at
11 least verbally articulate what it is, I mean,
12 what best practices did we use to build these
13 maps going forward.

14 REPRESENTATIVE LEGG: Excellent point.
15 Further comments or questions or statements?

16 With that, Representative --
17 Representative, gave you a demotion -- Alex, go
18 ahead.

19 REPRESENTATIVE BERNARD: Mr. Chair?

20 REPRESENTATIVE LEGG: Representative.

21 REPRESENTATIVE BERNARD: While he is
22 coming to the podium, I just want to make sure
23 I understand the process, and I'm going to try
24 to sum it up. Two more workshops, and then we
25 plan on voting the first week of session on

1 those particular maps?

2 REPRESENTATIVE LEGG: Starting --
3 excellent point. Kind of the road map is --
4 and like most things, there is some latitude
5 that things could happen in a little bit of
6 change, but the general gist of it is that
7 starting next week, we will have maps, and we
8 will start looking at those maps and hearing
9 comments and a suggestions from you -- you
10 members here on those maps that are kind of
11 drafted to the proposals. And then as we move
12 further down there, we are going to have each
13 map -- each couple of weeks. The goal is the
14 first week of session, by the first week or on
15 the first week of session, to have the minimum
16 of three maps given to the big Committee for
17 their consideration. That is the deliverable
18 date for us.

19 REPRESENTATIVE BERNARD: Okay. And as the
20 maps are being prepared, will we be getting
21 these maps as soon as they are prepared, or are
22 we going to wait until we come back that week,
23 and at that meeting, we will just be handed the
24 maps?

25 REPRESENTATIVE LEGG: It is my desire, as

1 soon as we have them available -- Chair Holder
2 and I have discussed this -- to make them
3 available to you guys as soon as we have them
4 available.

5 Alex.

6 MR. KELLY: Thank you, Mr. Chair and
7 members. And, again, we'll be continuing
8 last -- the last meeting's discussion regarding
9 more specific options per the items that you
10 had brought up at one of your previous meetings
11 for the congressional map. And last meeting,
12 we covered options for the Jacksonville area,
13 for the Tampa/St. Pete area and for the
14 Orlando/central Florida area.

15 So this week, we will be looking at
16 options for southeast and southwest Florida.
17 And what is unique about this region of the
18 state, based on the different number of legal
19 considerations that come up, is that it is very
20 difficult to separate in southwest Florida or
21 southeast Florida one decision from the next.
22 It is very difficult to segment one part of the
23 map and not affect a very significant legal
24 consideration, perhaps a Voting Rights Act
25 consideration for another part of the map. And

1 so much of the discussion here is going to
2 overlap, albeit I will try to work through the
3 map almost in a progression as though you were
4 drawing the map and what considerations might
5 be the most important.

6 So the first slide that you are looking
7 at, which is page two in tab four of your
8 packet -- and forgive us, we are going to go to
9 tab four today, and then later today we will go
10 to tabs one, two and three. But for tab four,
11 in the second page, I just want to take a look
12 at the region as a whole as to what we are
13 defining as the urban areas, the fast-growing
14 areas and the minority communities of
15 consideration in southeast and southwest
16 Florida.

17 Of course, your larger counties are
18 Miami-Dade, Broward and Palm Beach, all with
19 greater than a million residents; Collier, Lee,
20 Martin and St. Lucie are higher growth counties
21 in the region; and then in the case of Monroe
22 and Hendry County, they are part of the
23 discussion because they are specifically
24 covered, as is Collier, under Section 5 of the
25 Voting Rights Act. And so to that end, there

1 are considerations and relationships between
2 Monroe and Hendry that, albeit they are smaller
3 counties, are very significant in terms of --
4 for you approving a legally viable map.

5 Looking at the region as a whole, today
6 the region accommodates approximately seven
7 million Florida residents, and that equates to
8 a little bit more than ten congressional
9 districts. And, actually, in today's
10 congressional map, ten districts have the
11 majority of their territory, majority of their
12 geography, in this region; however, those
13 districts do go outside the boundaries of the
14 region. And so in terms of your overall
15 perspective, looking at southeast and southwest
16 Florida, you could take the point of view that
17 you may basically make a line in the sand in
18 terms of these counties and how you use them,
19 and you could, if you wanted, keep ten
20 districts entirely within this region.

21 This is just taking a look at the current
22 map on page four in your packet. Just wanted
23 to at the high level go over some of the
24 relative data about the current districts, and
25 then drill down a little bit.

1 Looking at the current map, you have three
2 Hispanic majority-minority seats all based
3 largely out of Miami-Dade County, although they
4 don't entirely stay in Miami-Dade, but based
5 out of Miami-Dade County, and you have two
6 African-American majority-minority seats, one
7 of which is largely based out of Palm Beach and
8 Broward, although it also extends into Martin,
9 St. Lucie and Hendry County, the other of which
10 is mostly in Miami-Dade and a little bit into
11 Broward County. And in addition to that, you
12 have in that area a Haitian-American population
13 that is significantly concentrated into one of
14 those districts, the Congressional District 17,
15 which comes out of Miami into Broward County,
16 which is, according to Florida law, a relevant
17 factor for your consideration.

18 And just to take a look at Miami-Dade and
19 how those districts interact with each other
20 today, if you look at the map on the screen, it
21 is page five in your packet, what you see is
22 the current configuration of districts, the two
23 sort of grayish-shaded districts in your
24 packet, they will show up a little better in
25 your packet than they do on the screen, those

1 are majority-minority Hispanic, as well as the
2 green district on the screen. The more
3 reddish/pinkish district is majority-minority
4 African-American, and that is the district that
5 contains a higher Haitian-American population
6 than other communities.

7 What the graphic on the right shows is it
8 shows where in Miami-Dade County you have large
9 numbers of registered-to-vote Hispanic
10 Floridians, and it is a key -- it is a key
11 facet in terms of creating a majority-minority
12 district that actually would perform and
13 actually would elect a candidate of choice for
14 the minority community, having Florida
15 residents who are registered to vote. And so
16 when you look at the current map and compare it
17 to where you have large concentrations of
18 registered voters, that is why all three of
19 your Hispanic majority-minority seats run into
20 the Tamiami, Fountainebleau, Doral area of the
21 map, because that is where your greatest
22 concentration of registered voters are.

23 And just looking at the next slide, which
24 is now page six in your packet, this slide
25 again shows the configuration of the current

1 districts and where the Haitian-American
2 community is largely concentrated, and that is
3 the sort of core of that Congressional District
4 17. So the district is largely designed around
5 that community.

6 Now, just moving up the coast a bit, the
7 next couple slides take a look at Broward and
8 Palm Beach Counties and the majority-minority
9 African-American seat that is largely
10 concentrated in those two counties, and
11 alongside of that, you see where those
12 concentrations of population are. And so the
13 district encompasses the Pahokee and Belle
14 Glade area, Riviera Beach and Palm Beach, and
15 also some of your cities, Lauderdale --
16 Lauderdale Lakes and Lauderhill in Broward
17 County. And so the district -- I should
18 mention, it goes into the Clewiston area as
19 well in Hendry County, which is your Section 5
20 compliance. And this is just an image on the
21 screen now of the Palm Beach County portion,
22 which again currently extends into Martin and
23 St. Lucie Counties.

24 And just moving over to the other side of
25 the region, the southwestern side of the

1 region, the -- one of the congressional
2 districts extends over into Collier County,
3 which, again, is a Section 5-covered
4 jurisdiction, and the graphic on the right
5 illustrates where the concentrations of the
6 Hispanic community are in Collier County, the
7 Immokalee area, and that community also extends
8 very much into Hendry County as well, although
9 the district does not extend into Hendry County
10 today.

11 So taking a look at options and thinking
12 about the various sort of legal requirements
13 that come up in south Florida, preserving the
14 majority-minority districts, complying with
15 Section 5 of the Voting Rights Act, there's a
16 number of points that collide and can make this
17 task of drawing districts, particularly in this
18 region of the state, a very difficult task.

19 So kind of walking through a natural
20 starting point to this is that where those
21 three Hispanic majority-minority seats
22 intersect. Today one of those seats
23 essentially cuts between the other two. In
24 this particular submission, map number 141,
25 actually a map that was just received two to

1 three days ago, this individual redesigns the
2 Hispanic majority-minority seats and actually
3 brings them together in more of a clean-looking
4 type shape in terms of as opposed to one seat
5 cutting through the others, in this particular
6 shape the seats come together in a more
7 geometric fashion using major roadways to
8 define the boundary lines. And there were a
9 few different plan submissions that attempted
10 to do this, making that intersecting point a
11 clean point, a more visible, understandable
12 point.

13 In this particular case, if you look at
14 page eight in your packet, in terms of data, a
15 relevant point here is that this individual not
16 only recreated three Hispanic majority-minority
17 seats, but in all three cases made sure that
18 the actual registered voter population was
19 greater than 50 percent in all three cases. In
20 terms of comparing this kind of proposal to the
21 benchmark of what exists today, there is a high
22 likelihood that these seats would truly still
23 elect Hispanic candidates as opposed to a seat
24 that perhaps diminishes that voter registration
25 below 50 percent and may potentially appear to

1 be one thing, but actually not produce that
2 result. But in this case, the plan author
3 actually achieved that secondary purpose. I
4 don't know if that was their goal in mind, but
5 they managed to do so by bringing all the
6 districts together in that area where
7 registered voter concentration is very high.

8 Now, in just a side note, in this same
9 particular plan, this individual did also
10 manage to recreate the Haitian-American
11 majority-minority black seat in Miami-Dade and
12 Broward Counties.

13 The next plan, plan number 131, this
14 individual managed to achieve the same purpose
15 regarding the Hispanic majority-minority seats,
16 did so in a slightly different fashion in that
17 this person actually brought the seats together
18 at a singular point, but still the basic -- the
19 basic idea of a more geometric type shape,
20 bringing the seats together, making sure that
21 they all meet that threshold of actually having
22 enough registered voters, hitting the
23 majority-minority threshold, but then also
24 making the shape a more clear, understandable
25 shape. So in terms of complying with the

1 Federal Voting Rights Act, in terms of also
2 trying to make the shapes -- the districts more
3 geometric, more understandable, more compact,
4 the two can work together in this area of the
5 state.

6 Now, in this case, just, again, another
7 side note, this particular map submission
8 actually changed the majority-minority seat in
9 Miami-Dade County quite a bit by running that
10 seat up to the Caribbean-American -- heavy
11 Caribbean-American communities in Broward
12 County. So it changed the shape of that
13 district quite a bit.

14 So now, thinking about how this impacts
15 drawing districts in Collier County and the
16 effect of the Voting Rights Act and the
17 majority-minority Hispanic seats on Collier
18 County, you have a legal standard which
19 requires you to consider the voice of the
20 Hispanic communities in Collier County and
21 their ability to elect a candidate of choice.
22 This particular map -- it was actually the
23 fourth map received -- did take a
24 majority-minority seat over into Collier
25 County. The prior two we looked at actually

1 did not do so. This -- this particular
2 submission did take that seat over into Collier
3 County and picked up the significant majority
4 of the Hispanic community in Collier County,
5 including the Immokalee area, and this
6 individual stopped the district on the Hendry
7 County line.

8 What that does, the practical effect of
9 that, of meeting that legal requirement, is it
10 leaves you then with anywhere -- depending on
11 how you draw that, a hundred, 150,000 residents
12 in Collier County who will end up having to be
13 in a different district. And so then it
14 creates questions as to how you would draw a
15 district in Lee County and couple that up with
16 Collier, because, of course, you can't go south
17 with the district.

18 Taking a look at different ways that you
19 might approach how you would draw that Lee
20 County district that is going to be
21 predominantly a Lee County district with a
22 significant Collier County community, this
23 individual map drawer chose to essentially draw
24 a very east-to-west line in Collier County, so
25 linking the northern part of the county with

1 portions of Lee, but in this case, they also
2 linked it very much with some of the rural
3 counties. Drawing a district like this,
4 there's not really one major population center
5 in that district that they created that -- for
6 Lee, Collier and the other counties.

7 That said, in drawing the district this
8 way, this individual did -- in plan number 69,
9 this individual did cut off the Hispanic
10 communities in Immokalee and those areas from
11 the Hispanic majority district. And this is
12 just a zoomed-in look at that same district on
13 page 12 in your packet. It is just to show you
14 that this individual basically took a roadway
15 and just cut straight across the roadway.

16 Taking a look at an alternative way to
17 draw a district like this, this particular
18 individual had taken the Hispanic
19 majority-minority seat much further into
20 Collier and essentially left just a
21 northwestern portion of the county otherwise
22 not in the district. This particular seat
23 encompasses most of Lee County, so it is very
24 much a Lee County seat, and the individual
25 chose to just leave out some of the more rural

1 northeastern portions of Lee County once they
2 got their population totals.

3 Another approach to this that didn't
4 appear in the public submissions so much, but
5 would be that you could utilize something like
6 Interstate 75 as a barrier in the district, but
7 what that would do is that would implicate that
8 you would run the district probably up somewhat
9 into Charlotte County.

10 So there are some different approaches.
11 Again, just wanted to give you options as to
12 how you might approach that kind of situation,
13 the legal compliance on one end, and then the
14 direction it takes you with how you deal with
15 the rest of Collier, Lee County and maybe even
16 Charlotte County or some of the rural counties.

17 Moving back now to the African-American
18 majority-minority seat that is in Miami-Dade
19 County, mostly in Miami-Dade County, a
20 particular organization submitted a map, map
21 number 43, actually at the meeting at
22 Miami-Dade College. This particular map
23 recreates the seat, although it does extend the
24 seat somewhat to the east in the Miramar and
25 Pembroke Pines communities. It was an

1 interesting analysis just trying to figure out
2 what the decision was in terms of extending the
3 seat -- I'm sorry, I think I said east. It
4 should be west, extending the seat further
5 west. The Haitian-American community in the
6 seat the way this was drawn did increase by a
7 couple percentage points. So it did -- it did
8 culturally change the district; again, a
9 relevant consideration in Florida law now.

10 In terms though of those two cities, the
11 current configuration, in fact, pretty much
12 most any submission that submitted this seat,
13 including this one, ends up splitting Miramar
14 and Pembroke Pines either way, so that effect
15 doesn't change, but, again, they moved the seat
16 somewhat west, and then it looks like went and
17 targeted specific communities in different
18 parts of the southern area of the seat.

19 And in plan 19, this is the configuration
20 that more frequently appeared in the public
21 submissions, which is more similar to the
22 current map right now for Miami-Dade and
23 Broward in terms of this majority-minority
24 seat. And this seat right here has a Haitian
25 population of just under 15 percent of the

1 district, and, again, thinking back to the
2 shaded maps you looked at before, this is the
3 majority of the Haitian-American community in
4 Miami-Dade County.

5 Moving up into Broward and Palm Beach,
6 page 16 in your packets, issues here very much
7 effect Hendry County as well, and so this
8 section of the discussion can't be done without
9 considering what impacts Hendry County, which,
10 again, is a Section 5-covered jurisdiction.

11 In this particular case, there is today a
12 majority-minority African-American seat in
13 those two counties. This individual took that
14 seat -- in plan 103 took the seat completely
15 out of Martin, completely out of St. Lucie,
16 completely out of Hendry, and left the seat,
17 the Riviera Beach community, Delray, Lantana,
18 heading down into Broward County, picking up --
19 if you almost think of today the current State
20 House map, if you think of Districts 92, 93 and
21 94, that is essentially the bottom part of that
22 map, if you are familiar with that area. That
23 is essentially those three districts in the
24 bottom part of this district right here. That
25 said, the fact that Hendry County is excluded

1 from this, the African-Americans in and around
2 Clewiston are excluded from this, would be a
3 consideration as to whether you could actually
4 take this step.

5 A contrasting submission to this, it was
6 actually the very first map that was submitted,
7 this individual left the district in Hendry
8 County, albeit that portion of Hendry County is
9 literally just Lake Okeechobee, there's
10 actually no people in that, so I am not sure
11 whether that was an accident on their part or
12 whether they even intended to go into Hendry at
13 all, but, again, just south of that portion of
14 Hendry County, just south of that portion of
15 Lake Okeechobee is Clewiston where there is a
16 significant African-American community that
17 could be put into the district. This
18 individual chose to use something that is more
19 similar to the current core of the district,
20 but, again, taking it out of Martin, taking it
21 out of St. Lucie, still achieving a
22 majority-minority district, and grabbing pieces
23 of the other plan, but using -- but also using
24 the Pahokee and Belle Glade communities. And
25 so this kind of district configuration has

1 several core communities in this district. You
2 have your Riviera Beach/West Palm area, Delray,
3 Lantana, Boynton Beach, Lauderdale Lakes,
4 Lauderdale Hill, and, again, Pahokee and Belle
5 Glades. So there's several core communities
6 spread out through the district.

7 And in taking this approach, one question
8 that just came up as we were analyzing this and
9 taking a look at it is if you were to take the
10 middle of the Delray Beach, that area -- if you
11 take that middle portion of the district out,
12 would there be enough between the northern and
13 southern boundaries to actually fit another
14 district in that area, and this shows up poorly
15 on the screen, it shows up better in your
16 packets on age 18, but this is actually an --
17 just a quick visual, quick mock-up of the fact
18 that, yes, actually, you could put an entire
19 district in between the northern and southern
20 ends of this configuration.

21 The importance of this is that -- the
22 relevance in terms of your consideration when
23 you are thinking about all the other districts,
24 creating compact districts that use city and
25 county boundary lines and any of the other

1 standards of Florida law, is that this
2 configuration does not upset your options as to
3 what you could do with the other districts. So
4 in terms of how this configuration works with
5 the rest of Palm Beach and Broward Counties, it
6 doesn't unnecessarily limit the other options
7 that you might have.

8 And the last -- the last slide regarding
9 Palm Beach and Broward Counties, it was the
10 31st map that was submitted to the Legislature,
11 the map was mainly interesting because this
12 individual only split four cities throughout
13 the entire state, which is quite a feat in
14 terms of map drawing. Some cities, because of
15 their boundaries, they are -- they are
16 sometimes not contiguous, they hook around each
17 other. It is very difficult to actually only
18 split four cities in the entire state. And in
19 Palm Beach and Broward Counties, this
20 individual didn't split any municipalities. In
21 doing so, it does show that if you think about
22 these ideas together and try to merge them
23 together into a cohesive majority-minority seat
24 and then other seats that perhaps very much
25 respect municipal boundary lines, which was a

1 predominant request in this area of the state
2 when you had your public meetings, and then
3 also just looking at does the majority-minority
4 seat otherwise -- otherwise move around the
5 other population and limit your options, in
6 fact, it doesn't. If you merge these
7 suggestions together, you have the freedom to
8 recreate the majority-minority seat, respect
9 municipal boundaries where possible, and
10 doesn't overall have a negative impact on your
11 freedom to build districts in this area.

12 Just moving up to Martin and St. Lucie
13 Counties, typically the suggestions that we
14 received kept Martin and St. Lucie Counties
15 together in the congressional map. In terms of
16 how you want to treat the whole region though,
17 there are some relevant differences to the way
18 people did this.

19 In this particular suggestion, this
20 individual in plan number 139, again, a plan we
21 just received recently, this individual likely
22 was building south to north, because they did a
23 greater division in Brevard County in this
24 particular seat, and so they likely were
25 building their Palm Beach southern districts

1 first and then had a little bit of population
2 left over, which is not uncommon in terms of
3 building districts in this area of the state,
4 and so this individual pushed north. If you
5 had an interest in compartmentalizing the state
6 into pieces, then you would want to push from
7 south -- so you would want to push from north
8 to south. So this suggestion would work
9 contrary to that if you wanted to, for
10 instance, make sure that you had truly ten
11 seats in the southern part of the state.

12 This particular suggestion, suggestion
13 number 136 on page 21 of your packets, does the
14 opposite. This suggestion does go from north
15 to south. So this individual was likely
16 building out of central Florida and then pushed
17 their way south, and so this district ends up
18 getting the rest of its population in Palm
19 Beach County to meet its equal population
20 numbers.

21 And then there were a few examples of
22 individuals taking the Martin and St. Lucie
23 County communities and going west with them.
24 And today, the district that relatively
25 encompasses much of that area does go

1 significantly west, and so there were some
2 suggestions to still take this district and
3 push it into some of the rural counties;
4 however, the two prior examples that you looked
5 at were, generally speaking, the common
6 suggestions to keep Martin and St. Lucie
7 together and to run the districts along the
8 coast somehow, keeping whole counties together
9 as much as possible.

10 And with that, Mr. Chair, that is my
11 presentation.

12 REPRESENTATIVE LEGG: Great. Any
13 questions? Representative Fullwood.

14 REPRESENTATIVE FULLWOOD: Thank you, Mr.
15 Chair.

16 When we were down in south Florida, Miami
17 in particular, there were a lot of folks who
18 mentioned drawing districts that reflect really
19 voting -- the -- kind of the voting population
20 nationally, I guess the voter performance
21 nationally. And since Miami-Dade typically
22 votes Democratic in national elections, but I
23 think three of the four Reps from Dade County
24 are Republicans, I mean, if all the other
25 criteria are met, then should we be looking at

1 creating districts in Dade County that reflect
2 the voting population -- the voting
3 performance, I should say, in that county?

4 REPRESENTATIVE LEGG: Alex.

5 MR. KELLY: Thank you, Mr. Chair.

6 Representative, you would be prohibited by
7 Florida law to try to create a district that
8 favored a particular political party. So your
9 -- the notion of creating a district to match
10 the voting performance and so forth in one way
11 or another would be favoring or disfavoring a
12 particular candidate or political party. Doing
13 so knowingly, with intent, the intent being the
14 key word, you would likely be prohibited from
15 doing something like that.

16 REPRESENTATIVE FULLWOOD: May I follow up?

17 REPRESENTATIVE LEGG: Follow up.

18 REPRESENTATIVE FULLWOOD: Okay. All
19 right. I just know that we heard a lot of that
20 from -- when we were taking public testimony,
21 so that is why I asked is people said we should
22 create districts -- districts that reflect the
23 performance of the vote. So thank you for the
24 clarification.

25 REPRESENTATIVE LEGG: Further questions?

1 Alex, would you like to go to the --
2 Representative Reed, I apologize.

3 REPRESENTATIVE REED: Thank you, Mr.
4 Chair.

5 I have one question. If we adopt a map or
6 a part of a map drawn by a member of the
7 public, do we need to worry about the intent of
8 the person who drew the map, or is it only our
9 legislative intent that matters?

10 REPRESENTATIVE LEGG: Alex.

11 MR. KELLY: Thank you, Mr. Chair.

12 Representative, it is your intent that
13 matters. It is an act of the Legislature.
14 Certainly you are welcome to consider anything
15 in factoring into whether you consider a
16 district or several districts, but at the end
17 of the day, a court of law should be
18 considering the intent of the Legislature,
19 because it is a legislative act.

20 REPRESENTATIVE REED: Thank you.

21 REPRESENTATIVE LEGG: Further questions?
22 Representative Taylor.

23 REPRESENTATIVE TAYLOR: Thank you, Mr.
24 Chair.

25 I want to follow up on that particular

1 instance. Alex, if a member files a map that
2 was drawn by a person from the public, don't
3 they have to have the intent of what that
4 person who actually drew the map and was filed
5 by a member, wouldn't they have to have that
6 person's intent, or now does that person's
7 intent becomes the member's intent?

8 REPRESENTATIVE LEGG: Mr. Kelly, if you
9 want me to take a stab at this first and I will
10 have a few -- Representative Taylor,
11 whenever -- if a member would file a map, or
12 even this Committee file a map, it becomes our
13 intent and it would be our due diligence to
14 adopt our intent. I would not recommend
15 blindly filing a map just as a courtesy to
16 someone and not knowing the rationale behind it
17 because, in essence, you will be responsible
18 for defending or advocating, either -- it
19 depends on your perspective, the lines that are
20 in that map. So to say you would have to
21 defend the intent of the constituent, it would
22 really become your intent or the intent of the
23 person filing that particular map.

24 Further questions?

25 Mr. Kelly, would you like to go to the

1 data portion?

2 MR. KELLY: Sure, yes, sir. Thank you,
3 Mr. Chair.

4 Members, we will be looking at tabs one,
5 two and three in your packets. What I will be
6 doing is I will be describing the document that
7 is in tab one using the PowerPoint that is in
8 tab two, so you may want to have both available
9 to you. The documents in tab three is a cheat
10 sheet maybe available for you for after the
11 meeting, a cheat sheet just to as a reminder to
12 what some of the terminology means in terms of
13 this is a very technical document, so just as a
14 reference.

15 The document in tab one of your packets is
16 a set of measurement tools that our staff have
17 created for your benefit to analyze the plans
18 that you workshop, that become PCBs, that get
19 voted on at every stage of the process. The
20 measurement tools speak to a number of issues
21 in Florida and federal law, and a number of the
22 basics that need to go into creating a
23 complete, legally compliant redistricting plan.
24 And then also, in terms of analyzing the law,
25 the document is meant to give you a lot of food

1 for thought, the ability to compare and
2 contrast how the standards may work with each
3 other, the realities of the maps for certain
4 communities and what perhaps the trade-offs
5 are, keep this county whole here and you end up
6 dividing this city here, so you can understand
7 those, so you can ask questions, so that you
8 can share this information with constituents
9 and share the actual real impacts of these, and
10 then, again, just so you can just, as always,
11 be engaged in the committee process and know,
12 relatively speaking, what it is that the maps
13 really do.

14 So in thinking about the information that
15 you are looking at in the document, tab one,
16 looking at the PowerPoint, the first thing you
17 see is the plan, the plan name, and that plan
18 name is important throughout the process. You
19 have seen this before and you have seen us
20 refer to map 104, map 140 and so forth. I just
21 want to very quickly go over what all of the
22 information means in the plan name. The first
23 letter is either an "S" or an "H," and that
24 indicates that the plan was received by the
25 House or the Senate. The second set of

1 information typically up to this point, always
2 up to this point, you have seen "PUB" for
3 public. That means that the public submitted
4 the plan. The plan then is either a
5 congressional, House or Senate plan, noted by
6 the "C" or "H" or "S." And then there is the
7 plan number, which is just the order that the
8 plan was received.

9 Now that you will soon be getting into
10 legislative plans, you will see some different
11 information. You will still see an "H" or an
12 "S" at the beginning, indicating that it came
13 from the House or the Senate. What you will
14 see, though, is you will see either if you --
15 if you actually put forth in a Bill or an
16 amendment, you will see your district number.
17 You will see, again, the "C," the "H" or the
18 "S." However, for legislative plans, you are
19 going to see everything in the 9000 series, and
20 that is just a quick cheat to know that, in
21 fact, that it came from someone in the
22 Legislature. So everything will be numbered in
23 the 9000s.

24 And in part two, My District Builder is
25 still open to the public even though Chair

1 Weatherford set a deadline of November 1 for
2 the public to get plans in for full
3 consideration. My District Builder will still
4 be open throughout the process, so it is very
5 possible that additional plans will come in, so
6 there is a different numbering series for
7 members of the Legislature. And the Senate
8 will be using a similar numbering, but the
9 House will use odds, the Senate will use evens,
10 as you are familiar with with traditional
11 legislation.

12 So in terms of the information that is in
13 the packet, most of what I will be describing
14 will be very much visible on the first page or
15 two of the document in tab one, which in the
16 rest of the document is the same kind of
17 information, but it goes district by district.

18 So in terms of the first bit of
19 information, you will notice the population
20 fundamentals of each plan. The total
21 population of the state is a little over 18.8
22 million people. You won't see in the process a
23 plan that has less than that total number,
24 because, otherwise, it would be an incomplete
25 plan, but that would be the first alarm bell

1 that something could be wrong with a plan that
2 has been filed if the population wasn't the
3 complete population of the state. The ideal
4 population in this case for a congressional
5 district is listed. If you were looking at a
6 Senate Bill or House Bill, you would be looking
7 then at the ideal population for a Senate map
8 or a House map.

9 The district remainder, there should
10 always be a district remainder of 22, because
11 five of the districts, you will achieve zero
12 population in terms of you can actually achieve
13 ideal, perfect population. In 22 of the
14 districts, you would be one person off that
15 population. So in 22 of the districts, you
16 would have to be just mathematically one person
17 off from the ideal.

18 The district population range, for the
19 congressional map, that is not going to show up
20 as a significant range. Theoretically, it
21 should be one person. If you were looking at a
22 House or Senate plan, you may see a greater
23 range.

24 When we talk about population deviations,
25 we always talk about the total minus and plus

1 above the -- below and above the ideal
2 population. So if a map is one percent above
3 the ideal population and two percent below,
4 then the range is three percent. So whenever
5 we talk about that, we are always talking about
6 the total range. And for legislative plans,
7 just for your reference, generally speaking, we
8 are working under the notion of having plans
9 that are about a four percent or less range, so
10 two percent plus, two percent minus. But,
11 again, for congressional, the idea is to see a
12 perfect population score.

13 So in terms of geography, another key to
14 following a perfect plan is to actually assign
15 the geography. When you -- if you go to file a
16 redistricting Bill or redistricting amendment,
17 per House rules and per procedures, if you --
18 if you filed a plan and there is a single
19 census block unassigned, it is not a complete
20 plan and it can't be filed yet. The procedures
21 that were adopted last April do allow that you
22 give staff the ability to correct a technical
23 deficiency. Let's say you missed a census
24 block that has no people in it along the beach
25 and you clearly meant to put it in a district

1 and that can be clearly discerned by looking at
2 it. You can give staff permission to fix that.
3 But through this process, if you intend to
4 file, let's say, an amendment, and the plan is
5 incomplete, generally speaking, that plan will
6 be returned to you. So in terms of meeting
7 deadlines for amendment filing, would be
8 careful not to walk in five minutes before a
9 deadline.

10 Your intellectual property, the plan that
11 you want to file is yours, it is exempt from
12 public disclosure until you file it. So in
13 terms of working with staff, we are here to
14 help in terms of making sure that any plan or
15 amendment you want to file is complete. We
16 would hate to be in a situation where you just
17 got in, you just beat the deadline, but your
18 plan is incomplete and you weren't able to file
19 it. So we are to help you in terms of if you
20 are filing an amendment, to make sure that your
21 plan is complete, to make sure that your maps
22 are contiguous and to make sure that they are
23 legally compliant. So, again, census blocks,
24 you should have every census block assigned.

25 You are always going to have in the

1 Florida's map one non-contiguous point. You
2 cannot make the Dry Tortugas contiguous. So
3 every map will always have one district that in
4 the software shows up as being non-contiguous.

5 The next few figures are pretty plain
6 language, the number of counties split, cities
7 split and VTDs split. So this just gives you a
8 basic high-level way of comparing plans to each
9 other and determining some of the immediate
10 pluses or minuses.

11 In the data set that you are given, it
12 will always be indicated the number of
13 districts that are -- achieve a certain
14 percentage African-American or Hispanic. And
15 so in terms of comparing plans, does this plan
16 maintain the number of majority-minority seats
17 and so forth, this data will indicate that to
18 you and give you a quick guide as to whether
19 some of those legal standards have been met.

20 In the interest of time, I will speed this
21 up a little bit.

22 In terms of compactness, there are a
23 number of different ways to analyze
24 compactness. Compactness is oftentimes
25 analyzed in both a quantitative and qualitative

1 fashion. In terms of what is in your packet,
2 it, generally speaking, starts with the more
3 quantitative and then moves into some of the
4 sort of quality issues when you think about a
5 legislator or congressperson being able to
6 effectively get to their constituents and just
7 literally effectively represent them. And in a
8 state like Florida, with the number of
9 geographical barriers that you have, that is a
10 relevant consideration.

11 So there are basically three different
12 ways that your packet analyzes compactness.
13 First, looking at the basic shapes of the
14 district, the circles and squares and other
15 shapes within the district itself. The next
16 looks at if you drew a circle around that
17 district, how big would that circle have to
18 effectively be to encompass the entirety of the
19 district. And then the last measurement looks
20 at if you drew the tightest shape possible
21 around your district, but kept straight lines
22 from point to point, what the relationship of
23 that is to your district. They're all
24 different ways that in research, in case law,
25 are utilized frequently to analyze compactness.

1 We took a wide look at what measurements
2 were used frequently, found that there were
3 approximately three dozen different
4 measurements that were frequently cited in
5 literature and court cases and so forth. We
6 didn't put three dozen measurements in here,
7 because that would just be unusable. What we
8 did do was we put in the packet the pieces that
9 are most commonly used. A reason for doing so,
10 beyond giving you some measurements to work
11 with and compare plans with, is what it also
12 does is it makes it for someone who is
13 observing the process, who maybe wants to check
14 the process, inspect the data, it makes it
15 relatively easy for them to replicate, come up
16 with their own measurements, perhaps take these
17 data points and plug it into their own formula
18 for whatever they think is important. So,
19 again, making it as easy to replicate as
20 possible for someone who is observing the
21 process.

22 Just getting into these in a little more
23 detail, the base shapes measurement, again,
24 takes a look at literally the core shapes
25 throughout the district, and there's two

1 general ways that this is looked at. This is
2 looked at literally what exactly the boundary
3 lines are, and then in some cases, let's say
4 that those boundary lines happen to be a river
5 or some kind of natural boundary line that is
6 curved or jagged and theoretically makes the
7 boundary a longer boundary and appear to be
8 less compact, we also apply a simplified
9 measurement that essentially if it let's say is
10 a riverway, straightens the points out so
11 that -- that is a boundary line you can't
12 affect, the shape of a river, so it simplifies
13 it out and gives you two ways to look at the
14 information.

15 Going to the next slide, what this
16 measurement does is it gives you the perimeter
17 of the district in miles, and then it gives you
18 the area of the district in -- or, actually, I
19 should say the plan, those are actually plan
20 measurements -- the plan in square miles. And
21 so what that does is it tells you based on the
22 shapes of the district, what the actual mileage
23 is around every single district totaled up.
24 The lower the number, theoretically the more
25 compact the district is. And then in each

1 case, we list a ratio between, in this case,
2 perimeter and area. Oftentimes individuals who
3 study this area of the sciences like to look at
4 the ratios between these numbers. Practically
5 speaking, we are going to more focus on the raw
6 numbers, but there are many individuals who
7 look at the ratios, many experts, and so it is
8 relevant for them. And, again, the smaller the
9 number, the better.

10 So in terms of the circle dispersion
11 measurement, what you are doing is you are
12 taking the district -- and all of this, I
13 should have said at the outset, all of this is
14 based off of one of the public maps that was
15 submitted, a congressional plan. In terms of
16 the circle dispersion, what you are doing is
17 your are taking the district and you are
18 fitting the district into the smallest circle
19 you possibly can, a circle being as
20 geometrically compact a shape as you can
21 possibly have, so --

22 REPRESENTATIVE LEGG: Alex, I may have
23 missed it as you were going through. Could you
24 explain the difference between map and where it
25 says "simple"? What does the simple mean?

1 Maybe it was designed for me, but what does
2 that mean?

3 MR. KELLY: Thank you, Mr. Chair.

4 I will just go back a couple -- back to
5 this slide over here. If you look at where the
6 arrows are pointing on the eastern and western
7 ends of this district, those areas represent
8 natural boundary ways that could not have been
9 drawn in a straight line. So they were perhaps
10 a river, something to that effect that because
11 of the either curved nature of the boundary, or
12 perhaps jagged edges, again, a boundary that
13 you could not account for otherwise in the
14 process of drawing a map, the simplified
15 measurement straightens out that from point to
16 point. It picks the two ends and it gives a
17 simplified measurement, because, otherwise, the
18 perimeter of the district could appear to be
19 much more significant than it is just because
20 of the curves of the riverway. And in the end,
21 it just gives you really two different ways to
22 look at the information.

23 REPRESENTATIVE LEGG: Mr. Kelly, if we can
24 do this -- this is an important portion. I
25 know a lot of members have questions on it, and

1 it is somewhat technical in nature, so if you
2 don't mind, we will take like a brief pause and
3 go to a couple of questions. I see some people
4 kind of jotting down some notes.

5 Representative Taylor, you had a question?

6 REPRESENTATIVE TAYLOR: Yes, thank you,
7 Mr. Chair.

8 Alex, in the compact measurements, I know
9 you said there's several different measures
10 that can be utilized, but -- and I am going to
11 use Florida as an example. If we are using a
12 particular measurement, is it one that is
13 consistently used throughout the map, or are
14 there several different measurements placed
15 into drawing the map?

16 REPRESENTATIVE LEGG: Mr. Kelly.

17 MR. KELLY: Thank you, Mr. Chair.

18 Representative Taylor, the measurements
19 are used throughout the map, so all the
20 measurements apply to the map in whole. Some
21 measurements will do perhaps a better job of
22 assessing things like a rural district versus
23 an urban district, but all the measurements are
24 used throughout the map as a whole, and they
25 are all measurements that are very commonly

1 used in redistricting in other states. They
2 are key parts of the formulas that experts use
3 to assess these things. So they are all very
4 commonly used, they are all used throughout the
5 map.

6 REPRESENTATIVE LEGG: Further questions on
7 this section?

8 Mr. Kelly.

9 MR. KELLY: Thank you, Mr. Chair.

10 Again, talking about the subject of the
11 circle dispersion, similar to what you just
12 looked at with the base shapes, what the
13 measurement does is it measures in terms of
14 miles, in square miles, the perimeter of miles,
15 the area in square miles; again, the lower the
16 number, the better. Now, what this does though
17 is at this point, the base shapes measurement
18 is a measurement that you compare with the
19 circle dispersion measurement, and so that is
20 really where you get a comparative analysis
21 both between physically, literally the mileage
22 that it takes to travel around the edges of a
23 district versus how the populations are
24 centered in a district, how the shape of a
25 district works, how the cores of the district

1 work versus the outliers of the district. And
2 so the percentages that you get on the right
3 side of this are taking the prior perimeter
4 measurements from the base shape -- I'm sorry,
5 actually are taking the perimeter and area from
6 the circle dispersion, dividing it by the base
7 shape. The point of all of this is that the
8 higher the percentage, the better. The idea
9 would be that if you had a district that had
10 100 percent score, basically you have drawn a
11 district that is literally a circle. So the
12 higher the percentage, the better the
13 measurement for your district.

14 And, again, all of these tools are a way
15 to compare one district to another, one plan to
16 another. In this case, these are plan total
17 measurements.

18 And the third type of method of looking at
19 the compactness of the district in terms of the
20 traditional methods of looking at it that are
21 used is a convex hull measurement, which
22 essentially take the outer points of the
23 district, and you are analyzing where the
24 indents and fingers occur and what that does to
25 the compactness of the district, if it has a

1 larger impact in one plan versus another and so
2 forth. And the measurements again end up
3 looking fairly familiar because you are going
4 to combine these to get an analysis. The
5 perimeter of the convex hull and the area of
6 the square -- the square mileage of the convex
7 hull, the smaller the number, the better. And
8 then the ratio is provided, but in this case,
9 again, the convex hull number is divided by the
10 base shapes, and so that gives you a comparison
11 between the two measurements. And, again, as
12 in the others, the higher the percentage, the
13 better. The better the score, the lower the
14 percentage, the less compact according to that
15 measurement, and oftentimes with compactness
16 measurements, you end up finding that there is
17 some give and take between them, because some
18 of them do perhaps do a better job of assessing
19 a plan statewide. Some may perhaps assess
20 districts individually better; likewise, some
21 may perhaps assess a rural district better as
22 compared to an urban district. You could draw
23 a circle in an urban area versus a circle in a
24 rural area, and the rural area, where you need
25 a greater geography for greater population, you

1 are likely to have a lesser perimeter score.
2 So there is some give and take to these, and
3 that is why we gave you different measurements
4 so that you could compare, ask questions and
5 get to understand the true pros and cons of one
6 plan to the next.

7 And on this same page is the width/height
8 of a district. Essentially what the
9 width/height does similar to the idea of a
10 circle is it takes a look at basically --
11 potentially a square or the rectangular shape
12 of a district if a district -- you go to the
13 northern edge, the southern, eastern and
14 western, and you make the tightest either
15 circle -- I mean, not a circle -- a square or
16 rectangle that you can. A square would
17 theoretically, if the width/height were equal,
18 a square would be as compact as that district
19 could be. And so the smaller the number -- the
20 smaller the number, the more compact the
21 district is.

22 Now, the next set of measurements look at
23 essentially where the population is in a
24 district and how they relate to each other,
25 things like travel time and how many miles

1 people are from each other. In this particular
2 case, the way that we constructed this is we
3 looked at every single VTD in a district, and
4 then we compared it to every single other VTD
5 in a district and averaged out the mileage
6 apart. And then we also provide in the packet,
7 we provide those numbers for the minority
8 communities in the district as well. So if you
9 are looking to see whether the minority
10 communities in a district are either nearby and
11 compact, close to each other, or whether they
12 are spread out throughout the district, this
13 will give you that information.

14 In this particular case, looking at this
15 plan, if you look, for instance, at the
16 Hispanic voting age population, the mileage
17 apart is much smaller than the plan as a whole,
18 and that is true both for the current map and
19 this particular proposed map. And I should say
20 in every case, too, we are obviously showing
21 the current map so you can compare. The
22 likelihood of that is that much of the state's
23 Hispanic population is concentrated in a few
24 areas, and so that results in that number being
25 smaller than it is for the statewide total.

1 Now, another way though that is very
2 applicable to Florida to look at this kind of
3 measurement is, well, sometimes you have a
4 river or a lake or some other kind of geography
5 that technically two people are only 10 miles
6 apart in a straight line, but physically, it
7 takes them 50 miles to get to each other. When
8 you think about districts and representing
9 people and possibly representing people on a
10 barrier island or on one side of the Okeechobee
11 or another, this kind of measurement gives you
12 more of the real-world application of how long
13 it would actually take someone, on average,
14 again, to travel to someone else in the
15 district. The numbers are very similar. It is
16 based on mileage, and, again, it is also broken
17 down by minority voting age population to tell
18 you in a given district, and in this case, the
19 statewide map, how long on average it would
20 take someone in that district to travel and go
21 see someone else in that district. The smaller
22 the number, the more densely populated the
23 district is.

24 And the next measurement essentially does
25 the same thing, except for it does it in

1 minutes driven. So one in mileage, one in
2 minutes driven.

3 The next several pages in your packet
4 analyze the same information district by
5 district so that if you are trying to perhaps
6 assess how a district now compares to how a
7 district was, or the district that was similar
8 to it in the prior plan, you can do that, you
9 can compare them. What the next few pages do
10 is they do show you, in terms of the current
11 map, what districts relate to the district that
12 you are considering adopting, and that is what
13 we refer to as district core. So -- and
14 there's two different ways to look at that.

15 In this particular case, this looks at the
16 district that is most similar, the single
17 district that is most similar to the new
18 district you have drawn, and says how similar
19 they may be. And in this particular case,
20 District 1 and the core district, which is also
21 District 1 in this map, it is -- in fact, in
22 this particular map, it was the Panhandle --
23 most western Panhandle congressional
24 district -- they were over 94 percent similar,
25 in all likelihood because in that district, you

1 can't draw west, north or south. So, anyway,
2 it gives you a sense of if a district -- how
3 much it changed, how much the representation
4 for the community might -- in terms of a
5 geographic sense, might change. And then the
6 information is also broken down by minority
7 voting age population, too. So if you want to
8 consider a district that perhaps falls under
9 protection of state or federal law, and you
10 want to consider, well, how much that
11 population is still represented in a minority
12 district, how much is no longer, this would
13 allow you to compare that kind of information.
14 I am just not a big fan of the arrows. And,
15 again, in terms of comparing districts, this
16 type of core measurement looks at all the
17 districts in the current map that are similar
18 to the new one being proposed. And so if you
19 want to try to understand perhaps where a
20 particular minority group came from in terms of
21 the prior map and how the new district has that
22 group aligned in the new district, this will
23 give you that information, showing you what
24 portions of which seats go into the new seat.

25 The one little trick to this in terms of

1 looking at this information is that in terms of
2 actually -- in terms of looking at the column
3 with the arrow now, the black voting age
4 population, what this is telling you is in the
5 new district -- I'm sorry, in the pieces of the
6 old district, what percentage of the district
7 is African-American so you can assess how each
8 piece works if perhaps this was a
9 majority-minority seat and where that came
10 from. But in terms of the next column, it is
11 then telling you in terms of the new district,
12 this African-American population, how it
13 contributes to the whole. So, for example, in
14 terms of the old District 6 and its
15 contribution to the new District 7, the old
16 District 6 contributes to a little more than
17 42 percent of the new District 7's
18 African-American population. So those can get
19 a little tricky, but, again, they just give you
20 different ways to assess the old to the new.

21 And then the last pages of your packet
22 look at issues like split counties, split
23 cities, and they give you actually those
24 numbers and how much those counties and cities
25 are split by. So in terms of if you wanted to

1 report back to your constituency that this city
2 now is split by these two particular districts,
3 the numbers here will indicate to you if the
4 city has 50,000 individuals, let's say that it
5 is split twice, how many of those Florida
6 residents are split into each of the two
7 districts. I will just give you the example
8 that is used here for the City of Ponce de
9 Leon. It is split into two different
10 districts. What you see is you see -- I'm
11 sorry, you see the name of the city, and then
12 the next number that you see is the number of
13 districts the city is split into, in this case,
14 two, and then you see that 11 residents of the
15 598 are in this particular district. So if you
16 are looking at a map that has been proposed,
17 your question may be, well, why is it that 11
18 residents of 598 are split into a different
19 city.

20 And with that, Mr. Chair, that is the
21 presentation.

22 REPRESENTATIVE LEGG: Any questions on the
23 data and tools? With that, I am going to have
24 to take a geometry class after this.

25 Representative Chestnut, please.

1 REPRESENTATIVE CHESTNUT: Thank you, Mr.
2 Chair.

3 I guess my question -- I know that the
4 last time we met, we talked about the
5 preservation of minority districts as a
6 priority. Is there a limit on how much we must
7 pack the districts with minority voters?
8 Because I noticed on the chart here, some of
9 the charts, it didn't go over like say, for
10 instance, 80 percent, I think it was -- I saw
11 one at 60 percent on one of the charts.

12 REPRESENTATIVE LEGG: Representative
13 Chestnut, would you mind just kind of
14 clarifying your question a little bit more, if
15 you don't mind?

16 REPRESENTATIVE CHESTNUT: Well, I guess it
17 is dealing with minority districts in terms of
18 packing minority districts to protect those
19 minority districts.

20 REPRESENTATIVE LEGG: Are you asking is
21 there like a top ceiling number --

22 REPRESENTATIVE CHESTNUT: Yes, right,
23 absolutely.

24 MR. KELLY: Thank you, Mr. Chair.

25 Representative, the concept of packing is

1 somewhat a separate concept of the notion of
2 preserving a minority district. The concept of
3 packing implies that you have one district and
4 could immediately next door to that district
5 create a similar -- another majority-minority
6 seat if you disburse some of the population
7 from one into the other. So the concept is
8 different than the notion of preserving a
9 minority district. Each district is -- in
10 terms of what number you need to achieve to
11 preserve the minority opportunity, to elect a
12 candidate of choice, it is a fact-specific
13 analysis, district by district. So the concept
14 of packing is really -- it is a different
15 concept, and, again, it implies that you could
16 have created maybe a separate second
17 majority-minority seat. So without specific
18 geography associated with that term, without a
19 specific example, it is hard to say how packing
20 would relate to that concept.

21 REPRESENTATIVE CHESTNUT: So if we did
22 packing, would it -- would it violate the
23 Constitution or any type of the criteria that
24 we have to look at?

25 REPRESENTATIVE LEGG: George, Mr. Meros.

1 MR. MEROS: Certainly packing and --
2 packing is a Section 2 issue under the Federal
3 Voting Rights Act. If you are -- if you are
4 creating or keeping a minority population
5 together which could create two districts
6 rather than one, that is a vote dilution
7 potential under Section 2. Just like if you
8 crack a community, if you split it into two
9 districts that are not majority districts, but
10 could be a cohesive majority in a single
11 district, that would be a potential vote
12 dilution claim. So that is why Alex was saying
13 that the concept is very much different than
14 preserving minority population. Cracking and
15 packing are concepts where, in fact, the
16 minority population is being split up in a way
17 that does not protect their ability to elect
18 a -- the candidate of choice.

19 REPRESENTATIVE LEGG: Okay. Further
20 questions?

21 Representative Taylor.

22 REPRESENTATIVE TAYLOR: Thank you, Mr.
23 Chair.

24 The last time I guess this was done, Alex,
25 we started in the Panhandle and I guess worked

1 our way down. Is geography then more important
2 than the densely populated areas on a starting
3 point? I know it was recommended, I guess last
4 meeting, by Chair Horner that we start in the
5 central Florida area and kind of work our way
6 out, but what -- what -- what would be the
7 more -- most important driving point, geography
8 or the densely populated areas and working your
9 way out?

10 REPRESENTATIVE LEGG: Mr. Kelly, if you
11 want to talk to -- versus a policy sense, more
12 of a logistical sense of -- you know, of making
13 sure that we have populations in the Keys that
14 we don't ostracize because of the way we draw
15 the maps, but -- and the reason why I am
16 interjecting here, because some of that is kind
17 of our consideration that we have to decide as
18 a policy piece, but there is a logistical point
19 where if you don't draw the maps correctly, you
20 have a group of people that basically are left
21 without a district. And if you want to speak
22 to kind of the practicality of how you start
23 drawing the maps, that would be great.

24 MR. KELLY: Thank you, Mr. Chair.

25 Representative, if you think about the

1 requirements of Amendments 5 and 6, and think
2 about the second tier of those requirements,
3 that districts -- assuming that they don't
4 conflict with Federal law nor the standards in
5 the first tier, districts shall be compact,
6 they shall be nearly equal as practicable, and
7 where feasible, use existing political and
8 geographical boundary lines. The third part of
9 the amendments, of Amendments 5 and 6,
10 Amendment 6 as it pertains to the map that you
11 are working on, requires that none of those
12 standards within a tier be prioritized over one
13 another. So -- and coming to your question
14 now, in terms of how you might approach
15 geography and population density in one region
16 to another, there are trade-offs, and there are
17 trade-offs that are legally appropriate. So,
18 for example, if in the Panhandle of the state,
19 in terms of drawing districts that perhaps
20 adhered to county lines, that was the
21 consideration that was a more rational, easier
22 to achieve consideration than perhaps tying
23 together cities in whole, that may be your
24 predominant consideration in the Panhandle
25 because of the geography. So the geography can

1 dictate some of the terms. Whereas, if you
2 look at southeast Florida as we are covering
3 today, some of your counties are the size of
4 two and three districts. So the county lines
5 may not be such a consideration that you could
6 focus on, but you may focus on city lines
7 perhaps. So if you know that you are going to
8 go from northern Palm Beach County into Martin
9 County, you may have a goal of keeping Jupiter
10 whole. Likewise, if you think about what
11 happens in Monroe County in the Everglades, you
12 may have issues where you have to cross the
13 state for legal considerations like the Voting
14 Rights Act, and so your focus may be to tie
15 that crossing of the state to a particular
16 roadway, and just in terms of thinking about
17 how that member of Congress is able to
18 adequately represent communities in Collier and
19 Miami-Dade Counties, you may pick a roadway and
20 say that is going to be the artery for the
21 district.

22 So geography definitely does cause you to
23 look at the different considerations in the
24 second tier of the amendments. In an urban
25 community, it is far simpler to draw a nice,

1 compact district. However, if you think about
2 the county from which you come, you have a
3 number of cities in that county that -- you
4 have some that are into the rural areas, and
5 some that are along the beaches in Volusia
6 County. In terms of how you might draw
7 districts in Volusia County, you may actually
8 consider clustering the communities that are in
9 the rural, the cities that are in the rural.
10 So you may do a combination of keeping cities
11 whole, but in one half of the county, and then
12 in the other half of the county, keeping those
13 cities whole. So -- and you have in that
14 county a significant divide down the middle of
15 the county between the coastal and rural
16 communities. So geography definitely can cause
17 you to look at the map differently in different
18 places.

19 Pinellas County, if you choose to say you
20 are not going to cross the bridge into Manatee,
21 that forces you, no matter what you want to do,
22 to start drawing in the southernmost point of
23 Pinellas County and going northward, regardless
24 of what your predominant consideration is,
25 because you chose that you didn't want to cross

1 over into Manatee County.

2 REPRESENTATIVE LEGG: Follow-up?

3 REPRESENTATIVE TAYLOR: Yes, thank you,
4 Mr. Chair. And thank you, Alex, for that
5 explanation and that answer.

6 The only reason I am asking that, I know
7 it is a policy situation where -- but with the
8 additional of two seats, I mean, we are looking
9 at the maps and we are going to add two
10 additional districts, I just wanted to get a
11 more of an understanding of what is more
12 advantageous for us to look at, where the
13 population growth was, or the geographical
14 area. So --

15 REPRESENTATIVE LEGG: Great point. Chair
16 Holder.

17 REPRESENTATIVE HOLDER: Thank you, Mr.
18 Chairman.

19 Mr. Kelly, going back to the geographical
20 compactness measurements, I really don't want
21 to get too much in the weeds, and if it is too
22 complex of an explanation, I can certainly come
23 by your office at any time, but there are a lot
24 of different measurements here in perimeter
25 area, height and width. What do those numbers

1 represent, what units do they represent? It is
2 not feet or miles. Is it density or --

3 MR. KELLY: Thank you, Mr. Chair. It is
4 miles.

5 REPRESENTATIVE HOLDER: Oh, it is miles?

6 MR. KELLY: It is --

7 REPRESENTATIVE HOLDER: Great.

8 MR. KELLY: It is miles for the entire
9 plan, the entire map, not for one singular
10 district.

11 REPRESENTATIVE HOLDER: Got you. Thank
12 you.

13 REPRESENTATIVE LEGG: Mr. Kelly, anytime I
14 can talk about convex hulls, it's been a good
15 day, so thank you, thank you for that
16 privilege.

17 Mr. Faircloth -- Mrs. Faircloth.
18 Fairbrother, I apologize.

19 MS. CROFOOT: Thank you, Chair Legg. I am
20 Katie Crofoot with the Redistricting Committee.
21 This morning I will be presenting a very brief
22 overview of the House Redistricting Committee's
23 new bills and amendments web page. The new
24 page will be available through the
25 Redistricting Committee's myfloridahouse.gov

1 page.

2 REPRESENTATIVE LEGG: Which tab is that
3 real quick?

4 MS. CROFOOT: There is no tab. This is
5 just -- I will just show you guys all up on the
6 screen.

7 Currently we are looking at
8 myfloridahouse.gov's home page. I am going to
9 navigate to the Redistricting Committee's page.
10 So as you can see at the top of the screen,
11 that is the new link for the amendments page.
12 In the near future, this link is going to be
13 prominently displayed on myfloridahouse.gov's
14 main page, as well as floridaredistricting.org.

15 Okay. So the purpose of this new page is
16 to create a one-stop shop for all committee
17 actions involving redistricting bills and
18 amendments. The need for this additional
19 resource is similar to why the House
20 Appropriations Committee also has a web page
21 separate from the main Bill page. It is to
22 aggregate the information that is relevant to
23 particular unique issues. It is information
24 that tends to go beyond the traditional Bill
25 page provides.

1 Redistricting bills, the actual text of
2 the Bill can be several hundred pages of just
3 technical language. It is -- includes a lot of
4 geographic descriptions of districts, and these
5 are not nearly as useful as maps and
6 statistics. Each redistricting Bill will still
7 have its traditional Bill page where you can
8 find the formal Bill text, legislative history,
9 Bill references and so forth. However, here on
10 the redistricting amendments and bills page,
11 this is where you can find the statistics and
12 maps that are going to be more relevant to your
13 review, as well as your constituents' review of
14 the proposed maps.

15 So let's go through the various parts of
16 this page. Located at the top right hand of
17 the page are the status reports. Right now
18 they don't have any content, but I will go
19 ahead and -- they don't have any content
20 because there is no official legislative action
21 taken by the committees yet. Once the
22 committees have begun to take action and worked
23 through proposed bills, these reports will be
24 populated. Those reports can serve as cheat
25 sheets for your constituents who may wish to

1 follow the process, especially if there's a lot
2 of proposed bills and amendments that are being
3 considered.

4 Next at the bottom left of the screen,
5 this is where eventually the bills can be
6 found. Right now we have loaded current maps
7 just as examples of how the bills will
8 eventually appear. These bills will be
9 displayed in order of relevance such that bills
10 that are still moving through the process will
11 be displayed closer to the top of the page.

12 So let's look at one of the examples. If
13 you click on the first box, you will see a menu
14 drop down that includes links to relevant web
15 pages, maps and files. The first link will
16 take you to the Bill page that I mentioned
17 earlier. The links following will take you to
18 different map-viewing options, including a link
19 to the Committee's blog, where any visitors can
20 comment on any of the proposed maps. This
21 information is live and public right now, but,
22 again, the specific links here are now just
23 examples of what the site will eventually look
24 like when the bills and amendments are being
25 considered.

1 Next if you turn your attention to the
2 resources section, on the right side of the
3 screen, this is where you can find a lot of
4 helpful links. The first link will take you to
5 floridareistricting.org, the Redistricting
6 Committee's web page. Next, My District
7 Builder, which you guys are all familiar with.
8 The next link will take you to a document that
9 can direct you as to how to save a map's file
10 and view a map on My District Builder.

11 You may wish to choose this resource if
12 perhaps you want to create an amendment to an
13 already filed Bill. If you want to start with
14 a filed Bill and make changes from there,
15 this -- these are the directions to help you do
16 that.

17 The last two links here relate to
18 redistricting rules and procedures, including
19 the September 27th, 2011, memo from the House
20 Rules Committee and the procedures amendment in
21 committee that were adopted last April. And in
22 regard to what is unique about this page, much
23 like the information that the House
24 Appropriations Committee will post on
25 myfloridahouse.gov, that it is equally for your

1 use as well as the public's use.

2 Traditionally, you and your staff probably
3 use LEGUS for much of your legislative review,
4 and myfloridahouse.gov is primarily a resource
5 for the public, but this page is unique because
6 it will be equally used by you and the public.

7 Now, looking through -- below the
8 resources section, this is where the amendments
9 can be found. It consists of two sections, the
10 pending amendments and then the amendments
11 already considered. This section will be
12 displayed in the same manner as the Bill
13 section. Each amendment will have a drop-down
14 menu with links. This section will also start
15 to be populated once the Committee has taken
16 action -- some actions.

17 Early in this meeting, Alex Kelly
18 discussed the numbering system for proposed
19 maps. It is important to note that when you
20 visit this page, you will see the official Bill
21 numbers of the redistricting legislation, which
22 will always be in the 6000 series. You will
23 also see in parentheses the redistricting plan
24 file number that will be assigned the plans
25 that are received by the Committee, so that is

1 what Alex went over earlier, that number. This
2 is important, because if an amendment is
3 adopted, that plan number will appear in both
4 the amendments already considered column as
5 well as the bills column, so you may be seeing
6 the same number, and that is why.

7 Overall, this page will serve to provide a
8 history of what complete maps were offered and
9 considered in the official legislative process.
10 Furthermore, if and when amendments are filed
11 to redistricting bills, you will receive an
12 e-mail from the Committee, and that will
13 include attachments and links to this page. So
14 this page will serve as a means for you to view
15 and study redistricting amendments that have
16 been filed.

17 That concludes my presentation, Mr. Chair.

18 REPRESENTATIVE LEGG: Any questions on the
19 website? Representative Fullwood.

20 REPRESENTATIVE FULLWOOD: Thank you, Mr.
21 Chairman.

22 Just a simple question. Will this
23 information also be in LEGUS or --

24 MS. CROFOOT: It is all -- everything is
25 still traditionally how it would be with any

1 other Bill, so the information will be there.
2 This is just additional information that it
3 wouldn't normally show up.

4 REPRESENTATIVE FULLWOOD: Okay. Thanks.

5 REPRESENTATIVE LEGG: Further questions?

6 Members, with that, thank you very much
7 for your attendance on this early morning, and
8 Representative -- Representative Taylor.

9 REPRESENTATIVE TAYLOR: Thank you, thank
10 your, thank you, and I do apologize. I thought
11 you were asking if there were any further
12 questions for her, but I just wanted to get
13 some procedural questions answered and -- when
14 the actual map itself is put in Bill format,
15 generally in the Bill analysis, will there be
16 intent in that analysis as well? Or do we
17 discuss intent when the Bill is actually being
18 introduced?

19 REPRESENTATIVE LEGG: Representative
20 Taylor, the Bill analysis is actually more of a
21 technical quantitative informational piece, so
22 it looks over the perimeter, the specs that
23 we've been kind of going over, those issues.
24 The legislative intent will not be there. That
25 will be something for us as a committee going

1 on record when we are debating question and
2 answers to decipher, but it will not be in the
3 Bill analysis. That is a technical piece.

4 REPRESENTATIVE TAYLOR: Okay. Thank you.

5 REPRESENTATIVE LEGG: Any other questions,
6 further questions?

7 With that, Representative Horner moves --
8 without objection, Representative Horner moves
9 we rise.

10 (Whereupon, the proceedings were
11 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 74 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 16th day of February, 2012.

CLARA C. ROTRUCK

Notary Public

State of Florida at Large

Commission Expires:

November 13, 2014

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HOUSE REDISTRICTING SUBCOMMITTEE MEETING

THURSDAY, NOVEMBER 3, 2011

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 REPRESENTATIVE SCHENCK: All right,
3 members, good morning. It is great to see some
4 of you so bright and early this morning. I do
5 have good news before we start. This will
6 probably be our last 8:00 a.m. meeting. I know
7 Co-Chairman Dorworth requested it, he likes to
8 meet early like this, but I prefer us to meet
9 after the sun comes up.

10 So with that, Ben, go ahead and call the
11 roll.

12 THE CLERK: Representatives Baxley?

13 REPRESENTATIVE BAXLEY: Here.

14 THE CLERK: Bernard?

15 REPRESENTATIVE BERNARD: Here.

16 THE CLERK: Campbell?

17 REPRESENTATIVE CAMPBELL: Here.

18 THE CLERK: Clarke-Reed?

19 REPRESENTATIVE CLARKE-REED: Here.

20 THE CLERK: Corcoran?

21 REPRESENTATIVE CORCORAN: Here.

22 THE CLERK: Diaz?

23 REPRESENTATIVE DIAZ: Here.

24 THE CLERK: Dorworth?

25 REPRESENTATIVE DORWORTH: Here.

1 THE CLERK: Drake?

2 REPRESENTATIVE DRAKE: Here.

3 THE CLERK: Frishe?

4 Hooper?

5 REPRESENTATIVE HOOPER: Here.

6 THE CLERK: Julien?

7 REPRESENTATIVE JULIEN: Present.

8 THE CLERK: Nuñez?

9 REPRESENTATIVE NUNEZ: Here.

10 THE CLERK: Rogers?

11 REPRESENTATIVE ROGERS: Here.

12 THE CLERK: Young?

13 REPRESENTATIVE YOUNG: Here.

14 THE CLERK: Chair Schenck?

15 REPRESENTATIVE SCHENCK: Here.

16 THE CLERK: Mr. Chairman, a quorum is
17 present.

18 REPRESENTATIVE SCHENCK: Okay, excellent.

19 All right. Members, today we are going to
20 continue our work on what we have been working
21 on, which include options for major population
22 centers, trade-offs between whole communities
23 versus cross-jurisdictional communities, and
24 options for racial and language minority
25 communities. We will also more closely examine

1 some of the measurement tools that staff has
2 provided to us for evaluating current and
3 prospective districts. We will also hear a
4 short presentation regarding the page on
5 myfloridahouse.gov that you and the public can
6 use to track redistricting bills as they move
7 through the process.

8 So, members, here -- this is where we are
9 at today. During our next two meetings, which
10 is the one in two weeks in November and the one
11 we will have in December, we are going to plan
12 to workshop between four and five House maps.
13 These meetings will be workshops. There will
14 be no votes taken at these meetings. The
15 meetings are meant to adhere to what Chairman
16 Weatherford asked back in September, which is
17 that, time permitting, redistricting bills will
18 be workshopped before they will be voted on.

19 So based on our meetings so far, public
20 input and legal requirements, our staff will be
21 presenting us complete options for State House
22 maps. At this point, no member bills have been
23 filed. If there are any member bills filed
24 before our November 14th workshop, then we will
25 try to work those in to workshop those as part

1 of the process as well. If they are filed
2 after November 14th, then we will have to look
3 at those as amendments to any maps that we are
4 considering.

5 Based on what we are doing here, I believe
6 this syncs up with what the other redistricting
7 subcommittees are doing as well. We will have
8 workshopped these options for maps and then
9 given a full month between our workshops and by
10 the time any maps are voted on so that you,
11 your constituents and anyone else interested
12 will have a full month, again, to review, give
13 input and thought before voting on these in
14 session.

15 As far as what our staff will bring
16 forward as options in the next couple of
17 meetings, co-Chair Dorworth and myself have
18 asked staff to bring forward options that do
19 three basic things. The first is they must
20 reflect the comments and discussions made
21 during our meetings, including any additional
22 points that are raised today; second, they must
23 reflect strict adherence to federal law and the
24 plain language of Florida's new constitutional
25 standards for redistricting; and they must

1 reflect distinguishable alternatives between
2 how the second tier standards in Florida law
3 are applied and given preference, those
4 standards being compactness, equal population
5 and the use of political and geographical
6 boundaries. And we make that third point
7 because of comments that we are hearing from
8 some of you, questions that members of this
9 subcommittee are asking about how these
10 standards interact with each other. So our
11 goal is to actually see proposals that show and
12 compare and contrast in a way that give you a
13 real set of distinguishable choices.

14 With that said, members, before Mr. Takacs
15 gets into his presentation, do you guys have
16 any members on where we are currently at, where
17 we are going or the process in which we are now
18 a part of? No questions or comments?

19 Okay. Seeing that most of you look half
20 asleep, I will judge that as a good thing. And
21 so with that, Jeff, it is your show, it is your
22 job to liven things up a little bit.

23 MR. TAKACS: Thank you very much, Mr.
24 Chairman. I have prepared a series of show
25 tunes, if you are interested, or I could just

1 talk about redistricting.

2 REPRESENTATIVE SCHENCK: I choose the show
3 tunes, but then I will probably get in trouble
4 later, so we'd better go with the redistricting
5 stuff.

6 MR. TAKACS: Thank you, Mr. Chairman.

7 Members, if you will turn to tab four in
8 your booklets here, what we are going to do is
9 pick up where we left off two weeks ago talking
10 about the major population centers.

11 If you remember this map from two weeks
12 ago by county, these are the most populated
13 areas of the state. Two weeks ago, we
14 discussed the populated counties of Duval,
15 Orange, Hillsborough and Pinellas Counties.
16 This week we are going to conclude the most
17 populated counties by looking at Palm Beach,
18 Broward and Miami-Dade Counties. So jumping
19 right in, we are going to start with Palm Beach
20 County.

21 Currently, Palm Beach County has ten
22 districts that are all or in part located
23 within it. The districts that are solely
24 within the county are Districts 83, 84, 85, 86,
25 88 and 89, while Districts 78, 82, 87 and 90

1 are located within a portion of Palm Beach
2 County. Currently, the population of Palm
3 Beach County is roughly 1.32 million, which is
4 about enough for 8.4 House districts, depending
5 on how many county splits that you have.

6 Thinking about that, thinking about Palm
7 Beach County having to be split at least once,
8 similarly to what we did two weeks ago, it is
9 important to look at the neighboring counties
10 and their populations since Palm Beach County
11 has to be split at least once. If you look at
12 Martin County to the north, its population is
13 146,318. If you look to Broward County to the
14 south, its population is one point -- roughly
15 1.75 million. And then if you look to the
16 west, Hendry County, there you can kind of see
17 it on the screen, it comes to a point there
18 west of Palm Beach County, its population is
19 39,140.

20 What I would like to do now is show an
21 example of a map that was submitted to us
22 relatively recently by a member of the public.
23 It is map number 107 by Mr. John Libby. What
24 this map does is that it favors very small
25 population deviations and compact-looking

1 districts over the creation potentially of
2 minority districts, as well as crossing county
3 boundary lines. And what I mean by that is
4 that in Mr. Libby's map, he has more county
5 splits than are necessary, but I wanted to show
6 you what this would look like.

7 When you look on the screen, there's one
8 thing that may jump out at you as you look at
9 District 87 on his map. It essentially runs
10 the coastline of the entire county. The reason
11 for that is that we have seen this in several
12 of the coastal counties, what the Supervisors
13 of Elections did in those counties, some of
14 them, in the creation of the VTDs, the Voter
15 Tabulated Districts, they took basically the
16 unpopulated areas of the coastline of the
17 entire county and made it one VTD. So for
18 Mr. Libby here in his map, what he decided to
19 do was to not split that VTD, and include it
20 all within District 87, so that District 87 may
21 look a little strange in comparison to the rest
22 of the districts within the county, but that is
23 why. Another option that he could have taken
24 is he could have split that VTD amongst the
25 other various coastal districts within that

1 county, if he choose to do that, and you can do
2 that by block, do that by census block.

3 This map actually creates ten districts
4 with all or portions of Palm Beach County,
5 seven of which are entirely within the county.

6 What this map does not do is it does not
7 create any majority-minority black or
8 majority-minority Hispanic districts. The two
9 highest black VAP districts are Districts 87,
10 which I just mentioned earlier, with
11 34.74 percent, and District 90 there, which is
12 towards the south end of the county there, that
13 blue district, which has a black VAP of 22.47.
14 The two highest Hispanic VAP districts are
15 Districts 88, which is just to the south there
16 of 87, to the east of 92, with 39.85 percent,
17 and District 89, which is 26.42 percent.

18 Currently, Palm Beach County has one
19 majority-minority black district, which is
20 District 84. What you will see here on the
21 screen -- because of the size of Palm Beach
22 County, what I have done is actually kind of
23 divided this up into two graphics for you to
24 look at. This is northern Palm Beach County,
25 thinking about the black VAP percentage of 40

1 or greater. You can see there is a cluster of
2 VTDs there just to the kind of southeast of
3 Lake Okeechobee, and then there's also some
4 shaded -- kind of a cluster of highlighted VTD
5 there -- right there towards the east coast.

6 This next graphic is basically the
7 southern half of the county. You can see that
8 there is a little bit of an overlap there,
9 thinking to the western part of the county.
10 But thinking about the two graphics combined
11 obviously as one county, it does create
12 basically two potentials of a way you could
13 build a district that could potentially be a
14 majority-minority district, and that could be
15 one that would be -- that would run east to
16 west, and one that potentially could run north
17 to south along I-95.

18 According to the 2010 census, Palm Beach
19 County has a Hispanic voting age population of
20 180,155, which is over the ideal population for
21 a House district. So thinking about that, what
22 I have done here, again, in two parts, northern
23 and southern, is to take a look at the Hispanic
24 voting age population, VTDs of 40 percent or
25 greater as well, and you can see, again, a

1 little bit of a cluster there to the western
2 part of the county, and, again, some clusters
3 there towards the east. Again, a little bit of
4 an overlap here between the two graphics, but
5 you can see as you kind of move towards the
6 southern end, there aren't nearly as many
7 shaded VTDs for thinking about, again, Hispanic
8 voting age population of 40 percent or greater.

9 Thinking about those shaded VTDs, the
10 total population of them is 157,734, which is
11 slightly over the ideal population for a House
12 district, and the Hispanic voting age
13 population for those shaded VTDs is
14 52.23 percent.

15 Mr. Chairman, that is the end of Palm
16 Beach County. I didn't know if there were any
17 questions.

18 REPRESENTATIVE SCHENCK: Members,
19 questions about Palm Beach County?

20 Okay. Seeing none, do you want to move on
21 to Broward?

22 MR. TAKACS: Yes, sir. Thank you very
23 much.

24 As you can see here on the screen, this is
25 the current State House map for Broward County.

1 Broward County has 17 districts that are all or
2 in part located in it. The districts that are
3 solely within the county are Districts 92, 93,
4 94, 95, 96, 97, 98, 99, 100 and 105, while
5 Districts 87, 90, 91, 101, 102, 103 and 112 are
6 located within a portion of Broward County and
7 other counties.

8 Currently, Broward County has a population
9 of roughly, as I said earlier, 1.75 million
10 people, which is about the population of 11.2
11 House districts, depending on how you want to
12 split those counties. Again, thinking about
13 Broward County having to be split at least
14 once, again, it makes sense to look at its
15 neighboring counties and its population to see
16 what they are. As we talked about earlier,
17 Palm Beach County's population is roughly 1.32
18 million. Again, Hendry County, you can see
19 there on the map, I have illustrated where
20 Broward County is in relationship to Hendry and
21 Collier, Hendry County there is kind of its
22 neighbor to the northwest. Its population, as
23 I said earlier, is 39,140. Collier County just
24 to the south of Hendry, west of Broward, its
25 population is 321,520. And, of course,

1 Broward's southern neighbor, Miami-Dade County,
2 its population is roughly 2.5 million.

3 If you remember a couple of weeks ago we
4 talked about the various cities across the
5 state that have to be split because their
6 population is just too large for the ideal
7 population of a House district. One of those
8 nine cities is the City of Ft. Lauderdale, so I
9 thought I would put what those city boundaries
10 look like on a visual for you on a map.

11 You can see -- a couple of things that
12 kind of stick out in my mind as I look at this
13 is that, obviously, towards the northern area,
14 there is a part where it gets pretty thin there
15 just to the east of 95, and actually, right
16 there along 95, there's actually also a little
17 non-contiguous point there within the city
18 boundary limits, but that is what the City of
19 Ft. Lauderdale looks like. And, again, because
20 of its population being over the ideal size of
21 a House district, it needs to be split at least
22 once.

23 This is another example of a map that was
24 given to us by a member of the public, and just
25 as -- thinking about this and the other map and

1 the next map I will show you from a member of
2 the public, the pool that I took these from are
3 actually the maps that were completed House
4 district maps. These folks took the time, and
5 as some of you know, it is a lot of time, to
6 draw 120 House districts and submit it to us,
7 you know, for review. So I took from those
8 maps that were available to us to kind of give
9 you some different looks of the different
10 counties based on those maps that were
11 submitted to us.

12 This one is map number 87 by Mr. Bruce
13 King. What Mr. King's map does is that,
14 thinking about population deviations, his
15 deviations are miniscule, and what I mean by
16 that is that I think -- when I was looking at
17 this region, I think the highest population
18 deviation he had for a district is two people,
19 which is quite remarkable to do. So Mr. King
20 took those very, very teeny population
21 deviations, and then also as you kind of look
22 at the map, just esthetically trying to create
23 compact-looking shapes. Kind of thinking about
24 what the trade-offs might be is that he crosses
25 Broward County, in this instance, more than he

1 needed to to create those various shapes. This
2 map creates 15 districts that are either all in
3 or have portions of Broward County, and nine of
4 them are wholly contained within Broward
5 County.

6 His map also may not create as many
7 opportunities for the black residents in the
8 county to elect a candidate of their choice as
9 that exists today. It creates one
10 majority-minority black district wholly within
11 the county, while the current map has two. It
12 also creates one majority-minority black
13 district that is both in Broward and Miami-Dade
14 Counties, and may also have created two
15 districts that could be considered black access
16 districts. His map creates two districts that
17 are majority-minority Hispanic districts that
18 are in part in Broward County similar to today
19 as well.

20 Thinking about majority-minority
21 districts, Broward County currently has two
22 majority-minority black districts that are
23 wholly within the county. As I said earlier,
24 those are Districts 92 and 93. It also has one
25 majority-minority black district that is

1 partially within the county as District 103,
2 and two districts that could be considered as
3 black access districts, Districts 92 and 105.

4 The map below illustrates the VTDS.
5 Again, thinking about a black voting age
6 population of 40 percent or higher, you can see
7 that there are some -- kind of in the central
8 eastern coast of the county, there's a large
9 grouping of VTDS that are shaded, there are
10 some towards the northern area of the county,
11 and there are some there -- on this map, it is
12 a little hard to see, but there are some right
13 there at the southern edge. Thinking about
14 where Miramar is in that community, there are
15 some there, then the county line comes right
16 along some of those VTDS into Miami-Dade
17 County.

18 The total population of those VTDS
19 highlighted is 391,692, which is roughly enough
20 for two and a half House districts. The black
21 VAP for those highlighted VTDS is
22 69.27 percent. So as you are moving forward, a
23 question that you may want to ask yourselves is
24 is it possible to have three majority-minority
25 black districts wholly contained within Broward

1 County.

2 According to the 2010 census, Broward
3 County has a Hispanic age voting population of
4 327 and nine, which is well over the ideal
5 population of a House district. Broward County
6 also has two majority-minority Hispanic
7 districts that are partially contained within
8 it, Districts 102 and 112. This map below
9 illustrates the VTDs that has a Hispanic voting
10 age population of 40 percent or greater. You
11 can see there it is mainly towards the southern
12 end of the county. There are some
13 concentrations there of those VTDs towards the
14 southern kind of -- if you kind of not think
15 about the portion there that is kind of real
16 blank and white on the map, not a lot of VTDs
17 there, thinking about where the Everglades are,
18 in that area, just to the east of that and then
19 south are some of those VTDs. The total
20 population of those VTDs highlighted is
21 261,501, which is enough for roughly 1.67 House
22 districts. The Hispanic voting age population
23 of those highlighted VTDs is 48.09 percent,
24 which obviously falls below 50 percent,
25 something to think about it, that being too low

1 to meet that threshold of majority-minority.

2 Mr. Chairman, that concludes Broward
3 County, if there are any questions.

4 REPRESENTATIVE SCHENCK: Members, any
5 questions about Broward County?

6 Okay. Moving right along, then.

7 MR. TAKACS: Thank you, Mr. Chairman.

8 Moving right along to Miami-Dade County,
9 you can see there on the map on your screen,
10 Miami-Dade County currently has 18 districts
11 that are either contained all within the county
12 or have portions of the county. Those
13 districts that are wholly contained within the
14 county are Districts 104, 106, 107, 108, 109,
15 110, 111, 113, 114, 115, 116, 117, 118 and 119,
16 while Districts 102, 103, 112 and 120 have
17 portions of the county. As I said earlier,
18 Miami-Dade County's population is roughly 2.5
19 million people, which is enough for 15.93 House
20 districts, again, depending on how many county
21 splits you would like to have.

22 Again, thinking about that, thinking about
23 Miami-Dade needing to be split at least once,
24 again, looking to its neighbors, Broward
25 County, as we just talked about earlier, its

1 population is roughly 1.75 million, Collier
2 County, as mentioned earlier, is 321,520, and
3 then Miami-Dade County's neighbor to the south,
4 Monroe County, its population is 73,090.

5 Miami-Dade County has two cities contained
6 within it that because of its population is too
7 large to be all within one House district.
8 Those are the cities of Miami and Hialeah. You
9 can see them here. I've put them together in
10 one graphic for you to review. Hialeah is the
11 light blue city there. I made it as a district
12 just so you could see it stand out on the map.
13 And then the City of Miami is the yellow city
14 there to the southeast there on that map.

15 Just some interesting things that kind of
16 jump out at me as I look at that, there is a
17 little bit of an L-shaped hole within the City
18 of Hialeah, and there is in one very small
19 section where the Cities of Miami and Hialeah
20 touch each other. As you will see there in the
21 very kind of southern tip of Hialeah, again, in
22 the blue, there is a little, tiny sliver of the
23 City of Miami that kind of reaches out and just
24 kind of borders it right there in that southern
25 tip of Hialeah. And, again, both of those

1 cities are too large for the ideal population
2 of a House district, so they would need to be
3 split at least once.

4 Next is, again, a map that we received.
5 This map is a little bit different from the
6 maps that I mentioned before, because
7 Mr. Phillippi in map number 118, what he did --
8 he's actually submitted several maps to us of
9 different varieties. This one is not a
10 complete map, but what he does is that he takes
11 a look at all of south Florida -- Palm Beach,
12 Broward, Miami-Dade and Monroe Counties -- and
13 draws all of those districts within that map.
14 So it is not a complete 120-district map, but
15 he took a real close look at the southeast
16 portion of the state and drew all of the
17 districts that are within it. Let's see.

18 Thinking about Mr. Phillippi's map, he
19 kept his population deviations within a
20 reasonable range while again creating -- trying
21 to create compact-looking shapes and avoiding
22 splitting cities. In fact, thinking about
23 Miami-Dade County, with the exception of those
24 two cities that I mentioned earlier of Hialeah
25 and the City of Miami, the only other city he

1 split, and there are many municipalities in the
2 City of Miami as you well know, the only other
3 city that he split on his map is the City of
4 Miami Gardens.

5 In regards to minority districts,
6 something that jumped out at me when I looked
7 at this map for the very first time is that
8 currently in the map, thinking about District
9 112, we have a district that was essentially --
10 thinking about ten years ago, was asked to be
11 drawn that way by court order where it connects
12 Hispanic communities in Collier County and
13 links them to communities within Broward and
14 Miami-Dade County. That district is not
15 replicated in Mr. Phillippi's map. That could
16 be because he chose not to draw districts in
17 Collier County, I just don't know, but he did
18 draw all of the seats in Miami-Dade County. So
19 that could be a potential issue with this map
20 as we were moving forward looking at it.

21 Let's see. Oh, another consideration to
22 think about within Miami-Dade County as a whole
23 and then also looking at Mr. Phillippi's map
24 are language minorities. The county currently
25 has two districts that have significant Haitian

1 populations, Districts 104 and 108.
2 Mr. Phillippi is able to create only one seat
3 that has a significant Haitian population,
4 which is District 108 on his map. It appears
5 as though this district was sacrificed,
6 thinking about the second Haitian district or
7 have -- a second district that has large
8 population of Haitians, was sacrificed for the
9 compactness and possibly the creation of 11
10 majority-minority Hispanic districts.

11 Miami-Dade County has three districts that
12 are majority-minority black districts wholly
13 within the county, Districts 104, 108 and 109,
14 one majority-minority black district that has
15 portions of the county, District 103, and one
16 district that traditionally elects an
17 African-American to the Florida House of
18 Representatives in District 118. So this map
19 below illustrates the VTDs that have a voting
20 age population for blacks of 40 percent or
21 greater, and you can see there, there's some --
22 the -- it is a little bit hard to see on the
23 screen thinking about the size of Miami-Dade
24 County, but there are a significant number of
25 shaded VTDs in the northern part of the county,

1 and then there are some there in the southern
2 end, thinking -- again, thinking east of where
3 the Everglades might be there just west of the
4 Atlantic Ocean in that area as well.

5 Currently, Miami-Dade County has nine
6 majority-minority Hispanic districts that are
7 wholly within the county, Districts 107, 110,
8 111, 113, 114, 115, 116, 117 and 119, and two
9 majority-minority Hispanic districts that are
10 in portions of the county with 102 and 112.
11 Below are the -- thinking about, again, VTDS of
12 a Hispanic voting age population of 40 percent
13 or greater, you can see here that, obviously
14 thinking about Miami-Dade County, there is a
15 large -- a number of VTDS that are shaded that
16 fit that criteria on the map.

17 Mr. Chairman, that concludes Miami-Dade
18 County.

19 REPRESENTATIVE SCHENCK: Members,
20 questions? Yes, Representative Rogers.

21 REPRESENTATIVE ROGERS: That concludes the
22 total presentation on the three counties, or is
23 it okay -- my comments would be general to the
24 counties referenced.

25 REPRESENTATIVE SCHENCK: Yes, you can make

1 those now. I mean, we are done with Palm
2 Beach, Miami and Broward.

3 REPRESENTATIVE ROGERS: Okay. Thank you.
4 I am just -- my question speaks to the fact
5 that I attended 25 of the 26 public hearings,
6 and I know we heard oral comments, and just
7 wanted to know -- I know we selected the Bruce
8 King map, and you explained why that was
9 selected, but other than that -- that is the
10 only map that included the entire state of
11 Florida, and how did you choose that over
12 another map?

13 REPRESENTATIVE SCHENCK: Thank you.
14 Representative Rogers, that was all explained
15 at the one meeting you didn't attend.

16 REPRESENTATIVE ROGERS: See, that's what's
17 wrong with this meeting.

18 REPRESENTATIVE SCHENCK: Yes, exactly,
19 exactly. But I guess we will go ahead and
20 review that for you since you missed that
21 meeting.

22 REPRESENTATIVE ROGERS: Thank you.

23 MR. TAKACS: Thank you, Mr. Chairman.

24 We have -- Representative, we have
25 received I think to this point 14 or 15 maps

1 from members of the public that have covered
2 the entire state of Florida. I chose -- you
3 referenced Mr. King's map, that was the Broward
4 County map that I chose. I just chose that --
5 as I was looking through the maps that were
6 submitted to us that, again, had all of the
7 districts in it, I wanted to just kind of give
8 you some different looks as to what different
9 people's approaches were.

10 Thinking about that region and thinking
11 about these counties as a whole and then going
12 to all of those public hearings and all of
13 that, I mean, you know, obviously we talked
14 about the public -- the public comment, this is
15 all of the public comment that I have
16 chronicled here that we discussed in previous
17 meetings, thinking about, you know, folks
18 wanted to keep their cities intact or their
19 counties whole, things of that sort.
20 Obviously, we have covered all of those issues
21 in previous meetings.

22 But for Mr. King's map specifically,
23 again, I just chose that as -- just to give you
24 a look of what that county could look like
25 under the parameters that he had of the small

1 population deviations and compact-looking
2 districts but possibly sacrificing minority
3 districts and also the county border line as
4 well.

5 REPRESENTATIVE ROGERS: Follow-up,
6 Mr. Chair?

7 REPRESENTATIVE SCHENCK: You have a
8 follow-up?

9 REPRESENTATIVE ROGERS: Yes.

10 REPRESENTATIVE SCHENCK: Go ahead.

11 REPRESENTATIVE ROGERS: Explain to me
12 again, how do you capture -- we went around the
13 state and we wanted not only persons presenting
14 maps, but those oral comments. How do you
15 propose or how will we work to incorporate the
16 oral comments into this -- into whatever we do,
17 the adjustments that we might make to these
18 maps.

19 REPRESENTATIVE SCHENCK: Go ahead.

20 MR. TAKACS: Thank you, Mr. Chairman.

21 Thinking about those oral comments that
22 were made, thinking about the previous meetings
23 that the subcommittee had, with each of those
24 examples of folks giving oral comments, staff
25 created a map to best match what those oral

1 comments were. So, again, as I said, I have a
2 pretty thick binder full of oral comments that
3 I'll -- I mean, as I open this for you, I can
4 show you, I mean, there's all these maps, and
5 these are all maps here that we have done.

6 So that thinking about all of these
7 comments that were made, these are all options
8 that are before you as to ways to look at the
9 various counties across the state.

10 REPRESENTATIVE ROGERS: May I?

11 REPRESENTATIVE SCHENCK: Uh-huh.

12 REPRESENTATIVE ROGERS: Can you tell us
13 currently how many maps we have received? And
14 I know, Mr. Chairman, you mentioned
15 November 14th as a date, and I don't know how
16 that plays -- are we having a cut-off as to
17 when we will accept more maps, and how will we
18 make adjustments to the maps that will come in
19 on that deadline and those that might come in
20 after the deadline?

21 REPRESENTATIVE SCHENCK: Sure, and I will
22 answer part of it and then turn it over to
23 Jeff. As far as our next meeting goes, it is
24 our goal to workshop two complete Florida House
25 maps that staff is working on, we have been

1 working on, which tries to incorporate all the
2 things we have been discussing. And so after
3 that, at the next meeting, it is our goal to
4 have three additional maps. So if maps come in
5 pretty much from this point forward, we can
6 consider those, look at those and how they
7 compare to the ones that -- where we have taken
8 all of the comment and tried to incorporate it.
9 Does that make sense?

10 So if you were to put it into like a
11 standard Bill, you know, Bill sort of process,
12 you would introduce a Bill, and then if new
13 information or new things were introduced after
14 that, you look at it as sort of an amendatory
15 process. Does that make sense?

16 And as far as how many maps have been
17 submitted, I know we are over a hundred.
18 What's the see exact number, Jeff?

19 MR. TAKACS: I believe the latest count is
20 156 -- 156.

21 REPRESENTATIVE SCHENCK: Right.

22 MR. TAKACS: And to kind of elaborate on
23 that 156 number, that could be a map that
24 someone submitted that contains one State House
25 district, 120 State House districts, and then

1 thinking about the congressional and Senate
2 maps as well. So there are some partial, there
3 are some complete, and then thinking
4 specifically about the House, of those 156
5 maps, again, I think the number is 14 of the
6 complete House maps that we have received,
7 again, because it is just that much more labor
8 intensive and takes that much more time to
9 create.

10 And those were the maps that I wanted to
11 look at for today's meeting with the two of the
12 three. Again, Mr. Phillippi's does all of
13 south Florida, but I wanted to -- I pulled
14 those maps out specifically, thinking about
15 completed maps, because I think when --
16 sometimes the natural inclination for a lot of
17 folks in the public to draw a map would be to
18 start in the Panhandle and work their way
19 south. And so thinking about a complete map, I
20 wanted to show that evolution of that map as
21 someone who drew a map for the entire state as
22 opposed to cherry-picking counties or specific
23 districts.

24 REPRESENTATIVE SCHENCK: Why don't we --
25 Jeff, why don't you finish up your

1 presentation, then we will take if anybody else
2 has any other questions or comments or anything
3 like that. So go ahead and finish up your
4 presentation.

5 MR. TAKACS: Certainly. Thank you, Mr.
6 Chairman.

7 What I would like to move on to now is,
8 again, a topic that we talked about two weeks
9 ago, which is the trade-off between keeping
10 counties whole while also looking at
11 cross-county jurisdictions.

12 The first example, what we heard in public
13 testimony in Palm Beach and Martin Counties was
14 that the folks in northern Palm Beach County
15 consider themselves as a part of the Treasure
16 Coast. And so the issue that we are going to
17 take a look at here a little bit more in depth
18 is the concept of linking communities within
19 northern Palm Beach County to that of Martin
20 County.

21 As you look there, those are the two
22 counties, Martin County, which is the green
23 county to the north, Palm Beach County, which
24 is the -- kind of the lightish brown-shaded
25 county to the south. Martin County's

1 population is enough for .93 House districts,
2 so it could be kept whole within a House plan.
3 As we talked about before, Palm Beach County
4 has a large population, enough for 8.43 House
5 districts, so it does, in fact, need to be
6 split within a House plan.

7 So looking at the populations of those two
8 counties, there is the possibility of keeping
9 all of Martin County whole, while connecting
10 Martin County to same areas within northern
11 Palm Beach County. What I did here just,
12 again, as a visual, as an example for you all
13 to review and to look at, what this district
14 does -- its deviation is plus 769, so it is 769
15 people over the ideal population of a State
16 House district. What this example district
17 does, it also keeps the Towns of Tequesta and
18 Jupiter Inlet Colony whole within this
19 district, as well as uses the city boundary
20 lines of the City of Jupiter as its southern
21 boundary. So it keeps two cities whole while
22 using another city and not splitting that city
23 into two districts.

24 Again, thinking of those two counties as a
25 whole, Martin can be kept whole, Palm Beach

1 cannot, and so this would be an example where
2 you would not have to sacrifice splitting a
3 county over a cross-jurisdictional community if
4 you chose to do it.

5 REPRESENTATIVE SCHENCK: Jeff, let me
6 interrupt you for a minute. I think it is
7 probably something we have not discussed here,
8 but we have heard a lot about compactness,
9 keeping -- you know, not having crazy, crazy
10 boundary lines, and so I wanted to take a
11 minute and see how you jut into Lake Okeechobee
12 there, just part of it as a triangle, and so I
13 think a lot of people will think, well, why
14 don't we just include Lake Okeechobee into one
15 district, or why is it just in that one, and I
16 am guessing, even though nobody lives,
17 obviously, in the middle of Lake Okeechobee
18 there, that is probably a census block, right,
19 which causes you to go in there?

20 MR. TAKACS: Yes, sir, and actually all of
21 Martin County's boundaries are there. So
22 actually the county boundary line as a whole
23 does take that kind of a pie-shaped look to the
24 lake itself. So that is all of Martin County,
25 and, yeah, so there are VTDs and census blocks

1 within that area. And, actually, interestingly
2 enough, another example down the line I have is
3 looking more closely at Lake Okeechobee.

4 REPRESENTATIVE SCHENCK: Right. And so I
5 think it is important for everybody to know
6 here that we don't -- when drawing maps, we
7 don't split census blocks. So sometimes that
8 leads to what would like look like a funny sort
9 of edge to a district. And so I think it's --
10 I think that is something it we have not really
11 -- we have not really discussed, so --

12 MR. TAKACS: Yes, and that is exactly
13 right, thinking about especially like
14 environmental lands and things of that sort,
15 there will sometimes be, you know, all of a
16 nature preserve or all of an environmentally
17 sensitive lands area like that all within one
18 census block, and you can't split it. So there
19 may be a district where you are building a
20 district, then you get to a border of it, let's
21 say, and it is environmentally sensitive area,
22 then you include all of that.

23 REPRESENTATIVE SCHENCK: Right.

24 MR. TAKACS: It may create an odd shape,
25 as you are talking about.

1 REPRESENTATIVE SCHENCK: Okay. Go ahead.
2 Question? Yes.

3 REPRESENTATIVE ROGERS: Hearing your
4 comments and your question as it relates to not
5 having voters in Lake Okeechobee, and applying
6 that to a prison population, how would that
7 work?

8 REPRESENTATIVE SCHENCK: They are
9 completely unrelated.

10 REPRESENTATIVE ROGERS: They are
11 non-voters, aren't they?

12 REPRESENTATIVE SCHENCK: No. What we are
13 talking about is how a map looks. Like I was
14 trying to get Jeff to explain why there is a
15 crazy triangle that goes there, not -- not --
16 it is not necessarily -- it is not -- what we
17 are talking about was geography-related, not
18 voter-related. Does that make sense?

19 Representative Bernard.

20 REPRESENTATIVE BERNARD: Thank you. Thank
21 you, Mr. Chair.

22 In regards to the Treasure Coast region,
23 what is the relationship between St. Lucie
24 County and Martin County in regards to the
25 Treasure Coast district that you are

1 discussing?

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

3 St. Lucie County and Martin County would
4 both consider themselves as a part of the
5 Treasure Coast, thinking about the public
6 testimony that we heard in Stuart.

7 Thinking about the population, you know,
8 obviously, thinking about the areas that
9 identify themselves as the Treasure Coast,
10 thinking about Indian River, St. Lucie and
11 Martin Counties and then this northern Palm
12 Beach area, the population of all of that area
13 is too large for a single House district, so
14 that area would have to be split in at least a
15 few different ways. So this was just an
16 example of an area of where that county line
17 comes into play and folks who consider
18 themselves as a part of the Treasure Coast, and
19 then, again, thinking about the option of
20 keeping Martin County whole.

21 REPRESENTATIVE BERNARD: Follow-up,
22 Mr. Chair?

23 REPRESENTATIVE SCHENCK: Go ahead.

24 REPRESENTATIVE BERNARD: Mr. Chair, is
25 there any way that if we are going to discuss

1 the Treasure Coast, for us to take a look at
2 St. Lucie and Martin and the northern part of
3 Palm Beach? Because I think that is how they
4 -- that is how I think in Palm Beach County
5 when I -- in the hearings, they had discussed
6 all three counties together, so if we are
7 discussing the Treasure Coast, if we can
8 include St. Lucie, Martin and Palm Beach
9 County, that northern portion.

10 REPRESENTATIVE SCHENCK: I think we --
11 Representative Bernard, I think we are. I
12 think all Mr. Takacs is really trying to do
13 here is how you look at sometimes splitting
14 county lines. This is just an example. I
15 think we are. We are just trying to give -- we
16 are just trying to give one example.

17 Representative Rogers, did you have
18 another question?

19 REPRESENTATIVE ROGERS: It is just a
20 follow-up for clarification, Mr. Chairman.

21 REPRESENTATIVE SCHENCK: Uh-huh.

22 REPRESENTATIVE ROGERS: And I want to take
23 us back to your comment or observation relative
24 to how we will address Lake Okeechobee in the
25 broader scheme of things, and it triggered to

1 me that throughout the state, we will have
2 those type of population or prison population,
3 because I heard from even our college students
4 wanting not to split their colleges, they want
5 to be left whole, I hope everyone heard that
6 too. So if -- I just wanted to know, just in
7 general comments or general observation, if you
8 have any idea how we will deal with a prison
9 population as we draw boundaries or look at
10 districting. That was just triggered, and I
11 wanted to see if there was any thoughts as to
12 how we will go about doing that.

13 REPRESENTATIVE SCHENCK: Sure. I can let
14 probably Mr. West address that question.

15 MR. WEST: On those areas, that is the
16 census counts and -- in with that county, and
17 so we are going to count them in with the
18 county just like the census does.

19 REPRESENTATIVE SCHENCK: Okay. Mr.
20 Takacs, why don't you finish up your
21 presentation.

22 MR. TAKACS: Thank you, Mr. Chairman.

23 And kind of taking that next step forward,
24 thinking about environmental lands, my next
25 example is actually using the Everglades and

1 the Everglades marsh, also known as the River
2 of Grass. Thinking about that, as well as
3 Everglades National Park, those areas are
4 located within Palm Beach, Broward, Miami-Dade
5 and Monroe Counties, and you can see on the map
6 on the screen there, I have tried to, in an
7 approximation, it is not an exact by any
8 stretch of the imagination, but in that red
9 kind of rectangle there, I have tried to
10 encapsulate the area that is considered the
11 Everglades River of Grass, as well as the
12 Everglades National Park.

13 Thinking about those four counties, they
14 each look like this. Palm Beach County is the
15 green district to the north, Broward is the
16 light brown district. Moving south, Miami-Dade
17 County is the light blue county, and then
18 Monroe County is the yellow county to the
19 south including the Keys.

20 Palm Beach County, as we have mentioned
21 before, has a population for 8.3 House
22 districts, so it would need to be split within
23 a House plan. Broward County would also have
24 to be split with a population of roughly 11.16
25 House districts within it. And then Miami-Dade

1 County would also have to be split with 15.93
2 House districts located within it. Monroe
3 County, however, has a population of .47 House
4 districts, so it could, in fact, be kept whole
5 within a House plan.

6 So if you wanted to -- thinking about the
7 area that is the Everglades and then thinking
8 about trying to keep -- in this instance, there
9 is one county of the four that can be kept
10 whole, Monroe County, but also trying to create
11 a district that would have all of the lands of
12 the Everglades within it, it could look
13 something like this. So you have that -- kind
14 of that greenish -- it is all green, obviously
15 all one district, but that southern end is all
16 of Monroe County, and then what I did was
17 thinking about Miami-Dade, Broward and Palm
18 Beach, taking some of those western areas by
19 VTD, again, thinking about what the Chairman
20 said, some of those environmental lands can be
21 all within one census block or all within one
22 VTD, and incorporated them all into this one
23 district.

24 Thinking about this district, the
25 population of it is just 74,531, which is less

1 than the ideal population for a House district,
2 so you would need to include more areas to it
3 and more people to it to meet that ideal
4 population. And, again, what this district is
5 able to achieve is of the four counties I
6 mentioned, Monroe County is the only one that
7 can be kept whole, and it is kept whole within
8 this concept, while the other counties have to
9 be split.

10 And moving on, actually, we are going to
11 talk about Lake Okeechobee now, and actually,
12 thinking about one of the public hearings,
13 Representative Rogers, we did have a request to
14 keep all of Lake Okeechobee within one House
15 district. It was, for reference, SW number 42.
16 And so we are going to take a look at if that
17 is possible, while not compromising the concept
18 of keeping a county whole as well.

19 So as you look at the lake, thinking about
20 those different kind of pie areas where each --
21 a lot of those counties have kind of a sharp
22 edge that comes all into the lake, Lake
23 Okeechobee is in parts of Okeechobee, Martin,
24 Palm Beach, Hendry and Glades Counties, and
25 each of those counties look like this. And you

1 can see there as you look at that -- those five
2 counties combined, you can see essentially the
3 lake is what unites them.

4 The population of Okeechobee County is
5 enough for .25 House districts and could be
6 kept whole within a House plan. As we
7 mentioned earlier, Martin County has a
8 population of .93 House districts and could
9 also be kept whole. The population of Palm
10 Beach County is 8.43 House districts, so it
11 would need to be split. Hendry County's
12 population is enough for .25 House districts
13 and could also be kept whole within a House
14 plan, as well as Glades County, which has the
15 population of .08 House districts.

16 So thinking about that now, you've got, of
17 your five counties, four of them can be kept
18 whole within a House plan, with Palm Beach
19 County being the one that would need to be
20 split. So to try to create a district that has
21 all of Lake Okeechobee within it, yet keeping
22 all of those four counties whole, would look
23 like this.

24 And you can see there are a couple of
25 things that jump out at you as you look at this

1 district. The one -- thinking about the area
2 of Martin County, it kind of is that arm that
3 kind of juts out to the east and goes all the
4 way to the Atlantic Ocean. Just thinking from
5 a perspective of building maps, obviously, if
6 you were to build a district like this,
7 thinking about St. Lucie County, which was
8 mentioned earlier, you have -- your populations
9 of the Martin County/St. Lucie County line and
10 up on that eastern coast area would need to
11 also be ideal House populations, because you
12 can't go further south, because you have
13 created this district, which essentially kind
14 of land-locks you between St. Lucie County and
15 Palm Beach County.

16 Thinking about this district that is here
17 on this screen, its population is 238,338,
18 which is too large for the ideal population for
19 a House district. So what that would mean then
20 in this instance is if you wanted to keep all
21 of the counties whole of the four that I
22 mentioned, while splitting Palm Beach County
23 and keeping all of Lake Okeechobee together,
24 what you would actually have to do is take one
25 more split. You would have to make a trade-off

1 here of whether you would want to keep counties
2 whole or keep Lake Okeechobee within a
3 district. So you would have to split one of
4 those four counties, which you wouldn't
5 necessarily need to do, but, again, that would
6 be the trade-off if you wanted to go that route
7 and keep Lake Okeechobee all within one
8 district.

9 Okay. And then, members, what I would
10 like to do is move on to the next portion of
11 the presentation, which is talking about
12 options for racial and language minority
13 communities. Thinking about the presentation
14 that I just had earlier, thinking about
15 population centers, as well as two weeks ago,
16 many of the minority communities were talked
17 about within those presentations. There are
18 only three current districts within the House
19 that perform for a particular minority group
20 that I would like to talk about because they
21 don't fit within the confines of the population
22 centers.

23 The first is the current House District 8,
24 which looks like this, which is in parts of
25 Leon and Gadsden Counties. Currently, the

1 district has a population deviation of minus
2 3,743, and has a black voting age population of
3 51.18 percent. So what that means is that it
4 is just -- you know, it is too -- it is a
5 little too small. Again, thinking about the
6 ideal population, it is thirty-seven -- roughly
7 3,700 short of the ideal population. So you
8 would need to have that district grow a little
9 bit.

10 Thinking about what we talked about
11 earlier just a moment ago about the trade-offs
12 of keeping counties whole versus, you know,
13 keeping communities whole, this would be an
14 example of where you could have this district
15 go all into Leon County if you want to try to
16 keep Leon County whole. But the problem with
17 that is that the population of Leon County is
18 too large, so Leon County has to be split
19 anyway. So then the next thought would be,
20 well, can we go into Gadsden County to complete
21 this district? Its population is small enough
22 for one -- for -- where it could be kept whole
23 within a House plan. So to do that would look
24 like this. Now, doing that obviously changes
25 the population quite a bit. The district above

1 now has a population deviation of plus 944, and
2 has a black voting age population of
3 50.23 percent, which would still make it a
4 majority-minority district. In 2010, thinking
5 about this district, and, again, this is just
6 an example for your review, the percent of
7 registered voters that were black in this
8 district is 51.53 percent.

9 Another current House district which
10 currently performs for a minority community is
11 House District 23, and it looks like this. You
12 can see it there, it is in Alachua County, to
13 the northern area. It is the district that is
14 kind of like a sea-foam greenish color. The
15 northern part of that district is in Alachua
16 County, with the southern end of that district
17 being within Marion County. Currently, the
18 population deviation for this district is short
19 14,029 people, and has a black voting age
20 population of 30.94 percent.

21 Thinking about Alachua and Marion
22 Counties, both of those counties are too large
23 to be kept whole within a House plan, and both
24 of them would need to be split in one way,
25 shape or form. So there -- obviously, again,

1 thinking about this district, it needs to gain
2 roughly 14,000 people, so you would need to
3 include those -- those persons from either of
4 those two counties, or if you wanted to go into
5 another county, you could have that as an
6 option as well.

7 And, Mr. Chairman, the last district that
8 performs for a member of a minority community
9 is the current House District 27, and it looks
10 like this. It is the blue district there in
11 Volusia County. The population for this
12 district, which is shown on the screen there in
13 blue, is minus 24,922, and it has a black
14 voting age population of 22.68 percent. In
15 2002, this district above had a -- the
16 percentage of registered voters that were black
17 was 19.64 percent. That is a number that may
18 seem a little low to some of you, but when we
19 talk about these types of districts, you have
20 to take that next step into looking into how
21 these districts perform. And despite that low
22 number as I talked about, 19.64 percent
23 registered voters, traditionally this district
24 has performed for a -- to elect an
25 African-American to the Florida House of

1 Representatives.

2 Again, it is wholly within Volusia County,
3 and Volusia County is too large of a population
4 to be kept whole, so it would need to be split
5 in one way, shape or form. And, you know,
6 again, thinking about you're almost 25,000
7 people short, you would need to look to the
8 areas around it to meet that ideal population.

9 Mr. Chairman, that concludes my
10 presentation.

11 REPRESENTATIVE SCHENCK: All right, thank
12 you. Excellent presentation.

13 Members, are there any questions or
14 comments? Representative Clarke-Reed.

15 REPRESENTATIVE CLARKE-REED: Good morning,
16 and thank you, Mr. Chair.

17 I -- in the maps that you have shown us,
18 those that were drawn particularly by the
19 public, if we adopt a map or any part of the
20 map, do we have to worry about the intent of
21 the member of the public who drew the map, or
22 is it only the legislator's -- legislative
23 intent?

24 REPRESENTATIVE SCHENCK: That --

25 Representative Clarke-Reed, that is more of a

1 legal question. I don't think Jeff is suited
2 to answer that. Is -- do we have our legal --
3 go ahead and identify yourself.

4 MR. WINSOR: Mr. Chairman, my name is
5 Allen Winsor. I am with the GrayRobinson firm
6 representing the House.

7 REPRESENTATIVE SCHENCK: Right.

8 MR. WINSOR: That term has not been
9 interpreted, but if you are looking at the
10 plain language of the amendment, it is talking
11 about they shall not be drawn with the intent,
12 and I think you would be looking at the intent
13 of the body. If a plan comes in with -- there
14 is no way to evaluate what the intent of the
15 person drafting out there in the public was,
16 and so I think that it would be the intent of
17 the body, and not even any particular
18 legislator, but the Legislature as a whole.

19 REPRESENTATIVE CLARKE-REED: Follow-up,
20 Mr. Chair?

21 REPRESENTATIVE SCHENCK: Sure.

22 REPRESENTATIVE CLARKE-REED: The maps that
23 we have been looking at are maps that were
24 drawn by the public. I know the last session
25 we looked at maps that were drawn -- and have

1 been looking at maps that were drawn by the
2 public, but that have been kind of varied or
3 deviated from or kind of changed up to fit what
4 the presentations have been here in the
5 meetings. So are those still considered public
6 maps, or are they considered the maps of the
7 Legislature?

8 REPRESENTATIVE SCHENCK: Sure. I am going
9 to recognize Jeff to answer that. I don't --
10 Jeff, I don't think you have manipulated any of
11 the maps that have been turned in by the
12 public, have you?

13 MR. TAKACS: No, sir, I have not, and that
14 was exactly what I was going to say is that
15 what I have done is I have taken all of that
16 submission from the member of the public, I
17 haven't touched it. The only thing I have done
18 to it is maybe, you know, zoomed in on a
19 specific county within that map for you all to
20 review, but I haven't altered any of the
21 districts within that public submission. So it
22 is still considered a public submission.

23 REPRESENTATIVE CLARKE-REED: Thank you,
24 Mr. Chair.

25 REPRESENTATIVE SCHENCK: Sure. Other

1 questions or comments? Representative
2 Corcoran.

3 REPRESENTATIVE CORCORAN: Thank you, Mr.
4 Chairman.

5 First, Jeff, honestly, you do a terrific
6 job, and I appreciate all your factual input,
7 it is very, very helpful. But, you know, as I
8 see this and it goes on in committee after
9 committee and some of the stuff that we have
10 talked about and the questions from our
11 colleagues, is there seems to be this concept
12 that we are going to take a set of facts or
13 policies and they are going to determine our
14 principles when the proper way to do anything
15 is to take a set of principles and apply them
16 to facts or policies. And the principles in
17 this case that we have to deal with is the law,
18 federal and state law, and specifically
19 Amendment 5, and we have those standards that
20 we have talked about. And what we've got to
21 say is where are we going to fall in those
22 standards, and so if we can focus on that, I
23 think we can come to a group consensus of how
24 the maps -- the principles behind how we drew
25 those maps. And given these presentations, I

1 think if I could go back and focus on these
2 principles, the Tier 2 principles that you gave
3 us or that we have in the constitutional
4 amendment, they create discrepancies or
5 tensions between county boundaries, city
6 boundaries. And if you look -- I mean, I would
7 like us to say that we looked at Ft.
8 Lauderdale, it looks like some drunken
9 demographer drew it, you got Miami that looks
10 like a bird in flight, you got Hialeah that
11 looks like a spear trying to stab the bird in
12 flight. I think our focus should be on the
13 county boundaries. And when you have that
14 tension and we are trying to achieve
15 compactness, I would like us to see on the Tier
16 2 standards or principles, that we focus in on
17 county boundaries.

18 REPRESENTATIVE SCHENCK: Good point.
19 Other questions or comments? Representative
20 Young.

21 REPRESENTATIVE YOUNG: Thank you, Mr.
22 Chairman.

23 Representative Corcoran took the words
24 right out of my mouth, and I just want to sort
25 of expand on what he was saying, because as I

1 was listening today and looking at the county
2 lines and how they interact with each other, it
3 occurred to me that really, to the extent that
4 we can use county lines to sort of guide what
5 we do here, they almost help us respect what is
6 happening in all the other districts, you know,
7 by -- when you think it through, by using
8 county lines, it kind of helps us police, if
9 you will, what we are doing here and is just a
10 really good guide post. And, for example, if
11 -- as we go forward in creating maps, if later
12 in this committee process we realize that for
13 some reason we need to amend a district that we
14 have drawn, we need to change something for a
15 Voting Rights Act compliance issue or some
16 other clearly defined legal issue, then by our
17 good use of county lines and appropriate use of
18 county lines, it kind of ensures that we don't
19 unravel what we have done and the entire map
20 that we have drawn in other areas. So, in a
21 sense, it kind of keeps us focused on the Tier
22 1 issues, and county lines can kind of guide
23 our decision-making from there on out. So,
24 anyway, I just wanted to add that to what
25 Representative Corcoran said.

1 REPRESENTATIVE SCHENCK: Okay. Other
2 questions, comments? Representative Baxley and
3 then Representative Rogers.

4 REPRESENTATIVE BAXLEY: Mr. Chairman, on
5 both of those comments, you know, I attended 21
6 of the hearings, and a paramount issue to me is
7 that we do listen to the public testimony, you
8 know, that's a big issue to me. And
9 consistently in all of those hearings that I
10 was in, we heard a lot about this, about trying
11 to keep their counties together or keep the
12 same districts in their county or certain
13 number of districts in their county. There was
14 a lot of reference to trying to keep their
15 counties whole as much as possible. That
16 seemed to be a constant theme on each one, and
17 I think that aligns a lot with what I am
18 hearing from Representative Corcoran and from
19 Representative Young.

20 So I think in view of that factor of what
21 was the public input, there was -- there was a
22 lot about county boundaries and trying to keep
23 counties more whole when possible, and
24 obviously the numbers ultimately dictate, and
25 then there's Tier 1 issues that have to be

1 dealt with first, but when we get to these Tier
2 2 issues, I would concur with that, Chairman.
3 I believe that that is consistent with the
4 public testimony that we heard.

5 REPRESENTATIVE SCHENCK: Okay. Thank you.
6 Representative Rogers.

7 REPRESENTATIVE ROGERS: Thank you, Mr.
8 Chairman.

9 I know in keeping with the Voting Rights
10 Act and Amendments 5 and 6 and because we are
11 talking about preserving minority districts, is
12 there any guidelines or any policy, or what
13 would we use as a benchmark to maintain the
14 integrity of minority districts?

15 REPRESENTATIVE SCHENCK: Thank you. I am
16 going to ask our legal counsel to come back up,
17 Jeff, and address that question.

18 MR. WINSOR: Allen Winsor again.

19 The question, as I understand it, is what
20 is the benchmark for preserving minority
21 strength in the Voting Rights Act and in
22 Amendment 5. What you are prohibited from
23 doing is diminishing the ability of minorities
24 to elect candidates of their choice. That is
25 what Section 5 requires in the Section 5

1 counties. And very similar language appears in
2 Amendment 5, and so it is likely that that --
3 the purpose of that amendment then would be to
4 expand those Section 5 protections everywhere.

5 What goes into evaluating whether you have
6 satisfied that standard or not are a lot of
7 factors. It is not -- there's not a simple
8 numerical analysis. It is not a matter of what
9 percentage is there now and what percentage
10 there will be under a new plan. The benchmark
11 is the existing districts, and so you have to
12 evaluate what the ability of the minorities in
13 those districts currently is to elect, and that
14 is a difficult analysis, because it is not as
15 simple as looking at the numbers. That is one
16 point, but you have to look at the data about
17 how -- not just what makes up the district, but
18 how people vote, how the non-minorities vote.
19 And so there's a lot of factors that go into
20 it, and it is not an easy inquiry.

21 REPRESENTATIVE SCHENCK: Representative
22 Clarke-Reed.

23 REPRESENTATIVE CLARKE-REED: Thank you,
24 Mr. Chair.

25 This is probably a question for you as

1 well. If you were to draw a district that was
2 80 percent Hispanic or 80 percent black, would
3 that district be constitutional? Would it meet
4 constitutional muster?

5 MR. WINSOR: Mr. Chair?

6 Well, the simple answer is it depends. As
7 I understand, there is a concept that is
8 prohibited by Section 2 of -- it is a voter
9 dilution issue. And if you -- what Section 2
10 requires is that if you have a compact area of
11 minorities that votes cohesively and you meet
12 other certain standards, then you must draw a
13 single member district to protect that group.

14 Related to that, you can have a situation
15 where you have one minority district, but you
16 could have had more. And so it is a very
17 similar voter dilution analysis under Section
18 2, but it is not -- it is not as simple as
19 looking at what the percentages is, or what the
20 percentages are. You have to look at what the
21 surrounding areas are, and, again, not just the
22 numbers, but how those people vote, how the
23 opponents vote, and then even after you -- in
24 the Section 2 context, even after you meet the
25 standard prerequisites, you have to evaluate

1 the totality of the circumstances, which
2 involves a whole number of factors, including
3 the history in the districts and a number of
4 other factors. So it is -- there is no magic
5 number that would say a district is
6 constitutional or unconstitutional with respect
7 to a percentage of minorities.

8 REPRESENTATIVE SCHENCK: Other questions?
9 Representative Baxley.

10 REPRESENTATIVE BAXLEY: In the earlier
11 presentation -- and, again, I thank staff,
12 there's a tremendous amount of work gone into
13 trying to sort all this out. I was just
14 curious about the technical aspect of you were
15 talking about African-American and Haitian.
16 How does the voter data allow you to
17 distinguish that or sort that out?

18 MR. TAKACS: Thank you, Mr. Chairman.
19 The census does that for us, essentially.
20 That is one of the questions that is asked in
21 the census, as well as the American Community
22 Survey. So there is data available where
23 people have identified themselves as Haitian,
24 in this example.

25 REPRESENTATIVE SCHENCK: I think Bob wants

1 to add to that as well, Representative Baxley.

2 MR. WEST: The Haitian number is only in
3 the American Community Survey, the ACS data,
4 which is a survey and not an actual counting of
5 the people. And that was not a question in the
6 actual census that was just taken in 2010, in
7 April, but it is part of the survey and the
8 long form that people are mailed too, and we
9 have taken those numbers and we have included
10 it in our data so you can see those, but it is
11 an estimate rather than the actual counting of
12 the people.

13 REPRESENTATIVE SCHENCK: Okay. Seeing no
14 other -- Representative Clarke-Reed, another
15 question?

16 REPRESENTATIVE CLARKE-REED: Yes, just to
17 clarify the information that was just given.
18 On the census, I think it was question eight or
19 nine, folks were able to self-identify as to
20 whether they were Haitian, Jamaican,
21 Trinidadian or whatever other nationalities,
22 and I think that -- if I am not correct, you
23 can check that out, so you would have some
24 indication from the census who was identifying
25 as a Haitian, a person identifying themselves as

1 a Haitian.

2 REPRESENTATIVE SCHENCK: Great, thank you
3 for pointing that out.

4 Other questions? Representative Bernard.

5 REPRESENTATIVE BERNARD: Thank you,
6 Mr. Chair. I have two questions. How much --
7 how much can we rely on the ACS, on those
8 numbers?

9 REPRESENTATIVE SCHENCK: Go ahead.

10 MR. WEST: ACS only reports those numbers
11 at a very high level, maybe about 7,000 people
12 per section level, and it is an estimate of
13 about one percent of your population over a
14 five-year period. And so if you get down into
15 the micro level and the very low level, it is
16 not very, very accurate, but as you build it
17 into a district, then it tends -- because of
18 adding all those numbers together, it tends to
19 become more accurate as you get into larger and
20 larger numbers.

21 REPRESENTATIVE BERNARD: One more
22 question, Mr. Chair?

23 REPRESENTATIVE SCHENCK: Sure.

24 REPRESENTATIVE BERNARD: I am just trying
25 to think. For the districts, I hear the

1 majority-minority districts, and if I am
2 correct, there is -- we can create influence
3 district, coalition districts, access
4 districts. Are we looking at all those four
5 districts when we are trying to create these
6 districts?

7 REPRESENTATIVE SCHENCK: Go ahead, Bob.

8 MR. WEST: That will be in all the data;
9 in fact, my presentation is coming next. You
10 will see the report and it is in your binder
11 where we've actually given those Haitian
12 numbers in some of those reports, so you will
13 have them as a reference when you are looking
14 at the districts so you can see how each one of
15 those districts are made up.

16 REPRESENTATIVE BERNARD: Follow-up, Mr.
17 Chair?

18 REPRESENTATIVE SCHENCK: Uh-huh.

19 REPRESENTATIVE BERNARD: So we will be
20 able to know if it can be an influenced
21 district versus a coalition district versus an
22 access district?

23 MR. WEST: Those numbers will be there,
24 and that is more of a statistical determination
25 on those other levels, and that -- that's --

1 you would have to get an expert more to do
2 those.

3 REPRESENTATIVE BERNARD: Okay. Thank you,
4 Mr. Chair.

5 REPRESENTATIVE SCHENCK: Uh-huh. Okay.
6 With that, then, as Bob was alluding to, if you
7 guys will turn to tab one, tab one, two and
8 three will be part of our policy chief, Bob
9 West's, presentation. So with that, we will
10 transition into some more numbers.

11 Hey, Bob, turn your mike on.

12 MR. WEST: All right. In your binder, you
13 have a copy of a report that we will be
14 producing for each of the plans that we present
15 in committee, and in this report, what I have
16 tried to do is bring together all the different
17 facts that you will need and that will be
18 helpful for you in your decision on analyzing
19 different districts. And then also in tab
20 three, we have given you a bunch of definitions
21 of what my little cryptic headings mean and
22 what they refer to. So you can look in tab
23 three if you want to see what some of the
24 headings mean.

25 So the first part is what we will look at

1 and analyze. When a plan or an amendment comes
2 in, we will look at some of the basic numbers,
3 and the first thing that we will do is we will
4 look -- you can look at the name of the plan,
5 and in the name we have a little code and
6 within the name that tells you a lot of
7 information. The first letter for public plans
8 is either an "S" or an "H." And what that
9 means is if the public plan was presented to
10 the Senate, it will have an "S." If it was
11 presented to the House, it has an "H." And
12 then all public plans will have a "PUB" there
13 to tell you this is a public plan, this is not
14 something that came from the Legislature.

15 Then the next letter tells you, is this a
16 congressional plan or a House plan or a Senate
17 plan, and so you can get that information from
18 just looking at the name. And then the next
19 number is a sequential number. We started out
20 at 1 and we are up to, what is it, 165, I think
21 it is -- no, 156. I reversed the numbers.

22 Now, when we start presenting plans in
23 committee and amendments and all, we will
24 change the naming convention just slightly.

25 The first letter, if the amendment was

1 presented in the House, it will have an "H."
2 If it came from the Senate, it will have an
3 "S." Then in the next three numbers there, if
4 it is a "000," it means it is a committee Bill.
5 If it has a number here, it will -- and you
6 have -- and it is an amendment, and what it
7 will be, this will be the number of the
8 district of the person who is presenting that
9 amendment. So if you have District 1, you will
10 have a "1" here. And then the next part of it
11 will stay the same. If it is a Senate -- if it
12 is a Congressional Bill, it will be a "C,"
13 House Bill, "H," and Senate Bill, "S." Then
14 the numbers, we are going to start out at 9001
15 in numbering the numbers of amendments and
16 bills. And like you do with bills, all of our
17 numbers will be odd numbers here in the House,
18 where all of the bills that come from the
19 Senate will be even numbers, and they will also
20 start out theirs with 9000, but they will start
21 out with 9000 where we will start out with
22 9001.

23 Then when we -- your plan comes in, we
24 will run this program over it that does an
25 analysis, and the first question it will ask

1 is, is all the population been allocated in
2 this plan, is it a complete plan. And if it is
3 a good plan, these first two numbers should be
4 the same. And then what is the ideal district
5 number for the plan? And in a congressional
6 plan, it is 696,344. And then for the House
7 plan, it will have that number there. And then
8 the next number it will give you is what the
9 remainder is. This is really important on a
10 congressional plan, because the remainder of
11 22, what you would do is you take that from 27,
12 the number of districts, and it means that five
13 districts, the remainder, should be a
14 population of 696,344, and 22 districts should
15 have a population of 696,345.

16 And then the next couple of numbers will
17 not be as important in the congressional plan,
18 but when you get down to a House or Senate
19 plan, they will be. And what the first number
20 here is is the smallest district in numbers, in
21 population, what is it, what is the lowest
22 number of all the districts that are in your
23 plan. And the second number is what is the
24 highest number of people in all the districts
25 in your plan. So it gives you a comparison

1 there. And then the next number will give you
2 what the deviation, and, of course, in a
3 congressional plan, it will be zero to one,
4 that is what it will be in all of them, but in
5 a House or Senate plan, these numbers can be a
6 lot higher numbers, and it just tells you how
7 many people you have over or under the optimum
8 population.

9 And then you will have the deviation as
10 given as a percentage. We will take those
11 numbers and do some math and come up with a
12 percentage. And what you want to look at on
13 that line is what the total deviation is.
14 Okay. In federal law, it is probably -- they
15 pretty much say it is around five percent. We
16 are going to try to hold it from about two
17 percent under to about two percent over, to
18 about four percent in that number as staff, and
19 we may even do better than that.

20 Then the next section is different
21 geography, the mapping part of the analysis.
22 And in there, what we will do is we will give
23 you the number of blocks assigned. If this
24 number is not 484,481, it means that you have
25 not assigned all the blocks within a plan, and

1 so it is not a complete plan.

2 The next number is we will check how many
3 non-contiguous pieces there are in a plan, and
4 in a plan that is ready to be presented to the
5 Legislature, it should always be one. And what
6 that one is is the Dry Tortugas, and the Dry
7 Tortugas, no matter how you try, you can never
8 make it hook up with Key West, because it is an
9 island.

10 Then we will tell you how many splits
11 there are in the plan, how many times does a
12 district split a county, that is what this next
13 number here, and in this particular plan that
14 is being analyzed, 21 times is the answer. How
15 many times were cities split in this plan? In
16 this plan, it will be 77. And what we have
17 given you, there is a total of 411 incorporated
18 cities in the state of Florida, and that is
19 what the other number, so this plan splits 77
20 of the 411 incorporated cities. And then how
21 many VTDs were split, Voter Tabulation
22 Districts, and this -- we are giving you the
23 same number. And there's a little nuance to
24 this in that we are counting the people that
25 have been split, so if you have a VTD or a city

1 that maybe includes a lake that has no people
2 on it, and you split it so you could move a
3 district through, we are not going to count
4 that as a split. We are only counting where
5 there is a person in that split as a split.

6 Then the next thing will be a breakdown of
7 the minority population percentages. And what
8 we will first give you is what the current map
9 does, how many districts are -- there are of
10 that -- of black or Hispanic in the current
11 map, and then we will tell you the new plan,
12 the plan that is being analyzed by the report,
13 what is the number for that one. And on there,
14 we will give you the percentages, how many
15 districts meet -- how many districts are 20 to
16 30 percent. In this top one, it is five. How
17 many are between 30 and 40. Notice two dropped
18 off, now it is three. And then 40 to 50, the
19 same, and then 50 to 60, another one dropped
20 off, and then 60 percent. So it gives you a
21 way to look at the plan and say how are we
22 doing compared to what we are right now.

23 Then the next area that we are going to
24 analyze for you is the area of compactness.

25 Now, as I have been reading up on compactness,

1 and I have been reading quite a bit lately, the
2 literature lists 36 different ways that people
3 have measured compactness. And originally I
4 was going to try to give you all 36, but I
5 found that some of the formulas for all these
6 different compactness measurements were not
7 readily available. So what we are going to do
8 is we are going to give you the base
9 measurements that are used in all those
10 compactness measures, and then if you have an
11 expert or something, we will have all the
12 measurements there that they need to run all
13 the different formulas.

14 And the first area that the literature
15 talks about is counting the perimeter, the area
16 that you would have to walk to go all the way
17 around the district. And a lot of the experts
18 say, well, you can't just count the base
19 perimeter, because how about if you are
20 comparing two districts, one where the border
21 was on an Interstate and one where the border
22 was on a lake or a bay or a river. Well, of
23 course, the river one would be a lot longer,
24 because it weaves and goes in and out like any
25 water body does. So what they have done is

1 said, well, instead of just giving me the
2 actual measurement, simplify it and just give
3 me the simplified version of that. And you can
4 see where the arrows were on this particular
5 district, and you can see the blue line and you
6 can see the difference between the border in
7 the district and the blue line, which is the
8 simplified version. And so we will give you
9 those measurements as well.

10 Then we are going -- in those shapes, what
11 we will list is we will list the current map,
12 the map that you are analyzing, and we will
13 give you the perimeter of it, how far it is
14 around, and on the first section, what we are
15 doing is we are giving you how much the
16 distance is all the way around of all the
17 districts all added together in the map. So on
18 this one, because it is a congressional map, we
19 gave you the combined total of all 27
20 districts, which is 8,300 miles. Then we are
21 going to give you the area of all those
22 districts, and we are going to just give you
23 what the relationship is between the two. Then
24 on the lower line is the simplified version,
25 and you can see that is a lot smaller, a lot

1 shorter, than the actual measurement.

2 Then what we are going to do -- there are
3 several ways that people look for compactness.
4 Number one is they say for dispersion. You
5 shouldn't have a district dispersed a whole
6 lot, it should be -- well, like you can see
7 here, a circle. If all your districts were
8 circled, then they would be the perfectly
9 compact measure, according to this measurement.
10 And you can see here what the district looks
11 like and what the circle that would surround it
12 looks like. And so what we are going to do is
13 we are going to give you that circle's
14 perimeter and that circle's area, we are going
15 to give you the relationship between those two,
16 and then we are going to give you the
17 relationship between the base district, and the
18 PC there is the perimeter of the circle, and
19 then you have the A there and the AC, and that
20 is the area of your district divided by the
21 area of the circle. Now, those who use this
22 measurement say that the higher -- the closer
23 you come to 100 percent on the area, the more
24 compact the district is. And then we are going
25 to give you the simplified version of that same

1 measurement, like you can see here.

2 Now, some people say, okay, that doesn't
3 really work in all the different situations, in
4 places like Florida where you have a panhandle
5 which limits how -- circular districts, you
6 know, those would be given bad scores in that
7 particular measurement. So what they say is
8 you should use a convex toll. And what this
9 says is how many concave sections or fingers do
10 you have in your district. And like that green
11 line there, it gives you the measurement of
12 that green line and the area that is within
13 that. And this is the indentation, it looks
14 for indentation measurements. And so we are
15 going to give you those numbers as well that
16 you can compare and look at districts with, and
17 we are going to give you the perimeter of that,
18 the area, the relationship they are, and then
19 the comparison they are between the base shape,
20 which is the P, and the PC, which is the P for
21 the convexed hull or the perimeter for the
22 convexed hull, and we are going to give you the
23 area of those. And, again, the closer they are
24 to 100 percent, the district that you have that
25 is closer to being a perfect convexed hull.

1 And then we are also going to give you a
2 couple other measurements. Here I am calling
3 them width and height. What the width is is
4 take the point on the district that is the
5 furthest east, and then take the district --
6 the point on the district that is the furthest
7 west, and what's the distance between those two
8 points. And then I am going to give you the
9 height, which is what's the distance at the
10 furthest north to the distance to the furthest
11 south point in that district. And for people
12 who think -- that use -- instead of using the
13 circle, want to use like a square or a
14 rectangle to measure the district, these
15 numbers will tell you how you are doing on that
16 measurement. And then what I have done is I
17 have added the two of those together, and for
18 somebody who wants districts to be a perfect
19 square, the lower this number is, the better --
20 closer it is to a perfect square.

21 Then we have also given you some things --
22 some measurements that aren't based on
23 geography, but are based on people and
24 population density. And for these
25 measurements, what we do is we take every VTD

1 in the map and compare it to every other VTD in
2 the map and say what is the distance as an
3 airplane flies or as the crow flies between the
4 center points of those two VTDs, and then what
5 is the population of the district within those
6 VTDs. And then we do a mathematical formula
7 that says distance times population, and we
8 come out with one number. And then we say
9 total population of all those calculations, and
10 we come out with another number. And then we
11 divide the two of those into each other, and
12 then what we do is we come out with a mileage,
13 an average distance that it is that people in
14 your district are from each other. So in a
15 place like downtown Miami, these numbers will
16 be very low. In a rural area, you know, these
17 will be a lot higher. Now we take all those
18 numbers and add them up, and a lower number on
19 here would tend -- say that your -- the
20 districts that you have drawn are more compact
21 population wise than one with a higher number.

22 And also, on congressional maps, you also
23 have to think that the current map has 25 that
24 you are adding together, and the map that we
25 will be drawing from congressional has 27. So

1 that is -- in reality, if both of them were the
2 same compactness, your current one should be
3 less than the new one, because it has less --
4 less people as such, or less districts that you
5 are considering. But you can see in this
6 particular map, the new map is still more
7 compact than the current map.

8 And then also we give you those same
9 numbers for population, VAP, VAP black and VAP
10 Hispanic. And what you want to do is these
11 numbers should tend to be very close to each
12 other, and if they are not, then you need to
13 look at the districts. And you can see in the
14 statewide maps, the Hispanic is quite a bit
15 lower, and that is because your concentration
16 of Hispanic is mainly in Miami where you have
17 them very, very close, whereas some of the
18 other numbers are more spread out.

19 Then we are going to take and say, okay,
20 my district has this big bay right in the
21 middle of it, and what we are going to do is if
22 you went from star to star directly across the
23 bay and measured the distance, that would be
24 the first measurement we are giving you. But
25 what we have also done is taken all of those

1 measurements and all those center points and we
2 have run them through Bing maps and asked Bing
3 maps how far would I have to drive in order to
4 get to those two points. And if it is in the
5 middle of a bay, you can see, it is a lot
6 further you would have to drive. And this
7 gives you the real compactness of people
8 actually getting -- getting and meeting up with
9 each other. And so we will give you another
10 number, which will tend to be higher than the
11 direct number in the district, and this is
12 how -- how far you're going to have to drive in
13 order to serve your district. So a higher
14 number means you are going to be in your car a
15 lot more. A lower number means that you won't
16 be in it as much. And then I also -- because
17 we had the numbers there, I am going to tell
18 you how many minutes you are going to be in
19 between each of those points, and so this is
20 the number of minutes that the average person
21 lives from each other within your districts.

22 Okay. We have those statewide numbers,
23 and then we are going to take and give you
24 those same numbers based on a
25 district-by-district basis so you can see how

1 each district does and how they relate to each
2 other. And those are some of the other reports
3 that you see in there.

4 Then the other one, this one will help you
5 for a lot of you have the question, well, this
6 new -- new plan, what district is it most like,
7 you know. And what this will do is if you look
8 at the district number, this is the district
9 number in the plan, this is the population of
10 that district, the deviation of the district,
11 and then this is the district number in the
12 current plan that the new one is most like. So
13 if somebody started numbering at 120 in the
14 Panhandle and went down -- all the way down to
15 1 in Monroe, you would still be able to say
16 what district was most like -- in the new plan
17 was most like another district in the current
18 where you are elected now.

19 And then this next number tells you how
20 many people they have in common between the old
21 and the new. And in here, you see District 1
22 has 94 -- 95 percent, basically, people in
23 common, where you go down to District 5 there,
24 and you only have 68 percent of the people in
25 common. Then it tells you the voting age

1 population that they have in common and then
2 the black population that they have in common
3 and the Hispanic population they have in
4 common. So you can get down and sort of
5 analyze those districts and see what they do
6 just from the numbers.

7 And then we are going to compare -- and
8 then we have a more detailed analysis of those
9 districts, and in there we give you the
10 district number, and then we go in and we give
11 you all the other districts that make up that
12 particular district, and we tell you how many
13 people they have in common and what percentage
14 of the population they make up, what the common
15 voting age population is. And then these next
16 two numbers are -- you got to understand, in
17 the section that they have in common, what is
18 the black population of that section. So in
19 that section, on this first one between 7 --
20 District 7 in the old district and District 5
21 in the new district, there is 3.75 percent
22 black population. And then how much of the
23 total black population does that section make
24 up, and that is 30.84 percent. So you can sort
25 of see when you are building those districts

1 where the population came from. And we are
2 going to do the same thing for Hispanics.

3 Then for the next thing that we are going
4 to give you on each plan is we are going to
5 tell you how many times does this plan split
6 the counties and how many times does this plan
7 split the cities, and we are also going to give
8 you how many times the VTDs were split. And in
9 there, you will see the red, that means it was
10 split. If it doesn't have a red and it doesn't
11 have any numbers after it, that means that you
12 kept the whole city or the whole county, and if
13 I don't list any VTDs at all, that means you
14 kept every VTD without splitting it. So this
15 is a way for you to just sort of analyze those
16 districts and see how different plans are
17 handling these different standards.

18 And then what we will do from there is we
19 will take -- for those that do split, we will
20 take and give you the name of the city or the
21 name of the county that was split, or for VTDs,
22 it is a number, and it is just a
23 census-provided number that we will give so
24 that you can go back and find the place that it
25 was split, and then we will tell you that city

1 or that county, how many times the plan splits
2 it. So this particular city was only split
3 twice. It was only split in two. Now, you may
4 see a number of two, three, four or five. That
5 means that place, that city or county, was
6 split that many times. Then we are going to
7 say in this split, what is the population in
8 this split. So there's only 11 people in this
9 -- from that city in this particular district.
10 And then we are going to tell you the full
11 population of that particular city or
12 particular county so you can get an idea of
13 what was done there just from the statistics,
14 and we will give you these for each of the
15 plans that we are putting out there.

16 And with that, that is the end of my
17 presentation.

18 REPRESENTATIVE SCHENCK: Thank you, Bob,
19 for that riveting presentation.

20 All right. Questions or comments on that?
21 Shockingly, I don't see any. Representative
22 Bernard.

23 REPRESENTATIVE BERNARD: Mr. Chair, thank
24 you. Since you are a teacher, would you be
25 able to teach us geometry?

1 REPRESENTATIVE SCHENCK: I was a social
2 studies teacher, Representative Bernard. Good
3 question though. Okay.

4 MR. WEST: I imagine you don't like
5 numbers.

6 REPRESENTATIVE SCHENCK: Right. I am
7 scared to recognize Bob again, because I think
8 he might pull some more numbers out, so with
9 that, we will ask him to turn the podium over
10 to Ben, who is just going to update us on a few
11 of the changes to the House redistricting
12 website. All kidding aside though, Bob has
13 done an outstanding job. I mean, really
14 redistricting boils down to numbers, and so
15 breaking them down and looking at them in the
16 amount of ways he has is really -- really takes
17 a lot of time and a tremendous effort. So
18 thank you with that.

19 All right, Ben, something a little less
20 complicated, go right ahead.

21 MR. FAIRBROTHER: Yes, sir. Thank you,
22 Mr. Chairman.

23 This morning I will be giving a brief
24 overview of the House Redistricting Committee's
25 new bills and amendments page. This new page

1 is going to be available through
2 myfloridahouse.gov, and as you can see right
3 now, I've got myfloridahouse.gov's home page
4 pulled up, so let's go ahead and navigate to
5 our redistricting committee page on this site.

6 Near the top of the page, you will see --
7 near the top of the page, you will see a link
8 to the actual bills and amendments page that I
9 will be talking about. In the near future,
10 this link will be more prominently displayed on
11 the home page of myfloridahouse.gov and then
12 also on floridaredistricting.org. So let's go
13 ahead and pull that page up.

14 The purpose of this new page is to kind of
15 create a one-stop shop for all committee
16 actions involving redistricting bills and
17 amendments, and the need for this additional
18 resource specifically is similar to why the
19 House Appropriations Committee has a separate
20 page of their own to aggregate information
21 relevant to particular issues, particular
22 unique issues, and this page will give you more
23 information that kind of goes beyond what the
24 traditional Bill tracking page provides.

25 The actual text of a redistricting Bill

1 can be several hundred pages of technical
2 language and includes geographic descriptions
3 of each district, and that is not as useful as
4 maps or statistics that will be provided here.

5 So here on the redistricting Bill and
6 amendment page, you will find numerous maps and
7 statistics that are going to be relevant to
8 your review and your constituents' review of
9 proposed maps that are going through the
10 process.

11 So now let's go through the different
12 parts of this page. On the top right side of
13 the page, you will see -- where my mouse is
14 right now, you will see a number of different
15 status reports, and each of these links will
16 allow you to download a PDF version of the
17 status reports of whatever you are clicking on
18 there. Right now they don't have any substance
19 because there has been no official legislative
20 action taken by the Committee, but as action is
21 taken, they will be populated. And these
22 reports will also serve as kind of your and
23 your constituents' cheat sheet as -- if they
24 wish to follow the process, and different
25 amendments and bills that are being considered

1 will be up here.

2 Now, next to the bottom left of the
3 screen, and I will scroll down so you can see
4 it, you will see a section for bills, and this
5 is where all the bills that are moving through
6 the process can be found. Right now we have
7 loaded current maps just to give an example of
8 how this proposed Bill section will look when
9 the bills are there. So let's take a look at
10 one of the examples there.

11 Click on that first box like I did, you
12 will see a number of links that drop down. The
13 first link will take you to the traditional
14 Bill page that I mentioned earlier, and the
15 following links will take you to different
16 map-viewing options, including a link to the
17 Committee's blog site where constituents can
18 actually go and comment on the bills and
19 amendments that are being processed -- or the
20 bills that are being processed.

21 Next, if I can turn your attention to the
22 right side of the page, you will see the
23 resources section where there's a number of
24 helpful links. The first link is
25 floridaredistricting.org, the next is to My

1 District Builder, and then the next is to how
2 to -- is a link to a document that tells you
3 how to save and view a map in My District
4 Builder, and let me go ahead and click on that
5 link so I can show you. You may wish to load a
6 map in My District Builder if you wanted to
7 create an amendment to a certain map that has
8 been filed, but you wanted to start from where
9 that map is, so you can view it in My District
10 Builder and then make your changes from there.

11 The last two links in that section relate
12 to the redistricting rules and procedures, and
13 they include the September 27th memo from the
14 House Rules Committee, as well as the
15 procedures and amendments that were adopted by
16 this Committee last April. And in that regard,
17 what is unique about this page, much like the
18 information on the House appropriations web
19 page that we posted on myfloridahouse.gov, is
20 that this is equal -- this is here equally for
21 you and the public. Traditionally, you and
22 your staff would have used LEGUS to track
23 legislation, and the myfloridahouse.gov site
24 would be used mainly for the public. This is
25 going to be used equally by you and the public.

1 Now, looking beyond the resources section,
2 if I can scroll down for a second, we'll see
3 two amendment sections. The first is for
4 pending amendments, obviously. The second is
5 for amendments already considered. These
6 sections are going to be displayed in the same
7 manner as the Bill section where you have a
8 main amendment and then the drop-down menu with
9 details. Earlier Bob West discussed the
10 numbering system for proposed maps, and it is
11 important to note when you visit this page, you
12 will see official Bill numbers of redistricting
13 legislation, which will always be in the 6000
14 series, and you will also see in parentheses
15 the redistricting plan number that we assign
16 plans when they are received by the Committee.
17 That is important, because if an amendment is
18 adopted to a redistricting Bill, then both the
19 Bill and the amendment will have the same file
20 plan number. And overall, this page is going
21 to serve to provide a history of what complete
22 maps were offered and considered in the
23 legislative process.

24 And, furthermore, if and when amendments
25 are filed to redistricting bills, you will

1 receive an e-mail with links and attachments
2 and a link to this page where you can track
3 that information. So this page is going to
4 serve as a means for you to review and study
5 the redistricting amendments that have been
6 filed as well.

7 And that concludes my presentation, Mr.
8 Chairman.

9 REPRESENTATIVE SCHENCK: Great. Members,
10 any questions on the site, Website?

11 Seeing none, thank you.

12 MR. FAIRBROTHER: Thank you.

13 REPRESENTATIVE SCHENCK: Okay, members,
14 that is it, that concludes our meeting today.
15 So if there are no final questions or comments,
16 then with that, Representative Corcoran moves
17 we rise.

18 (Whereupon, the proceedings were
19 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 87 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 16th day of February, 2012.

CLARA C. ROTRUCK

Notary Public

State of Florida at Large

Commission Expires:

November 13, 2014

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SENATE REDISTRICTING SUBCOMMITTEE MEETING
TUESDAY, NOVEMBER 1, 2011

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 REPRESENTATIVE HUKILL: Okay, members,
3 could you please take your seat? We are going
4 to begin, members.

5 All right. The Senate -- members? Good
6 morning. The Senate Redistricting Subcommittee
7 is now called to order. Please call the roll.

8 THE CLERK: Representatives Boyd?

9 REPRESENTATIVE BOYD: Here.

10 THE CLERK: Caldwell?

11 REPRESENTATIVE CALDWELL: Here.

12 THE CLERK: Crisafulli?

13 REPRESENTATIVE CRISAFULLI: Here.

14 THE CLERK: Cruz?

15 REPRESENTATIVE CRUZ: Here.

16 THE CLERK: Ford?

17 REPRESENTATIVE FORD: Here.

18 THE CLERK: Jenne?

19 REPRESENTATIVE JENNE: Here.

20 THE CLERK: Kiar?

21 REPRESENTATIVE KIAR: Here.

22 THE CLERK: Logan?

23 REPRESENTATIVE LOGAN: Here.

24 THE CLERK: Nehr?

25 Rouson?

1 REPRESENTATIVE ROUSON: Here.

2 THE CLERK: Stargel?

3 REPRESENTATIVE STARGEL: Here.

4 THE CLERK: Williams, A.?

5 Williams, T.?

6 Workman?

7 REPRESENTATIVE WORKMAN: Here.

8 THE CLERK: Chair Hukill?

9 REPRESENTATIVE HUKILL: Here.

10 THE CLERK: Madam Chair, a quorum is
11 present.

12 REPRESENTATIVE HUKILL: All right, thank
13 you.

14 Good morning, members, and we have excused
15 absences from Chairman Nehr and from
16 Representative Trudi Williams. Thank you very
17 much.

18 All right, members, we are ready to go.
19 Later this month we will begin reviewing
20 complete, legislatively-produced options for
21 Florida's Senate map.

22 In preparation of that, today we are going
23 to examine some tools that the staff has
24 created for evaluating Redistricting Bills and
25 tracking the Bill and the amendment process.

1 First we will be hearing a presentation
2 from staff regarding the different types of
3 data and measurement tools available to us.

4 Second, we will hear a short presentation
5 regarding changes to myfloridahouse.gov to help
6 us and our constituents track redistricting
7 Bills and amendments.

8 And last, we will hear some additional
9 comments regarding maps that have been
10 submitted since our last meeting on
11 October 17th.

12 As you know, Chair Weatherford asked that
13 the public provide their maps prior to
14 November 1, so we want to be sure to summarize
15 anything of interest that came forward between
16 our last meeting and this one.

17 But before we go any further, I want to
18 take a few moments to note where we are in the
19 process and what is about to happen between now
20 and the beginning of session.

21 We are going to be looking at complete
22 options for maps brought forward at the
23 direction of myself and Co-Chair Nehr during
24 our next two committee meetings. Essentially
25 these meetings will be workshops. I envision

1 that we will be work-shopping one to two maps
2 at each meeting.

3 It was Chair Weatherford's request that
4 maps be work-shopped before being voted on, and
5 so we intend to follow through with that
6 directive.

7 If there is a member Bill filed before
8 November 14th, then we will look at those to
9 include those in the workshops as well. We
10 haven't had any filed yet at this point, I
11 don't believe. Member Bills filed after that
12 point will probably have to be taken up as
13 amendments.

14 For the first couple of plans that we look
15 at, Co-Chair and I -- Co-Chair Nehr and I have
16 asked that staff produce options that are
17 nearly entirely, if not completely entirely
18 based on public submissions, and we asked staff
19 to walk us through how it is that these
20 submissions attempt to comply with the law.

21 If we can workshop those plans in November
22 and December, then we will be able to vote on
23 the workshopped maps in the form of PCBs the
24 first week of session, which I believe is in
25 line with what the other two subcommittees will

1 be announcing this week.

2 We will work to provide you with any maps
3 that we workshop at least a couple of days
4 prior to the meetings so that you can prepare
5 for the meetings.

6 And with that, members, do you have any
7 questions? Representative Crisafulli.

8 REPRESENTATIVE CRISAFULLI: Yes, Madam
9 Chair. So, essentially, if we are
10 work-shopping between November 14th, and the
11 committee week in December, that will give us,
12 as well as the public, a chance to review them,
13 and then also give us a chance to amend them
14 before we vote in the January subcommittee.

15 REPRESENTATIVE HUKILL: Thank you,
16 Representative Crisafulli. Absolutely, yes,
17 that will give a lot of time, quite frankly, a
18 lot of time for the public to see it and for us
19 to also look at those maps and deal with
20 amendments.

21 Are there any other questions? Yes,
22 Representative Jenne.

23 REPRESENTATIVE JENNE: Thank you, Madam
24 Chair, I appreciate it.

25 Basically, since we are talking now and we

1 have a -- and I am not saying it is concrete,
2 but a timeline that we are working towards, I
3 know we haven't viewed all of the maps that
4 have come in on-line one by one and walked
5 through each of them on this Committee.

6 I am just kind of curious, are we going to
7 get to see all of them, or are some being
8 excluded because they are just impossible to
9 adhere to the amendments and creating
10 communities of interest?

11 REPRESENTATIVE HUKILL: Thank you,
12 Representative Jenne. None have been excluded,
13 they are all available to us, and if there is a
14 specific map or an issue that you want to
15 discuss, absolutely, we will discuss that.

16 I think in order to comply with the
17 timeline that we want to comply with, and that
18 is to workshop the maps that will be presented
19 on behalf of the Chairs and anything that
20 members have presented, I believe that what I
21 have outlined will meet that commitment, and
22 then we will be able to vote on them in
23 January.

24 Is there anything in particular that you
25 feel has been excluded or you need to talk

1 about?

2 REPRESENTATIVE JENNE: No. May I?

3 REPRESENTATIVE HUKILL: Go ahead.

4 REPRESENTATIVE JENNE: I just know you
5 love going through the Chair, so I want to make
6 sure that I do that.

7 Well, no, no, I just wanted to make sure
8 that any maps that we are potentially not
9 looking at, that the reasons are just because
10 they don't adhere to the amendments and things
11 like that.

12 REPRESENTATIVE HUKILL: Well, Alex, do you
13 want to answer that?

14 REPRESENTATIVE JENNE: Obviously, look, I
15 will publicly admit, I have seen some maps that
16 are impossible and they can't -- they can't be
17 used, but, you know, there are other maps that
18 are. So I am just wondering if -- what the
19 line of delineation for presentation here in
20 the Committee has been and will continue to be.

21 REPRESENTATIVE HUKILL: Thank you, Rep.
22 Alex.

23 MR. KELLY: Thank you, Madam Chair.

24 Representative Jenne, what we did was when
25 we brought forward maps for you to review in

1 the prior meetings and today is to make sure
2 that every issue was at least covered one time.

3 So several maps may have, for example,
4 created four majority-minority Hispanic seats
5 in south Florida. We made sure to at least
6 cover that issue one time. Several maps may
7 have created a legal difficulty, and, again, we
8 made sure to cover that issue at least one time
9 so you had a sampling of everything.

10 REPRESENTATIVE HUKILL: Is that --

11 REPRESENTATIVE JENNE: Thank you, Mr.
12 Kelly, thank you, Madam Chair.

13 REPRESENTATIVE HUKILL: Thank you very
14 much. Any other questions, members? Yes,
15 Representative.

16 REPRESENTATIVE CRUZ: Thank you, Madam
17 Chair. In looking at some of my notes from the
18 last meeting, I realize that there was a lot of
19 talk about making the preservation of a
20 minority district a priority, and I want to
21 know, is there a limit on how much we pack a
22 district with minority voters?

23 REPRESENTATIVE HUKILL: I am going to --
24 Alex? Yes, counsel. My mike wasn't on.

25 Counsel, would you come up, you are recognized.

1 MR. MEROS: Madam Chair, George Meros from
2 GrayRobinson. If I understood your question,
3 the question was what is the percentage by
4 which you can pack a district, a minority
5 district?

6 REPRESENTATIVE CRUZ: Madam Chair, let me
7 just look at my notes. I said did we -- my
8 question essentially is, do we improperly
9 over-pack a district with minority voters if we
10 do more than necessary to achieve a minority
11 seat and violate our criteria in the process?

12 I also want to know what if there was a
13 district drawn with like 80 percent Hispanic
14 population, would it violate the Constitution?

15 REPRESENTATIVE HUKILL: You are
16 recognized.

17 MR. MEROS: That all -- those questions
18 are all fact-specific to a particular district.
19 And packing means -- "packing" sounds like an
20 easy term. It is very much a complicated legal
21 term as to what is the population in a given
22 area, what does the district look like and how
23 else could the map be drawn to reduce a
24 particular percentage.

25 You talked about an 80 percent Hispanic

1 district. There are certain districts in south
2 Florida that have exceedingly high population
3 numbers in part because anywhere you go, the
4 population is substantially Hispanic. So the
5 question of how much is a district that is
6 packed or how much of a district is
7 under-populated with minorities depends on the
8 specific district, the population there, what
9 are the alternatives.

10 There are no pat answers or specific
11 percentages that one can ascribe, other than
12 looking at a particular area and the data
13 relating to that given area and that district.

14 REPRESENTATIVE HUKILL: Representative
15 Cruz, follow up.

16 REPRESENTATIVE CRUZ: Thank you, Madam
17 Chair. Just -- I want to make sure that I
18 understand. So if there is a district drawn
19 with 80 percent minority population, it could
20 be a Haitian population, it could be a Hispanic
21 population, any minority, any minority at all,
22 is there any violation of the Constitution?

23 MR. MEROS: Not necessarily, not as a
24 matter of certainty in isolation. It all
25 depends on each particular district, how each

1 district could be drawn, depending upon the
2 circumstances in that given area.

3 REPRESENTATIVE HUKILL: Representative
4 Cruz?

5 REPRESENTATIVE CRUZ: Thank you, Madam
6 Chair.

7 REPRESENTATIVE HUKILL: Thank you very
8 much. Representative Jenne.

9 REPRESENTATIVE JENNE: I apologize, a
10 quick follow-up based on -- if that is all
11 right --

12 REPRESENTATIVE HUKILL: Go ahead.

13 REPRESENTATIVE JENNE: -- based on
14 Representative Cruz' question.

15 What if the -- what if the district is
16 20 percent Haitian, 20 percent Cuban,
17 20 percent other, 40 percent white, would that
18 qualify as well?

19 REPRESENTATIVE HUKILL: You are
20 recognized.

21 MR. MEROS: When you say "other," what do
22 you mean?

23 REPRESENTATIVE JENNE: Pacific Islander,
24 Japanese, Ukrainian, whatever it may be, you
25 know, I don't know, but I am saying -- what I

1 am saying is if there are three minority
2 groups, minority group A, B and C, and there's
3 20 percent of minority group A of the
4 100 percent, 20 percent is minority group B and
5 20 percent is minority group C.

6 Now, they are all individual minority
7 groups, they are not of the same minority
8 group. Does that -- and then 40 percent white,
9 Anglo-Saxon. If that is the case, is that a
10 true minority seat by definition under the law,
11 you know, does that qualify? Because there are
12 three separate minorities, none of which equal
13 a majority, but when combined, do create a
14 majority, but in reality, the 40 percent white
15 population is the actual majority if you don't
16 have all those other communities coalesce as
17 one.

18 MR. MEROS: Again, there is no easy
19 answer. You take that particular situation.
20 First of all, you'd have to make sure that the
21 "other" are protected minorities under
22 Amendments 5 and 6, or Amendments 5 --

23 REPRESENTATIVE JENNE: Assuming that they
24 are -- I'm sorry, Madam Chair.

25 MR. MEROS: Assuming that they are, then

1 one of the questions would be, do you have to
2 preserve that, and then the question is, how do
3 those minorities vote? Do they vote alike or
4 do they not?

5 And does the white population vote as a
6 block against that population? And that --
7 that is the sort of analysis you have to
8 determine in a given area as to whether that
9 must be preserved as a minority district or
10 not.

11 So, again, I don't mean to be vague, but
12 each -- each of these answers is dependent upon
13 the facts on the ground in a given area.

14 REPRESENTATIVE JENNE: Thank you.

15 MR. MEROS: And also the performance --
16 forgive me, the performance in elections and
17 to -- whether these groups coalesce or do --
18 and vote the same, or whether the white
19 population votes as a block against it.

20 REPRESENTATIVE JENNE: Thank you, Madam
21 Chair. Thank you, sir.

22 REPRESENTATIVE HUKILL: Anything
23 further -- thank you. All right. Any other
24 members have a question?

25 Yes, Representative Rouson.

1 REPRESENTATIVE ROUSON: Thank you very
2 much, Madam Chair.

3 Just out of curiosity, there are a lot of
4 prisons in north Florida, and I am wondering
5 how that prison population is counted, whether
6 it is while they are there, where they come
7 from, their residence, but how is that
8 population dealt with in this calculation?

9 REPRESENTATIVE HUKILL: You are
10 recognized.

11 MR. MEROS: Representative, I believe, as
12 a matter of the federal census, that population
13 is counted where they reside in the prison at
14 that time.

15 REPRESENTATIVE ROUSON: Follow --

16 REPRESENTATIVE HUKILL: Is there a
17 follow-up?

18 REPRESENTATIVE ROUSON: Follow-up.

19 REPRESENTATIVE HUKILL: Go ahead, please.

20 REPRESENTATIVE ROUSON: So then the
21 demographics of the prison would be impactful?

22 MR. MEROS: If you have a prison in a
23 given district, the population there, whether a
24 minority or white population, would be counted
25 in that district, and that would be the

1 residence of the inmates.

2 REPRESENTATIVE ROUSON: Thank you.

3 REPRESENTATIVE HUKILL: All right. Anyone
4 else? All right, thank you. Thank you very
5 much.

6 All right. Members, we are going to go to
7 the book in front of us. If you look at tabs
8 one, two and three in your packets, our policy
9 chief, Mr. Bob West, will be giving today's
10 first presentation.

11 Tab one is the technical document that
12 Mr. West will be discussing, tab two is the
13 PowerPoint and tab three is the cheat sheet
14 regarding the terminology included in that
15 document. And with that, Mr. West, you are
16 recognized.

17 MR. WEST: Thank you, members, Chairman.

18 We are going to start out with some of the
19 basic figures that we are going to give you on
20 each of the plans that are coming forward, and
21 if you want -- for some of the terms that you
22 see in these reports, if you look at tab three,
23 you will have some definitions in there that
24 might help you along in knowing sort of the
25 shorthand that we used in the reports.

1 Anyway, we are going to start out with --
2 we are going to use as our example plan 104,
3 which is a congressional map, and first of all,
4 I want to go into how we name the maps.

5 The first part of the map -- the first
6 letter in the map tells you whether the map was
7 submitted to the Senate, or if it is an "H," to
8 the House. Then the next three letters tell
9 you whether it is a public map or not, and in
10 all of the maps that we have so far, they all
11 say "PUB" for public.

12 The next letter tells you what kind of map
13 it is, whether it is a plan for Congress, House
14 or Senate. And then the last numbers tell you
15 consecutively when it was -- when it was given
16 to the Committee, when it was submitted to the
17 Committee.

18 Now, starting with our next meeting, we
19 are going to use the same naming -- a little
20 bit different naming convention for maps that
21 come from the Legislature.

22 In this naming convention, you will start
23 out with an "H" if it is a House map and it was
24 presented in the House. You will have an "S"
25 if it came from the Senate. Then the next

1 three digits that you will have will be, if it
2 is committee map, it will be "000."

3 If it is an amendment or a Bill from a
4 member, what you will have in this place is
5 your district number. So if you are District
6 1, you will have a "1" here, and so on. Then
7 the next will be just like in the other naming
8 convention where you will have a "C," an "H" or
9 an "S." That tells you whether it is a
10 Congressional, House or Senate map. And then
11 the numbering here will be a little bit
12 different as well.

13 We are going to start out with 9001, and
14 all the plans that are submitted by members in
15 the House will have a 9001, 2 -- 1, 3, 5 and 7.
16 What we are going to do is just like we do with
17 Bill numbers, we are only going to use odd
18 numbers in the House, and in the Senate, they
19 are going to use even numbers.

20 Okay. Then when you submit a plan to the
21 Committee, we are going to run this report and
22 there's some basic information we are going to
23 look at on each plan to make sure that it is a
24 plan that follows -- that can be submitted.

25 The first thing we are going to look at is

1 the population assigned. And on this line,
2 both of these numbers should be the same, they
3 should be 18,801,310, which is the population
4 of Florida. If any population is not assigned,
5 then this number won't -- will not be right.

6 Then the other -- next number is the ideal
7 population, and this will tell you how many
8 people should be in each district. In a
9 Congressional map, you have 696,344 people that
10 should be in five different districts, and then
11 for 22 districts you have a remainder of one
12 person that needs to be in that district, and
13 so for 22 of the districts, you will have
14 696,345.

15 Then the next one will be the district
16 population range, and you will start out with
17 the least -- the population -- the district
18 with the least population will be the first
19 number that you see here, and then the district
20 with the most population will be the second
21 number.

22 Now, in Congressional, that should only be
23 one person apart. Now, House and Senate, this
24 may vary quite a bit from one to the other.

25 And then this will -- the next line will tell

1 you how many people that differs from the goal
2 or the target population, and then the
3 percentage of deviation.

4 And one of the things in the percentage of
5 deviation you want to look at is the total, the
6 total deviation for the plan. In legislative
7 districts, in federal law, it is around five --
8 five percent. For our districts, it is up to
9 you to decide how much deviation you want to
10 allow there.

11 Then you will have the geographic
12 fundamentals that will be coming -- that we
13 will be showing you. This is the geography
14 that makes up your district. And this one
15 should always have these -- the census blocks
16 assigned the same. It should be 484,481 on
17 both of those numbers, because that means all
18 the geography in Florida is assigned.

19 The next number is the number of
20 non-contiguous sections, okay. In any map, it
21 should only be the number one, and that is for
22 the Dry Tortugas. The Dry Tortugas you cannot
23 make contiguous to any other part, it is an
24 island off of the Keys. So all maps should
25 have one on there. If they have more than

1 that, we will have to go back and look at the
2 map.

3 Then the next number we are going to give
4 is some of your geographic numbers and we are
5 going to give you county splits. And what this
6 number is is of all the -- all the districts in
7 your map, how many counties did you split, and
8 this particular plan split 21 counties out of
9 67 total.

10 We are also going to give you the city
11 splits, and this map splits 77 cities out of
12 411. And the city splits, we are giving you
13 only incorporated cities. And then the next
14 one is VTD splits, or Voter Tabulation
15 Districts, and this is how many of those VTDs
16 were split, and there's 9,436 of those, and
17 this plan split 134.

18 The next part of the chart gives you the
19 racial breakdown of the map and what it does.
20 The first number -- or the first row in there
21 is what the current map, the map that elected
22 people in 2010, what the racial breakdown of
23 that map was.

24 Then the next map is the one that you are
25 looking at and evaluating, this is the new map,

1 and there is a comparison there that tells you,
2 okay, in the current map that people were
3 elected in, there was three people -- three
4 districts that had between 40 and 50 percent,
5 okay.

6 And you can look along the line at the 20
7 to 30 percent, there was five, and then you can
8 see the numbers get smaller as the percentage
9 goes up, because districts drop off from that
10 percentage.

11 Then the next thing is we have a number of
12 compactness measures, and in the literature
13 that I found in researching this, there's as
14 many as 36, and probably more than that,
15 compactness measures that have been used in
16 different places to evaluate districts.

17 One of the things that they talk about in
18 the literature is the -- getting the perimeter
19 of the district. And the problem that comes
20 and has been identified is what if your -- if
21 the edge of your district is along a river or a
22 lake or a bay.

23 Okay, your line would tend to be longer
24 than if it was along an Interstate. And so
25 what they do, instead of just taking the actual

1 measurement is they take a simplified version,
2 that is the blue dotted line that you can see
3 there, and you can see where the arrows are
4 where it doesn't quite follow the line, but it
5 sort of straightens it out, and in doing that,
6 it gives you a measurement that doesn't
7 penalize those districts that follow along
8 rivers and lakes and bays.

9 And then what we will do is we will give
10 you those numbers for each district, and we
11 have them for every district that has been
12 presented to the Legislature, we have the
13 numbers here so you can compare any district
14 with any other district that's been presented,
15 and the first line will have the map that you
16 are considering, and we will give you the
17 perimeter, or the edge, the distance if you
18 walked all the way around the edge of the
19 district, and then the area in miles of that
20 district, square miles of that district, and
21 then we give you a little comparison so you can
22 sort of see how they inter-react, the
23 relationship between those two. Then in --

24 REPRESENTATIVE HUKILL: Who is that? I'm
25 sorry, Representative Rouson.

1 REPRESENTATIVE ROUSON: A question, Madam
2 Chair?

3 REPRESENTATIVE HUKILL: All right, go
4 ahead.

5 REPRESENTATIVE ROUSON: Thank you very
6 much. And, I'm sorry, but on the slide where
7 you showed number of districts by race,
8 language --

9 MR. WEST: Uh-huh.

10 REPRESENTATIVE ROUSON: -- and you're
11 showing how it trailed off, would these be
12 considered communities of interest?

13 REPRESENTATIVE HUKILL: You are
14 recognized.

15 MR. WEST: I -- however you want to call
16 it. I am just giving you the numbers of the
17 actual people in the census that -- that is --
18 when they filled out the form, they filled out
19 black or they filled out Hispanic, and how --
20 how you want to deal with those, that's up to
21 you.

22 REPRESENTATIVE HUKILL: Go ahead.

23 MR. WEST: I think that is where I was at.
24 Oh, yeah, down here.

25 Okay. Then the next thing that we are

1 going to give you is we are going to give you
2 those same measures, but we are going to give
3 them to you in the simplified version, and that
4 is the number that you can see here. When I am
5 generally looking at the map, what you are
6 doing is you are looking especially at the
7 perimeter here, and you are looking for that to
8 be lower, because the lower the number, the
9 less people -- the less distance around all
10 those districts.

11 REPRESENTATIVE HUKILL: Okay. I would
12 prefer, members is there something that you
13 need in order to move forward on the
14 discussion?

15 A VOICE: Yes.

16 REPRESENTATIVE HUKILL: All right. Then
17 go ahead, please.

18 A VOICE: Thank you, Madam Chair, and I
19 appreciate it. I just -- under perimeter --

20 REPRESENTATIVE HUKILL: Uh-huh.

21 A VOICE: -- we were just trying to figure
22 it out, where it says 8,300, that can't be
23 miles, so -- and it can't be feet. So what
24 exactly is that?

25 REPRESENTATIVE HUKILL: You are

1 recognized.

2 MR. WEST: Miles.

3 A VOICE: 8,300 miles?

4 REPRESENTATIVE HUKILL: Members --

5 A VOICE: That is around every -- I'm
6 sorry.

7 REPRESENTATIVE HUKILL: Let's go through
8 the Chair now, hold on. You are recognized.

9 MR. WEST: Okay, sorry about that.

10 That is in miles, and what that is, and
11 maybe I wasn't clear, is it is the distance
12 around every -- all 27 districts, and then it
13 is added together into a combined number that
14 it gives you there for that particular report.
15 Later on we will get to a report that gives it
16 to you by district.

17 A VOICE: That makes sense. Thank you,
18 Madam Chair.

19 REPRESENTATIVE HUKILL: Thank you. Go
20 ahead.

21 MR. WEST: Okay. And the next measurement
22 we are going to give is when they are checking
23 compactness, they are looking for a dispersion
24 of the district, and so what they do is they
25 take a shape and they compare the district

1 shape to that shape, and one of the main ones
2 that they use is the circle. And so what we
3 are going to do is give you the measurements of
4 the circle compared to the district. You also
5 see people using rectangle and the square and
6 other shapes along with that, but this one
7 seems to be the most used.

8 So in your report, you are going to have
9 what the perimeter of the circle is, and then
10 what the area of that circle is, and both of
11 these numbers, if you want to look on a -- if
12 you are comparing plan to plan, you probably
13 want to look for a lower number on these as a
14 comparison and to tell you which one may be
15 less -- have less dispersion than the rest.
16 And then we give you the relationship of the
17 two together, and then we give you the
18 relationship of the circle to the district.
19 And especially I like to look at the acres
20 measurement. The closer that is to
21 100 percent, then the more the district is like
22 a circle. And then we give you the simplified
23 version as well so you can compare those
24 numbers.

25 And then some people say, well, circles

1 don't -- don't work for the districts that we
2 are looking at, and so what they use is the
3 convexed hull, and when they draw a convexed
4 hull around the district -- and this gets to
5 where you have indentations, you have concave
6 sections like you see on this district here, or
7 you have fingers that go out, and so it sort of
8 gives you a comparison for those kinds of
9 districts so that you can see. This is
10 probably good like in the Panhandle where --
11 you know, because the Panhandle makes sure that
12 you have elongated districts, this kind of
13 measurement would probably be a better
14 measurement for those areas. And then, again,
15 we give you those measurements the same as
16 before, and on these, you also want to look --
17 and you can see the percentage in the acres
18 here is a lot higher than it was for the
19 circle, because it more follows the district.

20 And then the other measurement we are
21 going to give you is the width and the height
22 of the district, and the width is the distance
23 -- the longest distance from the east side of
24 the district to the west side of the district,
25 and this is a combination, again, of all the

1 miles that were there. And then the height is
2 from the northernmost part of the district to
3 the southernmost part of the district in a
4 straight line, north and south. And then we
5 will give you the combination of the two so you
6 can sort of see what the relationships are, and
7 a number that would be lower would mean that
8 your districts were more square in that map.

9 Then the other area we are going to go is
10 population density. This is a population
11 rather than a geography-based measurement. And
12 what we do for this one is we take the center
13 point of every VTD that is in a plan and we
14 take and get the measurement as a bird flies or
15 as an airplane flies to the center point of
16 every other district -- every other VTD within
17 the district, and then we get those mileages
18 and then we find how much was -- how many
19 people were in both of those districts, and we
20 come up with a number of the people times the
21 distance for one, and then a multiplication of
22 all the people. Then we take those two numbers
23 and we divide them into each other, and that
24 gives you on the map -- that gives you on the
25 map the average miles that the people in that

1 district are apart. So a large number would
2 mean it is probably a rural district, it is
3 probably people are spread apart, and where a
4 lower number would mean it is probably more of
5 an urban district. And what this gives you,
6 because we have added all those together for
7 the whole map, this gives you an idea of how
8 compact your districts are by people according
9 to the map.

10 Then the other thing people say, well,
11 people on my map are very close together, but
12 we have this bay that sits between two parts of
13 the district, or we may have an Intracoastal
14 with no bridges on it, or we might have an
15 Interstate that cuts and there's not that many
16 crossover points, or we might have the
17 Everglades that's in the different parts of
18 your district. So this next measurement is --
19 I call it is the Bing density measurement,
20 because what we did is we took those same two
21 points that you saw on the previous slide and
22 said how far were they if you had to drive from
23 one point to the other point in the district.
24 So people may be able to see each other across
25 the bay or across the lake or across the stream

1 or a canal, but they may have a long distance
2 that they have to travel to go from one point
3 to the other. And so what we have done is
4 taken those same measurements and given you the
5 same relationships in the chart.

6 And another aspect that we have done in
7 that chart is we have given you the population,
8 the voting age population, the black population
9 and the Hispanic population. And this will
10 sort of raise some red flags. If these are a
11 lot different from each other, then you may
12 want to go and look at the district and just
13 see how it was drawn with those communities in
14 mind.

15 And then just as an extra, because we were
16 getting the miles from the Bing map program, we
17 also got the minutes it takes to drive. So
18 this -- members, if you want to know which
19 districts you are going to have to drive the
20 least on, the lower the number, the better.

21 We have -- then we have taken these same
22 numbers that we are giving you for the whole
23 map and we have broken them down district by
24 district, and so you can go and see each
25 district, what those measurements are and

1 compare them and just go down the line and see
2 -- look real quickly for ones where higher
3 numbers are, and then you can go over the map
4 and see, oh, why is this number high, and then
5 get an idea whether it is a -- something that
6 you want to talk about or maybe ask us
7 questions about during meetings or do some
8 further investigation on.

9 Then the next set of reports we have is
10 what we call the district core, and what this
11 is, this is a very common thing in
12 redistricting is they look how much the new
13 district is like the old district. And what
14 this will do is will give you first the new
15 district's number and then will give you its
16 populations, total population of that district
17 and what the deviation is, but then will give
18 you what district -- and this is a question we
19 get all the time -- well, what district is most
20 like this new district. And so we'll give you
21 the number, and you can see the first number,
22 the district is most like District 1, but if
23 you go down to 5, you can see District 5 is
24 most like District 6 in the new map. So you
25 can get an idea, okay, where -- how does this

1 thing sort of fall together. And then we'll
2 tell you what the total population is of just
3 those sections that are the same, and what the
4 percentage is. So you can see District 1 is
5 94, almost 95 percent the same as District 1 in
6 the current map. Then we will give you the VAP
7 of the core and the number of black people in
8 the core and the number of Hispanic in the
9 core.

10 Then you may -- we have another report
11 that sort of goes in detail on that district
12 and on that plan, and in this, we list the
13 district in the new plan, and then in the next
14 thing, we -- next column, we give you all the
15 districts that made up that new -- that new
16 district. And you can see District 7 is made
17 up of -- what is that, five parts -- five other
18 districts. And you can go down there and see
19 the people that were in common in each of those
20 districts -- from each of those districts, and
21 the percentage of people that came in from
22 those other districts, their common VAP.

23 Now, this one is a little tricky, this
24 next section, because what I do on the first
25 percentage for black is I tell you how much in

1 that piece of -- that section that is in
2 common, what the black population -- what
3 percentage of that section is black. And then
4 in the next one, I tell you of all the black
5 people in that new district, what percentage
6 this section makes up of that. And then I do
7 the same thing for Hispanic.

8 And then the next section that you will
9 see or the next report that you will see is the
10 splits, and what we will do is we will give you
11 a list of all the counties and cities that any
12 new plan takes in and has incorporated in it,
13 and then we will also go, and in red you can
14 see where there have been splits, like you can
15 see here, and what we will do is we will give
16 you -- the first part will be the name of the
17 city or county -- and we also do VTDs. On a
18 VTD, you will have a census number for it. And
19 then the next part is how many times was that
20 particular county or city or VTD split, and
21 that is the number that you can see after the
22 bar is there. And then in that split, how many
23 people are in that split. And as a side note
24 here, we are going to show you counties and
25 cities and VTDs that were split by people. If

1 there was geography that was split, we are not
2 going to report it here. You know, if it was a
3 lake that was on there and there was no people
4 in it, that kind of thing, we are not going to
5 report it as a split here, only if there was
6 people in it. And then the last number is the
7 total number of people in that city or county
8 or VTD, and that will give you an idea of, oh,
9 there's only 11 people in there, what -- maybe
10 -- why did you only take 11 people out of that
11 city, and you can ask those kind of questions
12 right up front and you will have a report to
13 help you with that.

14 And with that, that is the end of my
15 presentation.

16 REPRESENTATIVE HUKILL: Thank you so much,
17 Mr. West. Let me just ask you this question:
18 We will be receiving this type of report with
19 every redistricting map so that we can better
20 analyze that particular -- that particular map,
21 is that correct?

22 MR. WEST: That is correct. Each map that
23 is presented in committee will have a report --
24 a set of reports like this.

25 REPRESENTATIVE HUKILL: Thank you very

1 much.

2 All right. Members, any questions? Yes,
3 Representative Jenne.

4 REPRESENTATIVE JENNE: Thank you, Madam
5 Chair.

6 As I was looking through the booklet and
7 we went over everything, I noticed that there
8 was no political partisan information included,
9 and I was having a little side discussion with
10 my colleague, and apparently the Senate version
11 does include that type of information, but we
12 are not. And what I am wondering basically is,
13 so is there no way to use political data when
14 preparing a map, and if they're -- either way,
15 can you use political data to review a map as
16 well?

17 REPRESENTATIVE HUKILL: I am going to let
18 Mr. Kelly take that.

19 MR. KELLY: Thank you, Madam Chair.

20 Representative Jenne, political data is
21 available in the My District Builder
22 application, and I believe the Senate is
23 actually not using political data, but My
24 District Builder does have political data in
25 it, so if you are perhaps analyzing whether a

1 district is necessary or complies with the
2 Voting Rights Act and you would need to use
3 that data particularly with regression
4 analysis, that data is available to you in My
5 District Builder. And then, also, the data has
6 been made available on the Web to be downloaded
7 as well if any individual wanted to mine all
8 that data. But the data is in My District
9 Builder, it just doesn't appear in this report
10 here.

11 REPRESENTATIVE JENNE: Thank you.

12 REPRESENTATIVE HUKILL: Follow-up?

13 Members, any other questions? Don't see
14 anyone, no. All right. Thank you very much,
15 Mr. West, very interesting.

16 All right, members, at this point, I am
17 going to recognize Katie Crofoot, and Katie is
18 going to briefly discuss the changes to
19 myfloridahouse.gov that will help us and the
20 public track redistricting bills and amendments
21 as they move through the process. And as soon
22 as they are technically set up, we will let
23 Ms. Crofoot --

24 MS. CROFOOT: Thank you, Madam Chair.

25 This morning I will be presenting a brief

1 overview of the House Redistricting Committee's
2 new bills and amendments web page.

3 REPRESENTATIVE HUKILL: I know mine
4 wasn't.

5 MS. CROFOOT: Is it on now?

6 REPRESENTATIVE HUKILL: Okay.

7 MS. CROFOOT: Better? Okay.

8 This morning I will be presenting a brief
9 overview of the House Redistricting Committee's
10 new bills and amendments web page. This new
11 page will be available through the
12 Redistricting Committee's myfloridahouse.gov
13 page. Currently we are looking at
14 myfloridahouse.gov's home page. I am going to
15 navigate to our page now.

16 You'll see at the top of the screen, we
17 have a link to the new page, the 2012
18 redistricting bills and amendments resources
19 page. This link is also available through each
20 subcommittee's page. In the near future, this
21 link for this new page will be available and
22 prominently displayed on
23 floridaredistricting.org, as well as
24 myfloridahouse.gov's home page.

25 The purpose of this new page is to create

1 a one-stop shop for all committee actions
2 involving redistricting bills and amendments.
3 The need for this additional resource is
4 similar to why the House Appropriations
5 Committee also uses a web page separate from
6 the individual Bill pages to -- it is to
7 aggregate the information that is relevant to
8 particular and unique issues. This information
9 tends to go beyond what traditional Bill pages
10 provide.

11 Redistricting bills, the actual text of
12 the Bill can be several hundred pages of just
13 technical language, like geographic
14 descriptions of districts that are not as
15 useful as maps or statistics. Each
16 redistricting Bill will still have a
17 traditional Bill page where you can find the
18 formal text, the legislative history of Bill
19 references and so forth. However, here on the
20 redistricting Bill and amendments page, you
21 will find numerous maps and statistics that are
22 going to be more relevant to your review, as
23 well as your constituents' reviews of the
24 proposed maps.

25 So now let's go through the various parts

1 of this new page. Located at the top
2 right-hand side of the page are the status
3 report links. Right now they don't have any
4 content, because no official legislative action
5 has been taken by the Committees. When the
6 Committee begins to take action on proposed
7 bills, the reports will be populated. These
8 reports can serve as a cheat sheet for your
9 constituents who may wish to follow the
10 process, especially if it turns out that there
11 are a number of bills and amendments being
12 considered.

13 Next, at the bottom left of the screen is
14 where eventually bills will be found. Right
15 now we have loaded up the current maps just to
16 give an example of how a proposed Bill might
17 appear. These bills will be displayed in order
18 of relevance, such as bills that are still
19 moving through the process will be displayed
20 closer to the top of the page.

21 So let's look at one, for example. If you
22 click the first box, a menu will drop down.
23 This includes links to relevant web pages, maps
24 and files. The first link will take you to the
25 traditional Bill page that I mentioned earlier.

1 The links following will take you to different
2 map viewing options, including a link to the
3 Committee's blog site, which will allow
4 visitors to comment on any proposed bills.
5 This information is live right now, and it is
6 public, but, again, the specific links here are
7 just examples of what the site will look like
8 when bills and amendments are being considered.

9 Next, if you turn your attention to the
10 "Resources" section, the right side of the
11 screen, this is where you can find helpful
12 links. The first link will take you to
13 floridaredistricting.org, the second to My
14 District Builder. The third link will take you
15 to a document that will direct you as to how to
16 save a map and view a file with My District
17 Builder. You may wish to do so if you -- you
18 may wish to click on this link if want to
19 create an amendment to a filed redistricting
20 Bill and you wish to start with the filed Bill
21 and make changes from there.

22 The last two links here relate to the
23 redistricting rules and procedures, including
24 the September 27th memo from the House Rules
25 Committee and the procedures for amendments in

1 committee that were adopted last April. And in
2 this regard, what is unique about this page,
3 and it is similar, again, to the House
4 Apportionment Committee's page, it is equally
5 of use to you and the public. Traditionally,
6 you and your staff probably used LEGUS for much
7 of your legislative review, and
8 myfloridahouse.com is mostly for the public's
9 use. Well, this page is of equal use to both
10 the Legislature and the public.

11 Now, looking below the resources is where
12 the amendment information can be found. This
13 consists of two sections: The "Pending
14 Amendments" section above, and the "Amendments
15 Already Considered" section below. These
16 sections will be displayed in a similar manner
17 to the "Bills" section. Each amendment will
18 include a drop-down menu with links. This
19 section will also start to be populated once
20 the Committees have started taking action on
21 amendments.

22 Earlier in this meeting, Bob West
23 discussed the numbering system of the proposed
24 maps. It is important to note that when you
25 visit the page, you will see the official Bill

1 numbers, along -- which the official Bill
2 numbers will always have the 6000 series, but
3 you will also see in parentheses the
4 redistricting plan file number that are
5 assigned by the Committees, and that is what
6 Bob West went over earlier. This is important,
7 because if an amendment is adopted to a
8 redistricting Bill, then both the Bill and the
9 amendment will have the same plan file number,
10 so the same plan and file number might appear
11 under the "Amendments Already Considered"
12 section, as well as in the "Bills" section.

13 Furthermore, if and when amendments are
14 filed to redistricting bills, you will receive
15 an e-mail notice from the Committee with
16 attachments and links to this page. So this
17 page will serve as a means for you to view and
18 study redistricting amendments that have been
19 filed.

20 That concludes my presentation, Madam
21 Chair. I would be happy to answer any
22 questions.

23 REPRESENTATIVE HUKILL: Thank you very
24 much, Ms. Crofoot.

25 All right, members, any questions? Yes,

1 Representative, go ahead.

2 A VOICE: Thank you, Madam Chair.

3 Actually, this is more of a question for
4 yourself just on procedure. We were trying to
5 figure this out. If somebody -- if a
6 Representative files a map, is it similar to a
7 normal Bill, does there have to be an identical
8 Senate sponsor? Is that how this works? I
9 mean, if somebody decides that they want to
10 file a map, do they then have to go find a
11 Senate sponsor to file the identical map and
12 then they have to be correlating?

13 REPRESENTATIVE HUKILL: No.

14 A VOICE: No, okay. Thank you.

15 REPRESENTATIVE HUKILL: Anything else?

16 Okay. Members, any other questions?

17 Thank you very much. Excellent.

18 All right. Now we are going to proceed,
19 members, to tab four, and I am going to ask our
20 staff director, Alex Kelly, to briefly explain
21 the material in tab four. Mr. Kelly, you are
22 recognized.

23 MR. KELLY: Thank you, Madam Chair.

24 And actually, to the question that was
25 asked earlier about other additional plans that

1 have been filed, what we wanted to do today was
2 just go over some of the plans that have been
3 filed, or some of the plans from the public
4 that have been filed since the last meeting
5 that you had on October 17th, and I will skip
6 through the presentation to get to the portion
7 that shows the maps. But there have been
8 several plans filed since the last meeting, and
9 what we will highlight today are just some of
10 the nuances and new type of information that
11 were filed in those plans. Forgive me for the
12 clicking.

13 Since the last meeting, the 94th plan that
14 was submitted by the public was actually unique
15 in that it was -- it was only addressing Palm
16 Beach and Broward Counties, but it was the
17 nearest of its kind that essentially recreated
18 something similar to the current Senate
19 District 29, which is a majority-minority
20 African-American district. The current
21 district today has a voting age -- black voting
22 age population of just over 60 percent. This
23 recreation, relatively speaking, has a
24 population -- a voting age population of a
25 little more than 55 percent, albeit the current

1 district is seventy-two -- almost 73,000 people
2 short of the ideal population to the current
3 district, we need to grow substantially, but,
4 again, this stuck out as a particular proposal
5 that hadn't been seen much in those before
6 your last review.

7 The 95th submission that was received from
8 the public created a Hispanic majority
9 district, District 17, in central Florida, and
10 the district that it created had a 50.07
11 Hispanic voting age population, and there were
12 multiple plans that came forward in all three
13 maps, House, Senate and Congressional, in
14 recent weeks creating additional opportunities
15 for the Hispanic community in central Florida,
16 and this was an example of one of those.

17 This plan is interesting in that it
18 creates five Hispanic majority seats in south
19 Florida; however, getting into some of the
20 nuances of how voter registration data, for
21 example, works, what this does is it creates
22 five Hispanic majority seats in south Florida,
23 however, the voter registration for three of
24 those five seats for the Hispanic community is
25 actually less than 50 percent. So it is

1 questionable as to whether that those districts
2 would actually perform for a Hispanic
3 candidate, which is a relevant factor in a
4 review of districts like this. The existing
5 three majority-minority Hispanic seats in south
6 Florida have a voter registration exceeding
7 63 percent. And just to give you a bit of a
8 closer view of the districts that were created,
9 the next page in your packet gives you that
10 view. I'm sorry, I should say this is all
11 under tab four.

12 The 102nd plan submitted was similar to
13 the one prior in that it creates a Hispanic
14 majority seat in central Florida in this -- and
15 in Polk, Osceola and Orange Counties. In this
16 particular case though, the individual creating
17 the map recreated something similar to the
18 existing African-American district that exists
19 also in the Orlando area, and then around that,
20 very much you seem to use whole counties to
21 draw the districts around it. So it was just
22 an interesting example of how to create those
23 districts and then fit them into the greater
24 central Florida community.

25 The 113th submission, along the lines of

1 the prior map that you looked at, attempts to
2 create an additional Hispanic majority seat in
3 south Florida, and does create it, and in this
4 case, all four Hispanic majority seats in south
5 Florida have a voter registration exceeding
6 50 percent; in fact, they all exceed
7 53 percent. So in that particular case, they
8 would be more likely to perform for Hispanic
9 candidates than the example that tried to
10 create five seats that you looked at prior.
11 And this is just a closer look at some of those
12 districts.

13 And this particular map does recreate an
14 African-American majority seat as well in that
15 area, but it does eliminate an African-American
16 seat that traditionally elects African-American
17 candidates, Senate District 39, that has a
18 29 percent black voting age population. So it
19 eliminates that district essentially to create
20 the additional Hispanic majority seat.

21 And the last particular submission is
22 interesting as a whole in that this particular
23 map, the map drawer only split 18 cities across
24 the entire state; in fact, this same map drawer
25 submitted a Congressional map where he only

1 split four cities across the entire state, very
2 difficult task to do. If you are using the My
3 District Builder application, there is a layer
4 in the application that allows you to look at
5 the boundaries of incorporated cities, so this
6 individual had to have spent a considerable
7 amount of time to create a plan that only split
8 18 cities statewide. The downside to the plan
9 is that it does -- it does probably diminish
10 from some of the African-American districts
11 that are in the existing map today, but,
12 nonetheless, it was interesting that it only
13 split 18 cities.

14 And, Madam Chair, with that, that is the
15 information I have to present.

16 REPRESENTATIVE HUKILL: Thank you so much,
17 Mr. Kelly.

18 Members, any questions? Yes,
19 Representative Jenne.

20 REPRESENTATIVE JENNE: Actually, I am not
21 quite sure who this question should go to, I am
22 not sure if it should go to Mr. Kelly or
23 someone else, but if we were to adopt a public
24 submission or part of a public submission, do
25 we need to worry about the intent of the

1 individual, or is intent only our legislative
2 intent that we need to worry about? What I am
3 basically saying is obviously if this was a --
4 a member of the Legislature created a map and,
5 you know, we -- the intent would come into
6 play. If a member -- if we go with a map that
7 is either wholly or partially created by a
8 member of the public, do we need to be
9 concerned about their intent, or is it
10 irrelevant?

11 REPRESENTATIVE HUKILL: Mr. Kelly.

12 MR. KELLY: Thank you, Madam Chair.

13 Representative Jenne, the intent of the
14 Legislature is what you have to be concerned
15 with. An individual in the public could have a
16 reason that is in harmony with the law or
17 slightly in conflict with the law to come
18 forward with a map, but if you as the
19 legislative body decide to adopt the map for
20 reasons that you believe comply with the law,
21 ultimately your intent is what matters.

22 REPRESENTATIVE HUKILL: Anything else?

23 Follow-up?

24 REPRESENTATIVE JENNE: Thank you.

25 REPRESENTATIVE HUKILL: Okay. Members,

1 any other questions? No questions?

2 Okay. Well, thank you very much. You
3 know what, I think that is the end of our
4 presentation. You guys are very quiet this
5 morning. Members, any other comments? We will
6 be ready to start looking at maps next time.

7 All right. If there are no other comments
8 or questions, Representative Jenne moves we
9 rise.

10 (Whereupon, the proceedings were
11 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 51 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 February, 2012.

CLARA C. ROTRUCK

Notary Public

State of Florida at Large

Commission Expires:

November 13, 2014

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CONGRESSIONAL REDISTRICTING SUBCOMMITTEE MEETING

MONDAY, OCTOBER 17, 2011

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 THE CLERK: Representatives Abruzzo?
3 REPRESENTATIVE ABRUZZO: Here.
4 THE CLERK: Albritton?
5 REPRESENTATIVE ALBRITTON: Here.
6 THE CLERK: Brodeur?
7 REPRESENTATIVE BRODEUR: Here.
8 THE CLERK: Burgin?
9 REPRESENTATIVE BURGIN: Here.
10 THE CLERK: Chestnut?
11 REPRESENTATIVE CHESTNUT: Here.
12 THE CLERK: Fullwood?
13 REPRESENTATIVE FULLWOOD: Here.
14 THE CLERK: Goodson?
15 REPRESENTATIVE GOODSON: Here.
16 THE CLERK: Horner?
17 REPRESENTATIVE HORNER: Here.
18 THE CLERK: Legg?
19 REPRESENTATIVE LEGG: Here.
20 THE CLERK: Passidomo?
21 REPRESENTATIVE PASSIDOMO: Here.
22 THE CLERK: Plakon?
23 REPRESENTATIVE PLAKON: Here.
24 THE CLERK: Reed?
25 REPRESENTATIVE REED: Here.

1 THE CLERK: Taylor?

2 REPRESENTATIVE TAYLOR: Here.

3 THE CLERK: Trujillo?

4 REPRESENTATIVE TRUJILLO: Here.

5 THE CLERK: Chair Holder?

6 REPRESENTATIVE HOLDER: Here.

7 THE CLERK: You have a quorum.

8 REPRESENTATIVE HOLDER: Great. Thank you,
9 Katie.

10 Members, today we are going to delve
11 deeper into options for Florida's Congressional
12 map based on points raised by several of you at
13 our last meeting. Specifically we will be
14 hearing a presentation from our staff regarding
15 the following points that you raised:

16 Options for urban communities, high-growth
17 communities, minority communities, and options
18 for starting the maps in central Florida, which
19 I believe we have Representative Horner to
20 thank.

21 Today's topics will carry forward into our
22 meeting during the next interim committee week.
23 Today we will cover the Duval County area,
24 central Florida and Tampa area. During our
25 next meeting, we will cover south Florida.

1 Beyond that, members, we have a big task
2 in front of us. Chair Weatherford has asked
3 this subcommittee to approve three complete
4 options for a Florida Congressional map.
5 Realistically, Co-Chair Legg and I will --
6 would like to start work-shopping at least some
7 complete options before Thanksgiving. To get
8 there, I expect that we will be asking staff to
9 come up with at least three complete options,
10 maybe more, along with many member bills that
11 -- with any member bills that get filed.

12 So today and our next meeting and in
13 between -- today, our next meeting and in
14 between is the best time for you to shape what
15 our staff produces and ultimately what we vote
16 on as a subcommittee. The more substantive and
17 interactive these meetings are, the more likely
18 we can vote on options and send them to the big
19 Committee in a timely fashion. So I ask that
20 each of you -- I ask each of you to be ready to
21 ask questions and share your input today and at
22 our next meeting as we look to narrow what
23 options should be considered for Florida's
24 Congressional map.

25 With that being said, are there any

1 questions, members?

2 Representative Taylor, you are recognized
3 for a question.

4 REPRESENTATIVE TAYLOR: Yes, and thank
5 you, Mr. Chair, you do sound a lot better this
6 time.

7 REPRESENTATIVE HOLDER: I am almost
8 better. Hopefully I won't start coughing
9 again, but thank you.

10 REPRESENTATIVE TAYLOR: When you are
11 referring to the three bills that -- are these
12 the PCBs, or are these member bills, or are we
13 going to do three PCBs and additional member
14 bills?

15 REPRESENTATIVE HOLDER: We are going to
16 have at least three options to present to the
17 big Committee. It could be a combination, it
18 could be solely one or the other, but we are
19 going to have a minimum of three options to
20 take to the big Committee.

21 REPRESENTATIVE TAYLOR: And just to follow
22 up on that, Mr. Chair, so are you then
23 suggesting that the Committee -- those three
24 PCBs, or would they be PCBs? That is what I am
25 really trying to understand is that -- are we

1 as a Committee going to have -- initiate those
2 PCBs?

3 REPRESENTATIVE HOLDER: What I am trying
4 to -- and I don't mean this to sound
5 condescending in any way, but what I am trying
6 to convey is that it can be one or the other,
7 or a combination of the two, but we will have
8 three options to present to the big Committee
9 at a minimum, three minimum to take to the big
10 Committee. So it can be a member Bill, it
11 could be two PCBs, it could be three PCBs, it
12 could be three member bills. It just depends
13 on what we produce out of this Committee.

14 REPRESENTATIVE TAYLOR: Okay, Mr. Chair.
15 I am just trying to understand if the Committee
16 is going to go through the process of it being
17 a PCB as opposed to one of the members filing
18 --

19 REPRESENTATIVE HOLDER: If a member were
20 to bring forward a Bill that we agree should be
21 one of the three, then it will be included as
22 one of the three, or it could be a fourth.

23 REPRESENTATIVE TAYLOR: Okay.

24 REPRESENTATIVE HOLDER: Members, any other
25 questions? Representative Taylor, did I answer

1 your question okay?

2 REPRESENTATIVE TAYLOR: Not exactly, Mr.
3 Chair, with all due respect. I am just trying
4 to understand if we -- if a member has to file
5 a Bill, and we -- obviously that could be one
6 of the three, but if it is going to be a PCB,
7 then how will we end up constructing that
8 particular map for that PCB? Because, you
9 know, the member can just file it.

10 REPRESENTATIVE HOLDER: Sure. We would --
11 I would assume that in that situation, we would
12 workshop it to an extent, it would still be
13 considered that member's Bill, and it at that
14 point would be still considered a member's
15 Bill, but we would discuss it in this Committee
16 to workshop it and try to hone any issues that
17 this Committee feels that should be honed.

18 Okay, members, if you open your packets,
19 you will find the substance of today's
20 presentation that will be given by our staff
21 director, Alex Kelly, and during that
22 presentation, I want you to feel free to ask
23 questions, share your thoughts, so just get my
24 attention at any point if you want to comment,
25 and we will pause the presentation at the next

1 appropriate point.

2 Mr. Kelly, you are recognized to present
3 the Congressional map options to the Committee.

4 MR. KELLY: Thank you, Mr. Chair. Thank
5 you, members.

6 Members, in today's presentation, as Chair
7 Holder said, I will be going through input as
8 it relates to the Duval County area, as it
9 relates to Orange County, central Florida and
10 as it relates to Hillsborough and Pinellas
11 counties, and then next week dealing with the
12 south Florida counties. And based on the
13 comments that you made, that you members made
14 at the last meeting, looking at different types
15 of communities around the state, there is some
16 overlap to these. So in several of the
17 different suggestions and public input and so
18 forth that we will be discussing today, some of
19 these overlap to a couple of the different
20 topic areas that you brought up at your last
21 meeting.

22 But just to throw out a couple qualifiers
23 for what is being covered here, when you
24 mentioned urban communities and options for
25 urban communities in your last meeting, that is

1 defined in this presentation as the seven
2 largest counties in the state of Florida:
3 Miami-Dade, Hillsborough, Broward, Palm Beach,
4 Orange, Pinellas and Duval Counties.

5 You mentioned high-growth communities. We
6 looked to the Legislature's Office of Economic
7 and Demographic Research, and essentially, if
8 you look in your packet or on the screen, the
9 reds and the blues are what is being covered.
10 Of course, there is some overlap with the first
11 list of counties that I mentioned.

12 In terms of looking at minority
13 communities and how they may be affected and
14 defining some initial points for the maps for
15 minority communities, looked at a number of
16 different communities, there is some overlap,
17 again, to what some of the other counties that
18 were mentioned, and then there are some that
19 were not mentioned like Leon County and Gadsden
20 County.

21 Then in terms of this presentation, we are
22 going to start in Duval County, and then in
23 covering that, we are going to cover also the
24 minority communities in Alachua, Gadsden and
25 Leon County as it relates to the Congressional

1 map. Today there is a minority access seat in
2 the northeastern region of the state that is
3 based out of Duval, goes down to Gainesville,
4 goes down to Orlando and picks up communities
5 along the way. That seat has approximately a
6 49 percent African-American voting age
7 population.

8 There were different suggestions from the
9 public that very specifically addressed this
10 seat and how to retain this seat in some
11 manner, and they were -- the suggestions
12 varied, and we will go through those here.

13 If you go to page six in your packet, the
14 actual very first map that the Legislature
15 received when it began accepting maps from the
16 public, this individual took that seat and
17 increased the voting age population beyond the
18 50 percent threshold for the African-American
19 community. The seat does actually take the
20 district out of Volusia County, so it does
21 reduce its impact on one particular county, and
22 to an extent, it actually -- while the
23 population seat grows, it actually thins the
24 district out to an extent.

25 On the same page, next slide, the 75th

1 plan that the Legislature received was actually
2 from a Broward County resident who offered a
3 unique set of suggestions for guarding this
4 district and a different approach to it. The
5 individual actually at the Davie meeting turned
6 in three handwritten or three hand-drawn maps,
7 and then eventually electronically submitted
8 this map. The district that this individual
9 submitted runs from Jacksonville all the way
10 over through Gadsden County. It is the
11 darker-colored district. As you probably
12 notice right away, this individual included all
13 of Franklin County, so, technically, what they
14 submitted would have to be reworked because it
15 divides then the Congressional district that is
16 south of that, so it would be non-contiguous.

17 This particular submission was around
18 about a 42 percent African-American voting age
19 population, so it reduces the African-American
20 voting age population. You could likely
21 increase that to the 44 or 45 percent range if
22 you took this seat down to the Gainesville
23 area. Again, that was -- the individual
24 actually submitted handwritten comments, too,
25 and that was one of his suggestions was to take

1 it down to the Gainesville area if your intent
2 was to increase its African-American voting age
3 population, but so it is distinctly different
4 than most other suggestions that relate to this
5 district.

6 And then coming back to more of the
7 similar form that the district takes -- takes
8 today, there were a couple of suggestions
9 received similar to this one, the 19th plan
10 that was received, that essentially redrew a
11 similar district, albeit it did slightly reduce
12 the African-American voting age population by a
13 percentage point to 48 percent. Now, this
14 person also, though, took the opportunity to
15 take the district out of Volusia County.

16 And so, moving on, there was a series of
17 suggestions regarding northeast Florida that
18 related to the prior that reduced the number of
19 Congressional districts that impact Duval
20 County, and that did seem to be a difference
21 between the suggestions, and if you put it in
22 the light of an either/or type of decision,
23 there was a distinction between those who
24 reduced the number of Congressional seats to
25 just two in Duval versus those who had more in

1 Duval County.

2 And, moving on, one of the points that
3 came up frequently throughout the state was how
4 exactly it is that a seat is anchored to an
5 area or a community, and it is relevant all
6 over the map, particularly though if you look
7 at these districts that were actually just
8 recently submitted this past week. This
9 individual -- when I say anchored, this
10 individual tied each of these seats in one
11 case, to the Alachua County community, in
12 another case, to Marion County, in another
13 case, to Volusia County. So each seat has a
14 significant population base that serves as the
15 focal point when you look at where the
16 population comes from. And it is a relevant
17 point to the extent that many times in the
18 public meetings, you heard from persons who
19 suggested that they wanted their elected
20 official to come from a particular area.
21 Drawing districts this way does increase the
22 likelihood that that is going to occur, so it
23 did correspond to -- this particular suggestion
24 corresponds to a lot of the public input just
25 as a sort of overarching point.

1 Moving on to page nine in your packets,
2 moving into central Florida where principally
3 we will talk about Orange County, but we will
4 also be talking about Lake, Polk and Osceola
5 Counties, of course, this district -- this
6 region of the state also encompasses some of
7 the territory that is in northeast Florida as
8 well. And so the Congressional District 3,
9 which, again, has a 49 percent African-American
10 voting age population, comes all the way into
11 Orlando.

12 For this region of the state, we look at
13 Districts 5, 6, 7, has approximately, just
14 within those three districts, something about
15 450,000 people that have to be moved into
16 another district. So the overpopulation of
17 just those three districts almost creates
18 two-thirds of another district in the northern
19 central part of the state.

20 There was a submission to the Legislature
21 that came actually at the Orlando public
22 hearing, and that submission was to create a
23 Hispanic access seat in Orange, Osceola and
24 Polk Counties, and this seat crosses into Polk
25 right around the Poinciana -- I hope I am

1 saying that correctly -- community, Poinciana
2 community. The submitted seat gets to a little
3 past the 43 percent threshold for the Hispanic
4 voting age population. There were other
5 versions of this seat submitted. It appears
6 that some of the map drawers who've submitted
7 seats within the last month were -- on more
8 than one occasion took this district and
9 incorporated it into their maps that they
10 submitted to the Legislature, albeit this is
11 amongst the higher Hispanic voting age
12 populations of the different variations that we
13 have seen of this suggestion.

14 Moving on, in Orange County, in central
15 Florida, one of the interesting points or
16 themes that you could see, again, kind of
17 getting into the either/or type of decisions
18 that you might be able to make, is the
19 relationship that Orange County has with its
20 surrounding counties, and, likewise, the
21 relationship that, for example, Osceola County
22 has with its surrounding counties, and there
23 were different and contrasting proposals that
24 were made. There were a number of proposals to
25 link Osceola with Orange, but there were a

1 number of proposals that only suggested to do
2 so in part, and so there's definitely some
3 difference in terms of what the public was
4 asking you to consider.

5 In this particular case, on page 11 in
6 your booklet, this particular individual
7 connected Osceola with Polk County, Orange with
8 Lake, Orange with Seminole, and then attempted
9 to create something of the Hispanic access
10 seat, although did not cross into Polk County.
11 That left the Hispanic voting age population at
12 under 40 percent.

13 Moving on to page 12 in your packet, the
14 suggestion here was similar in that, again, it
15 attempted to create that Hispanic access seat.
16 The voting age population of that seat was a
17 little higher, it was 38 percent and, again,
18 did not cross into Polk County. This
19 individual, though, connected Osceola with
20 Orange and Brevard Counties, again, Orange with
21 Lake, and then, again, Orange with Seminole.
22 In this sense, comparing the two, Orange is
23 somewhat more regionalized in terms of its
24 connection to the various communities around
25 it.

1 Moving on to the next point, there is --
2 in terms of access for the African-American
3 community, there is the seat coming down from
4 Duval County and there is an interesting
5 relationship in how different persons of the
6 public presented that with other ideas, and
7 what those ideas may -- they may overlap, may
8 conflict. In the case of the Hispanic access
9 seat that was submitted, there is a small
10 overlap, not significant that would be to the
11 detriment, but there is a small overlap of the
12 two seats.

13 On page 14 in your packet, what you will
14 see is if you -- the first example that is on
15 the slide here, if you basically covered the
16 Hispanic access seat with the African-American
17 Congressional District 3, if you covered it,
18 what it would do is it would shift the voting
19 age population down just slightly to 43 percent
20 for the Hispanic access seat, and you would
21 have about -- just under 40,000 residents to
22 add to the seat.

23 In the reverse, going to the next slide,
24 if you took that Hispanic seat and put that on
25 top of the territory, on top of the geography

1 of the existing Congressional -- or, actually,
2 I shouldn't say the existing District 3. This
3 is the redrawn District 3 that was in plan 62.
4 If you put the Hispanic access seat on top of
5 that, it reduces the African-American voting
6 age population just down to 48 percent. So,
7 again, not a great conflict in terms of the
8 effects, but there is a slight overlap.

9 In terms of Lake and Polk Counties, they
10 share an interesting relationship in how
11 Congressional districts are divided in this
12 region, because essentially they are down your
13 middle corridor of the state. So when you are
14 building districts, it is not just substantive
15 issues, but there's a technical issue of what
16 you do with Lake County, what you do with Polk
17 County can dramatically affect what you do to
18 the east and west in the map, regardless of the
19 substance of it. And so in this particular
20 case, this individual grouped together Lake,
21 Sumter, a good portion of Marion, including
22 Ocala, and then a little bit of Hernando County
23 as well. The intent may have been to perhaps
24 wrap in The Villages community or so forth,
25 but, again, the point being that this

1 particular decision, if this is something where
2 you heard at The Villages meeting, "Keep The
3 Villages community together," if that was a
4 decision you wanted to make, it has this effect
5 then of changing your path down the state and
6 what you will do in the Orlando area and
7 potentially in the Tampa area as well.

8 And then looking to Polk County, some of
9 the prior -- some of the prior examples we
10 looked at before connected Polk County with
11 either Osceola, or connected Polk County with
12 Hillsborough. We included this example from
13 plan 19 just to show how some individuals did
14 take the southern half of Polk County, Bartow
15 was suggested as a theoretical, I won't say
16 perfect dividing line, but the southern half of
17 Polk County with some of the rural counties to
18 the south of it, although in this particular
19 example, the individual then takes it all the
20 way down into Charlotte and Lee Counties as
21 well, which could be argued it could defeat the
22 point of it being a rural district, but,
23 nonetheless, again, there was a clear signal
24 from some individuals that they were okay with
25 taking the southern half of Polk and putting it

1 into a different district.

2 In terms of the question of starting --
3 starting the map-building process in Orange
4 County, the way we choose to look at this is it
5 seemed that the question was rooted in central
6 Florida being divided up and having more county
7 divisions and more geographical division. So
8 we looked for a suggestion from the public that
9 for the most part didn't divide up the Orange
10 County area much. In this case, this plan only
11 divided Orange County three different ways.
12 Essentially it took a lot of downtown Orlando,
13 put that into a district. In fact, this
14 individual only divided four cities in the
15 entire state, which was -- which was a rather
16 remarkable thing, but downtown Orlando into one
17 district, going somewhat into Osceola County,
18 taking east Orlando, putting that into Brevard,
19 taking west Orlando and combining that with
20 some of Seminole and Osceola and Polk.
21 However, looking at this suggestion and
22 thinking about how to build this forward, this
23 does eliminate -- at least on its face, this
24 does eliminate the African-American access
25 seat. So if your intent then was to keep that

1 seat, what we did was we took the access seat
2 submitted in plan 62 and meshed it with -- this
3 seemed to be the driving force behind the plan
4 that was submitted in 31, so essentially this
5 brings the access seat into Orlando. The
6 county then has to be divided four ways,
7 because the population wouldn't work out
8 otherwise. And so what this does here is
9 this -- again, thinking about building in
10 central Florida first and building out, this
11 takes a large portion of western Orange County,
12 combines it with Lake and with Sumter, not all
13 of Lake though. That district is relatively
14 close in population. This district takes -- or
15 this configuration takes most of Seminole,
16 combines it with some of Orange, and then it
17 keeps pieces -- it keeps Brevard whole, Polk
18 whole, Volusia whole, and then in terms of how
19 you would carry forth something like this if
20 you wanted to follow this through, I would
21 suggest that you would want to take these
22 districts and go directly south or directly
23 north, because your way of building and
24 completing your map, any flexibility you may
25 have, you need those western then Florida

1 counties, so you need the Tampa area in case
2 you go through the process of building this and
3 you realize you need to make corrections and
4 make adjustments. If you go directly west, you
5 have essentially cut the state in half, and
6 then you have to hope your population works
7 out. So, again, to build this out, you'd want
8 to basically go directly south and directly
9 north to leave yourself some flexibility in
10 building your map.

11 In terms of the Tampa area, these are the
12 current Congressional districts in the Tampa
13 area, and for the purposes of this, we are
14 including Pasco County as a high-growth area in
15 this part of the discussion.

16 Congressional District 5, which actually
17 was mentioned before in another region, again,
18 is a high-growth area as a whole and is
19 33 percent over-populated, so that is going to
20 affect what options you may have in a region
21 like this.

22 Congressional District 11 is a point of
23 discussion in that today, Congressional
24 District 11 has almost a 27 percent black
25 voting age population and almost a 26 percent

1 Hispanic voting age population; however, it
2 does not actually elect a candidate from either
3 group. So it is a discussion point in terms of
4 candidate of choice and whether or not you
5 would want to still maintain something similar
6 to that in terms of the voting age population
7 of those groups.

8 Looking at the different public
9 suggestions that came forward, what was clear
10 in a number of suggestions was an attempt to
11 give a singular or near singular voice in terms
12 of a seat almost entirely located, or entirely
13 located in Pinellas and Hillsborough Counties.
14 And so, for example, this map has a seat that
15 is nearly all in Pinellas County, has another
16 seat that is all in Hillsborough County,
17 Pinellas and Hillsborough then split another
18 district, and then because of that decision,
19 what the map drawer was able to do was give a
20 seat that is almost entirely, not completely,
21 but almost entirely Pasco, Hernando and Citrus
22 Counties, and then to the south, a seat that is
23 almost all of Manatee and Sarasota. It is
24 missing a little bit of the bottom of Sarasota
25 because Manatee plus Sarasota is just

1 slightly -- about 5,000 people over the size of
2 a Congressional district. But so the intent
3 that the map drawer had, at least seemed to
4 have, of having districts that were very much
5 wholly in a county or near wholly in a county
6 ended up then allowing the map drawer to do the
7 same as they went north and south in the
8 region.

9 Looking at the next suggestion, this was
10 an interesting suggestion along similar lines
11 in that the map drawer seemed to wish to give,
12 again, Hillsborough and Pinellas dedicated
13 seats in Congress. What is interesting here is
14 the map drawer does not cross any bridges. To
15 do this, if your intent was you didn't want to
16 cross the waterway in Pinellas County and
17 Hillsborough County, you effectively have to
18 build the district in southern Pinellas first
19 and work your way around the region. Then if
20 you pulled back and looked at the whole map, it
21 appears that's what the map drawer did was
22 build southern Pinellas and around, and then
23 came back down through Manatee and Bradenton --
24 Manatee and Sarasota Counties.

25 Now, in the prior examples, though, none

1 of those examples came close to the current
2 minority voting age populations for a
3 Congressional -- that Congressional District 11
4 has today. In terms of just finding an example
5 that did, map number 69 was slightly below in
6 both regards, but was close to the current
7 minority populations of that district, both for
8 African-Americans and for Hispanics. And that
9 is the district that crosses from Hillsborough
10 into Pinellas.

11 In terms of Pasco County, there was -- it
12 was interesting to see the different
13 suggestions that came up, of course, in many
14 ways, a bedroom county to Hillsborough into
15 Pinellas. This was a different suggestion that
16 came up actually in the third map that was
17 received and was actually presented at the
18 Duval County meeting. In this particular case,
19 the individual put all of Pasco, all of
20 Hernando, a bit of Tampa -- a bit of
21 Hillsborough, actually, I should say -- I think
22 it is actually outside the City of Tampa -- and
23 then southern Sumter County into a district.
24 The individual didn't perfectly exclude The
25 Villages out of this, although in terms of

1 Sumter County, there are two dynamically
2 different populations in that county, so if
3 someone was going down that path of putting The
4 Villages in one district and the rest of the
5 county in another, they could do that. So this
6 was a different look at what happens to outside
7 the Tampa/St. Pete area in a high-growth area.

8 And with that, Mr. Chair, that is the
9 presentation.

10 REPRESENTATIVE HOLDER: Thank you, Mr.
11 Kelly.

12 Members, this being a good place to stop,
13 why don't we open it up for any questions or
14 comments. Representative Bernard, you are
15 recognized.

16 REPRESENTATIVE BERNARD: Thank you, Mr.
17 Chair. Alex, I want to thank you for your
18 presentation.

19 Going to, I guess, page five of the
20 presentation, Congressional District 3, my
21 question is -- I have a series of questions,
22 Mr. Chair.

23 REPRESENTATIVE HOLDER: Yes. Go ahead and
24 continue.

25 REPRESENTATIVE BERNARD: Thank you, Mr.

1 Chair.

2 Is District 3 protected by the Section 2
3 of the Voting Rights of 1965, or is it -- or
4 under any federal law?

5 REPRESENTATIVE HOLDER: Mr. Kelly.

6 MR. KELLY: To the best of my -- thank
7 you, Mr. Chair.

8 To the best of my understanding, it falls
9 under the threshold that was referenced in the
10 Bartlett v. Strickland case of being a
11 majority-minority community. So in that sense,
12 I don't believe that Section 2 explicitly
13 protects it, but to what extent it could be
14 diminished and whether the Voting Rights Act
15 kicks in at any point, I would probably prefer,
16 if it is okay, to ask our counsel to give a
17 more comprehensive answer.

18 REPRESENTATIVE HOLDER: Would that suffice
19 at this point, or would you rather move on to
20 other questions and --

21 REPRESENTATIVE BERNARD: I would move on
22 to other questions.

23 REPRESENTATIVE HOLDER: Okay. Go ahead.

24 REPRESENTATIVE BERNARD: Thank you, Mr.
25 Chair.

1 Going along with -- thank you, Mr.
2 Chair -- with that question, we heard the term
3 of, you know, minor- -- do we know like an
4 exact percentage, or have we analyzed the
5 percentage for -- to determine how -- in the
6 Jacksonville area, how a minority -- what would
7 be the percentage sufficient for a minority to
8 elect a Representative of their choice?

9 REPRESENTATIVE HOLDER: Mr. Kelly.

10 MR. KELLY: Thank you, Mr. Chair.

11 We haven't done an analysis of that
12 generally, seat by seat. That is a
13 fact-specific type of analysis that you would
14 have to do. The answer may be different in
15 Jacksonville as compared to other parts of the
16 state, but we haven't done an analysis of that.

17 REPRESENTATIVE BERNARD: Follow-up,
18 Mr. Chair?

19 REPRESENTATIVE HOLDER: Follow-up.

20 REPRESENTATIVE BERNARD: So the analysis
21 would be different based on the different
22 regions of the state?

23 REPRESENTATIVE HOLDER: Mr. Kelly.

24 MR. KELLY: Thank you, Mr. Chair.

25 Based on the different regions and a

1 number of circumstances, yes, sir. The
2 analysis is a very fact-specific type of
3 analysis. You look at elections history in a
4 community, you look at history of partisan
5 primaries where you maybe have African-American
6 versus white candidates and so forth, and in
7 other instances where you may determine whether
8 or not there is a particular voting pattern in
9 the community.

10 REPRESENTATIVE BERNARD: One more
11 follow-up, Mr. Chair.

12 REPRESENTATIVE HOLDER: Follow-up.

13 REPRESENTATIVE BERNARD: Thank you, Mr.
14 Chair.

15 The last question is, given recently
16 that -- I know in the Duval area they elected
17 Mayor Alvin Brown, an African-American. How
18 can the other voters in that region get to
19 participate in the political process if we are
20 only -- if we only concern ourself with just --
21 just that District 3 minority access seat? Can
22 we -- how can we determine -- I guess what I am
23 trying to say is, how can the other voters in
24 the whole Duval area get to elect -- you know,
25 to get to participate in the political process?

1 REPRESENTATIVE HOLDER: Mr. Kelly, it is
2 kind of a tough question to answer, but if you
3 would like to take a stab at it, you are
4 welcome to.

5 MR. KELLY: Thank you, Mr. Chair. I am
6 not sure I could answer that question. It
7 probably really be best to turn to our counsel
8 to give a more informative answer on that kind
9 of question.

10 REPRESENTATIVE HOLDER: At this point, why
11 don't we do that to answer this question and
12 your previous question, or your first question.

13 REPRESENTATIVE BERNARD: Thank you,
14 Mr. Chair.

15 MR. KELLY: George Meros is here, if that
16 is okay.

17 REPRESENTATIVE HOLDER: Sure, great.

18 MR. MEROS: Thank you. George Meros on
19 behalf of the House.

20 If I understand your question -- well,
21 could you ask it again to make sure I
22 understand it?

23 REPRESENTATIVE BERNARD: Well, the first
24 one was just what -- I think --

25 REPRESENTATIVE HOLDER: Yes, go ahead.

1 REPRESENTATIVE BERNARD: Thanks, Mr.
2 Chair.

3 Was whether that District 3 was protected
4 by Section 2 of the Voting Rights of 1965 or
5 any federal law?

6 REPRESENTATIVE HOLDER: Mr. Meros.

7 MR. MEROS: Because it is less than a
8 50 percent majority, it is not protected by
9 Section 2 of the Federal Voting Rights Act.
10 There is protection under Amendment 5 and
11 Amendment 6 to the Florida Constitution passed
12 last year, and that is a very important issue
13 with regard to whether or not and the extent to
14 which you can diminish the opportunity of
15 minorities to elect a candidate of their choice
16 in given districts.

17 REPRESENTATIVE BERNARD: The second -- may
18 I follow up, Mr. Chair?

19 REPRESENTATIVE HOLDER: Sure, absolutely.

20 REPRESENTATIVE BERNARD: The second
21 question was -- which is given the fact that,
22 you know, in Duval County, in Jacksonville,
23 they elected Mayor Alvin Brown, and what I am
24 concerned about is if we are focusing on just
25 that District 3 being a minority access seat,

1 how can the other voters in that region get to
2 participate in the political process also?

3 MR. MEROS: You are talking about
4 non-minority citizens?

5 REPRESENTATIVE BERNARD: Non-minority.

6 MR. MEROS: Okay. Well, non-minority
7 citizens -- in theory, the racial protections
8 are there because of the inability over many
9 years to participate equally in the political
10 process, as non-minority residents and citizens
11 have had, and so they will participate as they
12 have before.

13 The real issue for purposes of what this
14 Legislature must do is in implementing the
15 Federal Voting Rights Act, wherever it may be
16 in the state, and Amendments 5 and 6. The
17 first tier issue in Amendments 5 and 6 which
18 the voters voted on was that minorities shall
19 continue to have the ability to elect
20 Representatives of their choice, equal
21 opportunity to do that, and that districts
22 shall not diminish the ability of minorities to
23 elect a candidate of choice. Those are --
24 those are two separate but -- standards, both
25 of which apply. And so the question with

1 regard to Congressional District 3 and other
2 districts in the state is when might the
3 Legislature be diminishing the right of
4 minority citizens to elect a candidate of
5 choice if they were to take a district such as
6 Congressional District 3 from whatever the
7 percentage is now, say 48 percent, down to some
8 lower percentage, and that -- that is a -- it
9 is fact-intensive and fact-specific, but that
10 is a -- there is a mandate in the Florida
11 Constitution that one not do that. And so that
12 is one of the challenges that this Legislature
13 will have.

14 REPRESENTATIVE BERNARD: Mr. Chair?

15 REPRESENTATIVE HOLDER: Yes,
16 Representative Bernard.

17 REPRESENTATIVE BERNARD: Mr. Meros
18 mentioned something, I just want to ask him
19 another question.

20 REPRESENTATIVE HOLDER: Sure, absolutely.
21 Go ahead.

22 REPRESENTATIVE BERNARD: Thanks. Thanks,
23 Mr. Chair.

24 Now, you mentioned like the tier system.
25 Is there -- like I remember reading the

1 Constitution. Is it -- does it create a tier
2 system or -- I thought it -- based on Section C
3 of Section 20 and 21, it says there is no
4 priority of preference given for either Section
5 A or B --

6 MR. MEROS: No -- forgive me. The way it
7 is is there are two tiers, and within each
8 tier, subsection 3 says there is no priority.

9 REPRESENTATIVE BERNARD: Okay.

10 MR. MEROS: But there is clearly a Tier 1,
11 which is first priority, and then the second
12 section says to the extent not inconsistent
13 with Tier 1, you will apply these standards.

14 REPRESENTATIVE BERNARD: Thank you, Mr.
15 Chair.

16 REPRESENTATIVE HOLDER: Representative
17 Bernard, thank you for all of your very
18 thoughtful questions.

19 Moving on, Co-Chair Legg has a question.

20 REPRESENTATIVE LEGG: Thank you, Mr.
21 Chair.

22 REPRESENTATIVE HOLDER: Is this for -- I'm
23 sorry, is it for Mr. Meros or --

24 REPRESENTATIVE LEGG: Probably Mr. Meros
25 can probably address these first, if that is

1 okay with you.

2 REPRESENTATIVE HOLDER: Okay, great.

3 REPRESENTATIVE LEGG: Thank you, Mr.
4 Chair.

5 Can you, for instance, highlight what are
6 the number of access seats right now if they
7 are -- I have different numbers that have been
8 floating around. What are the number of
9 different access seats, and, you know, are they
10 Hispanic, are they African-American, if you can
11 kind of distinguish between them?

12 MR. MEROS: And are you talking about in
13 the present Congressional map?

14 REPRESENTATIVE LEGG: Presently.

15 MR. MEROS: And, first of all, access
16 seats are not -- are not clearly defined. And
17 so if it is 35 percent, 40 percent, that really
18 is fact-specific to some extent, to the extent
19 to which that minority population can have a
20 real impact on the policy that goes on in a
21 district.

22 With regard to the specifics as to which
23 one, Mr. Kelly would be much more better to
24 describe that right now.

25 REPRESENTATIVE HOLDER: Thank you,

1 Mr. Meros. Mr. Kelly.

2 MR. KELLY: Thank you, Mr. Chair.

3 There are -- in Florida today, there are
4 three seats that are a majority Hispanic, there
5 are two seats that are a majority
6 African-American and then there is the one seat
7 that you have been discussing that is just
8 slightly below majority. So, in total, there's
9 five seats that are majority-minority, and then
10 there's one that is just slightly below that
11 number.

12 REPRESENTATIVE LEGG: So, in essence, we
13 have two African-American with a potential of a
14 third that is just underneath the threshold,
15 and three Hispanic, is that correct?

16 REPRESENTATIVE HOLDER: Mr. Kelly.

17 MR. KELLY: Thank you, Mr. Chair.

18 Yes, that is correct.

19 REPRESENTATIVE HOLDER: Follow-up?

20 REPRESENTATIVE LEGG: Thank you, Mr.
21 Chair.

22 In regards to Congressional District 3,
23 if -- and I am trying to just get the terms
24 correct and follow along with making sure that
25 I am -- we're calling things correctly, or I am

1 calling things correctly. When we are talking
2 about Congressional District 3 and preserving
3 that as a seat, an access seat, is it the
4 number that we are preserving, Congressional
5 District 3, is it the region that we are
6 preserving, or is there is a specific base that
7 we are preserving? Let me walk you through
8 what I mean by that. If you look at the
9 district that runs from basically Jacksonville
10 to Orlando, if for argument's sake we kept the
11 number the same and run from Orlando to Tampa,
12 but yet the population number remains the same,
13 have we -- is that seat still considered a
14 minority access seat even though we have
15 completely changed the location of that seat,
16 or is it the actual number?

17 REPRESENTATIVE HOLDER: Mr. Kelly.

18 MR. KELLY: Thank you, Mr. Chair.

19 In terms of the number, as Mr. Meros was
20 saying, there's not necessarily -- if you go
21 from 49 percent to 48 percent, there's not
22 necessarily a clear definition as to whether
23 dropping that one percentage point is in error,
24 but if you take the seat from one region to
25 another and you still essentially have your

1 minority access seat, you could have an
2 issue -- if let's say you took that seat out of
3 Jacksonville, you could have an issue with what
4 you did with the population in Jacksonville,
5 what seat they ended up in. There's not a
6 perfect answer to the question, but you do have
7 to consider the population that's no longer in
8 the district. So if you go back to the
9 suggestion that one individual submitted of,
10 well, take the seats from Jacksonville to
11 Gadsden County, you would have to factor in the
12 African-American community in Orlando, in
13 Gainesville, and what you have done, where that
14 a community or communities have ended up in
15 other districts. So, again, there's not a
16 perfect answer to that, but it does matter in
17 your analysis.

18 REPRESENTATIVE HOLDER: Members, any other
19 questions? Representative Jones, you are
20 recognized.

21 REPRESENTATIVE JONES: Thank you, Mr.
22 Chairman, and I do have a series of questions.
23 Alex, thank you for your presentation.

24 When we look at map -- at page ten of your
25 presentation, you talk about the Hispanic

1 access seat in Orange, Osceola and Polk
2 Counties. Are we currently required by Federal
3 Voting Rights Act to draw a Hispanic seat in
4 central Florida?

5 REPRESENTATIVE HOLDER: Mr. Kelly.

6 MR. KELLY: Sure, thank you. No.

7 REPRESENTATIVE JONES: Are we required to
8 draw a minority seat in central Florida?

9 REPRESENTATIVE HOLDER: Mr. Kelly.

10 MR. KELLY: Mr. Chair, thank you.

11 Not to my -- to my knowledge, that would
12 be a matter of legislative discretion, whether
13 it fit with, you know, the parameters of state
14 law, but to my knowledge, that would be a
15 matter of legislative discretion.

16 REPRESENTATIVE JONES: Follow-up, Mr.
17 Chairman?

18 REPRESENTATIVE HOLDER: Representative
19 Jones.

20 REPRESENTATIVE JONES: When we look at the
21 maps and the presentation that you have
22 provided to us today, what racial data was used
23 to draft these maps?

24 REPRESENTATIVE HOLDER: Mr. Kelly.

25 MR. KELLY: Mr. Chair -- thank you, Mr.

1 Chair.

2 When you ask that question, are you -- in
3 terms of the people from the public who
4 submitted these maps, what racial data did they
5 use?

6 REPRESENTATIVE JONES: I heard you
7 indicate that you took a part from one map that
8 someone created and put it with another map
9 that either you or somebody else created. So
10 as you were putting together the presentation
11 that we have seen today, how do you determine
12 the racial makeup, and where did that racial
13 makeup come from?

14 REPRESENTATIVE HOLDER: Mr. Kelly, let me
15 just take a little bit of a stab at this.

16 Basically what you are seeing here are
17 suggestions that have come in from the public,
18 and then our staff has taken that information
19 and tried to manipulate it a little bit to
20 where it would fit within the maps that we are
21 currently looking at. Is your question -- and
22 I just want to make sure that I understand the
23 question. Are you asking when staff took the
24 information from the public and transposed it
25 onto a map so that we could see it and discuss

1 it, what did -- what information did they use
2 in order to do this other than general census
3 information?

4 REPRESENTATIVE JONES: Right, if that was
5 the only information that was used, or what
6 information was used. Was it previous history
7 in voting or whether it was census data,
8 whether it was just a stab at it.

9 REPRESENTATIVE HOLDER: Great. Mr. Kelly.

10 MR. KELLY: Thank you, Mr. Chair, thank
11 you.

12 To change anything in the maps, to -- in
13 that particular example, to take two districts
14 and combine them and see what would happen and
15 see if they -- see if they overlapped with each
16 other at all, we just used the My District
17 Builder application and literally cut and paste
18 the district from one individual submission and
19 put it into a map and cut and paste the other
20 individual's and put it into the map. My
21 District Builder has all the census data, so it
22 is census data. We didn't look at anything
23 related to voter registration, we haven't done
24 that kind of analysis. We just looked at the
25 census data, and the census data indicates --

1 and data from the American Community Survey,
2 although for this, it was just census data --
3 it indicates the voting age population by race
4 and ethnicity, and then -- and you can break
5 that down even further by looking at ACS data,
6 but -- so it is all census-related data.

7 REPRESENTATIVE JONES: Thank you, Mr.
8 Chairman.

9 REPRESENTATIVE HOLDER: Thank you,
10 Representative Jones.

11 Representative Chestnut, you are
12 recognized for a question.

13 REPRESENTATIVE CHESTNUT: Thank you, Mr.
14 Chair.

15 I guess my question earlier -- I think the
16 attorney had stated that District 3 does not
17 meet the Bartlett versus Strickland case, but
18 it does meet the Amendment 5 and 6 case. So
19 how do you move forward with drawing a map that
20 probably would not be challenged in court?

21 REPRESENTATIVE HOLDER: Mr. Meros.

22 MR. MEROS: Let's make sure that we
23 understand each other.

24 REPRESENTATIVE CHESTNUT: Okay.

25 MR. MEROS: There are federal requirements

1 for minority districts, and then there are
2 state constitutional requirements.

3 REPRESENTATIVE CHESTNUT: Right.

4 MR. MEROS: Certainly if the state
5 constitutional requirements conflicted with the
6 federal requirements, the federal requirements
7 prevail. However, these operate --

8 REPRESENTATIVE CHESTNUT: Differently.

9 MR. MEROS: No, they -- they operate
10 differently, but they operate at the same time.

11 REPRESENTATIVE CHESTNUT: Time, okay.

12 MR. MEROS: And so you are just as bound
13 by the Florida constitutional requirements as
14 you are by the federal requirements. And so
15 if, in fact -- and remember, as a part of this
16 process and a part of the discussions and what
17 has happened thereafter, the framers of
18 Amendment 5 and 6 made it very clear that there
19 are requirements with regard to not diminishing
20 the opportunity of minorities to elect a
21 candidate of --

22 REPRESENTATIVE CHESTNUT: Of their choice.

23 MR. MEROS: -- their choice, and in
24 addition, that the ability of minorities to
25 elect a candidate of their choice shall not be

1 diminished. Now, what that partakes of is
2 Section 5 of the Federal Voting Rights Act, and
3 the proponents of Amendment 5 and a plain
4 reading of 5 and 6 -- and 6 applies to
5 Congressional -- is that that effectively has
6 imposed a Section 5 non-retrogression standard
7 to all 67 counties, and that goes to
8 Representative Legg's question also. Section 5
9 is both complex and exceedingly fact-specific,
10 but there are -- there are certain instances
11 where, if you took one minority population and
12 replaced it with another minority population,
13 what happened with the other minority
14 population would be very relevant to a
15 fact-specific evaluation as to whether it
16 caused a diminishment. But clearly, in every
17 district, one is going to have to look at
18 racial data, whether Hispanic or
19 African-American, and make a determination,
20 does that diminish their opportunity, does that
21 make them worse off, as Section 5 describes,
22 than they were previously.

23 REPRESENTATIVE CHESTNUT: Thank you, Mr.
24 Chair.

25 REPRESENTATIVE HOLDER: Thank you for your

1 question.

2 Representative Taylor, do you have a
3 question?

4 REPRESENTATIVE TAYLOR: Yes, thank you,
5 Mr. Chair, and that brings up -- no, you, yes,
6 sir, don't go anywhere.

7 As general counsel, how are you
8 interpreting -- because we -- basically staff
9 is going to be under the direction of how to
10 move forward with drawing the maps. How are
11 you interpreting the language, because that is
12 important to me?

13 MR. MEROS: Sure, sure. I think the plain
14 wording of the language is consistent with what
15 the framers suggested to the Department of
16 Justice in its pre-clearance process, and that
17 is the diminishment language is effectively
18 creating a Section 5 non-retrogression standard
19 statewide. And so what that means is that when
20 you take a minority population, you have to
21 look at that minority population as it
22 presently is based on the 2000 lines and say,
23 is that population worse off in its ability to
24 participate in the electoral process than it
25 was under the prior map, and that worse off is

1 a fact-specific matter as to whether there has
2 been some -- some diminishment of the ability
3 to participate in the electoral process. In
4 some instances -- and so let's take if you have
5 a 40 percent district, then -- and it is a
6 38 percent district now. That will be
7 fact-specific based on what is the likelihood
8 that that -- that minority population, Hispanic
9 or African-American, would be able to
10 participate in the electoral process and elect
11 a candidate of choice. That number as to when
12 a district -- you can call it performs -- is
13 not, in my view, by any stretch, a certain
14 number. That number is an estimation on best
15 guesses as to when a minority candidate or when
16 a minority's candidate of choice might be
17 elected in a given area.

18 If, in fact, you take a district that is
19 less than 50 percent and you reduce the chances
20 of that district performing in a substantive
21 way, then that, in my view, violates the
22 non-diminishment provision of Amendments 5 and
23 6. It is not, in my view, the rational
24 interpretation of that to suggest that you can
25 say, okay, at X percentage, 35 percent, the

1 minority candidate of choice will prevail, and,
2 therefore, you can go to 35.1 percent. If you
3 take the chances of prevailing from 70 percent
4 and reduce it to 50 percent, you have reduced
5 it 20 percent and it makes it that much more
6 difficult for a minority candidate of choice to
7 prevail. So it is a -- that is a sliding
8 scale, and you have to assess each district to
9 see, are you really diminishing that
10 opportunity.

11 REPRESENTATIVE TAYLOR: Follow-up, Mr.
12 Chair.

13 REPRESENTATIVE HOLDER: Follow-up,
14 Representative Taylor.

15 REPRESENTATIVE TAYLOR: Thank you, Mr.
16 Chair.

17 And you bring up a very interesting
18 scenario, and I want to go back to Chairman
19 Legg's question that pertained to that. In
20 particular, let's go back to District 3.

21 If the numbers in District 3 didn't change
22 percentage wise -- and I am just going to -- I
23 don't know the exact number right off-hand, so
24 I will just use -- let's just say 48 percent,
25 and within that you create a district that was

1 48 percent; however, it didn't include areas
2 that -- let's just say Orlando, but it did
3 include 48 percent minority participation. The
4 folks in Orlando would then be subject to that
5 same rule, because they would not be eligible
6 or able to elect someone of their choice or
7 liking. So are you suggesting or saying that
8 it has to stay the exact same as far as the
9 topo- --

10 MR. MEROS: The percentage --

11 REPRESENTATIVE TAYLOR: Percentage wise.

12 REPRESENTATIVE HOLDER: Mr. Meros.

13 REPRESENTATIVE TAYLOR: Or is it the land,
14 is it the area? Because I am a little confused
15 now by what you are saying.

16 MR. MEROS: Well, there is no clear answer
17 to that. Among the factors are what happens to
18 the minority population, say in Orlando versus
19 Tampa. Where are they? How significant is
20 that population? And one of the reasons for
21 that is in 2000, the House map was not
22 pre-cleared because of a Section 5 county and a
23 Section 5 district that took a relatively small
24 population in Collier County, the Section 5
25 population, I think it was 15 or 16 percent,

1 that was tied to -- I think it was Broward --
2 it was either Dade or Broward that had a
3 majority-minority population and moved it to a
4 minority -- to less than 50 percent, and
5 Justice refused to pre-clear it because of the
6 16 percent that once was part of a 50 percent
7 plus and now is left on their own.

8 Now, one can argue very much about whether
9 that is an appropriate interpretation of
10 Section 5. That is what Justice did, and the
11 House redrew the map and did not fight that.
12 So there is nothing clear in Section 5
13 jurisprudence that would lend itself to clear
14 answers to some of these issues. It really is
15 going to be very fact-specific.

16 REPRESENTATIVE HOLDER: Thank you.

17 Representative Legg, co-Chair Legg, do you
18 have a question?

19 REPRESENTATIVE LEGG: I am afraid to ask
20 it in terms of -- because I think it just -- it
21 opens up back to where we are going, and you
22 may say -- just repeat what you are saying is
23 that there is no clear answer, but just kind of
24 highlighting the decision-making process we
25 have to make.

1 You said that it was the statewide number.
2 I thought I heard you say the statewide number
3 for the minority access seat. Maybe I
4 misunderstood. Are you saying that we have to
5 look at the statewide number and ensure that we
6 don't diminish, or are you saying district by
7 district --

8 MR. MEROS: District by district. I
9 apologize if I suggested that.

10 REPRESENTATIVE LEGG: No, I may have just
11 misunderstood that.

12 MR. MEROS: No, it is not the statewide,
13 there's not a matter of, you know, proportional
14 representation. There are no requirements of
15 that in federal or state law.

16 REPRESENTATIVE HOLDER: Members, any other
17 questions? Okay. Any comments?

18 Representative Taylor, you are recognized
19 for a comment.

20 REPRESENTATIVE TAYLOR: Thank you, Mr.
21 Chair.

22 This kind of clouds up everything going
23 forward, so I just want to make sure that the
24 members of the Committee understand the rules,
25 and this is what I was referring to in our last

1 meeting was that we need to make sure we have
2 the rules defined as we move forward with what
3 we are coming forward with with the -- either a
4 PCB or a members' Bill. And much of this
5 information, if there are members out there who
6 are not a part of this subcommittee, they need
7 to know it that as they are filing a specific
8 Bill. So I just wanted to make sure that we
9 have some clear, defined language as we move
10 forward.

11 REPRESENTATIVE HOLDER: Representative
12 Taylor, that is one of the reasons why you were
13 chosen to be on this Committee. Bringing those
14 suggestions to light, you, from the very
15 beginning, have made suggestions that we have
16 taken very seriously and have helped determine
17 what those rules are. So I appreciate you
18 continuing to bring those suggestions and
19 issues to light. And as you know, this is a
20 work in progress and we are early in the
21 process, and, again, thank you for your input,
22 and look forward to working very closely with
23 you on more suggestions as we move forward.

24 Members, are there any other comments that
25 need to be made? Representative Albritton.

1 REPRESENTATIVE ALBRITTON: Yes, thank you,
2 Chair.

3 I am not sure, it seems like today that
4 we've kind of worked our way around the
5 discussion about best practices and those types
6 of things. And listening to the comments here
7 today and the input that we've got through the
8 public process, it seems reasonable to me that
9 really when you start talking about, you know,
10 kind of best management practices, that it
11 really is about setting priorities and I know
12 that understanding the law, and as per
13 Representative Taylor's comments, I think it is
14 important, but potentially right now we talk a
15 little bit, we back away at 30,000 feet and
16 think a little bit about kind of the fairness
17 measure, and I think simplicity has something
18 to do with fairness.

19 So should we consider building our -- the
20 boundaries of our maps maybe around something
21 like county boundaries so that it is
22 well-defined and it is simplistic? That is
23 something we should discuss.

24 REPRESENTATIVE HOLDER: Representative
25 Brodeur, you are recognized.

1 REPRESENTATIVE BRODEUR: Thank you, Mr.
2 Chairman.

3 I like the idea of doing that, but I think
4 the law states that we also need to make sure
5 that we look at geographic and political
6 boundaries as well. So as we walk around -- or
7 as we traveled around the state, we know that
8 there are roadways and waterways and city lines
9 and all kinds of other boundaries that I think
10 we should consider. Plus, you know, I think it
11 is tough, I like the idea of counties, but I
12 think the Voter Rights Act will force us in
13 many ways to split the counties. So I want to
14 make sure we are looking at all those, too.

15 REPRESENTATIVE HORNER: Mr. Chairman?

16 REPRESENTATIVE HOLDER: Representative
17 Horner.

18 REPRESENTATIVE HORNER: Thank you, Mr.
19 Chairman.

20 I don't think what Representative
21 Albritton was saying is that we shouldn't look
22 at the other boundary choices, I think those
23 are legitimate, but as a preferred choice, we
24 look at county boundaries. I mean, it jumps
25 right off the page on all these maps. You see

1 the county lines, on any map that you purchase,
2 you see the county lines. At all of the public
3 hearings, folks used county lines. And folks,
4 frankly, know what county they live in. Even
5 you are not sure you are an unincorporated or
6 inside a city, you know the county lines. So I
7 think it is a reasonable practice for this
8 Committee to use county lines as the preferred
9 line where there's not some other legal
10 justification or legal requirement where we
11 have to use a different line. I think that if
12 we are looking for the rules of the road as
13 Representative Taylor was asking for, I think
14 county lines is a good direction to staff, and
15 it makes these maps meaningful and easy to
16 understand for the citizens.

17 REPRESENTATIVE HOLDER: Any other comments
18 or suggestions?

19 Members, what you have just experienced is
20 exactly what we are here for, to discuss all of
21 these issues, to agree and disagree on
22 different parts of suggestions that are made
23 and try to massage these suggestions and make
24 them work as we go through this long process.
25 And as we have heard from Mr. Meros, it is a

1 very complex situation to make sure that we are
2 able to do all of this within the letter of the
3 law.

4 So I thank you all for your participation,
5 and for our next meeting, beyond continuing
6 today's discussion, we will hear from staff
7 regarding redistricting data, giving us a quick
8 tutorial on the data that will be available to
9 us when we analyze redistricting bills. And as
10 always, I thank all of you for your
11 participation and your input, and seeing that
12 there is no additional business, Representative
13 Brodeur moves we rise. We are adjourned.

14 (Whereupon, the proceedings were
15 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 55 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 February, 2012.

CLARA C. ROTRUCK

Notary Public

State of Florida at Large

Commission Expires:

November 13, 2014

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HOUSE REDISTRICTING SUBCOMMITTEE MEETING
MONDAY, OCTOBER 17, 2011

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 REPRESENTATIVE SCHENCK: Okay, members,
3 welcome back to Tallahassee. We are going to
4 kick off the House redistricting meeting, and
5 with that, Ben, will you please call the roll?

6 THE CLERK: Chair Schenck?

7 REPRESENTATIVE SCHENCK: Yes.

8 THE CLERK: Baxley?

9 REPRESENTATIVE BAXLEY: Here.

10 THE CLERK: Bernard?

11 REPRESENTATIVE BERNARD: Here.

12 THE CLERK: Campbell?

13 REPRESENTATIVE CAMPBELL: Here.

14 THE CLERK: Clarke-Reed?

15 REPRESENTATIVE CLARKE-REED: Here.

16 THE CLERK: Corcoran?

17 REPRESENTATIVE CORCORAN: Here.

18 THE CLERK: Diaz?

19 REPRESENTATIVE DIAZ: Here.

20 THE CLERK: Drake?

21 REPRESENTATIVE DRAKE: Here.

22 THE CLERK: Frishe?

23 REPRESENTATIVE FRISHE: Here.

24 THE CLERK: Hooper?

25 REPRESENTATIVE HOOPER: Here.

1 THE CLERK: Julien?

2 REPRESENTATIVE JULIEN: Present.

3 THE CLERK: Nuñez?

4 REPRESENTATIVE NUNEZ: Here.

5 THE CLERK: Rogers?

6 REPRESENTATIVE ROGERS: Here.

7 REPRESENTATIVE CLARK: Schenck? I'm
8 sorry.

9 REPRESENTATIVE SCHENCK: Yes.

10 THE CLERK: Young?

11 REPRESENTATIVE YOUNG: Here.

12 THE CLERK: Chair Dorworth?

13 REPRESENTATIVE SCHENCK: Okay. Co-Chair
14 Dorworth hit a little bit of traffic coming out
15 of Orlando, so he is running just a tad late.
16 I am apparently here twice since that is how I
17 answered, so I am covering for him.

18 Okay, members, it is good to see you all
19 again this week. As you remember, two weeks
20 ago we had had a discussion about various
21 topics, so today, members, during today's
22 meeting and our next meeting, which will be in
23 two weeks from now, we are going to hear
24 presentations regarding key decision points for
25 drawing Florida State House maps.

1 At our last meeting, members of the
2 subcommittee asked to see more details about
3 the following options: Options for major
4 population centers, trade-offs between whole
5 communities versus cross-jurisdictional
6 communities, and options for racial and
7 language minority communities. Today, our
8 analyst, Jeff Takacs, will be presenting on
9 these issues over the next -- today and next
10 meeting as well. Today Jeff is going to be
11 covering points about Duval County, Orange
12 County, Pinellas County, Hillsborough County
13 and others.

14 Big picture, members: We need to bring
15 this process in for a landing by the middle of
16 November so that we can begin hearing PCBs or
17 any member bills that get filed. To that end,
18 co-Chair Dorworth and myself have specifically
19 asked that staff be ready to present four to
20 five complete options for the House map
21 beginning as soon as possible after
22 November 14th. That way, we can send them on
23 to Chair Weatherford and the big Committee.

24 Your comments and questions over these
25 next couple of meetings will be critical to

1 shaping any redistricting plans that we
2 workshop and ultimately vote on. Chairman
3 Weatherford set a goal for each subcommittee to
4 provide the big Committee with three complete
5 options for maps, and we plan on doing so.

6 I also have another goal in mind. I want
7 the three maps that we pass from this
8 subcommittee to the big Committee to be the
9 most principle-driven, thoughtful and yet
10 explainable and plain language of all the maps
11 that the subcommittees approve and consider.
12 So as you listen today, I ask you to think
13 about not only the regions on the map that we
14 are discussing, but how decisions that we make
15 in those regions can and should be applied to
16 the entire map.

17 With that said, members, any questions
18 before I turn it over to Jeff for the
19 presentation?

20 Okay. Seeing none, Jeff, the floor is
21 yours.

22 MR. TAKACS: Thank you very much, Mr.
23 Chairman.

24 Before I get started, what I would like to
25 do before we start talking about some of the

1 major population centers is actually take a
2 step back and look at the entire map as a
3 whole. You will see her on the first slide 28
4 counties, by virtue of their population, must
5 be split within House districts. Every --
6 thinking of the counties there on the map,
7 counties from Escambia to Miami-Dade County
8 need to be split there on that map. Something
9 as you kind of --

10 REPRESENTATIVE SCHENCK: Jeff, let me just
11 -- let me interrupt you for one minute --

12 MR. TAKACS: Sure.

13 REPRESENTATIVE SCHENCK: -- just so we
14 make it clear. Explain why they need to be
15 split. They need to be split because the
16 population of that county is over the size of
17 an ideal district so that it is theoretically
18 impossible for the whole county to be in one
19 House district.

20 MR. TAKACS: Yes, sir. Thank you very
21 much. Yes, that is exactly right.

22 When you look at this map as a whole,
23 obviously, a region that may jump out at you is
24 the I-4 corridor, whereas in every county
25 within that corridor from Volusia, Seminole,

1 Orange, Osceola, Lake, Hillsborough and
2 Pinellas Counties all need to be split because
3 of their populations being over that of the
4 ideal population for a House district.

5 Thinking about some of these different
6 counties on this map, and we are going to talk
7 about these counties here in a little bit, but
8 just to kind of give you a taste of what is to
9 come, Duval County, as an example, its
10 population is enough for 5.5 House districts,
11 Orange County, its population is enough for 7.3
12 House districts, and Hillsborough County's
13 population is enough for 7.85 House districts.

14 Okay. This next map, as you look at --
15 again, looking at the state as a whole, there
16 were some things that kind of jumped out at us
17 when you look at counties that are combined
18 together. When you look at that yellow region,
19 which stretches from Escambia County to Alachua
20 and Union Counties, if you take all of the
21 populations of those counties and divide them
22 between the ideal population of a House
23 district, which is 156,678 people, that area on
24 the map could produce 11.98 House districts.

25 So as you are thinking about balancing whole

1 counties versus small population deviations
2 between each district, that is an issue that is
3 an option for you as you look at that area as a
4 whole.

5 Moving on to that map, thinking about
6 Duval County and Nassau Counties, their
7 populations combined equal 5.98 House
8 districts. When you move into the central
9 Florida area of the state, Orange County and
10 Seminole County together combine for 10.01
11 House districts, and then Orange County and
12 Osceola County's populations together equal
13 9.03 House districts. So those would be kind
14 of in tandem, not all three together there as
15 it shows on the map. And, again, these are
16 just options that are before you. Again,
17 moving to southwest Florida there, if you look
18 at Charlotte and Lee County together, their
19 populations equal 4.97 House districts.

20 There are nine cities across the state of
21 Florida that must be split within House
22 districts because their populations are too
23 large for the ideal population of a House
24 district. They are Tallahassee, Jacksonville,
25 Orlando, Tampa, St. Petersburg, Port St. Lucie,

1 Ft. Lauderdale, Hialeah and Miami.

2 When you look at the map on the screen
3 here, what this shows is the current State
4 House districts, and then it overlays the
5 current census data to show the regional
6 population shifts based on those existing House
7 districts. If you look at the red arrows on
8 that map, it kind of shows where some of the
9 population, according to House districts, is
10 moving. As an example, if you look at the
11 Tampa Bay region, which we are going to talk
12 about here in a little bit, those districts are
13 more under-populated, and the districts
14 surrounding that area are currently
15 over-populated. So there was a shift in
16 population. Thinking about Pinellas County,
17 Pinellas County was one of the two counties
18 over the last ten years that actually lost
19 population, Monroe County being the other.

20 Continuing on, looking at the red arrows
21 around the map, you will see some population
22 shifts to the outside of the Jacksonville area,
23 as well as central Florida, and then one other
24 thing to note as you look on the southern end
25 of the map, the coastal areas of Palm Beach,

1 Broward and Miami-Dade Counties all saw shifts
2 upward towards the Treasure Coast and then
3 westward to Collier County in southwest
4 Florida.

5 Going back to that slide, thinking about
6 the over-populated House districts, just
7 thinking regionally, central Florida tends to
8 have more over-populated districts, southwest
9 Florida, as I just said, and those areas
10 outside of Tampa Bay.

11 Thinking about under-populated House
12 districts, generally they are in northwest
13 Florida, northern central Florida, and as I
14 said, those coastal communities of Palm Beach,
15 Broward and Dade Counties.

16 Thinking about the meeting that we had two
17 weeks ago, we were asked to look at the major
18 population centers of the state and how they
19 could be drawn. The way to start that was is
20 that we wanted to look at the most populated
21 counties across the state, and this map
22 illustrates that here before you. If you look
23 at the blue and red-shaded counties, those are
24 the counties that we will actually be examining
25 this week and in our next meeting in two weeks.

1 Again, those most populated counties are
2 Miami-Dade, Broward, Palm Beach, Hillsborough,
3 Orange, Pinellas and Duval Counties.

4 And with that, we will actually start
5 right into Duval County. As you see here, this
6 is the current State House map for the Duval
7 County area. Duval County has eight districts
8 that are all or in part in the county. The
9 districts that are solely within the county are
10 Districts 14, 15, 16 and 17, while 12, 13, 18
11 and 19 have parts of Duval County and other
12 counties.

13 Thinking about the population of Duval
14 County itself, as I said earlier, it has the
15 population of 5.5 House districts, roughly,
16 depending on how many county splits you would
17 like to have. With that said, Duval County
18 does have to be split. When you think about a
19 county having to be split, the next step would
20 then be to look at the counties that surround
21 it, because at least one of those districts has
22 to go into one of the neighboring counties. So
23 if you look on the packet there, I list the
24 populations of all of the neighboring counties,
25 including Nassau County, Baker County, Clay

1 County and St. Johns County. As I mentioned
2 earlier, looking at the populations of Duval
3 County and Nassau County together, they do
4 equate to roughly six House districts, again,
5 purely based on population.

6 Thinking about an example of the minimum
7 number of House districts that could be built
8 within Duval County, I am actually going to
9 turn to one of the publicly submitted maps,
10 which was map number 18 by Mr. Henry Kelly. If
11 you see there on the map, you can see that
12 there are in fact five whole districts within
13 Duval County, and then that District 11 that he
14 has the northern area of Duval County and then
15 goes into Nassau and then actually into parts
16 of Baker. Thinking about what I just said
17 earlier about Duval County and Nassau County
18 potentially equaling six districts, what could
19 happen on this particular map is you could push
20 that Baker County area of that district out of
21 Baker County and into Duval if you chose to do
22 that.

23 This map, as I said, creates six
24 districts, one of which is a majority-minority
25 district, which is District 16 on that map.

1 The black VAP voting age population for that
2 district is 61 percent. The next highest
3 district for black voting age population is
4 District 15 at 28 percent.

5 This next map is an example of a map that
6 has more than the minimum number of districts
7 that could be a part of Duval County, and what
8 this map actually does is takes more advantage
9 of the bedroom communities that are surrounding
10 Jacksonville, and this is map number 79 by
11 Mr. Keith Laytham. As you look at this map,
12 you can see that District 32 has just that
13 western part of Jacksonville and then all of
14 Nassau County, and then also districts go into
15 St. Johns County, 33 and 39, and then District
16 37 goes into Clay County as well. In fact, in
17 this map, all of the neighboring counties,
18 except for Baker County, have districts that go
19 into both Duval County and that neighboring
20 county. Similarly to the last map, this map
21 creates one majority-minority black district,
22 which is District 35. Its black voting age
23 population is right at 50 percent. The next
24 highest district for black voting age
25 population is District 34, which is that

1 northern area of the district, at 47 percent.

2 Thinking about majority-minority
3 districts, currently Duval County has two
4 majority-minority black districts, which are
5 Districts 14 and 15. What this map represents
6 is current data, looking at the current census
7 data at the VTD level, looking at all of the
8 black voting age population percentages of 40
9 or greater, and you can see there on the map,
10 it is a relatively concentrated area. The
11 total population of all of those shaded VTDs is
12 actually 189,000 people, roughly, which is over
13 the ideal population for a House district. The
14 black voting age population for those shaded
15 regions is 71 percent. So the question would
16 occur, could the two majority-minority black
17 districts be recreated in the current map? And
18 the answer to that is yes. If you look to the
19 slide here, what I have done here is this is
20 actually shaded as one district, you can see
21 that green district there, but it is actually
22 the size of two House districts with the ideal
23 population of two House districts. In fact, it
24 is just 77 people over that of two House
25 districts. And the black voting age population

1 of that mega-district, for lack of better
2 words, is 52 percent. So thinking about that,
3 taking that to the next step, what you could do
4 is slice that area into two equal parts
5 population wise to create two majority-minority
6 black districts.

7 REPRESENTATIVE SCHENCK: Jeff?

8 MR. TAKACS: Yes, sir.

9 REPRESENTATIVE SCHENCK: Before you move
10 on, let me ask a question. I assume -- or
11 maybe not. Does that depend on how you slice
12 it?

13 MR. TAKACS: Yes, sir, that was actually
14 what I was just about to say.

15 REPRESENTATIVE SCHENCK: Okay.

16 MR. TAKACS: There would be a scenario
17 where you could slice that county into two
18 districts, and one could have a black voting
19 age population of let's say 53 percent while
20 the other could have 48 percent. So that is an
21 option there.

22 Thinking about this too, there are more
23 than one ways where you could create that
24 mega-district, so to speak, that could be split
25 into two. I just provided this one as a

1 visual, as an example, for you all to look at.

2 Mr. Chairman, that actually ends the Duval
3 County portion, if there are any questions.

4 REPRESENTATIVE SCHENCK: Sure. Members,
5 questions on the Duval portion? Representative
6 Corcoran.

7 REPRESENTATIVE CORCORAN: What are the
8 current two districts, 14 and 15, are they
9 52 percent each?

10 REPRESENTATIVE SCHENCK: Jeff.

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

12 I don't know the exact percentage. I know
13 they are both over 50 percent, but I don't know
14 if they are 51 or 52, but they are both over
15 50 percent.

16 REPRESENTATIVE CORCORAN: Thank you.

17 REPRESENTATIVE SCHENCK: Other questions,
18 members?

19 Okay. Seeing none, we'll --
20 Representative Bernard.

21 REPRESENTATIVE BERNARD: Thank you,
22 Mr. Chair.

23 Are we going to discuss like Clay
24 County -- the area of Clay County also? How
25 does that -- how does Clay -- I guess I am

1 concerned about Clay County. And how does that
2 affect Duval County also?

3 REPRESENTATIVE SCHENCK: Jeff, you are
4 recognized.

5 MR. TAKACS: Thank you very much, Mr.
6 Chairman.

7 And that is a good question, and it all
8 depends on how you were to build districts
9 within those two counties. Thinking about Mr.
10 Laytham's map, he did utilize in that District
11 37 on his map an area of Clay County that also
12 went into Duval County.

13 Thinking about the directive that we had
14 in our last meeting, thinking about major
15 population centers, what we did was we broke
16 that down by county, and -- for the seven
17 largest counties across the state. But
18 obviously that is something that needs to be
19 considered are the bedroom communities that
20 surround a particular major population center
21 such as Jacksonville, and obviously Clay County
22 is a big part of that.

23 REPRESENTATIVE BERNARD: One follow-up,
24 Mr. Chair?

25 REPRESENTATIVE SCHENCK: Sure, go ahead.

1 REPRESENTATIVE BERNARD: Because would
2 Clay County be -- thank you, Mr. Chair. Would
3 Clay County be able to have their own
4 Representative based on the scenarios that you
5 have presented?

6 REPRESENTATIVE SCHENCK: You are
7 recognized.

8 MR. TAKACS: Thank you, Mr. Chairman.

9 What I will do is actually I will go back
10 just a moment to that first map that we looked
11 at and look at the counties that must be split
12 because their populations are over that of the
13 ideal House district. Clay County is among
14 them, so there would have to be at least two
15 House districts based on its population within
16 Clay County. As a policy decision, you all
17 could decide to link that to Duval County or
18 you could link it to another surrounding
19 community if you chose to.

20 REPRESENTATIVE BERNARD: Thank you, Mr.
21 Chair.

22 REPRESENTATIVE SCHENCK: Uh-huh. Other
23 questions, members? Okay.

24 MR. TAKACS: Thank you, Mr. Chairman.

25 We are going to move on to Orange County

1 here, and you can see that the current State
2 House map is on the screen. On this map, you
3 can see that Orange County has 12 districts
4 that are either all within the county or that
5 share portions of the county with other
6 neighboring counties. Thinking about a couple
7 of districts that only share a minor portion of
8 Orange County if you look on that map,
9 Districts 34, 37 and 79 only have small
10 geographic portions of the county, whether it
11 is in that kind of north -- northern area where
12 37 and 34 kind of creep into Orange County, and
13 then District 79 or just a smidge there at the
14 southern end comes into the county.

15 Thinking about Orange County's population,
16 its population is enough for roughly 7.3 House
17 districts, again, depending on how many county
18 splits you would like to have for that area.
19 Again, thinking about that, and actually would
20 kind of dovetail nicely with Representative
21 Bernard's question, when a county has to be
22 split, it again forces you to look at the
23 counties that surround that county, because at
24 least one district is going to have to go into
25 both counties. In this instance, a district

1 would have to go into either Brevard County,
2 Volusia County, Seminole County, Lake County,
3 Polk County or Osceola County. And, of course,
4 it could be more than one, that policy decision
5 would be yours, but at least one would have to
6 do that, again, solely based on population.

7 Thinking about what I said earlier, again,
8 solely based on population, if you were to add
9 the populations of Orange and Seminole Counties
10 together, it is roughly enough for ten House
11 districts, and if you were to add the
12 populations of Orange County and Osceola
13 Counties together, it would roughly be enough
14 for nine House districts. Thinking that to the
15 next step further, though, you actually could
16 not add all three of those counties to get an
17 appropriate number of House districts, because
18 the population deviation would be too great.
19 So you'd have to kind of see them as in tandem,
20 either Orange and Seminole, or Orange and
21 Osceola. And, again, that is just an option
22 for you.

23 What I wanted to show here is if you look
24 on the screen there, I made it a whole
25 district, but that is the boundaries of the

1 City of Orlando, and the reason I wanted to
2 bring that up is Orlando is one of the cities
3 that needs to be split by at least two House
4 districts because its population is over that
5 of the ideal population for a State House
6 district, and I just wanted to kind of think of
7 it from the map-building perspective. If you
8 look at the size and shape of the City of
9 Orlando, if you wanted to -- you know, it
10 just -- the way that it is shaped, it just
11 leads for districts to have to cut through it,
12 because it is right there in the center of the
13 county and it takes up almost all of the center
14 of the county. It goes from the southern end
15 of the county almost there to the northern end
16 of the county kind of where Maitland is now,
17 though, again, from the map-building
18 perspective, it does tend to lead itself to be
19 split amongst districts as you look to build
20 from either, you know, east to west or north to
21 south.

22 This is a map that it's an example of a
23 map that only has three districts that are
24 actually solely based in Orange County.

25 Mr. Graham Stacy created a map that uses the

1 approach of favoring extremely small population
2 deviations and districts that are shaped --
3 that are visually appealing or visually compact
4 without really regarding as much county
5 boundary lines, which is exactly why there are
6 only three House districts that are solely
7 within Orange County on this map.
8 Interestingly enough, Mr. Stacy has actually
9 took that approach throughout his submission,
10 throughout the map, of where you have
11 good-looking shapes, many of which cross county
12 boundary lines.

13 I will talk about his map one more time.
14 Thinking about Orange County and thinking about
15 this specific map, it does not create a
16 majority-minority black or Hispanic district.
17 The top two black voting age population
18 districts in Mr. Stacy's map are District 16,
19 which you can see there in the kind of
20 northwestern portion of the county, which is at
21 40 percent, and then District 17, which is kind
22 of right there in the heart of Orlando, which
23 has a black voting age population of
24 34 percent. The top two Hispanic voting age
25 population districts in this map is District

1 18, which is just to the east of Orlando there
2 at 40 percent, and District 32, which is there
3 at the southern portion of the county at
4 36 percent.

5 Currently Orange County has one
6 majority-minority black district, which is
7 House District 39. This map here, again, at
8 the VTD level, shows the black voting age
9 percentage at 40 percent or higher. Thinking
10 about those shaded portions in Orange County,
11 their population is 160,000, almost 161,000,
12 which is, of course, above the ideal population
13 for a State House district, and the black
14 voting age population for that shaded region is
15 68 percent. So thinking about that, the
16 assumption would be is that a majority-minority
17 black district could be recreated in Orange
18 County, and then that actually takes you to the
19 next question, which could be could a second
20 majority-minority black district or a minority
21 access district be drawn within Orange County.

22 When you look at the demographics and you
23 look at the county as a whole, thinking again
24 of Orange County, it is impossible to actually
25 build a second majority-minority district

1 within Orange County; however, it may be
2 possible to draw a majority-minority access --
3 I'm sorry, a black access district within
4 Orange County, but more analysis would be
5 needed to determine if that is, in fact,
6 feasible.

7 According to the 2010 census, Orange
8 County has a Hispanic voting age population of
9 220,285, which, of course, is over the ideal
10 population for that of a State House district.
11 What this map illustrates are, again, all of
12 those VTDs that have a Hispanic voting age
13 population of 40 percent or greater. You can
14 see there that they happen to be all basically
15 linked together within one shape. The voting
16 age population for those shaded areas is
17 52 percent. So thinking about that, it could
18 be assumed that a majority-minority Hispanic
19 district could be built within Orange County.

20 Again, kind of stepping back and thinking
21 about the concept of building districts and
22 thinking about this county, if you think about
23 the graphic that is on your screen, and if you
24 assumed for a moment that all of those shaded
25 areas, or roughly all of those shaded areas

1 were a district, and then thinking about the
2 area to the northwest of this area, which was
3 where the black voting age population VTDs were
4 shaded, it does create some issues when you are
5 building districts as it relates to western
6 Orange County. If you were to build districts
7 in a fashion that created those two seats, you
8 could potentially kind of separate southwest
9 Orange County from the rest of the county,
10 which would then mean what you would have to
11 do, if that area didn't meet the ideal
12 population for a State House district, it would
13 have to then bleed over into another county,
14 whether that be Lake County or Osceola County.
15 So, again, just kind of thinking about building
16 maps as you are looking at a county as a whole.

17 Taking that to the next step forward, the
18 rest of the area of Orange County, thinking
19 about the areas of Maitland and Winter Park and
20 then moving east into east Orange County, those
21 are the areas that would be left on this map if
22 you were to place those districts within the
23 map, and, again, thinking about do we want to
24 connect Orange County with a neighboring county
25 like Seminole County, or thinking about east

1 Orange County, do we want to have that connect
2 with Brevard County, again, those are decision
3 that would be yours to make.

4 Currently there is a House district that
5 crosses into both Orange and Osceola Counties
6 that traditionally elects a Hispanic member of
7 the House. According to the 2010 census,
8 Osceola County has a Hispanic voting age
9 population of roughly almost 85,000 people,
10 which is over half of the ideal population for
11 a House district. If you look at the map
12 here -- again, this is looking at the VTD
13 level, looking at Hispanic voting age
14 population of 40 percent or higher -- if you
15 look on the screen there, that black line
16 symbolizes the border between Osceola and
17 Orange County, as well as Osceola and Polk
18 County, just to kind of show some distinction
19 there for Osceola County. The total population
20 for those shaded VTDs is just under 171,000,
21 which is over the ideal population for a State
22 House district. The Hispanic voting age
23 population for those shaded VTDs is 54 percent.
24 So taking that to the next step, with that
25 information, it is possible to build a

1 majority-minority Hispanic district solely
2 contained in Osceola County.

3 And thinking about the district that I
4 just mentioned -- potential district that I
5 just mentioned, as well as thinking about the
6 potential majority-minority Hispanic district
7 in Orange County, what kind of got us to
8 thinking about that was actually a map that was
9 submitted to us by LatinoJustice, which was a
10 Congressional submission that had a district
11 that went from Orange County down through
12 Osceola and touched into areas of Polk County.
13 And what led us to think about that was that --
14 could that potential district be divided,
15 thinking about the House map, into House
16 districts that could create majority-minority
17 districts, and obviously, as I answered
18 earlier, the answer to that is yes. When
19 looking at the demographics and looking at the
20 area, you can see there actually on this
21 screen, there are some areas there in Polk
22 County that have some VTDs that have the
23 Hispanic voting age population of 40 percent or
24 higher. When thinking about, well, is there a
25 possibility of building a third

1 majority-minority Hispanic seat in that area,
2 or maybe even an access seat, when you take a
3 look at the data and the demographics of that
4 region, it actually is pretty difficult to
5 create such a district. It is actually not
6 really feasible, thinking about the
7 demographics of those communities and the
8 demographics of the communities that surround
9 them.

10 Mr. Chairman, that concludes Orange
11 County, if there are any questions.

12 REPRESENTATIVE SCHENCK: Okay, members,
13 any questions on that portion of the
14 presentation? Representative Nuñez.

15 REPRESENTATIVE NUNEZ: Thank you, Mr.
16 Chairman, more of a comment.

17 I believe the points made about the
18 potential for a new minority district in
19 central Florida are important, and while I
20 recognize that it is never as simple as
21 technically creating another minority district,
22 I believe we have to look at the data to ensure
23 that the communities there will be able to
24 elect a candidate of their choice. And I, for
25 one, would like to see a commitment on the part

1 of the subcommittee to ensure that we are
2 considering options to increase minority
3 representation, so that at the end of this
4 process, Mr. Chairman, we will be able to say
5 on the record that we truly considered and
6 weighed all the possibilities to ensure that
7 the Legislature is reflecting the diversity of
8 this state.

9 REPRESENTATIVE SCHENCK: Thank you.

10 Other comments? Representative Diaz.

11 REPRESENTATIVE DIAZ: I am personally in
12 favor of increasing minority representation
13 when we can. I am sure all of us are. My only
14 concern is -- the question, I guess, is can we
15 make that commitment right now this early on in
16 the process? Are we possibly putting ourselves
17 in a situation where we are over-promising
18 something before we've even looked at a PCB or
19 an actual member Bill? That is the concern I
20 have.

21 REPRESENTATIVE SCHENCK: Thank you.

22 Representative Bernard.

23 REPRESENTATIVE BERNARD: Thank you,

24 Mr. Chair.

25 When we were -- during the tour with the

1 -- I guess when we were in Orlando, like how
2 did they say that they wanted to -- what are
3 the communities that they want to be lumped
4 with? Like did we get any comments regarding
5 whether they wanted to be with Osceola County,
6 or which counties did they say that they want
7 to be lumped with?

8 REPRESENTATIVE SCHENCK: Jeff.

9 MR. TAKACS: Thank you, Mr. Chairman.

10 I think you saw a myriad of comments from
11 that Orlando meeting, thinking about that
12 concept. I can think of an example, his name
13 was Mr. Doug Head. He made some suggestions
14 asking for there to be black districts within
15 Orange County. I don't remember if there were
16 any comments made about crossing those
17 districts or that area into other communities,
18 and, likewise, there was -- there was sentiment
19 to create Hispanic districts as well, but
20 thinking about communities being lumped
21 together, there -- I mean, there has been
22 testimony, thinking about if there was a need
23 to connect the two communities -- I know some
24 folks in Osceola County expressed the desire,
25 again, if they needed to, to come up into some

1 areas into Orange County. And, again, what
2 this represents is just an option before you
3 that shows just based on the population, if a
4 district like that were to be built, it doesn't
5 have to go into that other county. Again, just
6 a menu option for you, so to speak.

7 REPRESENTATIVE BERNARD: One more
8 follow-up, Mr. Chair?

9 REPRESENTATIVE SCHENCK: Sure, follow-up.

10 REPRESENTATIVE BERNARD: Thank you, Mr.
11 Chair.

12 Did we take a look at what is going on now
13 in terms of the redistricting within that
14 county? Because I know that LatinoJustice,
15 they had a map that they suggested to the
16 County, and that map was rejected. Have we
17 looked at that also?

18 REPRESENTATIVE SCHENCK: Jeff.

19 MR. TAKACS: Thank you, Mr. Chairman.

20 Specifically about county redistricting,
21 we haven't. And to take that question to the
22 next step, what I presented here today was not
23 actually a submission by LatinoJustice or any
24 other group. What it was was that we saw the
25 submission that they made as it relates to a

1 Congressional district, and it got us thinking,
2 okay, well, is there more here as it relates to
3 the State House map, thinking about that
4 particular submission. So we haven't.

5 REPRESENTATIVE BERNARD: Thank you, Mr.
6 Chair.

7 REPRESENTATIVE SCHENCK: Representative
8 Frishe.

9 REPRESENTATIVE FRISHE: Thank you, Mr.
10 Chairman.

11 I think I see where Representative Nuñez
12 is headed on this and where she is coming from,
13 and I tend to agree with her. I think the PCBs
14 we look at should have these kinds of options
15 included in them, options to increase minority
16 representation in areas such as we have seen,
17 so that we can conclude the process by
18 informing the redistricting committee, and
19 anyone else who is really watching and
20 following the process, that we have considered
21 all the alternatives possible, and that I don't
22 think it is a stretch to be able to make a
23 commitment at this time, an appropriate
24 commitment, to see that the bills we vote on
25 include these options.

1 REPRESENTATIVE SCHENCK: Thank you. Good
2 points.

3 Other questions or comments at this point,
4 members? Seeing none, why don't we move on to
5 the next part of the state.

6 MR. TAKACS: Thank you, Mr. Chairman.

7 The next part of the state is Hillsborough
8 and Pinellas Counties. What I have done here
9 is combined the two, and we will talk about
10 them in tandem. Obviously, they are their own
11 counties and they have their own issues, but I
12 wanted to bring them together for the purposes
13 of this presentation.

14 This is the current State House map. Some
15 things that kind of jump out as I look at it,
16 Hillsborough County has six districts that are
17 contained wholly within it, and six that are
18 not, that share portions of Hillsborough County
19 with other counties. One of those districts
20 actually shares both portions of Hillsborough
21 County and Pinellas County. Pinellas County
22 itself has five districts contained wholly
23 within it, and three districts that have
24 portions within it and with that of a
25 neighboring county.

1 Hillsborough County's population is enough
2 for 7.85 House districts, so it would, in fact,
3 need to be split within a House plan.
4 Similarly, Pinellas County has a population of
5 enough for 5.85 House districts, so it, too,
6 would need to be split. And the reason I bring
7 that up is, just like the examples before, is
8 that when a county needs to be split, it then
9 forces you to then look at the neighboring
10 counties, because they are the potential areas
11 where those districts could go. For these two
12 counties, their neighboring counties are, of
13 course, Pasco County, Polk County and Manatee
14 County.

15 I am going to go back to actually Mr.
16 Laytham's map, map number 79, for this next
17 example. When you look at this region --
18 actually, when you look at all of the maps that
19 have been submitted to us, the complete plans,
20 Pinellas and Hillsborough County were actually
21 drawn quite similarly, thinking about the
22 cross-county districts were tending to be more
23 into the Pinellas and Pasco and
24 Hillsborough/Pasco versus Hillsborough and
25 Polk, as an example. This is an example of one

1 of those maps. Ironically, this is actually
2 one that does have a district that crosses from
3 Hillsborough into Polk County, which is
4 District 49, which -- and you can also see
5 there's actually one district that also crosses
6 from Pinellas into Hillsborough, which is House
7 District 53.

8 Some things to think about with this map,
9 it creates no majority-minority black or
10 Hispanic seat. The top two black voting age
11 population districts on this map are District
12 51, which is kind of right there in central
13 Hillsborough County, at 43 percent, and
14 District 63, which is there in the southern end
15 of St. Petersburg, at 31 percent. The top two
16 Hispanic voting age population districts are
17 District 61, which is actually just to the
18 left -- to the west of District 51 there in
19 central Hillsborough, at 47 percent, and
20 District 48, which is that yellow district
21 there to the south of 51, and that percentage
22 is 21 percent.

23 Just to note, thinking about this map and
24 thinking about some testimony that we received,
25 this map does send to keep smaller cities whole

1 and together within districts, while splitting
2 some of the larger cities into one or more
3 districts. Thinking about a comment that we
4 received from a mayor of one of the small
5 cities within Pinellas County, this would kind
6 of jive with that particular request.

7 Currently the two counties have two
8 districts that are majority-minority black
9 districts that were built in 2002. Those are
10 Districts 55 and 59. What this map shows you,
11 again, is thinking about the VTD level, this is
12 the black voting age population of 40 percent
13 or above. When you look at -- actually, the
14 entire area there on the screen is all parts of
15 Pinellas or Hillsborough County. Thinking
16 about all the way to the east where Plant City
17 is there, there are some VTDs that are shaded,
18 and then coming all the way down to southern
19 St. Petersburg, some shaded areas as well. The
20 total population of those shaded VTDs is almost
21 196,000 people, which is over the ideal
22 population for a State House district, and the
23 black voting age population for those shaded
24 VTDs is 63 percent. So thinking about that,
25 the assumption could be made that one

1 majority-minority black district could be
2 recreated in Hillsborough County, but a second
3 majority-minority black district or a minority
4 black access district could be drawn in a
5 region. And to be quite honest with you,
6 members, this is actually one of the biggest
7 challenges facing you when creating a House map
8 is answering that question, thinking about
9 recreating the opportunity for the black
10 communities that are currently in House
11 District 55, would they be able to elect the
12 candidate of their choice. That question is
13 one of the biggest questions facing you as you
14 build this map.

15 When you think about the current District
16 55, if you look at southern St. Petersburg,
17 which is some of the area that that district
18 has now, that district then goes eastern into
19 Hillsborough County, as well as south into
20 Manatee and Sarasota Counties, so you may have
21 to look at those counties as well when thinking
22 about particular options for that district.

23 Currently Hillsborough County also has a
24 district that has a Hispanic voting age
25 population of 38 percent at the time it was

1 built in 2002, below -- again, thinking about
2 Hispanic voting age population of 40 percent or
3 higher, those are the shaded VTDs that
4 represent that number. The total population of
5 those shaded VTDs is 165,000 people, roughly,
6 which is over the ideal population for a State
7 House district, and its Hispanic voting age
8 population, again, all of those shaded regions,
9 is 53 percent. So thinking about that, it can
10 be assumed that a House district that is a
11 majority-minority Hispanic district could be
12 built solely within Hillsborough County.

13 Now, again, thinking about what we were
14 talking about in Orange County a little bit ago
15 is actually a similar issue here in
16 Hillsborough in that if you think about the
17 shaded VTDs kind of there in western
18 Hillsborough County, and you think about the
19 areas just to the east of it, which were some
20 of the shaded VTD portions of where the
21 majority-minority -- or I should say where the
22 VTDs of black voting age population of
23 40 percent or higher is located, what that does
24 is if you think about that area there on the
25 screen that is south of what you see shaded

1 here, like thinking about where MacDill Air
2 Force Base is, if you draw those districts, the
3 two districts I just mentioned, in a certain
4 way, you do potentially landlock that area, and
5 if you were to build a district that had
6 MacDill Air Force Base and those areas north to
7 it, you would either have to hug the coast in
8 Hillsborough County either to the south or to
9 the northwest, or you would have to cross that
10 district over into Pinellas County. So, again,
11 kind of thinking about when you build one
12 district or two districts, the ripple effect
13 affects many other districts, and that is an
14 example of that.

15 Mr. Chairman, that concludes that region.

16 REPRESENTATIVE SCHENCK: Members,
17 questions on that region?

18 REPRESENTATIVE BERNARD: Mr. Chair?

19 REPRESENTATIVE SCHENCK: Representative
20 Bernard.

21 REPRESENTATIVE BERNARD: Thank you, Mr.
22 Chair.

23 Seeing how Pasco County -- it seems like
24 the population shifted to Pasco County. Did we
25 take a look at how Pasco County would be drawn

1 and how would that affect -- how would
2 Hillsborough County affect Pasco County?

3 REPRESENTATIVE SCHENCK: Jeff.

4 MR. TAKACS: Thank you, Mr. Chairman.

5 Similarly to your Clay County question,
6 Pasco County is a bedroom community, not the
7 whole county, but there are portions of Pasco
8 County that are considered bedroom communities
9 to the Hillsborough County area, and, again,
10 that would be a policy decision that the
11 subcommittee would need to make as far as how
12 do you relate those two counties.

13 REPRESENTATIVE BERNARD: Thank you, Mr.
14 Chair.

15 REPRESENTATIVE SCHENCK: Uh-huh. Other
16 questions, comments?

17 Seeing none, why don't we move on to the
18 next.

19 MR. TAKACS: Thank you, Mr. Chairman.

20 What I would like to do now is kind of
21 step away from the major population centers and
22 talk about another issue that was discussed in
23 the last meeting, and that was the concept of
24 the trade-offs between whole counties versus
25 cross-jurisdictional counties.

1 The first example I would like to talk
2 about is the most popular example of this
3 nature that we heard many times along the tour
4 in The Villages, is The Villages. If you look
5 at the map here on the screen, those are all of
6 Marion, Sumter and Lake Counties shaded. What
7 makes The Villages unique is that as a
8 community, it crosses into parts of all three
9 of those counties. When you think about each
10 of those three counties separately, Lake
11 County's population is enough for roughly 1.9
12 House districts, which means it does, in fact,
13 have to be split between two districts.
14 Conversely, Sumter County's population is
15 enough for .6 House districts, so it can, in
16 fact, be kept whole within a House plan if you
17 choose to do so. Marion County there to the
18 north has a population enough for 2.11 House
19 districts, so, again, it would need to be
20 split.

21 So, again, thinking of what I just said
22 and thinking about those concepts, the next
23 question would be, well, is there a possibility
24 of drawing a district that would have all of
25 the cross-jurisdictional communities, The

1 Villages in this instance, while keeping the
2 only county that is possible to be kept whole
3 within this region, Sumter County, in fact,
4 whole. And the answer to that is yes. Here
5 you can see this is an example of a district
6 that does just that. You can see, obviously,
7 again, all of Sumter County is whole, that
8 little portion there to the north crosses over
9 into the Marion County area, and then what I
10 did here is, thinking about just as an example
11 of a visual for you all, I continued the
12 district eastward into Lake County, and there
13 are consequences of doing that, which I will
14 mention here in just a second. That district,
15 again, just as a visual for you to look at, the
16 deviation for that district is short by 701
17 people. And, again, thinking about
18 consequences of building a particular district,
19 this particular district splits the cities of
20 Fruitland Park, Leesburg and Tavares.

21 And kind of taking a step back and
22 thinking about building districts and building
23 the state as a whole, although it may sound odd
24 at first, this area of the state is actually a
25 very critical area of the state from the

1 map-building perspective, and I say that
2 because when you think about the peninsula of
3 Florida, thinking about counties like Marion
4 County, Sumter County, Lake County, they are
5 smack dab in the middle, and if you decide to
6 draw districts that are horizontal in nature
7 like we talked about before, you may actually
8 potentially landlock yourself when building
9 districts. So thinking about, you know, a
10 north-to-south-looking-like district would
11 allow for other districts to continue
12 southward, to the west and to the east. So
13 just something to think about as you all build
14 maps.

15 The next example is the issue of keeping
16 the barrier islands whole within Manatee and
17 Sarasota within one district. Here -- here are
18 Manatee and Sarasota Counties on their own.
19 Thinking about both counties, Manatee County's
20 population is enough for 2.06 House districts,
21 so it does, in fact, have to be split within a
22 House map. Similarly, Sarasota County's
23 population is 2.42 House districts, so it, too,
24 would need to be split in a House map.

25 I want to take a step back and look at one

1 of the testimony areas that we received. This
2 is SW-16, thinking about the presentations we
3 had in previous meetings. This was the concept
4 of having east and west districts in both
5 Manatee and Sarasota Counties. Again, thinking
6 about all four of those districts before you
7 actually -- if you remember, all four of those
8 districts are above the ideal population for a
9 State House district. So that got us to
10 thinking, okay, well, is there a possibility of
11 creating a district that would link the barrier
12 islands of both of those counties, and you can
13 see that is our attempt to do so there, that
14 yellow district. It does incorporate all of
15 the barrier islands. When you think of the
16 barrier islands and their population, if you
17 were to kind of thin out that yellow district
18 just to include the barrier islands, its
19 population isn't anywhere near the ideal
20 population for a State House district, so you
21 have to then go eastward as you are building
22 that district, and that is what we did here.
23 Thinking about that district as an example, its
24 population deviation is minus 219. Again,
25 thinking about consequences for when you build

1 districts, this district actually splits the
2 Cities of Bradenton, Sarasota and Venice.

3 When you think about the rest of the
4 county and think about that green area for
5 Manatee County and that brown area for Sarasota
6 County, both of those areas are still over the
7 ideal population for a State House district, so
8 a further split would be needed in both of
9 those counties if you were to create that
10 yellow district to the west.

11 Thinking about this concept of trade-offs
12 between cross-jurisdictional communities and
13 whole counties, there really is no trade-off
14 here, because as I said before, both of these
15 counties need to be split anyway, so this is a
16 potential split that you could have for these
17 districts.

18 A couple of other things to think about:
19 Coincidentally, one of the other issues that we
20 talked about in this world was thinking about
21 the concept of that airport, the
22 Bradenton/Manatee airport, it actually crosses
23 both of the county lines there.
24 Coincidentally, as I put together this example
25 for you, almost by sheer accident, I also

1 included all of the territory within the
2 airport. So to answer that question, yes, that
3 could be done as well.

4 One final point when you think about a
5 district that looks like this and has a shape
6 like this, when you look at the southern end of
7 the district, again, thinking about barrier
8 islands, there is an area there, kind of the
9 southern end of that district and the Manasota
10 Key area, in the southern area of that barrier
11 islands, for those folks to get to the inland,
12 they actually have to drive south to Charlotte
13 County to then cross over and drive wherever
14 they want to on the inland. So thinking about
15 that, there is a possibility that that
16 community may be more similarly linked to
17 Charlotte County versus the rest of the
18 district to the north. More analysis would be
19 needed to determine that, but just something to
20 think about, again, is thinking about the
21 location of the district and how the
22 constituents can drive to the Representative,
23 and conversely, the Representative driving to
24 their constituents.

25 The next example is Keystone Heights.

1 Interestingly enough, the boundaries of
2 Keystone Heights are in both Bradford and Clay
3 Counties. They look something like this, and
4 the reason I say "something like this" is that
5 when you look at the Clay County portion there
6 to the east, that is the incorporated city
7 boundaries of Keystone Heights. The area that
8 crosses into Bradford County there, which is to
9 the west, is what is called a census-designated
10 place, so just to kind of put an area there for
11 you to have a visual, that is about what that
12 would look like.

13 Here is what Bradford County and Clay
14 Counties look like as a whole. Thinking about
15 their populations, Bradford County has the
16 population of .18 House districts and, in fact,
17 could be kept whole within a House map. Clay
18 County, as we talked about before, its
19 population is roughly 1.22 House districts, so
20 it would, in fact, need to be split.

21 So thinking about that, if you wanted to
22 keep the cross-jurisdictional area of Keystone
23 Heights whole and together within a district,
24 as well as trying to balance the trade-off
25 between keeping whole counties whole and

1 keeping a cross-jurisdictional community like
2 that together, you would need to put that
3 district all within Bradford County and then
4 build the rest of the district from there, and
5 that is what I have done here, again, as an
6 example. I included all of Bradford County,
7 and then obviously I could have gone north or
8 south or even further west if I wanted to, but
9 just for this visual, I decided to go east and
10 continue to build into Clay County. Just as an
11 example, the population deviation for this
12 district is short by 834 people. As I said
13 before, it keeps all of Bradford County whole,
14 and, consequently, of course, all of the cities
15 within that county are whole as well. And as
16 you move to the east within that district,
17 obviously keeping Keystone Heights whole, you
18 also keep the community of Penney Farms whole,
19 and what you end up not doing with this
20 particular district is you do not get into the
21 Cities of Green Cove Springs or to Orange Park.
22 In fact, this district uses both of those
23 cities' boundary lines as a partial boundary
24 line for the district as well, so they are not
25 split within this district.

1 Similarly, the next example is Dunnellon.
2 It is very similar to Keystone Heights in that
3 the incorporated city area is actually all
4 within Marion County, but the census-designated
5 place or the community that has an affinity to
6 Dunnellon is just across the border there in
7 Citrus County. This is an approximation of
8 what that community looks like.

9 Thinking about Citrus and Marion Counties
10 together here, you can see them shaded
11 individually. The population of Citrus County
12 is enough for .9 House districts, so it could,
13 in fact, be kept whole within a House map.
14 Marion County, however, as I stated earlier,
15 has the population of 2.11 House districts and
16 would, in fact, need to be split.

17 So thinking about this concept of trading
18 off between whole counties and
19 cross-jurisdictional communities, if you wanted
20 to achieve both of those goals for Dunnellon,
21 what you would need to do is have all of Citrus
22 County within that district and then have it
23 come -- the population into the rest of
24 Dunnellon, and then you could decide to take
25 that -- the rest of that district wherever you

1 chose to. For this example, I decided to keep
2 continuing into Marion County.

3 And as a note, thinking about Dunnellon,
4 it is somewhat a unique situation where
5 Dunnellon's airport is not within the city
6 limits, it is actually just to the east --
7 actually to kind of the northeast of the city
8 limits. So when you think about trying to tie
9 communities together and trying to tie all of
10 an area that -- thinking about transportation
11 and things that all would link a specific
12 district, this area does, in fact, have the
13 airport within it for this particular example
14 for this district, but that is just something
15 for you to think about is when you want to try
16 to grab all of a community, thinking about the
17 entire community. In this instance, an airport
18 is separated from the city boundary lines.
19 Thinking about this district, its population
20 deviation is just over with 334 people, and,
21 again, it keeps all of Citrus County whole
22 while keeping the entire community of Dunnellon
23 together.

24 The next example is the community of
25 Poinciana. Poinciana is in both Osceola and

1 Polk Counties and again looks something like
2 this. Poinciana is not an incorporated city.
3 It is, in fact, a community. So looking at
4 neighborhoods and looking at census-designated
5 places, it looks somewhat like this. I may be
6 off just a little bit for this example, but I
7 wanted to give you a visual.

8 Thinking about both of those counties as a
9 whole, you can see Polk County there to the
10 west, the green area, and then Osceola County,
11 the brown area to the east. That's what both
12 of those counties look like. Thinking about
13 their populations, Polk County's population is
14 enough for 3.84 House districts, so it would,
15 in fact, need to be split within a House plan.
16 Osceola County's population is enough for 1.71
17 districts, so it too would need to be split
18 within a House map.

19 So thinking about that, since both
20 counties need to be split anyway, and thinking
21 of the trade-off between cross-jurisdictional
22 communities and keeping counties whole, what
23 you would want to do here is in this
24 district -- it has all of Poinciana, but you
25 are not actually able to achieve the whole

1 county within this -- within this district, you
2 can see here I grabbed a large chunk of Osceola
3 County, but that would be an example of -- you
4 know, again, Osceola County needs to be split
5 anyway, so you could split it like this, but
6 the county can't be whole. So, you know, you
7 would be -- there is, again, no trade-off there
8 when you are thinking about the Poinciana
9 community and the district there.

10 Again, you could have chosen to put that
11 district into Polk County more if you chose to,
12 or to have gone into another county. I just
13 wanted to give you a visual, so I went east
14 into Osceola County. That district's
15 population is minus 930, and, actually, no
16 cities were split in the creation of that
17 particular district.

18 And this is the last example of this
19 trade-off for today's meeting, thinking about
20 cross-jurisdictional communities and keeping
21 counties whole. There is an interesting little
22 nuance in the map that relates to the border of
23 Dixie County. You can see there in the
24 northeast portion of the boundary for Dixie
25 County, it is actually contiguous to a point

1 there where a piece of their boundary comes
2 into Gilchrist County. And what I mean by that
3 is that if you wanted to keep all of Dixie
4 County whole, what you would have to do is have
5 a district that had a portion of Gilchrist
6 County that wraps around where that circle is
7 there on the screen in that district as well
8 because of that contiguous to a point.

9 So thinking about the population of both
10 of those counties, they are both small
11 counties, Dixie County has the population of .1
12 House districts, and Gilchrist County has
13 enough of a population for .11 House districts.
14 So if you wanted to keep all of Dixie County
15 whole, which is something that could be done,
16 you would have to keep -- again, it would have
17 to have a portion of Gilchrist County. Well,
18 Gilchrist County is also a county that could,
19 in fact, be kept whole in a State House map,
20 and together they would look like this. And
21 this is the only way, again, as I am saying,
22 you could keep Dixie County whole is if you had
23 a portion of Gilchrist County within that
24 district.

25 Thinking about this district, again, this

1 is really just kind of more of a beginning of a
2 district, its population is just over 33,000,
3 so obviously you need roughly 123,000 more to
4 complete that district. I wanted to show that
5 little nuance to you within the county boundary
6 line for Dixie County.

7 Mr. Chairman, those are all of my remarks.

8 REPRESENTATIVE SCHENCK: Thank you, Jeff.

9 Questions about this portion of the
10 presentation, members, questions or comments?
11 Representative Bernard, would you like to say
12 something today? You are recognized.

13 REPRESENTATIVE BERNARD: Thank you, Mr.
14 Chair.

15 In some of these trade-offs, specifically
16 in The Villages, did you split any of the VTDS
17 based on the first example on page 29?

18 REPRESENTATIVE SCHENCK: Jeff, you are
19 recognized.

20 MR. TAKACS: Thank you, Mr. Chairman.

21 No, as a matter of fact, just to give you
22 that visual, I just -- I built all in VTDS.

23 REPRESENTATIVE BERNARD: Okay.

24 REPRESENTATIVE SCHENCK: Other questions,
25 members? Representative Baxley.

1 REPRESENTATIVE BAXLEY: Thank you,
2 Mr. Chairman.

3 Having evaluated this good presentation
4 and a lot of the other information that we
5 received, I have a suggestion, Mr. Chair, in
6 fact, a recommendation for a standard that we
7 should use in this process as we move forward.
8 And it may sound over-simplified, but I think
9 it has meaning.

10 I really think that the House maps that we
11 draw should create -- or that we are going to
12 create should actually -- we should drill down
13 and see that every district must change. Every
14 district has something that needs improving on.
15 Every district has some split neighborhoods or
16 communities that need to be put back together,
17 that could be put back together. You know,
18 some districts might improve just in a minor
19 way, there might not be a big change with them,
20 maybe that is all they need is a little change,
21 just putting a neighborhood together or just
22 putting a subdivision together that right now
23 is split. And then others may need a dramatic
24 change, you know, based on things that we are
25 learning and the parameters of the new

1 guidelines that are entering the process this
2 time.

3 But I think it is critical that at the end
4 of this process that we can say to everybody,
5 you know, that we didn't just keep any district
6 the way it was, we improved every district.
7 And if that improvement was small, keeping a
8 few neighborhoods whole, or if it was large,
9 that we didn't fail to go and look at every
10 district and see if we could improve it and put
11 some things together that may look broken at
12 this point.

13 So I think we should be able to put
14 forward some kind of plain language
15 improvements regarding each district so that
16 people can see that something positive happened
17 with their district, in every single district.
18 And maybe I said too much, but that is my
19 suggestion, Mr. Chair.

20 REPRESENTATIVE SCHENCK: No, no, thank
21 you, Representative Baxley. The suggestion of
22 changing all the districts while we are
23 redistricting is very profound, but your point
24 is well-taken. I think sometimes people gloss
25 over the fact that everything is going to

1 change and should change, so you make a very
2 good point. Thank you for that.

3 Other questions or comments, members?
4 Representative Young.

5 REPRESENTATIVE YOUNG: Thank you, Mr.
6 Chairman.

7 I do think Representative Baxley makes
8 some good points, and I do want in concept to
9 agree with that, but I also have a bit of a
10 concern, and I wonder where those districts in
11 counties like Hillsborough County and
12 Jacksonville area, those districts that have
13 some sort of federal or state legal protection
14 for racial minorities, language minorities, how
15 those would fit into that program. So I guess
16 my question is, is it possible that in some
17 situations we may just need to leave a district
18 alone and not make a change? Is that legally
19 possible? And that may be a question for
20 staff.

21 REPRESENTATIVE SCHENCK: Sure. Let's go
22 to staff first. Bob, I am going to ask you to
23 address that question about the legal aspect of
24 it. Is it legally possible to leave a
25 court-protected or judicial-protected district

1 the same?

2 MR. WEST: That is a question more for the
3 attorneys.

4 REPRESENTATIVE SCHENCK: True.

5 MR. WEST: I think some of them will be
6 very similar. All of them will be changed in a
7 real way when we do the maps, but some of them
8 will be similar and will have to be similar in
9 order to meet the requirements.

10 REPRESENTATIVE SCHENCK: Thank you. And I
11 guess, too, Representative Young, I would
12 follow up your comments with I think that was a
13 lot of today's presentations that when you look
14 at these minority protected seats or access
15 seats, that what -- what we do with those
16 really dictates how the rest of the map spreads
17 out. And so you bring up some very valid
18 points.

19 Jeff, did you want to add something to
20 that?

21 MR. TAKACS: Thank you, Mr. Chairman.
22 Yeah, just a minor point.

23 I mean, obviously, thinking about
24 population, which is, in fact, what drives
25 redistricting, the population is going to

1 change, has changed over the last ten years.
2 So even if it is in a minor way, each district
3 is going to have to change just solely based on
4 its population.

5 So then taking that to the next step, it
6 would be how do you make that change? Even if
7 it is a minor, how do you make that change?
8 Representative Baxley talked about, you know,
9 maybe a neighborhood that may be cut or
10 something else that may be minor, but because
11 of the population change, each district does
12 need to change at least slightly.

13 REPRESENTATIVE SCHENCK: Sure. I think,
14 Representative Bernard, was that you that
15 wanted to say something?

16 REPRESENTATIVE BERNARD: Thank you, Mr.
17 Chair.

18 Mr. Chair, I do agree with Representative
19 Baxley's point that every district must change,
20 but I do want to make sure that the changes
21 that are made to every district should be along
22 the -- should follow the Florida Constitution
23 and the United States Constitution.

24 REPRESENTATIVE SCHENCK: Okay. Others?
25 Representative Dorworth.

1 REPRESENTATIVE DORWORTH: Thank you, Mr.
2 Chair. I guess I -- listening to this today, I
3 think we are right to be cautious. I think
4 that there is -- as Representative Young
5 suggested, there is reason to be cautious
6 there, but I also think we can live up to what
7 Representative Baxley is saying.

8 That improvement that we want for every
9 district may relate to more than just a
10 district itself. It is possible that we can
11 preserve electoral opportunities for a minority
12 community, but still improve the configuration
13 of the districts in that county, for example.
14 So while we comply with the Voting Rights Act,
15 we also help provide the people of a county or
16 region with the representation that they want.

17 So when we do roll out the PCBs or member
18 bills, with your agreement, Chairman Schenck, I
19 think it is fair to say that we should be
20 prepared to speak to the merits of every single
21 district, whether they be minor or major
22 benefits. That is my comment.

23 REPRESENTATIVE SCHENCK: Well spoken.

24 Other -- other questions or comments,
25 members?

1 Okay. Then I guess I would close with
2 this: First of all, Jeff, I think you did an
3 outstanding job in your presentation today,
4 really hammering home a lot of the thinking
5 points that this Committee is going to have to
6 look at over the next couple of weeks.

7 I would charge with this Committee for the
8 next meeting in two weeks to think about really
9 some of the points that were made in this -- in
10 this presentation and how do county
11 boundaries -- what role should they play in how
12 we draw the new districts, because obviously
13 they are the most recognizable geographical
14 boundaries on a map that most people recognize.
15 So while certainly counties have to be split
16 because population dictates everything, we
17 should all be thinking on what role county
18 boundaries should be playing in the discussion,
19 and I think we are going to discuss some more
20 of that in two weeks.

21 So Representative Clarke-Reed.

22 REPRESENTATIVE CLARKE-REED: Thank you,
23 Mr. Chair.

24 The presentation that was just given to us
25 on the southwest districts, will we be having

1 that presentation on other areas of the state
2 as we go around?

3 REPRESENTATIVE SCHENCK: Yes, we are going
4 to continue in two weeks from now in our next
5 committee meeting to look at other parts of the
6 states as well with some of the same dynamics
7 that are going on.

8 Other questions or comments?

9 Okay, members, well, listen, good work
10 today, and we will see you in two weeks, and
11 with that, Representative Diaz moves we rise.

12 (Whereupon, the proceedings were
13 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 62 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 February, 2012.

CLARA C. ROTRUCK

Notary Public

State of Florida at Large

Commission Expires:

November 13, 2014

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SENATE REDISTRICTING SUBCOMMITTEE MEETING

MONDAY, OCTOBER 17, 2011

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 REPRESENTATIVE HUKILL: All right, here we
3 go. All right. The Senate Redistricting
4 Subcommittee is now called to order -- called
5 to order. Thank you.

6 All right. Katie, please call the roll
7 and announce the presence of a quorum.

8 THE CLERK: Representatives Boyd?

9 REPRESENTATIVE BOYD: Here.

10 THE CLERK: Caldwell?

11 REPRESENTATIVE CALDWELL: Here.

12 THE CLERK: Crisafulli?

13 REPRESENTATIVE CRISAFULLI: Here.

14 THE CLERK: Cruz?

15 REPRESENTATIVE CRUZ: Here.

16 THE CLERK: Ford?

17 Hukill?

18 REPRESENTATIVE HUKILL: Here.

19 THE CLERK: Jenne?

20 REPRESENTATIVE JENNE: Here.

21 THE CLERK: Kiar?

22 REPRESENTATIVE KIAR: Here.

23 THE CLERK: Logan?

24 REPRESENTATIVE LOGAN: Here.

25 THE CLERK: Nehr?

1 REPRESENTATIVE NEHR: Here.

2 THE CLERK: Rouson?

3 REPRESENTATIVE ROUSON: Here.

4 THE CLERK: Stargel?

5 Williams, A.?

6 Williams, T.?

7 REPRESENTATIVE T. WILLIAMS: Here.

8 THE CLERK: Workman?

9 REPRESENTATIVE WORKMAN: Here.

10 THE CLERK: Quorum is present, Madam
11 Chair.

12 REPRESENTATIVE HUKILL: All right.

13 Representatives Ford and Stargel have an
14 excused absence.

15 Members, at the end of our last meeting,
16 we discussed how to go forward with meeting
17 Chair Weatherford's request for producing three
18 options, complete options, for State Senate
19 maps in order that we can provide these options
20 to the redistricting committee in a timely
21 manner. Last meeting I raised the point that I
22 believe we need to see essentially the
23 either/or's of each region, in other words, the
24 key decision points of each region, in order
25 that we craft these options. Representative

1 Kiar raised the point that we need to look at
2 specific options for minority communities.

3 Today our staff will be presenting us with
4 these options so that we can discuss them, ask
5 questions and make suggestions. It is possible
6 that the materials in your packet will be more
7 than today's meeting to finish -- will take
8 more than today's meeting to finish.
9 Furthermore, if you have suggestions or
10 requests for additional information, that, too,
11 may be the subject of the next meeting.

12 It is my intent and co-Chair Nehr's intent
13 that the information from today and our next
14 meeting, including both the materials being
15 presented and the collective input of the
16 subcommittee, will be fashioned into
17 approximately three to five PCBs. Along with
18 any member bills that are filed, we could be
19 work-shopping these PCBs during the
20 November 14th interim committee week and
21 possibly beyond.

22 I say all this to make the point that what
23 really happens here is very important, your
24 input is important. If you have any thoughts
25 or suggestions or questions, now is the time to

1 raise these points. This meeting, next
2 meeting, in between meetings, if you wish to
3 talk to myself or Chair Nehr or with our staff,
4 please do that.

5 And with that said, members, are there any
6 questions?

7 If there are no questions, now we will
8 hear today's presentation from our staff
9 director, Alex Kelly. Members, if you have any
10 questions during his presentation, just please
11 catch my attention, and I will stop him at the
12 next appropriate time so that we can ask
13 questions.

14 And with that, Mr. Kelly, you are
15 recognized to address the Committee.

16 MR. KELLY: Thank you, Madam Chair.

17 And, members, as Chair Hukill noted, we
18 are going to go through sort of a series of
19 either/or options in the different regions of
20 the state -- in some cases, a couple of
21 options; in some cases, three or four
22 options -- and take a look at the different
23 suggestions where they possibly differ from
24 each other, where they possibly can work
25 together, and then what other type of effects

1 the different public suggestions and sort of
2 the thoughts from those suggestions create and
3 the opportunities they give you in terms of
4 crafting the Senate maps.

5 Just starting broadly to give you a sense
6 of how the different regions of the state work
7 together -- and I should say, on page two now
8 in the packet, the map of the state that has 11
9 of the counties shaded, the map shows the
10 counties that must just by virtue of their
11 population be split, and we tend to see a
12 clustering of those counties in the I-4
13 corridor. By virtue of that, in all
14 likelihood, your most difficult decisions with
15 the Senate map are also going to occur in the
16 I-4 corridor, because looking at this page and
17 also looking at the next page, you will see
18 that Florida's population is shifting towards
19 the middle of the state, for the most part,
20 some to the southwest, some to the St. Lucie
21 and Martin County areas, but, again, much of
22 the state is shifting to the middle, so the
23 reality is there will be a greater percentage
24 of the districts that are somehow associated
25 with central Florida, and, again, that is where

1 probably the tougher decisions will be made.

2 Moving to the next slide, to get into
3 specifically northwest Florida, first this
4 slide just shows the districts that are in
5 northwest Florida today. Today one of those
6 seats, District 6, the green district, is a
7 30 percent -- has a 30 percent African-American
8 voting age population. None of those seats are
9 effective minority districts in that sense, but
10 still in the process of redrawing district
11 boundary lines, if at the beginning of the
12 process you have a district that has a
13 30 percent African-American population, it is
14 something to consider that at the end of this
15 you may still want to have something close to
16 that.

17 In looking at some of the suggestions that
18 were submitted by the public, the first
19 suggestion and the first, I guess, option, if
20 you will, for the Panhandle and how to draw
21 Senate districts, this is a drawing of
22 horizontal districts. This is submission
23 number seven received by the Legislature. And
24 coming back to the point about the minority
25 population in the Panhandle, this map, this set

1 of districts, achieves the purpose of still
2 keeping that community together and, frankly,
3 looks similar to the current maps. The one
4 noticeable difference from the current maps to
5 this is this in Walton County keeps all of
6 Eglin Air Force Base in the southern district
7 that essentially runs along Highway 98 --
8 Highway 98, and that way acts as an artery for
9 the district. So, again, this is -- this would
10 be an option for drawing horizontal districts
11 that separate coastal communities from more
12 rural communities.

13 Looking at the next map that was
14 submitted, this is map number 64, and it is
15 page six in your packet, the map here,
16 relatively speaking, follows county boundary
17 lines in the Panhandle, what some may refer to
18 as vertical districts. The difference between
19 the first and second district is the City of
20 Crestview is drawn into the orange district and
21 drawn out of the others. So the map drawer who
22 submitted this used the city boundary line as a
23 way to divide the districts.

24 Moving on to the next suggestion, we have
25 coined this a vertical horizontal hybrid. The

1 way that the map drawer did their work, they
2 used Pensacola as a whole. They actually --
3 the first map divided Pensacola. This map did
4 not, it kept Pensacola whole, albeit it divides
5 Escambia County. So the map drawer used the
6 City of Pensacola to essentially anchor the
7 seat and provide its major population. And
8 then for the second district, the map drawer
9 used Panama City as a way, again, to anchor the
10 seat and give it a major population center.
11 And then for the third district and moving west
12 to east, the map drawer used Tallahassee as
13 that major population center. And throughout
14 the presentation we use that term, "anchoring,"
15 as a way just to refer to a major population
16 source within a district, and in all
17 likelihood, it could be potentially the
18 controlling population in the district.

19 REPRESENTATIVE HUKILL: Representative
20 Kiar, you are recognized.

21 REPRESENTATIVE KIAR: Thank you, Madam
22 Chair.

23 I just -- I'm -- anchoring just for my own
24 clarification purposes. So, for example, if
25 there is a district here where we are right

1 now, and a large portion of the population,
2 let's say it would be, you know, where the
3 university is and downtown, that would be
4 considered anchoring, utilizing that part?

5 REPRESENTATIVE HUKILL: You are
6 recognized.

7 MR. KELLY: Thank you, Madam Chair.

8 It is a term we made up in-house, but,
9 yeah, if the major population center of the
10 district happens to be that community, then,
11 yes, we refer to it as the anchor for that
12 district. And that may be looked at a couple
13 of different ways. If you are talking about,
14 let's say, Palm Beach County and a district
15 that 10 percent of it maybe goes into Martin
16 County, well, Palm Beach County as a whole may
17 be what we refer to as the anchor of the
18 district. But when you talk about rural
19 counties and then one major city, that major
20 city may have a population of 100,000 people.
21 The district maybe is five times that size, but
22 that population of 100,000 people is still the
23 most significant concentration of people in the
24 district, and so it is likely to have great
25 influence over the district.

1 REPRESENTATIVE KIAR: Thank you, Madam
2 Chair.

3 REPRESENTATIVE HUKILL: Follow-up?

4 REPRESENTATIVE KIAR: No, thank you.

5 REPRESENTATIVE HUKILL: All right.

6 Members, any other questions at this point?

7 All right, there being none, proceed, Mr.
8 Kelly.

9 MR. KELLY: Thank you, Madam Chair.

10 The next slide is more just for your
11 reference, and it is page eight in the packet.
12 The slide shows two visuals. One, when you
13 look at the Panhandle, the coastal cities tend
14 to be the more populated cities. The rural
15 cities tend to be smaller. If you were going
16 to use the principle that to some degree
17 separated coastal from rural communities, your
18 rural district, just by virtue that it has to
19 be -- has to have a much larger geography
20 because you get your population much quicker
21 along the coastal communities.

22 And the other visual just identify the
23 three largest population centers by county in
24 the Panhandle, although by city you would
25 include the City of Tallahassee there, but by

1 county -- I'm sorry, Leon County is
2 highlighted, but the most major population
3 centers in the Panhandle.

4 Now, previously we mentioned that you have
5 to split eight counties -- or, I'm sorry, 11
6 counties statewide just by virtue of the
7 population. In the Panhandle, because of the
8 geography, you have to, no matter what, split
9 Walton County as well simply because whether
10 you draw horizontal or vertical districts, in
11 Walton County, you are going to meet a
12 population point just because physically,
13 obviously, you can't go north or south of the
14 county, and so Walton County has to be divided
15 in the map as well.

16 Moving on to northeast -- north central
17 Florida, again taking a quick look at the
18 current map, the main point to make here is
19 that there is a minority access seat in this
20 region, Senate District 1, which does
21 traditionally elect African-American
22 candidates, and that is the seat beginning in
23 Duval County and going all the way down into
24 Volusia County.

25 The other point to mention about this

1 region of the state is Senate District 20,
2 which is essentially at the bottom of the
3 region. It is the purplish district that is in
4 Lake, Marion, Volusia Counties. That district
5 is significantly over-populated, so parts of
6 that district are going to have to go into
7 another district simply because of population.
8 It is over 20 percent over-populated.

9 So in terms of northeast Florida, there
10 were a few decision points that stuck out from
11 the public input as things to consider that are
12 sort of lynchpin type issues as to how you
13 might craft the Senate maps in this part of the
14 state. The first was how you treat the rural
15 communities and whether -- again, actually
16 coming back to the anchoring point, whether
17 your rural communities are tied to at least one
18 urban center or whether they are unto
19 themselves, and the individuals who submitted
20 maps tended to vary as to what they submitted.
21 On page ten, the slide in front of you is an
22 example of a district that is mostly rural
23 communities; however, it has the City of
24 Gainesville in the district, so there is one
25 major population center in a district that is

1 otherwise very rural.

2 Moving on to the next slide, this is an
3 example of a district that was submitted that
4 is predominantly all rural counties, and in
5 this case, there is not one significant
6 population center as compared to the rest of
7 the district, which is important, because as
8 you will see, the population, of course, tends
9 to be along the coast. The population in this
10 region tends to be in Marion County, Lake
11 County, Volusia, Duval. So how you deal with
12 the more rural counties is important, whether
13 you have to split them into two or whether you
14 can put them into one district.

15 The next point that came up frequently
16 about this region that --

17 REPRESENTATIVE HUKILL: Representative
18 Jenne.

19 REPRESENTATIVE JENNE: Thank you, Madam
20 Chair.

21 Mr. Kelly, just a quick question, and I
22 realize that the answer will probably be
23 somewhat anecdotal, but I know that you and the
24 rest of the staff traveled all over the state.
25 What were we hearing? What was the

1 preponderance of comments? Were these rural
2 areas wanting to stay with themselves without
3 an urban core? Was the urban core saying,
4 "Leave us to our own devices, the rural folks
5 don't get it," or were they saying, "No, no, we
6 need a blend of rural and urban"? And I
7 realize it is anecdotal and strictly based on
8 the people that came to the meetings, but was
9 there a preponderance in any specific
10 direction?

11 REPRESENTATIVE HUKILL: Mr. Kelly, you are
12 recognized.

13 MR. KELLY: Thank you, Madam Chair.

14 Yes, Representative, predominantly persons
15 from these counties did note wanting to keep
16 their county whole. There may have been an
17 exception, but generally these counties wanted
18 to be kept whole. Persons from counties like
19 Baker County noted a tie-in to the Jacksonville
20 area, but not necessarily wanted to be tied
21 into downtown Jacksonville. So they noted that
22 it is important for them to be grouped with
23 districts that are on that eastern side of the
24 state, but not necessarily with the more urban
25 districts.

1 There was not a lot of commentary about
2 the role of Gainesville and Alachua County in
3 terms of whether or not to be tied to that.
4 Again, most of the sentiment was more along the
5 lines of just being kept whole and having one
6 Senator or one Representative or whomever to be
7 able to visit and work with on issues.

8 REPRESENTATIVE HUKILL: Follow-up?

9 Go ahead, Mr. Kelly.

10 MR. KELLY: Thank you, Madam Chair.

11 In northeast Florida, one of the major
12 points, and a significant point both
13 substantively and from the technical side of
14 map drawing, is the relationship between Nassau
15 and Duval Counties, because there -- it is the
16 corner of the state, obviously you can't go
17 east or north of that point, and so how you
18 treat these counties is an early decision you
19 make in map drawing and probably a key decision
20 to bring forward to you in that you can,
21 generally speaking, as the public offered,
22 either align Nassau County with other rural
23 counties, and so we refer to that as a regional
24 approach, so tying Nassau into communities like
25 Baker County, Union County, Bradford, or the

1 next suggestion was a more local approach.
2 Nassau and Duval Counties happen to be about
3 the size of two Senate districts, and so more
4 than one map drawer, in this case the map
5 drawer who submitted the seventh map, suggested
6 that Nassau and Duval just be split into two
7 districts. And so it is a dynamically
8 different decision, though, in terms of how you
9 are going to -- how you're going to work with
10 the rest of the map.

11 Moving on to more north central Florida,
12 but south of Gainesville, there were a number
13 of comments at the various public meetings and
14 since then regarding the relationship between
15 Marion, Lake and Sumter Counties, and the
16 points made at the meetings had to do more with
17 the community -- about The Villages community
18 and also Marion County essentially to be kept
19 whole. But the decisions with Marion County
20 and Lake County are also quite significant to
21 how really much of even central Florida
22 unravels. So while there are some substantive
23 points, there's a much larger, bigger picture
24 point with Marion County and Lake and The
25 Villages area, because it is in the middle of

1 the map, and so if you opt to keep this
2 community whole, you are locking yourself
3 towards building districts to the east and west
4 of it; if you break this community apart, it
5 has other -- it has other repercussions. So
6 how you deal with this, how you deal with the
7 request to keep Marion County whole, how you
8 deal with the request to keep The Villages
9 together, actually has a significant impact on
10 the entire region, because it is essentially in
11 the middle of the region.

12 The example here in front of you that was
13 submitted, this map drawer -- I don't know that
14 this map drawer actually new much about The
15 Villages *per se*. This map drawer submitted
16 very much compact districts, almost in a
17 block-by-block fashion, without regard to
18 county or city lines; in this case, happened to
19 wrap in the Sumter County side, Lake County
20 side and Marion County sides of The Villages.
21 So effectively it still provides an example of
22 what the request was.

23 The next submission and the next example
24 to take a look at takes in most of The
25 Villages, it takes in the Sumter and Lake

1 County sides, albeit it does not take in the
2 Marion County side, at least Marion County unto
3 itself. Marion County just has a small portion
4 of The Villages. The one thing that is of
5 substance about this is that running the
6 district to the coast then immediately does
7 impact the prior decisions that we just
8 discussed, how you deal with the rural
9 counties, whether you have to align those rural
10 counties with the larger municipalities, so it
11 is a good example of how these decisions start
12 to collide and start to impact each other.

13 And then, in this particular case, we just
14 drew, essentially, if you were going to try to
15 compromise between the notion of keeping Marion
16 County whole and also keeping The Villages
17 whole, this essentially is an example of
18 keeping most of Marion whole, minus The
19 Villages, and then otherwise keeping Lake,
20 Sumter and The Villages whole, and in this
21 particular case, it is a request that in terms
22 of the spirit of the request, you can actually
23 accommodate both requests. But in both cases,
24 both of these districts would need more
25 population.

1 So in terms of looking at the minority
2 access district that is in northeast Florida,
3 coming back to the phrases of "local" and
4 "regional," and we are now on page 15 in your
5 packet, this is an example submitted by a
6 northeast Florida resident who suggested to
7 take the district that currently runs from
8 Duval County all the way down to Volusia
9 County, to take it almost exclusively into
10 Duval County. Now, this particular map drawer
11 has a little leg to the district that goes into
12 Baker, but this map drawer got his population
13 numbers down to a zero deviation for every
14 district, so presumably that is why the
15 district has the little leg to it. But,
16 otherwise, the district is almost entirely in
17 Duval County. It does reduce the voting age
18 population of the African-American community
19 from approximately 46 percent to 41 percent.

20 REPRESENTATIVE HUKILL: Can we proceed?
21 Life will go on. All right. Proceed, Mr.
22 Kelly.

23 MR. KELLY: Thank you, Madam Chair.

24 So there is a substantive point to be made
25 there that it does reduce the African-American

1 voting age population by five percent in the
2 district; however, it is trying to take
3 advantage of that happenstance that Nassau and
4 Duval Counties happen to equal approximately
5 two districts.

6 And then there were two other approaches,
7 one of which was just submitted to us the other
8 day. This district, which is on page 16 in the
9 packet, attempts to recreate the
10 African-American access seat, running this seat
11 from Duval County over to Columbia and also
12 down to Gainesville. Now, this individual
13 maintained the black voting age population of
14 46 percent in the district, and then the next
15 alternative, which was also recently submitted,
16 attempts to maintain that percentage, and,
17 actually, it failed to do so. This actually
18 reduced the African-American voting age
19 population to under 40 percent, about 39 and a
20 half percent. It is slightly different than
21 the current district. The current district
22 goes into Volusia County. This district stops
23 at the Flagler/Volusia line, so it doesn't go
24 into Volusia anymore.

25 REPRESENTATIVE HUKILL: Mr. Kelly, can I

1 stop you? Representative Caldwell.

2 REPRESENTATIVE CALDWELL: Thank you, Madam
3 Chair.

4 Alex, could you back up one map? And this
5 map kind of got me -- wanted to touch here on
6 something I have been thinking about since our
7 last meeting. In the metrics, we kind of
8 reviewed -- as you know, Mr. Kelly talked about
9 there's 11 counties that have to be split by
10 population, and we just discussed this 12th
11 county because of the geography, and in the
12 current maps, we split 45, and I have been
13 trying to think of what is a tangible result
14 that we can give the voters and show them that
15 we have worked on these maps and tried to
16 actually accomplish what we at least perceive
17 to be their intent. And I think when we look
18 at these, we ought to really be considering can
19 we move the ball closer in the natural
20 direction, in other words, less than 45 splits
21 and closer to the 11, even if we can't quite
22 get there. I think that would be an excellent
23 metric as we look at these maps and think about
24 that.

25 REPRESENTATIVE HUKILL: Thank you.

1 Representative, do you have a comment? No
2 comment. All right. Anything further? All
3 right. Anyone else have a question or comment
4 at this point?

5 Mr. Kelly, proceed, please.

6 MR. KELLY: Thank you, Madam Chair.

7 And so moving to page 18 in your books,
8 this slide just simply shows the
9 African-American voting -- or I should say VTDs
10 in north and northeast Florida with an
11 African-American voting age population of
12 35 percent or greater. So in thinking about
13 the prior couple -- prior three public
14 submissions, attempts to recreate that seat,
15 essentially those seats are attempting to reach
16 out to communities in these areas; of course,
17 the one stayed entirely in Duval County.

18 And the next page is like you looked at
19 before in northwest Florida, just for your
20 reference. These are the five largest counties
21 in northwest Florida -- I'm sorry, northeast
22 and north central Florida. And the one visual
23 that comes up here is that in terms of
24 accommodating equal population, again, how you
25 treat the rural districts, whether or not you

1 go into those population centers, it
2 essentially cuts this region in half. And when
3 you think about the submission earlier that
4 essentially created a large, purely rural
5 Senate district, it essentially walked around
6 these counties to create that Senate district.

7 I am moving into central Florida. This is
8 the current Senate map for central Florida, and
9 of note in this area in Orlando, there is a
10 performing African-American district.

11 Regarding the various sort of either/or
12 scenarios of public submissions for this
13 region, a major point that came up both in
14 Orlando and in Brevard County was the notion
15 of, A, giving Brevard County its own entire
16 Senate seat, but then B, also not connecting
17 Brevard to Orange County. And likewise,
18 actually, that suggestion came up from both
19 Brevard County residents and Orange County
20 residents. In this particular case, Brevard
21 would be getting an entire Senate seat unto its
22 own, and it is, for the most part, although
23 there is a little bit of crossover, for the
24 most part, it is disconnected from Orange
25 County.

1 And this is just an example of the
2 opposite. In this case, an Orange County
3 district that was submitted, again, recently
4 that grabs the Titusville community and some of
5 the beach communities and ties them together.

6 In looking at Orlando and Orange County,
7 there were some interesting and different
8 approaches as to how to draw districts for the
9 county. In this particular case, the
10 individual actually very much adhered to city
11 boundary lines. Pretty much nobody adhered to
12 the city boundary lines of the City of Orlando
13 itself, its city boundary lines are rather
14 awkwardly shaped, but in terms of the other
15 cities in Orange County, in Seminole County,
16 this submission here very much walks around
17 those city boundary lines, which in some cases
18 they are very, very close to each other, but up
19 next to each other, so it is a very difficult
20 task to do so, but that is what the map drawer
21 accomplished here was using those city boundary
22 lines, and in effect doing so separating some
23 of the population centers.

24 This particular map drawer, which is the
25 24th page in the packet, this particular map

1 drawer took an approach that appeared a couple
2 of times, which is to separate downtown Orlando
3 from the west side of the county, east side of
4 the county, and then grouping just a little bit
5 of the county, the northern part of the county,
6 with Seminole. Seminole County plus about
7 40,000 residents, give or take, equates to a
8 Senate district. And so that suggestion came
9 up more than one time, but, again, a western,
10 eastern, northern and downtown division. And I
11 will note, though, that this submission did not
12 accomplish the purpose of recreating some form
13 of the African-American seat in Orange County.

14 REPRESENTATIVE HUKILL: Mr. Kelly, could
15 you stop? Representative Cruz, do you have a
16 question?

17 REPRESENTATIVE CRUZ: Thank you, Madam
18 Chair.

19 I just want to mention and ask a question
20 if I am missing something here, but you are
21 speaking of terms in counties, and I am looking
22 at these maps and I am having a really hard
23 time following you, because I don't see
24 anything that designates counties. I see what
25 designates districts with colors, and I can --

1 underneath the overlay of colors, I can see
2 cities, but I don't see anything that tells me
3 counties. So if I am not really familiar with
4 the counties, I am having a hard time here.
5 What am I doing wrong?

6 REPRESENTATIVE HUKILL: Go ahead, Mr.
7 Kelly.

8 MR. KELLY: Thank you, Madam Chair.

9 I apologize, it is probably just difficult
10 to see with all of the layers of information
11 there. In this particular case, with this
12 slide, we highlighted -- we highlighted the
13 boundaries of Orange County to help out, but
14 you are right, some of the slides are more
15 difficult to see. For the future, what we can
16 do is we can label the counties more
17 specifically, if that helps.

18 REPRESENTATIVE HUKILL: That's good.

19 REPRESENTATIVE CRUZ: Thank you.

20 REPRESENTATIVE HUKILL: Representative
21 Cruz, is that good?

22 REPRESENTATIVE CRUZ: That is good.

23 REPRESENTATIVE HUKILL: Thank you.

24 Proceed, Mr. Kelly. Oh, you have another
25 question, Representative Boyd, and then

1 Representative -- I'm sorry, just

2 Representative Boyd. Go ahead.

3 REPRESENTATIVE BOYD: Pardon me. Thank
4 you, Madam Chair, and I guess following up on
5 Representative Cruz' remark and then I think
6 Representative Caldwell touched on it and,
7 Alex, you might have just touched on it with
8 the city boundaries. I understand the idea
9 there of trying to keep things geographically
10 kind of concise, but county, city, whatever,
11 but I don't want us to lose the importance or
12 relevance of boundary -- other boundary lines
13 that might be important, roadways, rivers,
14 waterways, those types of things as well. So I
15 understand the reason to split, but I hope we
16 are taking into consideration some of those
17 other, you know, if you will, geographical
18 boundaries as well as we look at these.

19 REPRESENTATIVE HUKILL: Thank you,
20 excellent comment. Thank you.

21 All right. Yes, Representative Workman.

22 REPRESENTATIVE WORKMAN: Thank you. I
23 don't mean to make this a debate, but I was
24 really excited about the comment that Caldwell
25 made. I don't mean to debate you,

1 Representative Boyd, but, you know, we're going
2 to use all those things, roadways, county
3 lines, all that stuff, and if we can't set a
4 goal as a committee that we are going to do
5 better than that, which is what, like 45 now,
6 we split 45 counties, if we can't do better
7 than that, I think we are going to shortchange
8 ourselves. I think we should look at making
9 that almost a policy, Chairman, that we look to
10 cut counties more than we have now, fewer
11 counties now than we do. So fewer than 45 I
12 think should be a minimum goal here.

13 REPRESENTATIVE HUKILL: Well, you know,
14 Representative Workman, that is good, it goes
15 back to Rep Caldwell's also comment, which was
16 an excellent comment, and we heard from the
17 public, too.

18 Did you want to comment on that, Rep Boyd?

19 REPRESENTATIVE BOYD: No -- thank you,
20 Madam Chair. No, I wouldn't debate, I was just
21 looking at the big picture. That was just my
22 only consideration.

23 REPRESENTATIVE HUKILL: All right. On the
24 same comment, Representative Kiar? No
25 comments?

1 REPRESENTATIVE KIAR: I was going to ask
2 why --

3 A VOICE: I told him not to.

4 REPRESENTATIVE HUKILL: Look at this face.

5 All right, members, proceeding. All
6 right. Any other comments on that issue?

7 All right. There being none, would you
8 proceed, Mr. Kelly?

9 MR. KELLY: Thank you, Madam Chair.

10 The next item in your packet is --
11 actually, about three or four recent
12 suggestions have all proposed something similar
13 to this, which is creating a Hispanic access
14 seat in the Orange and Osceola County area, and
15 actually, this seat also extends cross
16 basically the Poinciana community into Osceola
17 County -- sorry, into Polk County as well, and
18 so it is a three-county Hispanic access seat.
19 The voting age population of the seat would be
20 approximately 48 percent, and it is similar in
21 geography to -- if you recall from the Orlando
22 public meeting where a proposed congressional
23 district -- a Hispanic access seat was
24 submitted as well, so it is a similar geography
25 to that.

1 And then in this particular case, the next
2 suggestion, just as an example of maintaining
3 the existing minority representation in Orange
4 County, this submission is just a recreation
5 of -- or a similar district to the existing
6 African-American seat in Orange County. The
7 seat has a -- almost a 34 percent black voting
8 age population, although it also has almost a
9 36 percent Hispanic voting age population as
10 well. So if you think about this -- this idea
11 compared to the prior, they do cross over in
12 terms of some of the geography.

13 And just looking at -- the next two slides
14 look at the major concentrations of the
15 African-American community and of the Hispanic
16 community in that central Florida area, and,
17 again, you can -- when you look at the slides,
18 you can kind of get a sense of how those
19 individuals probably drew those districts.
20 And, in fact, looking at this particular slide,
21 the major concentration of the Hispanic
22 community in Orange, Osceola and Polk almost
23 follows -- near follows the exact boundary
24 lines of that district that was submitted, and,
25 again, just for your reference, as far as

1 central Florida goes, the larger counties in
2 the region, which is most of the region, it is
3 a fast-growing region of the state.

4 So moving into southeast Florida, this is
5 the current map -- it doesn't go all the way
6 down to the Keys, but this is the current map
7 for most of the region. There are two
8 African-American majority districts in
9 southeast Florida, there are three Hispanic
10 districts that are in southeast Florida, and so
11 those issues tend to be of a greater scale in
12 southeast Florida because it tends to
13 dramatically affect the drawing of all the
14 districts in southeast Florida.

15 In terms of the different options that
16 came forward, coming back to that phrase,
17 "anchoring," this is an example right here in
18 terms of Palm Beach, Broward and Dade in terms
19 of the map drawer didn't necessarily always
20 abide by county lines and city lines, but what
21 they did do was they did essentially appear to
22 assure that each county had a certain committed
23 number of majority seats, a majority -- I say
24 majority, the majority of the seat's geography
25 and population is in one county or the other.

1 And that was in terms of the -- particularly
2 the meetings in Palm Beach, the meetings in
3 Broward and Miami, that was a particular
4 concept that came up frequently reflecting back
5 on the Palm Beach County Commission when they
6 testified -- made the point that they were okay
7 with a district perhaps going into Martin
8 County, but what they wanted to be assured of
9 was that at least three Senate seats, or a
10 majority in Palm Beach County. And, again,
11 there was similar sentiment for Broward and
12 Miami-Dade.

13 The alternative -- one of the alternatives
14 to that that was brought forward a number of
15 times is drawing more coastal-based districts
16 in southeast Florida, and this is an example of
17 that. Neither one of these examples unto
18 themselves, because of them, causes any
19 particular harm to the African-American or
20 Hispanic districts that are in southeast
21 Florida. So by virtue of adopting one of these
22 or looking at both of them, neither of them
23 just has an automatic effect in that manner.

24 Moving to the next slide, submission
25 number 86, which is on page 35 in your packet,

1 in this particular case, the map drawer drew
2 very square districts, and where they are not
3 squared, frequently used roadways as a way to
4 create an edge to the district, but very
5 frequently used square districts. This
6 particular submission did have some impact on
7 the African-American seats in this part of the
8 state. No real substantial impact on the
9 Hispanic seats, but it did impact the
10 African-American seats in the part of the
11 state. So in terms of weighing those options,
12 and it may have just been this map drawer's
13 submission, but this was the one of the three
14 that noticeably an effect on minority
15 representation in southeast Florida.

16 Moving on to the next couple of slides,
17 which are both on page 37 in your packet, these
18 show an example of creating and recreating --
19 in this case, recreating an African-American
20 majority seat in Palm Beach and Broward
21 Counties. This is similar to the existing
22 district today.

23 In the next slide, the individual, which
24 is the 56th submission we received, the next
25 slide shows an African-American majority seat

1 solely in Broward County. And a consideration
2 to make in terms of if you were going to adopt
3 a seat like that is the African-American
4 communities in Riviera Beach in Palm Beach
5 County would have a contention that they have
6 been removed from a seat where they could elect
7 a candidate of choice. And so when you go
8 through decisions like this, you are not only
9 thinking about retaining a seat -- in this
10 case, this does retain an African-American
11 seat, but you are thinking about the community
12 that is no longer in the seat and whether or
13 not you would want to make sure that maybe they
14 are meaningfully put all together in one seat,
15 or you would just want to make sure that you
16 walk through very carefully how you put that
17 community in a different district.

18 Moving on to the next -- the next item
19 dealing with Miami-Dade and Monroe Counties,
20 this particular submission maintained the
21 African-American access seat that comes out of
22 Miami-Dade and Monroe Counties, albeit very
23 different looking than the existing Senate
24 District 39 today. The seat today is actually
25 a Hispanic plurality. It is about 29 percent

1 African-American, 45 percent Hispanic; however,
2 it has performed for African-Americans. In
3 this particular case, what the map drawer did
4 was actually make the seat significantly more
5 African-American, took it up to almost
6 45 percent. However, what they did was they
7 did so at the expense of a district, again,
8 that looks very similar to the current Senate
9 District 29. They brought that seat below the
10 majority-minority status, so there was a
11 consequence to their effort to try to make this
12 seat more African-American.

13 In this particular case, in map 72, the
14 map drawer drew a fourth Hispanic majority seat
15 in south Florida, which appeared in several
16 different suggestions that were submitted by
17 the public. This particular one, it is in all
18 likelihood that the actual population is high
19 enough that it would truly be a Hispanic
20 majority seat. In terms of whether you would
21 make a decision to create a fourth Hispanic
22 seat, you have to be very careful that the
23 actual number of citizens and registered voters
24 who are Hispanic is actually high enough to
25 make it an effective minority district;

1 otherwise, it could appear to have -- it could
2 appear to be, but not actually turn out to be,
3 and that is an important consideration under
4 Section 2 of the Voting Rights Act and just in
5 terms of how you create these districts. Now,
6 that said, this seat does eliminate that
7 African-American access seat, so there was a
8 trade-off for this map drawer and several
9 others who submitted a very similar -- very
10 similar item.

11 Just coming back to the southeast -- the
12 three major southeast Florida counties, Palm
13 Beach, Broward and Dade, the next few slides --
14 in this case, this is -- it doesn't say on the
15 slide, but this is the African-American voting
16 age population concentrations in Palm Beach
17 County. In Broward County, where before you
18 saw that majority-minority seat submitted in
19 Broward County, that seat pretty much tracked
20 the boundaries of these VTDs. This is
21 Miami-Dade County, African-American.

22 And then a thing to note, and we will
23 bounce back and forth between a couple of
24 slides here, is in looking at Palm Beach
25 County, this is the Hispanic community of Palm

1 Beach County. If you go back just a few pages,
2 you will note the close proximity of the
3 African-American and Hispanic communities in
4 Palm Beach County. Again, an issue you have to
5 deal with in Palm Beach and Miami-Dade, in
6 Orlando, the examples that we looked at earlier
7 of attempting to create or recreate an access
8 or majority-minority seat, but yet you could
9 potentially intermix the two -- intermix
10 African-American and Hispanic, and so there
11 could be an expense to creating one seat at the
12 cost of the other. So just something to think
13 about. And this is the Hispanic community in
14 Broward County and Miami-Dade as well.

15 Now, in terms of why we covered Palm
16 Beach, Broward and Miami-Dade and didn't get so
17 much into Martin and St. Lucie, the reality of
18 drawing seats in southeast Florida is that
19 those three counties are going to drive most of
20 the decisions, because it is where most of the
21 population is. And so oftentimes you see, in
22 maps that are submitted, very frequently you
23 see at least one Senate district that runs from
24 the top edge of Palm Beach County into Martin,
25 because oftentimes the map drawer is focusing

1 on the areas of biggest population, complying
2 with the Voting Rights Act, and also, for
3 practical purposes, oftentimes you start at
4 Monroe and work your way into Miami-Dade.

5 And for southwest Florida, there is a
6 little bit of overlap between southeast and
7 southwest because of the existing Senate
8 District 39 and some of the communities that
9 are affected by the Voting Rights Act, but this
10 is the current map for southwest Florida, and
11 there is in Tampa an African-American access
12 seat that runs from -- runs -- I should say
13 runs from Hillsborough County into Pinellas,
14 down into Manatee, and then there's also the
15 African-American access seat that comes over
16 into Collier County from the Keys and from
17 Miami-Dade. So there are a couple of
18 considerations for this region of the state
19 regarding minority access.

20 In terms of the different kinds of
21 suggestions and sort of -- again, sort of
22 either/or type scenarios for the southwest
23 region, there were three general kind of looks
24 that were given in terms of Hillsborough all
25 the way down into Lee County, excluding Collier

1 from this point. In this particular case, this
2 is taking a look at Pinellas and Hillsborough
3 Counties. The map drawer effectively put two
4 districts almost entirely in Pinellas, although
5 not completely, one seat does cross over into
6 Hillsborough. The map drawer did put two seats
7 entirely in Hillsborough County, the one that
8 is right there along the waterfront that has
9 the bridges, and then the seat that is shaded
10 in white. The seat that is shaded in more of a
11 pinkish red color, that seat actually is about
12 half in Manatee County, so that seat actually
13 is probably about 50/50 Hillsborough and
14 Manatee. But, anyway, the crux of this
15 submission was this person gave basically each
16 county two dedicated voices in the State
17 Senate.

18 Here is another example of a similar
19 concept where the map drawer, actually the City
20 of Bonita Springs, submitted this map that
21 included almost all of Lee County, excluding
22 Cape Coral. Lee County happens to be about the
23 size of four State House districts, so -- very,
24 very near to it, so -- and Cape Coral happens
25 to be about the size of a House district, so

1 the map drawer effectively took -- if you were
2 drawing a House map, the map drawer effectively
3 took one district, put it into -- or one part
4 of the county, I should say, and put it into
5 another -- another district. And so -- and
6 this would be giving Lee County its own voice
7 in the State Senate.

8 This map drawer took a big chunk of the
9 rural counties, or rural communities in
10 southwest Florida, putting them all into one
11 district, and this is on page 46 in your
12 packet. In this particular case, all the
13 communities that are to the west of the rural
14 district equates to about two and a half Senate
15 seats. So you would have to then allot those
16 communities into about two and a half coastal
17 Senate districts. And this individual, in
18 terms of coming back to the point of using
19 different geographical boundary lines, this
20 person leaned heavily on Interstate 75 as a way
21 to divide the communities.

22 In this particular suggestion, what was
23 interesting -- and this particular map
24 drawer -- and this is on page 47 in your
25 packet. This particular map drawer separated

1 rural from coastal counties, and did so via
2 county lines, but then within those districts
3 did not adhere to county lines. So it was
4 interesting to see how this map drawer used the
5 counties as their way to say the county is
6 either rural or coastal, but then within those
7 communities crossed county lines and used other
8 boundaries for their purposes. And what you
9 find oftentimes in looking at Collier and Lee
10 Counties is the usage too in terms of the
11 waterways as a way to divide the different
12 districts, and that appears in a number of the
13 submissions.

14 And coming back up to Tampa Bay, in terms
15 of the minority access district, this was one
16 of the closest submissions that came close to
17 the current African-American voting age
18 population for the district in -- again, in
19 Hillsborough, Pinellas and Manatee County.
20 This district has about a 35 percent
21 African-American voting age population. I
22 believe the current district is around
23 37 percent. The one challenge that you have
24 with Pinellas County is that Pinellas County's
25 population actually declined. So in terms of

1 maintaining a district like this -- and this
2 district does fall under the jurisdiction of
3 Section 5 of the Voting Rights Act because of
4 its Hillsborough County affiliation -- in terms
5 of maintaining a district like this, those
6 population issues can be a real challenge and
7 can require a lot of effort for this single
8 district.

9 And then in terms of Collier County, this
10 was the submission you just saw for southeast
11 Florida, same information, but, again, this
12 particular person took the Hispanic communities
13 from Miami-Dade over into Hendry and Collier to
14 create a Hispanic majority seat. There were a
15 number of public comments from Collier County
16 residents about preferring to be represented by
17 a Hispanic Senator as opposed to an
18 African-American Senator, and this person -- I
19 don't know if that was their intent, but this
20 person created a seat that created that effect.

21 And just like the other regions, the next
22 couple of graphics just show you the
23 concentrations of the African-American and
24 Hispanic communities in parts of southwest
25 Florida, in this case, Hillsborough, Pinellas

1 and Manatee Counties, and actually, I think
2 even the bottom of that actually maybe even
3 gets into Sarasota. I am not sure if it cuts
4 it off or not, but -- and then in this
5 particular case, the Hispanic communities in
6 Collier and Hendry Counties, both counties
7 covered under Section 5 of the Voting Rights
8 Act. And southwest Florida's major population
9 centers in terms of its largest counties are a
10 little more spread out than some of the other
11 counties when you compare this region to
12 central Florida or compared to -- or compared
13 to southeast Florida. So in terms of drawing
14 districts, completing districts, your middle
15 rural communities, oftentimes if you look at
16 what the map drawers have submitted, they
17 oftentimes are reaching out to pieces of the
18 more urban areas to complete their district.
19 Oftentimes the more rural county districts that
20 were presented for this region, they would
21 reach out and grab a piece of the rural parts
22 of Hillsborough County or a significant chunk
23 of let's say Charlotte County to complete and
24 get enough population.

25 And with that, Madam Chair, that is the

1 presentation.

2 REPRESENTATIVE HUKILL: Thank you very
3 much, Mr. Kelly. Excellent presentation.

4 All right. Members, do we have any
5 questions? Comments? Come on. Representative
6 Jenne, I know you are holding something back.

7 REPRESENTATIVE JENNE: I mean, if you want
8 me to, I can.

9 REPRESENTATIVE HUKILL: No, it is up to
10 you, if you would like to comment.

11 REPRESENTATIVE JENNE: No, ma'am, you
12 always are wonderful with that. No thank you.

13 REPRESENTATIVE HUKILL: Okay.
14 Representative Rouson.

15 REPRESENTATIVE ROUSON: Yes, Madam Chair.

16 REPRESENTATIVE HUKILL: Please go ahead.

17 REPRESENTATIVE ROUSON: My comment is you
18 have run a good meeting.

19 REPRESENTATIVE HUKILL: All right,
20 members, gosh, I know, there must be something
21 going on that people want to get out, but that
22 is good, I really appreciate that. Yes,
23 Representative Kiar.

24 REPRESENTATIVE KIAR: I apologize, Madam
25 Chair.

1 REPRESENTATIVE HUKILL: Go ahead.

2 REPRESENTATIVE KIAR: I know we were just
3 about to end.

4 REPRESENTATIVE HUKILL: Absolutely.

5 REPRESENTATIVE KIAR: Actually, I don't
6 have a comment, but I did -- there was one part
7 that I apologize I missed, and I was just
8 wondering if you could go back to it real fast,
9 if that is okay.

10 REPRESENTATIVE HUKILL: Sure, what was
11 that?

12 REPRESENTATIVE KIAR: It was just the --
13 on page 35, you were going through the map and
14 you were giving a little presentation on it,
15 and I just was wondering if you could just
16 quickly give a synopsis of that one more time.
17 I apologize, I was taking notes on every one.

18 REPRESENTATIVE HUKILL: Page 35, is that
19 it?

20 REPRESENTATIVE KIAR: Page 35.

21 REPRESENTATIVE HUKILL: All right. We
22 will wait for Mr. Kelly to direct his attention
23 to that and then recognize him. Go ahead,
24 please.

25 MR. KELLY: Thank you, Madam Chair.

1 The -- what we were looking at were
2 different ways that southeastern Florida,
3 Miami-Dade, Palm Beach, Broward County
4 districts, are divided amongst the different
5 maps, and there were three general ways that
6 they were divided. Some individuals submitted
7 coastal districts. Some individuals submitted
8 districts that showed an intent to have the
9 majority, if not a whole seat, in a county to
10 give that county a dedicated voice in the
11 Legislature. But other individuals submitted
12 what I would refer to as more squared
13 districts. And just in terms of looking at
14 these submissions, the square district
15 submission, or one observation is that it did
16 affect the African-American districts. It may
17 have just been the submission, I don't know
18 that that is an entire pattern, but it was the
19 only of the three types that did have a clear
20 effect on any of the minority districts in
21 south Florida.

22 Now, it is very possible that if you
23 connect back to the Broward County submission
24 of a majority -- oh, there was -- in effect, it
25 was in Broward County -- a majority-minority

1 seat in Broward County, that district was
2 relatively square, too. So it may have just
3 been where the lines were picked for this
4 submission, but, again, it was the only one
5 that affected those communities.

6 REPRESENTATIVE HUKILL: Anything else?
7 Okay, that is fine. Members, this is the time
8 to ask questions, comments, we have him here.

9 Okay, members, there being no further
10 comments or questions, I want to thank you for
11 your participation, it is extremely important.

12 Next meeting we are going to have a
13 presentation on redistricting data, and that is
14 a precursor to the kind of data that we will be
15 presented with when we hear PCBs and/or member
16 bills, so we will have some good information on
17 that.

18 And if there are no further comments,
19 questions or anything else, with that,
20 Representative Horner moves we rise. Thank
21 you.

22 (Whereupon, the proceedings were
23 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 48 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 February, 2012.

CLARA C. ROTRUCK

Notary Public

State of Florida at Large

Commission Expires:

November 13, 2014

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SENATE REDISTRICTING SUBCOMMITTEE MEETING

MONDAY, OCTOBER 3, 2011

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 REPRESENTATIVE NEHR: Thank you, members.

3 This meeting of the Senate Redistricting

4 Subcommittee will be called to order.

5 Katie, will you call the roll, please?

6 THE CLERK: Representatives Boyd?

7 REPRESENTATIVE BOYD: Here.

8 THE CLERK: Caldwell?

9 REPRESENTATIVE CALDWELL: Here.

10 THE CLERK: Crisafulli?

11 REPRESENTATIVE CRISAFULLI: Here.

12 THE CLERK: Cruz?

13 REPRESENTATIVE CRUZ: Here.

14 THE CLERK: Ford?

15 REPRESENTATIVE FORD: Here.

16 THE CLERK: Hukill?

17 REPRESENTATIVE HUKILL: Here.

18 THE CLERK: Jenne?

19 REPRESENTATIVE JENNE: Here.

20 THE CLERK: Kiar?

21 REPRESENTATIVE KIAR: Here.

22 THE CLERK: Logan?

23 REPRESENTATIVE LOGAN: Here.

24 THE CLERK: Rouson?

25 Stargel?

1 REPRESENTATIVE ROUSON: Here.

2 THE CLERK: Williams, A.?

3 Williams, T.?

4 Workman?

5 Chair Nehr?

6 REPRESENTATIVE NEHR: Here.

7 THE CLERK: A quorum is present.

8 REPRESENTATIVE NEHR: Thank you, Katie.

9 Welcome, members, and much like our last
10 meeting, the bulk of our meeting today will
11 consist of a staff presentation and
12 opportunities for your feedback and input
13 regarding public testimony for redistricting.

14 At our last meeting, staff summarized for
15 us what was heard in the first four regions we
16 visited this summer, including written input
17 about those same four regions and any partial
18 maps that have been submitted which impact
19 those regions.

20 Today's meeting will look similar with
21 staff presenting public input received from the
22 fifth region, which was southwest Florida, and
23 any complete or near complete maps submitted by
24 the public.

25 Now, before we go forward, just a quick

1 administrative note. Also included in your
2 packet is the memo you received from
3 Representative Aubuchon regarding the rules and
4 procedures for redistricting, including special
5 deadlines. This was e-mailed out last week,
6 but we just wanted to make sure that you
7 definitely had a copy of it, and that is in tab
8 one of your packets. Make sure you have it.
9 If you don't, we will get it to you.

10 Now, regarding the packet that you have in
11 front of you, this is the same packet of
12 information that the Redistricting Committee
13 and other subcommittees will receive today, and
14 if you look towards tab two, you will see
15 materials regarding public input from southwest
16 Florida, and that is the subject of what our
17 analyst, Jeff Silver, is presenting today.
18 After Mr. Silver's presentation, our staff
19 director, Alex Kelly, will be presenting the
20 materials in tab three.

21 Now that said, Mr. Silver, you are
22 recognized to begin your presentation.

23 MR. SILVER: Thank you, Mr. Chairman.

24 As Chair said, this afternoon I will be
25 presenting public input from the public

1 hearings that were held in the southwest
2 region. If you would like to use your
3 committee packets to follow this presentation
4 rather than looking at the overhead screen,
5 please note that on the slides you will see in
6 the upper left-hand corner an item number
7 beginning with SW, of course standing for
8 southwest. However, my presentation is only a
9 subset of your committee packet, so if you do
10 want to follow along, paging through your
11 committee packet, I will read the item number
12 as I transition from slide to slide, and then
13 you will just need to page forward to keep pace
14 with the presentation.

15 We will begin with SW-7. Item SW-7, this
16 item comes from the Tampa public hearing. This
17 is a request for the minority districts in
18 Tampa Bay -- the Tampa Bay region to be
19 preserved. This request impacts Hillsborough
20 County, which is a jurisdiction that is covered
21 under Section 5 of the Federal Voting Rights
22 Act. Senate District 18 is shown in the
23 graphic. Senate District 18 currently has a
24 black voting age population of 39 percent, and
25 it currently elects an African-American to the

1 State Senate. State Senate District 18
2 currently has a population of 404,822, which is
3 65,210 short of the ideal population. So
4 District 18 does need to grow to include more
5 population.

6 Moving to Item number SW-9, a number of
7 people at the Largo public hearing asked for
8 Pinellas County to be kept whole. One person
9 also asked for Pinellas County to be kept
10 separate from Hillsborough County.

11 This visual shows how it would look to
12 keep Pinellas County whole. With a population
13 of 916,542, Pinellas County is too large for
14 the ideal population for a single Senate seat,
15 but too small for two Senate districts. The
16 second Senate district would require an
17 additional 23,522 to meet the ideal population.
18 To keep Pinellas separate from Hillsborough
19 County, as was requested, the additional people
20 for the second Senate district could come from
21 Pasco County. This request and the prior
22 request are an example of a pair of requests
23 that -- from the public that both
24 simultaneously cannot be implemented. Let me
25 just back up real quickly to this previous

1 item, which was requesting for the minority
2 districts in Tampa Bay to be preserved. If you
3 take a quick look at District 18 and then we go
4 on to the next item, you will see that this
5 suggestion and the previous one cannot both
6 simultaneously literally be achieved.

7 Moving on to Item SW-13, this item comes
8 from the Sarasota public hearing. This is a
9 request for the barrier islands to be kept
10 together. The person requesting this cited
11 tourism and beach re-nourishment as examples of
12 common interests uniting barrier island
13 communities.

14 This map shows what barrier islands in
15 Manatee County look like. This is just one
16 example of barrier islands, as more of these
17 islands can be found continuing down the
18 coastline. In this example, you can see that
19 these islands cross county lines, in this case,
20 Manatee and Sarasota, but although they span
21 counties, there is an element of functional
22 compactness with the barrier islands. Since
23 the barrier islands generally are less
24 populated than the inland areas, you could
25 potentially create a long, thin district that

1 ran north-south in an effort to keep the
2 barrier islands together, and then add required
3 additional population by adding coastal beach
4 communities to the district.

5 Moving on to the next item, which is
6 SW-15, this is an item from the Sarasota public
7 hearing. This request is to have the Senate
8 seat based -- to have a Senate seat based in
9 Manatee County and a separate second Senate
10 seat based in Sarasota County. This map shows
11 what this would look like, with Manatee in the
12 light green, Sarasota in the light orange.
13 Manatee County and Sarasota County, they both
14 lack sufficient population to meet the ideal
15 population of a Senate district on their own.
16 Manatee County would need an additional 147,199
17 people to finish the Senate district, and
18 Sarasota would need an additional 90,584 to
19 finish a Senate seat.

20 Moving to the next item, which is SW-20,
21 this also is an item from the Sarasota public
22 hearing. This is a request to connect
23 Charlotte and Sarasota Counties in a Senate
24 district. This map shows what that would look
25 like. With a population of 539,426, the

1 district above is too large for the ideal
2 population for a Senate district. 69,394
3 people would need to be removed from this
4 district in order to complete it; however, it
5 was not identified in this request where you
6 would take the population from to complete this
7 district.

8 The next item we have is SW-25. This is
9 coming from an item from the Naples public
10 hearing. This request asks for more Hispanic
11 representation in Collier County. Collier
12 County is a covered jurisdiction under Section
13 5 of the Federal Voting Rights Act. Currently,
14 Collier County has a Hispanic voting age
15 population of 21.9 percent. What we are
16 looking at in this graphic is Collier County's
17 Voting Tabulation Districts with the Hispanic
18 voting age population of 30 percent or higher
19 shaded in. District 37 -- excuse me.

20 Currently, part of Collier County is contained
21 in State Senate District 37, and part of it is
22 contained in State District 39. District 37
23 has a Hispanic voting age population of 16, and
24 does not elect a Hispanic to the State Senate.
25 District 39 has a Hispanic voting age

1 population of 43 percent and a black voting age
2 population of 29 percent, and currently elects
3 an African-American to the State Senate.

4 Currently, Collier County has one Hispanic
5 Representative in the State House and one
6 Hispanic member of Congress.

7 Moving forward to Item SW-28, this is from
8 the Naples public hearing. This was a request
9 for Bonita Springs to be kept whole. What you
10 are looking at on this map is the area that
11 makes up the City of Bonita Springs. With a
12 population of 43,914, the City of Bonita
13 Springs is too small for the ideal population
14 of a Senate district, so more communities would
15 be needed to add to this to complete a
16 district. Later on in this presentation you
17 are going to see a map that was submitted from
18 the public that shows a Senate district where
19 the City of Bonita Springs is kept whole.

20 We turn to Item number SW-29. This is a
21 request that came out of the Lehigh Acres
22 public hearing. This request is for Lehigh
23 Acres to be kept whole. What you are looking
24 at on the map here is the location of Lehigh
25 Acres, approximately. Lehigh Acres is an

1 unincorporated community in Lee County located
2 east of Interstate 75 and is a high-growth
3 area. The exact boundaries of Lehigh Acres
4 were undefined in this request, so further
5 clarification may be needed.

6 Moving forward to Item SW-30, this is
7 another request that came out of the Lehigh
8 Acres public hearing. This is a request for
9 the elimination of districts that cross the
10 state. This is something that was heard in
11 more than one meeting in southwest Florida.
12 The map that you are looking at currently shows
13 Senate District 27 as an example of cross-state
14 district. In this example, with a population
15 of 551,555, Senate District 27 is currently
16 over the ideal population for a Senate district
17 and needs to have 81,523 less people. The
18 parameters of what exactly make up a
19 cross-state district or what the threshold is
20 when a district becomes considered cross-state
21 were not clearly defined within this testimony,
22 so further clarification may be needed.

23 The next item is SW-31. This is also
24 another item coming from Lehigh Acres public
25 hearing. This is a request for the Estero and

1 Bonita Springs to both be in a single Lee
2 County district. The map that you are looking
3 at shows the City of Bonita Springs shaded in,
4 as well as the location of the Estero
5 community. The people who made this request
6 support a proposed district that we will look
7 at later on in this presentation.

8 The next item is SW-32. This is also an
9 item from the Lehigh Acres public hearing.
10 This is a request for Senate district -- a
11 Senate district that connects Collier County
12 with Hendry, Glades, Highlands -- and Highlands
13 Counties. This map shows what a Senate
14 district would look like that included all four
15 of these counties. With a population of
16 472,333, the district above is 2,298 over the
17 ideal population. It is important to keep in
18 mind as well that Collier and Hendry Counties
19 are both covered jurisdictions under Section 5
20 of the Federal Voting Rights Act.

21 This next item, SW-34, is, again, an item
22 that came out of the Lehigh Acres public
23 hearing. This is a request for Lee County to
24 be kept whole in a Senate district. The map
25 that you are looking at shows what a district

1 would look like that was made up of Lee County.
2 However, with a population of 618,754, Lee
3 County is too large to meet the ideal
4 population for a Senate district and would need
5 to be split at least once.

6 The next item is Item SW-39. This is an
7 item that came out of the Clewiston public
8 hearing. This is a request to remove Hendry
9 County from Senate District 39, citing as
10 reasons a lengthy cross-district travel time
11 and a lack of common interest with the other
12 counties in the district. This map shows what
13 the current Senate District 39 and Hendry
14 County looks like. With a population of
15 483,183, State Senate District 39 is too large
16 for the ideal Senate district population, and
17 it needs to lose 13,151 people in order to be
18 complete. According to the 2010 census, the
19 population figure for Hendry County is 39,140,
20 so just reducing District 39 to the ideal
21 Senate population could be a start to
22 satisfying this request, but would not be
23 enough to remove all of Hendry County from
24 District 39.

25 The next item is SW-41. This, again, is

1 an item from the Clewiston public hearing.
2 This request is from Donna Storter-Long of the
3 Glades County Commission. The request is to
4 keep Glades County whole in a Senate district.
5 The map shows what keeping Glades County whole
6 in a Senate district would look like. With a
7 population of 12,884, Glades is too small, of
8 course, to meet the ideal population of a
9 Senate district. More communities would need
10 to be added in order to complete it.

11 The Glades County Commissioner said that
12 Glades County identifies with other rural
13 counties such as Hardee, Hendry, DeSoto and
14 Okeechobee, and members, I don't have a slide
15 for it, but you will see on the next page in
16 your packet what a district would look like
17 putting all those counties together and some of
18 the related policy issues.

19 Moving forward, we turn to Item SW-44.
20 This was a written submission sent in an e-mail
21 by a Hillsborough County resident asking to
22 keep Brandon, Valrico and Riverview in one
23 district. This map shows an approximation of
24 keeping Brandon, Riverview and Valrico in the
25 same district. These three communities are all

1 census-designated places. The author did not
2 identify how these communities should be
3 connected. The combined population of these
4 communities is 210,000, approximately, which is
5 less than half of the required population for a
6 Senate district.

7 Going forward, we turn to Item SW-47.
8 This is an item that came from a written
9 submission having several authors that are
10 residents in Pinellas County, and this item was
11 submitted at the Largo public hearing. This
12 item is a request that the representation for
13 the black communities in St. Petersburg and
14 Pinellas County be maintained. This map that
15 you are looking at shows the Voter Tabulation
16 Districts in Pinellas and Hillsborough Counties
17 with a black voting age population of
18 35 percent or higher. Currently, the south
19 Pinellas black communities are represented by
20 minority office holders in State House District
21 55 and State Senate District 18.

22 The next item is SW-51. This item is a
23 written submission that a Lee County resident
24 submitted at the Lehigh Acres public hearing.
25 This item is a request for two State Senate

1 districts to be drawn within the boundaries of
2 Lee, Collier and Hendry Counties. This map
3 shows these three counties drawn together. The
4 total population for these three counties as of
5 2010 census is 979,414, which is 39,348 more
6 people than necessary for two State Senate
7 districts. This is a type of suggestion that
8 was made a couple other times in the southwest
9 region where people asked for certain counties
10 to be grouped together to form Senate seats,
11 but don't actually explain how that area should
12 be divided into the respective Senate seats
13 that they are looking for. This particular
14 request, it is important to keep in mind that
15 two of these counties included in the request,
16 Collier and Hendry, are counties that are
17 covered jurisdictions under Section 5 of the
18 Federal Voting Rights Act.

19 Looking at Item SW-56, this is an item
20 that is from a partial Senate map submission
21 submitted by Jeffery Moss on behalf of the City
22 of Bonita Springs of Lee county. This is a
23 City of Bonita Springs Senate district.

24 The map shows a proposed State Senate
25 district which impacts the county. The author

1 of this map carefully considered city
2 boundaries, county lines and roadways; for
3 instance, the author carefully avoided crossing
4 into the City of Cape Coral.

5 The Estero community is wholly included in
6 this map in connecting it to Bonita Springs, as
7 well as other parts of Lee County, and the
8 Estero Council of Community Leaders formally
9 stated their support for the submission in an
10 e-mail that was received by the House
11 Redistricting Committee.

12 This district has a population deviation
13 of minus 12,560 people, so to reach the ideal
14 population, more communities would need to be
15 added; however, clarification was not included
16 with this submission if this population
17 deviation should stay as it is or if additional
18 population should be added and where that would
19 come from.

20 Now we turn to the last item in this
21 presentation, Item SW-58. This item is from a
22 partial State Senate map submitted by a Lee
23 County resident. The author of this district
24 tended to use county lines as boundaries on the
25 eastern end of this district. On the other

1 hand, on the western end, the author seemed to
2 use more I-75 as a boundary, which caused
3 cities such as Ft. Myers and Bonita Springs to
4 be divided. So this submission is an
5 illustration of sort of a difference of opinion
6 on, for example, the area of Bonita Springs.
7 We just saw on the previous slide -- I will
8 back up real quickly here -- a proposed Senate
9 district where Bonita Springs is kept whole,
10 and we see sort of a competing suggestion for
11 this area where Bonita Springs is not kept
12 whole.

13 In this district, Item SW-58, the
14 population -- it has a population deviation of
15 104 people under the ideal Senate district
16 population. This district impacts Manatee,
17 Sarasota, Charlotte, Lee, DeSoto, Glades and
18 Highlands Counties, and also it is important to
19 keep in mind that it as well impacts on Hardee
20 and Hendry, which, again, are Section 5
21 counties.

22 And, Mr. Chairman, that concludes my
23 presentation.

24 REPRESENTATIVE NEHR: Thank you,
25 Mr. Silver. It was an excellent presentation,

1 full of a lot of details.

2 I want to welcome the other members of the
3 Committee who came in just a little bit late.
4 I see Representative Williams brought the
5 Chairman an apple. I certainly appreciate
6 that.

7 Are there any questions for Mr. Silver?

8 Representative Kiar, I believe you had a
9 question. You are okay now?

10 Representative Rouson, you are recognized.

11 REPRESENTATIVE ROUSON: I just wanted to
12 acknowledge that Representative Williams was
13 late.

14 REPRESENTATIVE NEHR: Representative
15 Williams, you are recognized.

16 REPRESENTATIVE A. WILLIAMS: I was working
17 with our great co-Chair, Representative
18 Workman. That is why I was late, since he came
19 after I did. Thank you.

20 REPRESENTATIVE NEHR: Thank you, but I am
21 not quite sure that Representative is co-Chair.
22 You may have to be really -- I believe he is
23 the Vice-Chair, so we just don't want incorrect
24 information going on the record.

25 Are there any questions of Mr. Silver so

1 we can get back on track? Any questions of
2 Mr. Silver?

3 Hearing no questions of Mr. Silver, thank
4 you, Mr. Silver, we certainly appreciate it.

5 Now, members, Alex Kelly is going to give
6 us a presentation regarding the statewide maps
7 we have received so far, and Mr. Kelly, you are
8 recognized for your presentation.

9 MR. KELLY: Thank you, Mr. Chair.

10 Members, as Chairman Nehr indicated, I am
11 going to be going through the different
12 statewide proposals for the Senate map that you
13 have received from Florida residents, of which
14 there are only a few to cover. In the
15 presentation, I am going to cover some summary
16 points about each, some points that are common
17 to each, whether they are contiguous, whether
18 they are complete, but in addition to that, if
19 there are any individual or unique
20 characteristics that appear on maybe one Senate
21 map as opposed to the others, and overall I am
22 going to highlight comparisons at the end of
23 the presentation that if you turn to page 39 in
24 tab three, if you turn to page 39, the first
25 couple pages there include comparisons between

1 the plans, and we included that information
2 because redistricting is often a science of
3 comparison and analysis in taking one plan that
4 may have a certain substance and another plan
5 that has potentially the same substance behind
6 it, but one plan, for example, splits fewer
7 counties, another plan is perhaps more compact,
8 another plan perhaps respects minority
9 communities differently or better. And so
10 redistricting is oftentimes a comparison
11 between plans that sometimes are intended to do
12 similar things. And so, again, I will come
13 back to the charts on page 39 at the end of
14 describing each of the submissions in the
15 PowerPoint.

16 And as a disclaimer, we are covering
17 through today the first 68 maps that were
18 received, partial or complete maps. Since
19 then, there are three more that are on the
20 website already. There were four that we have
21 received over the weekend or as of this
22 morning. So at a later date at some point, if
23 there are any unique characteristics in those
24 that you haven't seen up to this point, we will
25 find a way in the committee process to bring

1 those forward.

2 And one of the things I want to point out
3 when you look at just the first submission --

4 REPRESENTATIVE NEHR: Mr. Kelly, I'm sorry
5 to interrupt you. Can you tell us what page we
6 are on, because I don't seem to have 007 in my
7 book?

8 MR. KELLY: My apology. Mr. Chair, we are
9 on page 41.

10 REPRESENTATIVE NEHR: Thank you, sir.

11 MR. KELLY: Yes, tab three.

12 When you look at any of the plans, and
13 we've probably never explained this before, but
14 you see a naming convention before the plan
15 that indicates a few different things. And at
16 some point in time when -- if some of you or if
17 the Committee's filed plans, you are going to
18 see this naming convention change. I just want
19 to take this opportunity to walk you through it
20 real quickly so that you know what the letters
21 and numbers symbolize.

22 When you see "HPUBS0007," "H" stands for
23 that the plan was received by the Florida
24 House. So if it had an "S," that means it was
25 received by the Florida Senate, and we share

1 everything with each other, all plans equally.
2 The "PUB" means that it was submitted by the
3 public. If it was perhaps submitted by one of
4 you, you would actually see your district
5 number there, or if it was a committee, you
6 would see a different number there. The "S"
7 means that it is a Senate plan, so it could be
8 an "H," it could be a "C." And then the "7"
9 just means that it was the seventh plan
10 received. So if we get to 10,000 plans, we
11 would have to add some new numbers, but for
12 now, there will be four digits.

13 And with each plan, we are noting, not
14 just the plan author, but where they are from,
15 because sometimes that may give you some
16 perspective as to what their intent was or what
17 their just knowledge was about given areas of
18 the state.

19 So regarding the first plan on the screen,
20 plan number seven by Henry Kelly of Okaloosa
21 County, what stands out immediately in this
22 plan is the north-south division, the
23 horizontal division, if you will, of the Senate
24 districts in the Panhandle. Generally
25 speaking, the coastal communities are the

1 dividing line with it appears to be Highway 98
2 acting as an artery for the district in the
3 southern Panhandle district. The Walton County
4 portion of the district does extend, and there
5 was -- further to the north, and if you were in
6 the meetings in Ft. Walton Beach, in that area,
7 there was a lot of testimony that the -- that
8 people wanted the Legislature to make sure that
9 all of Eglin Air Force Base ended up in the
10 same district one way or the other, and
11 presumably that was the intent of this map
12 drawer.

13 But then the districts as a whole after
14 that point take whole counties in frequently
15 once you leave the Panhandle, and in fact,
16 actually, this submission was tied for the
17 fewest number of counties split with 23.

18 And an important point to make, when we
19 say counties split and being 23 counties is
20 that 11 counties have to be split, 11 counties
21 are larger than a Senate district. So really
22 what you are looking at is 12 counties where
23 the map drawer willingly chose to split them,
24 because 11 times the map drawer had to split
25 them.

1 The deviation for this plan is 2.62
2 percent, which is higher than was used ten
3 years ago, but is not by any means out of any
4 kind of normal balance.

5 There are a number of non-contiguous
6 points throughout the plan. This plan author
7 generally appeared to use VTDs in the building
8 of the districts.

9 The plan has the largest perimeter of all
10 the plans submitted. And what I mean by that
11 is that we have just now in this document begun
12 adding a compactness measurement, and in the
13 coming weeks we will be adding additional
14 measurements. A perimeter measurement is one
15 that is fairly commonly used, and it is
16 basically what it sounds, it is just simply
17 measuring the perimeter of the district. So
18 the larger, more sprawling the district, the
19 more it would add to the total. If you had a
20 large number of large, sprawling districts,
21 your perimeter measurement would be higher. So
22 the lower the number, the more compact your
23 district. But, again, in coming weeks, we are
24 going to be adding new measurements to that to
25 give you some perspective as to what different

1 compactness measurements might tell you.

2 The plan also does significantly reduce
3 the black voting age population in a few
4 districts, a point to note. And one other item
5 that caught our attention was that the district
6 includes portions of Volusia and Flagler County
7 unlike the rest of the map was split in both --
8 and in both sides of the district also split
9 municipal boundaries, and it was in stark
10 contrast to the way that the rest of the map
11 was drawn. It could have just been an issue of
12 trying to get the right population, but it
13 stood out in looking at this map.

14 And moving on to the next page, page 42,
15 map 28, submitted by a Hillsborough County
16 resident, this plan has a sort of north -- also
17 has a north-south division in the Panhandle,
18 but it is more heavily focused in the Escambia
19 County area. This individual chose to wrap all
20 of Pensacola into the district, as opposed to
21 splitting Pensacola like the prior plan author.

22 This plan also significantly reduces the
23 black voting age population a few districts.
24 This plan was exclusively drawn with VTDs. The
25 plan splits 29 counties and 201 cities, and it

1 has a number of non-contiguous pieces of
2 geography.

3 Now, part of both of these first two plans
4 having a number of pieces of geography that
5 were not contiguous, splitting of counties,
6 splitting of cities, as we have noticed
7 throughout this process, throughout the summer,
8 into the fall, plans received now more -- now
9 more frequently are complete, contiguous, have
10 refinements to them. It is quite possible that
11 plan authors who were submitting plans in May,
12 June, July, just maybe just simply didn't have
13 as much time to work on their plans. Those who
14 are submitting them now more frequently are
15 submitting more sophisticated plans.

16 The plan does split Marion County three
17 ways, and if you recall from the Gainesville
18 and The Villages meeting, that was a real
19 point -- in fact, actually, the Orlando meeting
20 as well, that was a point that was heavily
21 made, a request from Marion County to keep the
22 county whole, and just pointing out that this
23 plan author split the county three different
24 ways.

25 The plan creates a large territory of

1 rural communities, Polk County moving south,
2 and you see this in a lot of the plans,
3 particularly the Senate and Congressional maps,
4 where plan authors seem to struggle with how it
5 is that taking Polk County, moving south, parts
6 of east Hillsborough, some of the rural
7 counties, how it is that you link those
8 counties or don't link those counties with
9 other communities, but this plan chose to
10 create a significantly sized district sort of
11 in the southern middle of the state. This plan
12 also divided Hillsborough County six different
13 ways, and that stood out.

14 Moving on to the next plan, which is plan
15 number 56 by a Broward County resident, and it
16 is on page 43, the plan went the direction of
17 using whole counties in the Panhandle as
18 opposed to the prior couple that we have just
19 discussed. The deviation is 1.76 percent, a
20 relatively usable deviation. There are some
21 non-contiguous points in the plan, and -- but
22 this actually brings up an interesting point in
23 that this plan was submitted with an
24 application that was neither the Florida
25 House's nor the Florida Senate's. In total,

1 plans have been submitted via five different
2 applications, and so they all have their
3 strengths and weaknesses.

4 The plan that this gentleman used focuses
5 very much on VTDs. However, we have noticed
6 that plans received by this application do tend
7 to miss census blocks every now and then, so
8 they have non-contiguous points in whole. So
9 it is just an observation that we have had
10 that, depending on what application, whether it
11 is My District Builder, the Florida Senate's or
12 another, you see some strengths and weaknesses
13 depending on the applications.

14 A VOICE: Mr. Chair?

15 REPRESENTATIVE NEHR: We are going to hold
16 off any questions until the end of the
17 presentation. Is it --

18 A VOICE: It's specific to this map. I am
19 just trying to understand --

20 REPRESENTATIVE NEHR: We are going to go
21 back.

22 A VOICE: Okay.

23 REPRESENTATIVE NEHR: I really wanted to
24 get the presentation done, and then we will go
25 right back to very specific areas.

1 A VOICE: All right.

2 REPRESENTATIVE NEHR: Go ahead, Mr. Kelly.

3 MR. KELLY: Thank you, Mr. Chair.

4 The plan splits 33 counties and 112
5 cities, but, again, it does use VTDs
6 exclusively. So at least at the micro level,
7 it is probably well accounting for keeping
8 smaller communities together.

9 This plan keeps the same number -- the
10 same number of majority-minority black seats,
11 although it does reduce the number of
12 40 percent plus African-American seats. The
13 reason being is that the plan is adding two
14 Hispanic majority seats by splitting Miami-Dade
15 County six different ways. Now, today,
16 Miami-Dade is actually split seven different
17 ways, so that is a reduction, but what it is
18 doing is it is eliminating the coastal district
19 that extends from Broward into Miami-Dade. And
20 so five Miami-Dade districts would be Hispanic
21 majority seats, which is -- which is quite
22 unique for the plans submitted.

23 The plan was also able to entirely create
24 a black majority-minority seat out of Broward
25 County, a very unique aspect of this plan. And

1 it does have a near cross-state district from
2 Palm Beach to Manatee and Sarasota, which is
3 something that Jeff Silver covered earlier, a
4 point of contention at a number of the public
5 meetings.

6 There is a potential Section 5 Voting
7 Rights Act concern with the Tampa-based
8 African-American seat, so this is an
9 interesting plan, because it is a good example
10 of how -- if the question is asked, well, what
11 value does a plan like this potentially have,
12 it has some real positives and it has some
13 really unique aspects, and then it has some
14 issues that would have to be corrected. So it
15 is a good example of a plan that has many
16 different features to it, some easier to use
17 than others.

18 Moving on to the next plan, plan 58
19 submitted by a Polk County resident, the
20 deviations are very high in this plan at
21 14.71 percent, so that would have to be
22 remedied before using a plan like this, at
23 least in whole. It does split 30 counties, 88
24 cities. It reduces two black majority-minority
25 seats to 40 percent plus voting age population

1 seats. It does convert one Hispanic 40 percent
2 seat into a Hispanic majority seat, and that
3 was a trend that occurred in a number of these
4 maps, said that a few times now where it's
5 specifically in and around District 39, Senate
6 District 39, or that area. Sometimes the
7 geography changes enough that it is potentially
8 misleading to call it still the district that
9 it currently is, but, nonetheless, the plans
10 are seemingly taking seats in that area and
11 making them more Hispanic.

12 The plan does group rural counties
13 together fairly significantly. Not entirely
14 sure what the plan author's intent was, except
15 for to keep rural counties away from more
16 larger urban counties. The plan author did
17 note that his goal was to unite similar
18 communities regardless of their boundary lines.

19 The plan does create a three-way split in
20 Marion, a two-way split in Lake County and a
21 two-way split in Volusia County, and the reason
22 why we mention that is not necessarily any one
23 of those points, but that it is interesting
24 just in terms of drawing a map, the combined
25 effect. Generally speaking, when you are

1 working on a map in that part of the state, it
2 is almost very difficult to not make one of
3 those counties whole or near whole and split
4 the others. So if you see all of them made
5 whole or all of them split, it stands out as a
6 unique feature in a plan simply because that
7 part of the state, for the most part, blocks
8 your passageway north or south.

9 The plan does create a three-county rural
10 district for Miami-Dade, Broward and Palm
11 Beach, which stood out as a unique feature, and
12 there are a number of coastal districts in this
13 plan, but, again, this plan author made it
14 clear that his intent was not so much the
15 boundary lines on the map, but more the
16 boundary lines of the communities.

17 Plan number 64 scored the best in terms of
18 a number of the comparisons that you might
19 have. It was -- in terms of people, the
20 deviation, it was just a deviation of 27
21 people, which was second best. It was entirely
22 contiguous. It had a 23-county split, which
23 was tied for first with plan 7 that we
24 mentioned earlier, 74 cities were split, which
25 is tied for first, and it had the second

1 smallest perimeter, meaning that the geography
2 of the districts was the smallest, the border
3 -- the perimeter of the districts was the
4 smallest.

5 Now, that said, there may be a Section
6 5 -- or Section 5 issues with the districts in
7 both Hillsborough and Collier County, so there
8 are concerns with this map as to how minority
9 communities in those two counties were
10 impacted.

11 There's also a three-way divide of Lake
12 County which stood out that didn't frequently
13 occur in maps, a three-way divide of Lake
14 County. And there's also a district that runs
15 from Port St. Lucie to the west coast of
16 Charlotte County, which is near coast-to-coast
17 or actually may be -- actually, it is
18 coast-to-coast.

19 Moving on to map 66, the map had a
20 deviation of 15 people. That was the best
21 deviation of all of the maps submitted for the
22 Senate. It was completely contiguous.
23 However, it was last in counties split. This
24 map split 35 counties. So sometimes there can
25 be a trade-off depending on what the plan

1 author is trying to do. And when you go
2 through this map, what you notice is that the
3 plan author, in many cases, appeared to just
4 cut pieces of the state, move to the next, cut
5 pieces of the state, move to the next, almost
6 slice the map up. And so in some cases, the
7 plan author was going more for potentially
8 maybe compactness, but with sacrificing some of
9 the geographical boundary lines. And, in fact,
10 this map did have the smallest perimeter total,
11 so you could argue that that is what the plan
12 author was trying to accomplish.

13 In thinking about the law and reflecting
14 back on it, the law in the second clause of
15 Amendment 5 places compactness, political and
16 geographical boundary lines, on an equal
17 playing field, and so it could be the author's
18 interpretation was you can trade one for the
19 other.

20 And then the author of this plan did
21 reduce by two the number of black
22 majority-minority districts, did increase one
23 Hispanic 40 percent plus district to a
24 majority-minority status, and, again, as seen
25 earlier, particularly north of Orlando, it

1 seemed the plan author almost took a sort of
2 slice-by-slice approach moving west to east or
3 east to west, whatever it may have been.

4 The plan author also did something unique
5 with Orange, Osceola and Seminole Counties,
6 something that Jeff touched on earlier in his
7 presentation talking about southwest Florida.
8 The plan author took three counties and
9 essentially made -- if you may be able to call
10 a pod out of them where they share a territory,
11 the districts overlap with the counties, but
12 nonetheless, those counties are together. So
13 it was an interesting concept that we saw in a
14 couple different locations. We heard testimony
15 like that, I believe, at the -- maybe the Boca
16 Raton meeting regarding Palm Beach County and
17 the notion of taking pieces of the county and
18 almost making them into pods and making sure
19 they stick together wherever it is the
20 districts go.

21 The plan author kept The Villages whole,
22 but yet Hillsborough County was split five
23 ways, Polk was split four ways; again, stuck
24 out compared to the average plan. And then, as
25 we mentioned before in other plans, there was a

1 large south of Polk rural district from Manatee
2 County over to the coastline in St. Lucie
3 County, so it was a large spanning district.

4 And in south Florida, it is also again in
5 slices, but they are sliced north to south, so
6 they are made differently. And that is not
7 uncommon in terms of thinking about the
8 suggestions that were made in a lot of the
9 meetings where -- the Panhandle, for instance,
10 the suggestion may have been horizontal. You
11 would actually hear in Miami-Dade and in
12 Broward to draw the districts vertically. So
13 they are sliced, but they are sliced north to
14 south.

15 With that said, I am just going to rewind
16 a little bit back to, in your packets, page 39,
17 just to, again, take a look at the comparisons
18 of the plans. When you look at population
19 deviation, the first four plans there that are
20 between a zero percent deviation and 2.62
21 percent by no means have normal percentages for
22 population deviation. The fifth plan, eight
23 percent, is getting to the point where that is
24 probably too high. And then the last plan
25 exceeds -- well exceeds what you would want to

1 pass.

2 In terms of contiguity, one thing to point
3 out is that as you look down the page on 39,
4 you see that three of the districts have a "1"
5 listed for non-contiguous territory. That is
6 the Dry Tortugas and Key West. So mapping
7 software often has difficulty identifying that
8 the Dry Tortugas actually is a contiguous -- is
9 legally considered a contiguous part of the
10 Keys, so it thinks that it is a non-contiguous
11 territory. So if it is a "1," it is perfectly
12 contiguous.

13 The counties split, again, what I
14 mentioned before, you are going to split 11
15 counties in the Senate maps. So really, if you
16 have a map that splits 18, 19, 20 counties, you
17 need to deduct 11 from that, and the best that
18 achieved here was 23.

19 Cities split, there is one city in the
20 state of Florida, which is Jacksonville, which
21 is larger than a Senate district, so you'll
22 have to split one city in your map.

23 In terms of the VTDs, you can tell that a
24 couple of the plan authors, because they didn't
25 split any VTDs, they were either using a

1 software or just had the intent of only using
2 VTDs in their drawing.

3 The perimeter test -- and in most of
4 these, we have also included for your
5 comparison the current Senate map. So when you
6 look at the different splits between cities,
7 counties, when you look at the perimeter test,
8 you can see how these plans stack up against
9 the current map as well.

10 And then in terms of the voting age
11 population numbers, we have sorted them by
12 50 percent majority-minority districts, but
13 just to give you an idea as to how the
14 districts faired in those categories as well.
15 And I would just point out that, generally
16 speaking, when evaluating an African-American
17 district versus a Hispanic district, there are
18 different standards and statistical thresholds
19 you'd probably want to consider because,
20 generally speaking, in a Hispanic district, you
21 need a higher voting age population to ensure
22 that the community can elect a candidate of its
23 choice as compared to an African-American
24 community.

25 And with that, Mr. Chair, I would be happy

1 to answer any questions.

2 REPRESENTATIVE NEHR: Thank you, Mr.
3 Kelly.

4 Members, do you have any questions?

5 Seeing no questions, Mr. Kelly, thank you
6 so much.

7 Now, members, I think we've got a really
8 big task in front of us. Chair Weatherford has
9 asked that we approve three Senate maps for the
10 Redistricting Committee to consider, and to do
11 that, we will probably have to go through about
12 four or five, maybe even six maps. I think we
13 have to get to the point of knowing what we are
14 going to do and what we have to vet very, very
15 soon, if not immediately, because after the
16 November 14 Chair deadline Chair Weatherford
17 set for members to file redistricting bills, we
18 need to get ahead with what we are going to do.

19 I would like to open up to hear your ideas
20 and how we are going to get there and what we
21 are going to do to get our six maps to look at.
22 Representative Rouson, you are recognized.

23 REPRESENTATIVE ROUSON: Thank you very
24 much, Mr. Chair.

25 I have a couple of questions for the

1 Chair. Last week it was sort of set out this
2 November 1st deadline by which members must
3 submit by November 14th, the public by
4 November 1st. Does this mean that the public
5 is shut out after the 1st?

6 REPRESENTATIVE NEHR: The public is not
7 shut out at all. They will still be very well
8 considered.

9 REPRESENTATIVE ROUSON: All right. So
10 that -- Mr. Chair?

11 REPRESENTATIVE NEHR: You are recognized
12 for an additional question.

13 REPRESENTATIVE ROUSON: So if the NAACP or
14 similar organizations were to submit something
15 by the 1st of November, can they also resubmit
16 another map after that November 1 date?

17 REPRESENTATIVE NEHR: Representative, we
18 will consider all maps that are sent in to us.

19 REPRESENTATIVE ROUSON: All right, Mr.
20 Chair.

21 REPRESENTATIVE NEHR: Do you have an
22 additional question?

23 REPRESENTATIVE ROUSON: One more, one
24 more. Just work with me, work with me.

25 REPRESENTATIVE NEHR: Representative

1 Rouson, we'll always work together.

2 REPRESENTATIVE ROUSON: I am concerned. I
3 have received a number of inquiries from my
4 constituents and from the public. We heard at
5 public hearings, although it was explained ad
6 nauseam, but the public still continues to
7 inquire about a pool or pot of funds to fight
8 Amendment 6. To my understanding, with all due
9 respect, that the Speaker has elected that the
10 ruling on 6 would be appealed, and that has
11 prompted a new set of inquiries from my
12 constituents. And so the question is, is there
13 a specific budgeted amount of money set aside
14 to do the appeal of the ruling on Amendment 6?

15 REPRESENTATIVE NEHR: Representative
16 Rouson, that is an excellent question, but as
17 you know, this is the Senate Redistricting
18 Committee, not the Congressional Redistricting
19 Committee, and as the lawsuit has to do with
20 Amendment 6, which has to do with
21 Congressional, I would ask you to direct your
22 questions to the Speaker.

23 REPRESENTATIVE ROUSON: Thank you, Mr.
24 Chair.

25 REPRESENTATIVE NEHR: Thank you, sir.

1 Any additional questions from members?

2 Chair Hukill, you are recognized.

3 REPRESENTATIVE HUKILL: Thank you very
4 much, Mr. Chair.

5 Going back to your original statement that
6 you would like to hear some ideas, can I
7 address that?

8 REPRESENTATIVE NEHR: You are recognized
9 to address.

10 REPRESENTATIVE HUKILL: Thank you very
11 much, Mr. Chair.

12 Mr. Chair, what I am seeing is that a
13 theme is emerging in these presentations in
14 that there are differences by region for the
15 Senate maps. I think that what we could
16 benefit from is a look by region, but in more
17 detail, in more detail than we have seen. And
18 I appreciate all the hard work, I am not saying
19 that our staff has not done hard work, but in
20 more detail regarding the basic decision
21 points, you know, the big picture themes that
22 will determine how each region is eventually
23 shaped.

24 If you take a look at the Panhandle,
25 because it is an easy example when you are

1 talking about vertical versus horizontal, maybe
2 both are valid, I don't know, but I would
3 really like to dive into those details. I
4 would like to know that if we make a decision
5 like that, what really happens, what is the
6 real effect of that happening? If we focus on
7 keeping small to moderate-sized counties whole
8 in southwest Florida, how does that impact
9 rural Florida? And I think that would be -- it
10 would be a helpful approach of looking at clear
11 choices of themes by region, you know, this
12 versus that, but then what are the clear
13 consequences of each choice.

14 Those are just suggestions that's emerged
15 from the last couple of meetings that we have
16 had.

17 REPRESENTATIVE NEHR: Thank you,
18 Representative Hukill, and I am sure staff will
19 take all those under consideration.

20 Are there any other comments regarding how
21 we should get there? Representative Kiar.

22 REPRESENTATIVE KIAR: Thank you, Mr.
23 Chair. I just actually have a suggestion.

24 I was thinking about when it comes to
25 drawing the maps, it appears that -- you know,

1 I mean, we have to comply with the Voting
2 Rights Act and also Amendments 5 and 6, so it
3 is probably -- I would think it may be easiest
4 to draw first the districts that have to comply
5 with the Voting Rights Act, for example, the
6 minority-majority districts first throughout
7 the state, and then work from there, because,
8 you know, it appears that -- you know, for
9 example, if you look at some of the
10 Congressional maps, it appears that a -- you
11 know, a number of folks, they'd start in their
12 region and they'd work down or they would work
13 up, and then there would have been areas that
14 should have been majority-minority that were
15 not, because that is the way they worked. So I
16 think maybe it could be practical to start
17 there first and then build around that, and
18 that is probably, I think, the best way to
19 comply.

20 REPRESENTATIVE NEHR: Thank you,
21 Representative.

22 Any other suggestions about how we need to
23 get to the maps before they are actually drawn
24 that we can look in and start vetting them?

25 Hearing none of that, let me make -- let

1 me just say that I think the suggestion of
2 coming forward with decisions pointing one way
3 or the other is the right thing to do per
4 Representative Hukill, and Representative Kiar,
5 I also really appreciate the suggestion that
6 you had, and I am sure staff will look at that
7 as well.

8 So unless anyone has a different
9 suggestion, I think what we should do is that
10 our staff should come up forward with a more
11 detailed presentation that really boils down
12 each segment of the state down to the big
13 picture issues, choice A, choice B, or maybe a
14 combination of the two, and I think that will
15 start us on a meaningful discussion. And, of
16 course, members, if you have your own ideas
17 what those choices are after the meeting today,
18 we want you to come forward with the options as
19 you see fit as well. Please don't hesitate to
20 contact staff if you think about something
21 later on, give them your suggestions so they
22 can start working on those. And, as always,
23 everyone is encouraged to work with the staff,
24 and if you need assistance in developing your
25 own options in the next few meetings, just,

1 again, let us know, let staff know. We are
2 willing to work with you in any which way,
3 manner or form to make sure that this works.

4 Are there any additional comments that
5 anyone would like to make?

6 Hearing none, I would like to thank staff
7 and all of you again for your hard work so far
8 in this process. I look forward to continuing
9 this work with all of you over the coming
10 months, and with that, Representative Workman
11 moves we rise.

12 (Whereupon, the proceedings were
13 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 47 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 February, 2012.

CLARA C. ROTRUCK

Notary Public

State of Florida at Large

Commission Expires:

November 13, 2014

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CONGRESSIONAL REDISTRICTING SUBCOMMITTEE MEETING

MONDAY, OCTOBER 3, 2011

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 REPRESENTATIVE LEGG: Members, let's call
3 the Congressional Redistricting Subcommittee to
4 order.

5 Katie, will you call the roll?

6 THE CLERK: Representatives Abruzzo?

7 REPRESENTATIVE ABRUZZO: Here.

8 THE CLERK: Albritton?

9 REPRESENTATIVE ALBRITTON: Here.

10 THE CLERK: Brodeur?

11 REPRESENTATIVE BRODEUR: Here.

12 THE CLERK: Burgin?

13 REPRESENTATIVE BURGIN: Here.

14 THE CLERK: Chestnut?

15 REPRESENTATIVE CHESTNUT: Here.

16 THE CLERK: Fullwood?

17 Goodson?

18 REPRESENTATIVE GOODSON: Here.

19 THE CLERK: Holder?

20 Horner?

21 REPRESENTATIVE HORNER: Here.

22 THE CLERK: Passidomo?

23 REPRESENTATIVE PASSIDOMO: Here.

24 THE CLERK: Plakon?

25 REPRESENTATIVE PLAKON: Here.

1 THE CLERK: Reed?

2 REPRESENTATIVE REED: Here.

3 THE CLERK: Taylor?

4 REPRESENTATIVE TAYLOR: Here.

5 THE CLERK: Trujillo?

6 Chair Legg?

7 REPRESENTATIVE LEGG: Here.

8 THE CLERK: Quorum is present.

9 REPRESENTATIVE LEGG: Thank you, Katie.

10 Members, as a reminder, if you would turn
11 off your cell phones since they interfere with
12 the mike, and I hope you are enjoying this
13 weather that we brought down from Tampa for you
14 guys to enjoy here.

15 So, members, much like our last meeting,
16 the bulk of today's meeting will consist of
17 staff presentation and opportunities for your
18 feedback and input regarding public testimony
19 for redistricting.

20 At our last meeting, staff summarized for
21 us what was heard in our first four regions we
22 visited this summer, including written input
23 about those same four regions and any partial
24 maps that have been submitted which impact
25 those regions.

1 Today's meetings will look similar to
2 that, with staff presenting public input
3 received from the fifth region, southwest
4 Florida, and any complete or near complete maps
5 submitted by the public.

6 Members, regarding that packet, you have
7 it in front of you right now. This is the same
8 packet of information that other subcommittees
9 will receive today. In tab two will be the
10 subject of what our analyst, Jeff Takacs, is
11 presenting today. As a reminder, all this
12 information will also be available on
13 www.floridaredistricting.org for anyone in the
14 public to review.

15 With that, Mr. Takacs, you are recognized
16 to present the summary of the public input from
17 southwest Florida.

18 MR. TAKACS: Thank you very much, Mr.
19 Chairman.

20 What I would like to do before we get
21 started walking through the --

22 REPRESENTATIVE LEGG: Is your mike on?
23 Hello? There you go.

24 MR. TAKACS: I have to get closer to it.

25 REPRESENTATIVE LEGG: You're still not on.

1 MR. TAKACS: How about now? Hello, hello,
2 testing.

3 REPRESENTATIVE LEGG: There you go.

4 MR. TAKACS: It is on.

5 Okay. What I would like to do -- thank
6 you, Mr. Chairman. What I would like to do
7 before we start walking through the fifth and
8 final region of the public input is to kind of
9 talk to you a little bit about -- as you are
10 looking at the screen, if you are following
11 along in the book, then we can coordinate
12 together.

13 As you look at this very first example,
14 you will see in the upper left corner of the
15 slide, it says "SW-1." If you are following
16 along in the book, you will look to that code
17 in the upper left corner as we kind of go
18 through the presentation.

19 We are actually not going through all of
20 the actual items in your packet, but for the
21 sake of time, we're going to kind of skip and
22 go through some of the highlights. So if you
23 are following along in the book, if you will
24 look to that upper left code; in this instance,
25 SW-1 is the first one. Of course, if you are

1 following along with what is on the screen, you
2 can just kind of watch as we move forward.

3 So with the first example here, we are
4 looking at two Congressional districts in
5 Hillsborough County. The testimony that was
6 given suggested I-75 as the dividing line
7 between east and west Hillsborough County, with
8 also the suggestion for that eastern portion to
9 actually continue up into eastern Pasco County
10 to complete that district.

11 Thinking about the districts as they
12 appear on the screen, that western district,
13 the green district, is actually too big for the
14 ideal population of a Congressional district,
15 while the eastern district, the brown district
16 there, is actually too small for the ideal
17 population of a Congressional district. So
18 adjustments would have to be made to both
19 districts to meet the ideal population for a
20 Congressional district.

21 Moving along to the next item, which is
22 SW-3, this addresses the 11th Congressional
23 District. There was testimony supporting that
24 Manatee and Pinellas Counties both be removed
25 from the district. You can see here on the

1 screen where the Pinellas County and Manatee
2 County portions, one kind of scoops up, the
3 other kind of scoops down.

4 You will also notice on the screen there
5 are three communities that are circled there,
6 the Westchase community, the Carrollwood
7 community, as well as Brandon. It was
8 suggested in the testimony that, you know,
9 thinking of removing Pinellas and Manatee
10 Counties from the district, you would need to
11 have more population for that district.

12 So it was suggested that those three
13 communities be absorbed into the 11th
14 Congressional District as a possible way to
15 meet that population.

16 Next also talks about the Brandon
17 community. There was testimony supporting that
18 Brandon actually be linked with a Congressional
19 district. That is in eastern Hillsborough
20 County. As you can see on the screen, they are
21 currently in the 12th Congressional District,
22 which is more linked towards Polk County.

23 So as you can see, there was testimony
24 there supporting that actually Brandon be
25 incorporated into eastern Hillsborough County.

1 Whether that would be in the 9th Congressional
2 District or another district altogether wasn't
3 specified.

4 It is also important to note, as we think
5 about the last meeting that we had, there were
6 several communities that we didn't have
7 parameters for, thinking about, you know,
8 someone would say, "Well, I think the community
9 of Brandon should be into a district." We
10 don't have actually what the parameters of that
11 community might be. That is why it is kind of
12 circled here on the slide.

13 And, members, obviously, we would love to
14 have your input if you represent that community
15 or know more about that community, would love
16 to get a better understanding of what that --
17 what that community might look like, so that is
18 what that example would look like.

19 Moving on, this is a pretty unique
20 testimony that we received in the Largo
21 meeting. It is talking about keeping small
22 cities together within districts. This was
23 actually someone from a small city, it was
24 actually the Mayor of South Pasadena who made
25 this recommendation.

1 The challenge here for us is that the
2 actual definition of a small city wasn't given
3 in the testimony. The Mayor talked about maybe
4 cities with 50 or less employees. You know,
5 obviously, we are all census driven here in
6 redistricting, so we might need to look towards
7 populations as far as how to define small
8 cities, but that was a suggestion, keeping
9 multiple cities together within a district.

10 Moving along to SW-12, this was to keep
11 Sarasota and Manatee Counties together within a
12 Congressional district. It is important to
13 note that when you do combine both of those
14 counties, you actually do go over the ideal
15 population for a Congressional district by
16 5,937.

17 So you would have to make some minor
18 adjustments to meet that population for that
19 district, but that's what those two counties
20 combined together would look like.

21 Next is the concept of keeping barrier
22 islands together within a district. As you can
23 see here on the slide, this is the barrier
24 island chain of Manatee County. It is kind of
25 in that red box there. Thinking about the

1 barrier islands, if you were to create a
2 district like that using these functional,
3 compact communities, it would create, you know,
4 kind of a longer, thin district that might
5 cross several county boundary lines, but that,
6 you know, obviously is an option that would be
7 there for you.

8 Next is a district that was talked about
9 quite a bit during several meetings, and this
10 is the idea of connecting Charlotte County with
11 western coastal communities as opposed to an
12 eastern coastal community.

13 On the screen, you will see Congressional
14 District 16. This is more of an issue --
15 thinking about Charlotte County specifically,
16 if you notice in western Charlotte County,
17 there are a couple of Congressional districts
18 that do encompass western Charlotte County, but
19 this would be more of the eastern Charlotte
20 County portion that would prefer to be linked
21 to the county -- to the districts north or
22 south of them versus a district that, you know,
23 spans the state and goes into the eastern
24 coastal communities.

25 Next, thinking about SW-22, this is the

1 community of Lakewood Ranch. They would like
2 to be whole within this process. Lakewood
3 Ranch is actually located east of I-75 in
4 Manatee County. You will notice on the actual
5 slide there, there is a circle there on the map
6 as we were looking to do research for today's
7 meeting.

8 Looking in the map, the actual Lakewood
9 Ranch could not be found. We know it exists,
10 and, again, this would be where, if you were
11 representing that area or knew more about that
12 specific community, we would love to get input
13 as to what the parameters of Lakewood Ranch
14 would look like.

15 We do know it is east of I-75, south of
16 301 and north of 64 in eastern Pasco -- I mean,
17 eastern Manatee County.

18 Next is talking about having more Hispanic
19 representation in Collier County. Currently
20 thinking about the Congressional districts,
21 there is one member of Congress in Collier
22 County that is Hispanic. The county as a
23 whole, the Hispanic voting age population is
24 21.9 percent. What you will see on the screen
25 is looking at VTDs, these are all of the VTDs

1 that have a Hispanic voting age population of
2 30 percent or greater.

3 So you can see the various concentrations
4 there across the county. Thinking about
5 Collier County, it is important to note that
6 the county is a covered jurisdiction under
7 Section 5 of the Voting Rights Act.

8 Next is SW-29, which is keep Lehigh Acres
9 whole. This was a kind of a real popular theme
10 that we had in the Lehigh Acres meeting, which
11 was the concept of feeling the separation
12 between east and west Lee County. Lehigh Acres
13 is a high growth area, and, again, they asked
14 to remain whole in this process.

15 It is an unincorporated community within
16 Lee County, so, again, looking for parameters
17 of how to actually define Lehigh Acres would be
18 greatly appreciated.

19 Moving next, we did talk a little bit
20 about Congressional District 16. There was a
21 lot of testimony in favor of eliminating
22 districts that cross the state. The one on
23 this screen is actually Senate District 27,
24 but, again, thinking about Congressional
25 District 16 was a district that was spoken of

1 quite a bit in this context. It may sound a
2 little silly, but the definition of crossing
3 the state wasn't given.

4 Someone who wanted to get really technical
5 could say, well, this doesn't actually cross
6 the entire state, there are pieces on both the
7 east and west extremities that are not within
8 that district, but thinking about generally
9 what the folks were discussing was
10 Congressional District 16 or districts that
11 look like Senate District 27.

12 Next is connecting the community of Estero
13 with the City of Bonita Springs in Lee County.
14 You can see here on the screen, that southern
15 area where we have the green district started
16 is all of Bonita Springs kept whole, and you
17 will see just to the north of it there on 45 is
18 the Estero community; again, another example of
19 a community where we are looking for the
20 parameters of what that would look like. But
21 that would be the beginning of a district if
22 one were to go that route.

23 The next couple of slides are talking
24 about Hendry County, which is a covered
25 jurisdiction under Section 5 of the Voting

1 Rights Act. The first piece of testimony we
2 received would actually recommend that the
3 county be split into at least two districts.
4 One would have the City of Clewiston connected
5 with an eastern district, while the City of
6 LaBelle would be connected to a western
7 district.

8 Obviously that is something that is at
9 your disposal as far as review, but that was
10 the concept of how that county could be split
11 into two if you wanted to make that policy
12 decision.

13 Counter to that, we also did receive
14 testimony that would ask to keep Hendry County
15 whole in this process. That is what Hendry
16 County looks like. Hendry County's population
17 is 39,140, obviously far short of the ideal
18 population for a Congressional district, but
19 obviously it could be kept whole in this
20 process if you chose to do so and connect it
21 with other communities.

22 Next is the concept of keeping the City of
23 Dunedin whole within one district. You can see
24 there on your screen what the City of Dunedin
25 looks like in Pinellas County. Like we talked

1 about in our last meeting, when you think about
2 having an entire city within a district,
3 sometimes doing so creates holes or
4 non-contiguous pieces of land that would have
5 to be addressed if it were to be completed as a
6 legislative district, and this would happen
7 here with the City of Dunedin.

8 Next, SW-47 is maintaining the
9 representation for the black community in St.
10 Petersburg and Pinellas County. You can see
11 here on the screen, this is all of the VTDS
12 with a 35 percent black VAP or higher.
13 Specifically this testimony was talking about
14 St. Petersburg, so if you look there on the
15 screen, you can see the southern St. Petersburg
16 area there where the VTDS are shaded, showing
17 the concentration of that community within that
18 city.

19 And lastly is SW-53, which was a partial
20 map that we received from a member of the
21 public, which kind of deals with multiple
22 southwest and southern congressional districts.
23 If you look at the screen, you know, of the six
24 districts that are drawn, the blue district to
25 the top, the brown one just to the southeast of

1 it and then the very southern district -- on
2 their map is Districts 2, 3 and 5 -- those were
3 the districts that came the closest to the
4 ideal population as far as population
5 deviation, while the other three were
6 probably -- the thought process was just to get
7 those districts started. Those populations are
8 far off of what the ideal population would be,
9 but that is what that map would look like as
10 submitted by a member of the public.

11 Mr. Chairman, that concludes my
12 presentation.

13 REPRESENTATIVE LEGG: Thank you very much.
14 Questions from members? Questions?
15 Representative.

16 REPRESENTATIVE CHESTNUT: Thank you, Mr.
17 Chair. Did we receive any comments in regards
18 to Port Charlotte, the Punta Gorda area?

19 MR. TAKACS: Thank you, Mr. Chairman.

20 Specifically those cities, I would have to
21 go back and look at the packet. There is
22 nothing that is jumping out at me at this
23 moment, but I would love to go back and review
24 the entire packet for you and we can certainly
25 get back with you.

1 REPRESENTATIVE CHESTNUT: Thank you, Mr.
2 Chair.

3 REPRESENTATIVE LEGG: Further questions?
4 Further questions? Representative Goodson.

5 REPRESENTATIVE GOODSON: Thank you,
6 Mr. Chair.

7 Have you received a map that -- any map
8 that has the correct number in that map that's
9 been turned in as far as voters?

10 MR. TAKACS: Thank you, Mr. Chairman.

11 Are you talking about the ideal population
12 in this region?

13 REPRESENTATIVE GOODSON: Yes, in this
14 region.

15 MR. TAKACS: I believe that we have, and I
16 know that -- thinking about more presentations,
17 we are actually going to have another
18 presentation following me. Mr. Bob West, our
19 policy chief, is going to talk about all of the
20 statewide submitted maps that have been
21 submitted to us. We are just kind of -- these
22 are the partially submitted maps, and he is
23 going to go into detail of maps that were
24 submitted that encompass the entire state of
25 Florida.

1 REPRESENTATIVE GOODSON: Thank you.

2 REPRESENTATIVE LEGG: With that, seeing no
3 further questions, I will segue right into our
4 policy chief, Mr. Bob West. He is going to
5 give us a presentation regarding the complete
6 congressional maps that were submitted to the
7 Legislature thus far. We have heard
8 presentations remarked thus far regarding
9 partial maps, so now we are going to spend some
10 devoted time to those maps that Florida
11 residents took time to complete in full. So
12 with that, members, if you can turn to tab
13 three in your packet, and Mr. West, the floor
14 is yours.

15 MR. WEST: Thank you.

16 Well, today what I am going to do is go
17 through the different maps and just give you a
18 little highlight from each map, and then at the
19 end we will sort of bring together some --
20 summarize some of that material at the end.

21 Up to this point, we've had 68 maps. Over
22 the weekend, we had several other maps, maybe
23 about four maps, and then we also have three
24 maps that are not in this presentation that
25 came in after we did the presentation.

1 And also, as you go through the maps, you
2 will see where we list the person's name and
3 where they are from, and sometimes that helps
4 you know the perspective that they are coming
5 from for each of the maps.

6 Our first map that we have here is from
7 Mr. Ortiz. He created this map -- it looks
8 like he did not -- he favored compactness over
9 whole counties. He is one of the only maps to
10 create all three minority-majority districts
11 for the black community.

12 And also in this map, if you look -- in
13 the past there's been quite a bit of thought
14 about keeping the Space Coast, Port Everglades
15 and the tourist areas in Orlando together. He
16 doesn't do that in this map.

17 He also creates three majority-minority
18 Hispanic seats in this map. And then in Hendry
19 County, he takes in just a little piece of it
20 without actually taking in any population, and
21 he drops that out, which Hendry County is a
22 Section 5 county, and that is something that I
23 think we are going to have to look at.

24 He did not appear to draw the map with
25 VTDs, he sort of ignored VTDs completely, but

1 he did obtain a deviation of just plus or minus
2 one person, which is -- takes a lot of time to
3 do.

4 This is one of two maps by John Libby. He
5 has the lowest number of counties split at 19,
6 and also one of the lower numbers of VTDs at
7 84, so he's really tried to keep those
8 communities together, and he only has a
9 deviation of three people. But this map does
10 eliminate two of the majority black seats.

11 Now, the next map, this was also another
12 map by Mr. Kelly. He said in his intent for
13 this map is he wanted to avoid retrogression,
14 but he did eliminate two of the black seats in
15 this map. His map five creates three black
16 seats that are all in the 30s in terms of black
17 VAP. Between the two maps, five -- four here
18 that you see, and five, the deviation -- he
19 does not split any VTDs. And he also tried to
20 link together similar communities and to keep
21 communities whole.

22 In five, he does something that is rather
23 unique, and if you look in the center of the
24 state, he has a district that holds Marion and
25 Alachua together in a set of -- in one

1 district, and then Lake County in a district of
2 its own, which when you are building maps, a
3 lot of times as you come into the center, that
4 is where you break up your districts.

5 Number six: This map was drawn
6 exclusively with VTDs, but the deviation on
7 this map is like 20,000 people, so he didn't do
8 a real good job of keeping the districts really
9 the same. This plan also reduces the black
10 majority-minority districts, and it tries to
11 locate a lot of your districts -- the plan
12 appears to try to locate districts entirely or
13 at least the majority of the districts in each
14 major city. In the southwest, the plan
15 uniquely creates a district that goes from
16 Naples through most of the rural counties of
17 south Florida. In the southwest, the plan also
18 creates another unique district that goes from
19 the Keys up through the more rural communities
20 of Miami-Dade, Palm Beach and Broward County.

21 Plan 20: This plan has a number of
22 non-contiguous districts. The plan would
23 almost certainly have some Voting Rights Act
24 problems. It significantly diminishes the
25 three seats represented by African-Americans

1 today. It also illustrates something to watch
2 out for. The plan keeps three Hispanic
3 majority-minority seats, but one of them is
4 52 percent Hispanic VAP, which oftentimes
5 Hispanic seats with a low VAP would only have a
6 35 to 40 percent Hispanic voter registration.
7 So this plan may have accidentally eliminated
8 an opportunity for Hispanic residents to elect
9 a candidate of their choice. The plan's
10 author -- author's districts were much more
11 regionally compact in north and central Florida
12 versus the south Florida seats, of which a
13 couple are much more spread out.

14 This is plan 26. The plan's author used
15 VTDs exclusively. This map had the most
16 continuity issues. Generally speaking, the
17 plan seemed to be more focused on regional
18 interests, more so than keeping geography
19 together. The plan definitely makes a
20 distinction between rural versus urban, and
21 rural versus coastal in some cases, including a
22 very large rural district starting in Polk
23 County and going south -- south, east and west,
24 and you can see the big district in the middle
25 there. The plan creates seats that are located

1 wholly in Pinellas and Hillsborough each. You
2 see in the one little map there. The plan also
3 appears to keep The Villages community whole in
4 Lake, Marion and Sumter Counties. The plan
5 does leave one majority-minority seat in place,
6 though it diminishes the voting age population
7 of the other seats.

8 This plan only splits four incorporated
9 cities, which is really quite remarkable,
10 almost -- I would say very -- almost impossible
11 to do. It does -- is remarkable. The plan's
12 author commented on or illustrated on how the
13 terminology of majority-minority can be
14 confusing. The author believes he created new
15 majority-minority districts when he actually
16 eliminated two African-American
17 majority-minority seats. People often
18 mistakenly add together minority populations
19 and think that they are a majority-minority
20 seat. The author definitely had a focus on
21 ensuring that while the major cities he
22 divided, that they stayed -- that they still
23 had dedicated or relatively dedicated voice
24 from one or more of the districts that
25 represented them. The plan's continuity was

1 perfect and it split only 19 counties.

2 In the next, we are going to take 36, 41
3 and 44 together. Thirty-six, 41 and 44 are all
4 submitted by a Manatee resident. The author
5 noted that he used county lines and then VTDs
6 to create his maps, with a goal in mind of
7 creating compact districts, and you can see as
8 it sort of progresses, how he worked it. You
9 can see the evolution of his deviations getting
10 smaller from one submission to the other. All
11 the maps are contiguous. The maps split
12 exactly 19 counties, which the city splits
13 vary -- but the city splits vary.

14 And then another thing, drive times for
15 several of the author's districts would likely
16 be significant. And what I mean by that is as
17 a district is spread out more, even though it
18 may be compact, it may be circle, it can take a
19 long time to go from one end of the district,
20 and we are looking to create a compactness
21 measure that will actually measure what those
22 drive times will be within a district.

23 Forty-two: This was drawn exclusively
24 with VTDs, it is perfectly contiguous, and the
25 author seems to be less occupied with the city

1 and county boundaries, in most of the state --
2 in the state, more concern will -- with -- and
3 in most of the state, more concern with
4 maintaining regional interests. This map here
5 only splits 17 counties. The deviations are
6 significantly off, though, and that is a lot of
7 times when you split counties and all and
8 try -- or try to bring those together so you
9 don't split, then you have to balance that out
10 with all the other things, and here he gave up
11 his deviations in order to achieve that. The
12 plan eliminates two majority-minority black VAP
13 districts, although it is -- although it is
14 another plan that manages to create a new
15 majority-minority Hispanic district, although
16 it is at the expense of one of the black
17 districts. And when you create Hispanic
18 districts, you have to look to make sure that
19 you are really creating one that will elect a
20 Hispanic.

21 This one is the second lowest in the
22 parameter test, and we are doing a compactness
23 test. What it will do, it will measure around
24 each -- as if you had walked around each of the
25 districts in the plan and adds all those

1 numbers together, and so the one that has the
2 least amount of walking is the lower number,
3 and this is the second lowest.

4 Forty-nine: Like others, the plan author
5 tried to create new districts -- I guess I
6 should show it to you -- new districts with
7 county lines in mind, using VTDs as the binding
8 block when below the county level. She makes
9 distinctions between coastal communities and
10 inland communities in multiple cases,
11 specifically in what she has referred to as the
12 I-4 corridor. The map creates a dedicated seat
13 in Pinellas, Hillsborough, Orange and each of
14 the three major southeast Florida counties.
15 She acknowledges that she did not consider
16 racial data in building these districts.

17 Fifty-one: The plan -- the plan author
18 stated that he was trying to make sure
19 southwest Florida had the foundation of another
20 congressional district. This map only splits
21 14 counties, has very low population deviation,
22 and so may be why it only splits 14 counties --
23 very high, I'm sorry. The map had the best
24 results for parameter compactness test, and it
25 also seemed to minimize geographic splits.

1 Generally speaking, the plan's author kept
2 districts within the particular region of a
3 state. The plan also very much keeps the
4 impact of major cities to their immediate area.

5 This next map was drawn exclusively with
6 VTDs. It has a high number of city and county
7 splits. It does maintain one majority-minority
8 black district, but eliminates the others.
9 Took a distinctively different approach to
10 Miami-Dade, Broward and Palm Beach, which are
11 drawn very compactly, versus St. Lucie and
12 Martin County, which are drawn over to
13 Charlotte and Manatee, as you can see up there,
14 which is -- and splits Orange County into six
15 different districts.

16 Okay. This is another -- this is the
17 third plan by John Libby. In it, he wanted to
18 avoid regression of minority districts in his
19 explanation, and then draw compact districts
20 around them. He still does reduce one black
21 district to less than 50 percent VAP, voting
22 age population, but all three of his black
23 districts are at least 48 percent black VAP.
24 He creates a fourth majority-minority district.
25 Districts going -- district going from Brevard

1 to Palm Beach County is unique, one of many
2 maps that splits the southern Polk County from
3 the northern Polk County, does a split there.
4 He leaves Volusia County whole, but by
5 splitting Monroe and Lake Counties. And that
6 is kind of unique in the keeping Volusia whole,
7 because he does recreate the District 3
8 district.

9 This person submitted a lengthy
10 district-by-district explanation of his map.
11 He is the third best in county splits at 18,
12 second in city splits at 45, but he does
13 diminish the African-American seats by two.
14 And his unique comment was he was trying to
15 shorten the boundary lines, which is the
16 parameter test.

17 The next one is number 68. He
18 significantly reduces the black VAP for the
19 three African-American seats, splits the most
20 counties at 36, splits the third most cities at
21 45. He creates a coastal district in the
22 northeast, southwest and central Florida, but
23 they -- but he drew the coastal seats very
24 differently in southeast Florida. He split
25 Hillsborough County into four districts, splits

1 Seminole into three districts.

2 Now, also in your packet, you will find
3 some statistics that we have put together for
4 you, and these are just some of the numbers so
5 that you can compare plans. And we have gone
6 through -- first in that packet, you will see
7 at the beginning of their section is on
8 deviations, and that is -- how we get a
9 deviation is you take the largest -- the
10 maximum district from the smallest district and
11 you subtract them, and that is what your
12 deviation is that you see here.

13 The other one is non-contiguous districts.
14 That is just -- in every map, you will have --
15 that's a full map, you will have one
16 non-contiguous district. The Dry Tortugas will
17 always be non-contiguous. So anything higher
18 than that is a problem that we will have to go
19 in and fix in the districts.

20 And then the next -- the next one is
21 county splits, and what that is is how many
22 times -- how many counties were split by
23 districts. In the report that we gave you last
24 time, we said how many times the districts
25 split counties. This one is if this county was

1 split three, four, up to six times like we saw
2 with the one in Orange County, would count as
3 one split county in this number.

4 And then the same thing with the city
5 splits. It counts how many cities were split
6 in the same way, and it may have been split
7 once, it may have been split two, three, four
8 times.

9 And then VTD splits, and the thing with
10 congressional seats is if you are going to
11 achieve the plus or minus one person, you are
12 probably going to have to split a few VTDs. So
13 the ones that kept the maps whole and had the
14 best deviation and had the lowest numbers are
15 what you are looking for there.

16 And then the parameter test, I explained
17 that just a minute ago. And then here you have
18 the black voting age population, and the way
19 these numbers work, if -- it just tells you how
20 many are -- like it says 20 percent, that's how
21 many districts are 20 percent or more. Where
22 it says 30 percent, that's how many districts
23 are 30 percent or more. So you will see as the
24 number goes up, it gets smaller, because more
25 districts drop off, and the same thing with the

1 Hispanic districts.

2 And with that, open to some questions.

3 REPRESENTATIVE LEGG: Great. A lot of
4 numbers, good data. Questions? Representative
5 Taylor.

6 REPRESENTATIVE TAYLOR: Thank you, Mr.
7 Chair, and I would like to also thank and
8 commend those members who submitted the public
9 maps, but because Amendment 6 passed and it is
10 a part of our Constitution, were there any
11 public maps submitted that followed Amendment
12 6?

13 MR. WEST: Their -- I think a number of
14 people felt like they did, you know, but that
15 is where you are going to have to determine
16 whether they did or not.

17 REPRESENTATIVE LEGG: And if I can jump in
18 here, Representative, as you know, in Amendment
19 5 and 6, there is some broad definitions of
20 what is compactness, you know, there is not a
21 clear definition of that as we are aware of,
22 and we are trying to, sorry to use the pun,
23 wrap our arms around what that definition may
24 be. So --

25 REPRESENTATIVE TAYLOR: Okay, again,

1 follow-up. And I guess maybe this is a
2 procedural question on these particular maps.
3 Now, in order for these maps to even move
4 forward, a member, one of us, would have to
5 file this particular map, is that correct?

6 REPRESENTATIVE LEGG: The way the process
7 works is obviously members of the public can do
8 maps, but we, as Chair Weatherford has asked
9 us, and I forget the date, November 14th --
10 November 14th is the deadline that he requested
11 that members of the committees or the
12 Legislature would submit maps, but we will also
13 be -- you know, depending on what we receive
14 from members, we will also be generating some
15 PCBs as well. So some of these -- I would
16 anticipate some of these maps will lay the
17 foundation or the framework for whether it be a
18 member bill or some of the PCBs as they move
19 forward.

20 REPRESENTATIVE TAYLOR: Okay, one
21 follow-up, Mr. Chair. I just want to get a
22 point of clarification.

23 So -- and you know as well as I do that
24 there is this ongoing lawsuit with Amendment 6,
25 and how does that prohibit us or how does that

1 -- how is that going to affect our ability to
2 draw a congressional map that follows Amendment
3 6, or do -- or we're going to wait for a ruling
4 to occur, or could you just help me out with
5 that particular procedure?

6 REPRESENTATIVE LEGG: Sure, excellent
7 question. It has no effect on what we do here.
8 We are -- Amendment 5 and 6, and 6
9 specifically, are on the books, that is what
10 the Speaker has told us that we will follow, so
11 we are proceeding with the current Constitution
12 as it is now, so it has no effect on us, we are
13 moving forward.

14 REPRESENTATIVE TAYLOR: And one final
15 follow-up follow-up.

16 And so our map that we draw with our
17 particular bill -- and I have been talking with
18 Vice-Chair Horner about our ability to file,
19 because a lot of the members already have their
20 six bill slots already taken up, and he had
21 mentioned possibly a repealer, but wouldn't we
22 have to have a repealer bill to pass through
23 before we are able to file any additional
24 bills, or how would that work?

25 REPRESENTATIVE LEGG: Getting into the

1 nuances of the repealer bills and the
2 procedural aspect, I don't want to move outside
3 of my comfort zone and speak for Chair
4 Aubuchon, but as I am aware right now, that the
5 current proposals will take up one bill slot,
6 so, you know, if you want more clarity than
7 that, we may have to get with Chair Aubuchon to
8 provide specificity.

9 Chair Horner.

10 REPRESENTATIVE HORNER: Thank you, Mr.
11 Chairman.

12 First of all, reviewing this on the
13 website and this presentation today, I am just
14 so impressed by the thoughtful, hard work these
15 people have put in. I have messed around with
16 My District Builder, and these folks have all
17 done a better job than I have come up with
18 today, so it is really good stuff.

19 One thing that I have noticed, and
20 Mr. West, maybe you can help me to know whether
21 I am being too much of a homer worried about
22 central Florida, but looking at the districts,
23 particularly where they've really tried not to
24 split counties, it appears that everyone has
25 done the natural thing, they have worked from

1 the two ends, and when they meet in the middle,
2 that's where all the splits take place. Is
3 that just my imagination, or is it -- it looks
4 like they do a great job, and then -- and I
5 can't speak for south Florida, I will let
6 Representatives Abruzzo and Fresen decide what
7 they did good there, because -- but when it
8 gets to central Florida, that is where it seems
9 to get a little messier on the maps where they
10 are trying to hold counties whole. Is that an
11 accurate observation?

12 REPRESENTATIVE LEGG: Chair Horner, I will
13 add to that when we get in a couple more
14 minutes, but if you want to kind of talk about
15 the general trends of what is happening with
16 that.

17 MR. WEST: That is probably very true,
18 because the worst thing that can happen when
19 you are a map drawer is to start at one end and
20 work all the way to the other end and end up
21 with 30,000 people in Key West that you have --
22 you don't know what to do with. So on drawing
23 maps, you sort of start at the corners and work
24 in, and so central Florida is where everybody
25 meets.

1 REPRESENTATIVE LEGG: Further questions?
2 Representative.

3 A VOICE: Thank you, Mr. Chair. You had
4 mentioned the deadlines on November 1st and the
5 14th. I guess my question -- I am just trying
6 to seek clarity on the time lines. If -- I
7 guess if the public submit a map before
8 November 1st, will they get another opportunity
9 to submit another map after that -- we have --
10 after the members have submitted maps by
11 November 14th?

12 REPRESENTATIVE LEGG: My understanding of
13 the process is November 1st is the deadline for
14 the members of the public to submit maps,
15 November 14th for members. They will still
16 have an opportunity to submit information, but
17 it is no longer a new map, it will be comments
18 on existing maps. So they will have
19 opportunity to provide public input,
20 information, but it won't be considered a new
21 submission. It would be considered kind of a
22 change of existing submissions. As you can
23 tell, we are going to have lots of maps to look
24 at, so their change could be significant to
25 where it looks as though it is a new map, but

1 in reality, it is a change of an existing map.

2 A VOICE: Okay. One more follow-up, Mr.
3 Chair. Regarding, Bob, Mr. West, you had
4 mentioned the compactness and -- can you
5 clarify in terms of how -- what tools are we
6 using to measure compactness, if you don't
7 mind?

8 MR. WEST: That is really where I am
9 programming right now is in the area of
10 compactness, and the parameter measurement was
11 one of the first ones and it is one of the ones
12 that is used quite -- quite readily in a lot of
13 cases and so forth. And it is also one of the
14 ones that -- it is not very interpretive. You
15 do a function, you get the parameter and that's
16 what it is. Some of the other ones we are
17 working on we hope to be coming out with soon,
18 and, you know, as we do, we will be putting
19 those reports out so you can see how the
20 different districts compare.

21 A VOICE: One more follow-up, Mr. Chair.
22 Is there any way that, you know, staff can tell
23 us after they have made a decision in regards
24 to compactness to let us know how compactness
25 is applied and for us to -- so now they can

1 give us guidance in regards to how compact --
2 the different ways to apply compactness, if you
3 don't mind?

4 REPRESENTATIVE LEGG: What we will be
5 doing is that's -- the definition of
6 compactness really we as a committee have to
7 wrestle with. So I don't want to put it on
8 staff to come and present us and say this is
9 what their definition is. We will be working
10 hand in glove with them on what we view our
11 definition of compactness should be, looking at
12 some of their recommendations, hearing from our
13 members, is it the parameter test, is it a
14 radius from a central point test, there's going
15 to be lots of factors, and my own assumption is
16 there's probably not going to be a single
17 definition, but multiple definitions to factor
18 into one.

19 A VOICE: Thank you.

20 REPRESENTATIVE LEGG: But we will be
21 putting that together.

22 A VOICE: Thank you.

23 REPRESENTATIVE LEGG: Further questions?

24 Mr. West, thank you.

25 Members, as you can tell, we have a

1 monumental task in front of us that Chair
2 Weatherford has asked us to do. He has asked
3 us to provide the full Committee with three
4 vetted options for congressional maps. As you
5 remember, Chair Weatherford set out two
6 deadlines for us: November 1 for the public
7 input, November 14th for us as members to come
8 forward with our own bill.

9 Going forward, I think these presentations
10 have illustrated some decision points about
11 congressional maps, and I would like to spend a
12 little bit of time to hear your thoughts and
13 considerations on some of these decision
14 points.

15 I think Chair Horner did an excellent job
16 of pointing out one problem. I think some of
17 the toughest decisions, and I am speaking
18 subjectively on this and want to get your
19 feedback, some of the more difficult times is
20 looking at some of our urban areas of our state
21 and how they are addressed. One potential
22 decision-making process that we could do as a
23 committee, and I want to get your feedback, is
24 do we start with the urban areas and move
25 outward? Do we perhaps look at how that

1 affects maybe the growth areas of our state,
2 such is the I-4 corridor, the southwest
3 corridor? Do we look at other issues such as
4 our existing maps and maybe start with our
5 existing maps and how they look, or do we look
6 at minority access seats and start there? We
7 have several decision points that we need to
8 kind of look at first and kind of look at what
9 we are going to springboard off of, and to kind
10 of give our staff some direction to start
11 putting together some maps for us to look at
12 and to wrestle with. I kind of open it up to
13 this Committee to hear your thoughts on where
14 we want to begin with. Do we want to look at
15 urban centers? Do we want to look at coastal
16 communities and move inward? As Representative
17 Horner suggested that all of those have some
18 positives and negatives, but we want to give
19 staff some direction for which they can come
20 back to us so we can move to that next step.

21 Representative Taylor, I see you chomping
22 at the bit there.

23 REPRESENTATIVE TAYLOR: Yes, because I
24 think as we are pondering over these particular
25 ideas, it is hard and difficult for me, knowing

1 that there is an ongoing lawsuit with Amendment
2 6 and not necessarily defining the framework of
3 where we are going to start with as far as the
4 definitions of contiguous or compactness or
5 whatever it is that we are trying to
6 accomplish. The first thing we have to do is
7 follow the law, and if we don't understand or
8 we haven't defined the law, how -- how can we
9 begin a process of starting in the -- whether
10 it be the urban areas or starting in let's just
11 say the Key West area or the Panhandle area?
12 That is difficult for me right now to digest,
13 because we've got to follow the letter of the
14 law, and until I know what the rule of the game
15 is, I can't necessarily say we should start in
16 the center of the state or the Panhandle or Key
17 West.

18 REPRESENTATIVE LEGG: One thing I would
19 just comment on that is I believe the voters
20 have defined what the letter of the law is, and
21 now it is up to us to kind of wrestle with
22 those definitions, and those lawsuits being out
23 there, what they may, they really have no
24 effect on the way this Committee moves forward
25 on those issues. We have to move forward with

1 what the voters required us, and some of that
2 language is ambiguous, and we have to, you
3 know, look at how to address those, but
4 notwithstanding, I do think that we need to
5 move forward.

6 Further comments from this Committee on
7 your thoughts? Representative Passidomo.

8 REPRESENTATIVE PASSIDOMO: Thank you, Mr.
9 Chair. After spending the summer --

10 REPRESENTATIVE LEGG: Representative, can
11 you see if your mike is on there?

12 REPRESENTATIVE PASSIDOMO: It is on.

13 REPRESENTATIVE LEGG: Okay.

14 REPRESENTATIVE PASSIDOMO: I am just very
15 quiet spoken today. No, after spending the
16 summer traveling around the state, you know, I
17 realize for the first time how diverse this
18 state is, and also how much it has changed
19 since the last census in terms of development
20 and growth. So I think your suggestion that
21 maybe we start at urban areas or, you know, the
22 agricultural areas in the center makes some
23 sense, because, you know, those communities are
24 different than they were ten years ago, so
25 maybe we should look at, you know -- again,

1 look at what we did ten years ago and also how
2 it's changed, because most everybody that spoke
3 in front of us talked about keeping their
4 various communities together. The question is,
5 what is their community? Because I think it is
6 different now than it was ten years ago.

7 REPRESENTATIVE LEGG: Excellent point.

8 Further -- further comments? Further
9 comments? Representative Horner.

10 REPRESENTATIVE HORNER: Thank you, Mr.
11 Chairman.

12 To answer your question, it is just my two
13 cents, maybe if we started with the minority
14 access seats and see if we can draw them as
15 compactly as possible to meet those standards
16 and use that as a start -- knowing that we
17 need -- we cannot retrogress if we want to pass
18 legal muster, so you start there and then build
19 out, making them as compact as legally
20 possible, that would just be my thought. When
21 I've played with the maps, that's been my
22 thinking.

23 REPRESENTATIVE LEGG: Further comments?

24 Further comments? Representative.

25 REPRESENTATIVE BERNARD: Just a quick

1 question. Are we going to be using the VTDs?
2 Is that the plans of us, of the staff?

3 REPRESENTATIVE LEGG: And I will punt this
4 to Alex, but my understanding is, as where
5 possible, we will be using the VTDs as much as
6 possible, but I will yield to you on the
7 technical aspect of that.

8 MR. KELLY: Thank you, Mr. Chair.

9 Yes, Representative Bernard, as much as
10 possible, staff are using the VTDs. We always
11 do recommend, in using any geography, that you
12 do give a close look to the map just to make
13 sure that the VTDs were drawn by the
14 Supervisors of Elections, and many of them did
15 a very fantastic job, but still make sure in
16 each county, when you are using the VTDs, that
17 they truly do match community lines. But, in
18 general, yes, the staff -- we are using the
19 VTDs as a basic building block. There are
20 situations where you would want to consider
21 deviating. For example, if you were trying to
22 wrap an entire city boundary line in or out of
23 a district, those city boundary lines are based
24 on census blocks, so at that point, even if you
25 were using VTDs throughout, you may want to

1 consider using census blocks for that purpose,
2 but, generally speaking, the VTDs match what
3 the supervisors intended to be lines that
4 would, A, help them administer elections in a
5 way that are simple and understandable for the
6 public, but B, also keep neighborhoods and
7 subdivisions together.

8 REPRESENTATIVE BERNARD: Thank you.

9 REPRESENTATIVE LEGG: Further questions,
10 further questions?

11 REPRESENTATIVE TAYLOR: Mr. Chair?

12 REPRESENTATIVE LEGG: Representative
13 Taylor.

14 REPRESENTATIVE TAYLOR: Thank you. And I
15 guess I am going back to the process again and,
16 you know -- if there are let's just say 70
17 bills that are filed by the members, will those
18 bills be agenda'd and will we hear all 70, or
19 will staff go through it and try to determine
20 which ones pass more of the legal muster or
21 which ones are the best, or how will that
22 process go as far as the members' maps?

23 REPRESENTATIVE LEGG: Sure, and I would
24 have to get with Chair Weatherford and see how
25 he would like to go look at the maps. You

1 know, at this point, we have no bills filed by
2 members dealing with -- we have zero bills
3 filed by members dealing with maps, so I can't
4 really address that question until members
5 start filing bills.

6 With that, members, thank you very much
7 for your thoughts. What I would like to do is
8 ask staff if they could start mocking up some
9 maps for us to kind of kick off next committee
10 week -- committee meeting with, so we can at a
11 minimum have the ability to create some
12 alternatives from which we can start discussing
13 some of these issues.

14 Moreover, I would like to make it clear to
15 each of you that you are welcome to bring forth
16 your ideas, your thoughts, your decision points
17 and to ask some of these tough questions.

18 For -- there's some additional business
19 that you may want to be aware of. Before we
20 go, please note that in your packet there is a
21 memo that you received from Chair Aubuchon
22 regarding the rules and procedures for the
23 redistricting, including the special deadlines.
24 Please ensure that you and your staff are
25 familiar with these rules and procedures.

1 I want to thank you for your hard work,
2 for coming up on a Monday early to sit on this
3 Committee and to do your work. And with that,
4 without objection, Chair Horner moves we rise.

5 (Whereupon, the proceedings were
6 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 47 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 February, 2012.

CLARA C. ROTRUCK

Notary Public

State of Florida at Large

Commission Expires:

November 13, 2014

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HOUSE REDISTRICTING SUBCOMMITTEE MEETING
MONDAY, OCTOBER 3, 2011

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 REPRESENTATIVE SCHENCK: All right,
3 members, we are going to call the meeting to
4 order. It is good to see about half of you.
5 And so, Ben, please call the roll.

6 THE CLERK: Representatives Baxley?

7 REPRESENTATIVE BAXLEY: Here.

8 THE CLERK: Bernard?

9 REPRESENTATIVE BERNARD: Here.

10 THE CLERK: Campbell?

11 REPRESENTATIVE CAMPBELL: Here.

12 THE CLERK: Clarke-Reed?

13 REPRESENTATIVE CLARKE-REED: Here.

14 THE CLERK: Corcoran?

15 Diaz?

16 Dorworth?

17 Drake?

18 REPRESENTATIVE DRAKE: Right here.

19 THE CLERK: Frishe?

20 REPRESENTATIVE FRISHE: Here.

21 THE CLERK: Hooper?

22 REPRESENTATIVE HOOPER: Here.

23 THE CLERK: Julien?

24 REPRESENTATIVE JULIEN: Present.

25 THE CLERK: Nuñez?

1 Rogers?

2 REPRESENTATIVE ROGERS: Here.

3 THE CLERK: Young?

4 REPRESENTATIVE YOUNG: Here.

5 THE CLERK: Chair Schenck?

6 REPRESENTATIVE SCHENCK: Here. Thanks,

7 Ben.

8 All right, members, much like our last
9 meeting, the bulk of our meeting today will
10 consist of a staff -- couple of staff
11 presentations and the opportunities for your
12 feedback and input regarding public testimony
13 for redistricting.

14 At our last meeting, staff summarized for
15 us what was heard in the first four regions we
16 visited this summer, including written input
17 about those same four regions and any partial
18 maps that have been submitted which impact
19 those regions.

20 Today's meeting will look similar, with
21 staff presenting public input received from the
22 fifth region, southwest Florida, and any
23 complete or near complete maps submitted by the
24 public.

25 But before we go forward, a couple quick

1 items. First, if you will look at tab one in
2 your binders, this is the memo referenced in
3 our last subcommittee meeting, which Rules
4 Chairman, Chairman Aubuchon, sent regarding the
5 rules and procedures for redistricting. We
6 just wanted to make sure that you had another
7 copy and were familiarized with them.

8 Now, regarding today's presentations,
9 we're about to hear and reflect back on the
10 September 19th presentations. I want to ask
11 some questions that I ask each of you to
12 consider as we listen to today's presentations
13 and consider our next step. Chairman
14 Weatherford has asked our subcommittee to
15 produce three maps with the intent of those
16 maps being unveiled some time after the
17 November 14th deadline he has set for members.

18 Okay. This is what I want you to consider
19 as we are working through this: First, what do
20 we need to examine further, if anything, to put
21 together the maps that we will be moving on to
22 the head Committee? And second, when we
23 consider maybe five to six maps, maybe a
24 combination of member bills or PCBs, and we
25 send three of those to the full Committee, what

1 methods or questions should we utilize to
2 evaluate those proposals to know that those are
3 appropriate options to send forward? So if you
4 guys can kind of be mulling and thinking about
5 those things, I am going to go ahead and ask
6 you to turn to tab two. I am going to ask Jeff
7 Takacs, one of our analysts, to start our first
8 presentation. So, Jeff, the floor is yours.

9 MR. TAKACS: Thank you very much, Mr.
10 Chairman.

11 Before I get started, I just want to kind
12 of go over how we are going to go through this
13 fifth and final region of southwest Florida.
14 If you go to the very first slide there on the
15 screen, you will see in the upper left-hand
16 corner the code SW-4. If you are following
17 along in your book, those go in order, and you
18 will see that it starts with SW-1 and so forth.
19 So since we are not going through every issue
20 that was raised via public input for this
21 region, if you are following along in the book,
22 just keep an eye on that upper left-hand corner
23 of the slide. Of course, if you are following
24 on the screen, you will be right where I am.

25 So without any further ado, we will kind

1 of jump right into the southwest region. This
2 first issue is talking about the community of
3 Town 'n Country, and placing that specifically
4 into House District 58. You will see there on
5 the map that the purplish color is the current
6 House District 58, and you will see there kind
7 of towards the western end of that district,
8 the community of Town 'n Country appears to be
9 divided. Thinking about the meeting that we
10 had two weeks ago, members, thinking about the
11 term "community," sometimes if it is an
12 unincorporated area of a county, we don't know
13 the exact parameters of what that community
14 might look like. So when we talk in the vague
15 term of community, sometimes as we go through
16 this presentation and go through the map, there
17 are times where we may need specific parameters
18 to define what that community actually is.

19 The next issue is talking about preserving
20 the minority districts in the Tampa Bay region.
21 If you look to the screen, you will see the
22 numbers of three districts there specifically,
23 Districts 58, 59 and 55. Fifty-eight is
24 currently a Hispanic district, and 59 and 55
25 are black districts. Thinking about those

1 districts as they currently are today, House
2 District 55 is about 23,565 short of the ideal
3 population, and its current black voting age
4 population is 49 percent; House District 58 is
5 roughly 24,000, almost 25,000 short of the
6 ideal population, and its current Hispanic
7 voting age population is also 49 percent; House
8 District 59 is also short of the ideal
9 population by just over 15,000, its current
10 black voting age population is 54 percent. So
11 those are the three districts within that
12 region. Thinking about Hillsborough County
13 specifically, it is important to remember that
14 Hillsborough County is a covered jurisdiction
15 under Section 5 of the Voting Rights Act.

16 The next is issue number SW-10, which is
17 keep House District 55 intact. You will see
18 there on the screen in that greenish color is
19 House District 54, kind of having that western
20 area there of Pinellas County. Thinking about
21 current District 54 as it currently sits, it is
22 short of the ideal population by 26,260, so it
23 would need to grow in some way, shape and form.
24 Actually, in the testimony that was given, the
25 suggestion of south St. Petersburg was given as

1 a possibility to add population to that
2 district.

3 The next issue is a unique issue that we
4 got in our Largo meeting. It is talking about
5 keeping small cities together within a
6 district. What is kind of interesting about
7 this particular request, which actually came
8 from the Mayor of the City of South Pasadena,
9 is that there was no definition of the word
10 "small city." In her testimony, she gave the
11 concept of maybe a city that has 50 employees
12 or less, thinking of similar issues that they
13 would have with group insurance or things like
14 that, but, obviously, in the world of
15 redistricting, we solely revolve around census
16 data, so thinking about definitions and how to
17 clarify things, it would probably be best to
18 think about how to define the term "small city"
19 based on population.

20 The next issue, SW-13, is keeping barrier
21 islands together within a district. The
22 example here on the map are kind of in that red
23 square there, red rectangle, is the barrier
24 islands of Manatee County. Something to think
25 about if a district were drawn in this fashion

1 just using the barrier islands, thinking about
2 the barrier islands as a functional, compact
3 community, you would create you kind of a long
4 and thin district that would run along the --
5 obviously, in this instance, the western coast
6 of all of those counties.

7 The next issue is thinking about having
8 two House seats wholly within Manatee County.
9 As you can see there on the map, there are
10 currently four House districts that have all or
11 parts of the county within it. As you look at
12 that map specifically, one of the districts
13 that would be significantly impacted by a
14 suggestion like that is House District 55,
15 which is there in that brownish color that kind
16 of has a string that goes down along the middle
17 part of that county.

18 Next here is the concept of dividing
19 Manatee and Sarasota Counties between east and
20 west to create four districts. And what you
21 will see on this particular map, what I did
22 here was thinking about building from west to
23 east, in each county what I did was I tried to
24 create two districts in each county that were
25 roughly the same population using VTDs, that

1 was how that was done here. There was really
2 no other rhyme or reason. In the testimony
3 that was given, there was no dividing line,
4 whether it be a transportation corridor or
5 other geography given, to how we could
6 determine east and west within these two
7 counties. So what I did, again, trying to have
8 the two districts in Manatee and the two
9 districts in Sarasota having similar
10 populations with each other, it is important to
11 note that all four districts are actually over
12 the ideal size population for a House district,
13 so they would have to have some more
14 adjustments made to them.

15 Moving along to Charlotte County, SW-19,
16 keeping Charlotte County whole within a State
17 House district, again, this is an issue that we
18 saw in our last meeting where specific counties
19 or communities would like to be kept whole in
20 the redistricting process. This is Charlotte
21 County's request. That is what Charlotte
22 County looks like. Thinking about Charlotte
23 County as a whole, its population is 159,978.
24 So if you were to put that entire county within
25 a House district, your deviation for that

1 district would be over by 2.1 percent.

2 Next is the SW-21, the issue of the
3 Newtown community in the northern Sarasota
4 area. They requested that they be kept as a
5 part of House District 55. You can kind of see
6 on the map there, if you look along 301, you
7 can see where North Sarasota resides. That
8 Newtown community is currently in the district
9 and they are asking to remain in the district.

10 The next two slides are pretty
11 interesting. This first one is the concept of
12 more representation in Collier County. You can
13 see there on the screen, Collier County has
14 five House districts within it. The thought
15 process that was given in this testimony was
16 that the person was saying that they are a
17 smaller county and they would like a greater
18 voice in Tallahassee, so they would like more
19 representation.

20 Thinking about this next slide, often you
21 will see the debate within a community, and the
22 next slide is talking about they would like two
23 districts to be in Collier County, not as many
24 as possible, this would be two districts within
25 Collier County. So there was a little bit of a

1 debate within that community of how they should
2 be divided.

3 Next issue is thinking about having more
4 Hispanic representation in Collier County.
5 Currently, Collier County has one
6 Representative that is Hispanic. Thinking
7 about the county as a whole, its Hispanic
8 voting age population is 21.9 percent. If you
9 look here on the map, what this represents is
10 that all of the VTDs within that community with
11 a 30 percent voting age population or greater
12 are highlighted on that map. It is also
13 important to note that Collier County is also a
14 jurisdiction covered under Section 5 of the
15 Voting Rights Act.

16 Next is the issue of keeping Lehigh Acres
17 whole. This was a pretty big theme in that
18 meeting, thinking about what appeared to be a
19 separation between east and west Lee County,
20 the community of Lehigh Acres, which is an
21 unincorporated area of eastern Lee County, you
22 can see there it is east of I-75, they ask that
23 they be kept whole within a House district. It
24 is a high-growth area, as was noted in the
25 meeting.

1 The next issue, SW-30, is eliminate
2 districts that cross the state. The map here
3 is actually a Senate map, it is Senate District
4 27, but you can see there by the nature of that
5 district, it spans from the eastern counties of
6 the state to the western counties of the state.
7 This was an issue that we did hear in more than
8 one meeting, and thinking about -- a couple of
9 things to think about as far as the concept of
10 cross-state districts. First, it may sound a
11 little trite, but the definition of a district
12 that crosses the state wasn't clearly defined
13 in the testimony, and what I mean by that is if
14 you wanted to get technical, there are -- in
15 looking at this district specifically, there
16 are areas in eastern -- on the east coast and
17 on the west coast that are not as a part of
18 this district, but, again, thinking of the
19 general tone of the input that we received from
20 the public, this was how they would define a
21 district that crosses the state.

22 Also, too, specifically to the House map,
23 current House District 112 could be considered
24 a district that crosses the state. Thinking
25 about that district in particular, that would

1 also have an impact on federal law, as ten
2 years ago that district was actually drawn as a
3 result of a court order.

4 Moving on to SW-43, this is the City of
5 Sarasota. They would like to be kept whole
6 within a House district. That is what the City
7 of Sarasota looks like if it were a district.
8 Their population is 51,917, so obviously more
9 communities would need to be added to it to
10 create a House district. Also, too, as we
11 talked about in our last meeting, when you
12 think about having an entire municipality in a
13 district, sometimes you will see holes within
14 the city boundaries, or maybe non-contiguous
15 areas of land within that city's boundaries, so
16 you would have to address that in the creation
17 of a legislative district if you wanted to keep
18 that city whole within it.

19 Next is the communities of Brandon,
20 Valrico and Riverview into one district. You
21 can see here all three of those communities
22 are, in fact, unincorporated communities that
23 are not clearly defined. Thinking about the
24 testimony that we received, we didn't actually
25 receive specific definitions of how you would

1 define geographically those communities. So if
2 you look at the screen there, there's a couple
3 of issues that come out. One is that first
4 issue I just talked about, and the second is
5 that you can see there on the map, you can see
6 where Brandon, Valrico and Riverview are, and
7 as you can imagine, if you were to include all
8 of those communities into one district, there
9 are many ways that you could connect those
10 three districts. Obviously, they kind of
11 create more of a triangular shape as you look
12 there on the screen, but there are a myriad of
13 ways that you could connect those three
14 counties to create a district.

15 Next issue, SW-47, maintain representation
16 for the black community in St. Petersburg and
17 Pinellas County. What you will see there on
18 the map is you will see Pinellas County there
19 to the west, and then looking specifically in
20 the St. Petersburg area, these are all of the
21 VTDs that have a black voting age population of
22 35 percent or greater, and so you can see where
23 the concentration of those people live within
24 that community.

25 Next is kind of an interesting issue.

1 This is talking about keeping the Sarasota
2 Bradenton Airport in one district. What is
3 unique about that is that this airport actually
4 crosses over county boundary lines. So you can
5 see there on the screen how we created that
6 beginning of a district was using My District
7 Builder, we zoomed in on the actual property of
8 the airport and tried to see what looked like
9 the property of the airport, and then using
10 VTDs, we grabbed all of that land. Again, a
11 little interesting issue, it does cross county
12 boundary lines, and something to be considered.

13 Again, thinking about what we talked about
14 as far as debates within a community, this was
15 another example of where a debate within a
16 community came, and that was some folks
17 testified under the concept of breaking apart
18 House District 55 and how it currently exists
19 today.

20 Up next is the -- some of the maps that we
21 have received, partially submitted maps, from
22 members of the public. This came to us from
23 the Greater Naples Chamber of Commerce. You
24 can see the three House districts there, you
25 know, the one there in the northern area of

1 Collier County which goes into Lee County, and
2 then the one county -- or the one district
3 wholly within the county, and then that bluish
4 district. Thinking specifically of that bluish
5 district, in the notes that they submitted to
6 us in submitting this map, they did say that
7 their intention was to follow the standards of
8 the Voting Rights Act, and, again, thinking
9 about Collier County as a Section 5 county
10 within the Voting Rights Act.

11 Up next is, again, a partially submitted
12 map. This is an east Lee County district. You
13 can see that, for the most part, they tried to
14 follow I-75 as a dividing line. A couple of
15 just points to notice: As it currently sits,
16 this district that was drawn has a deviation of
17 just 48 people. A little bit of a challenge
18 with it, though, as you look to the very
19 southern -- southern tip of that district,
20 there's like a little tiny raindrop of
21 non-contiguous land that is within that
22 district, so it is a non-contiguous district
23 that would have to be addressed down the line.
24 Another factor within this particular map is
25 that it does split the City of Ft. Myers.

1 Up next is a -- this is the House
2 district -- thinking about Bonita Springs, the
3 City of Bonita Springs, and kind of the
4 southeast Lee County portion there, you can
5 see, looking at the county boundary lines, that
6 it does stay within the county, and also, too,
7 they were very careful to follow city boundary
8 lines. You can see to the south end of that
9 district the City of Bonita Springs is kept
10 whole, as well as the City of Ft. Myers Beach,
11 and then to the northern area of the district,
12 it curves around the city boundary there to not
13 grab a portion of that city within the
14 district.

15 And then the last map that I have to
16 present here to you today is the City of Tampa
17 Hispanic State House district. This actually
18 came to us from the LatinoJustice group.
19 Thinking about Hillsborough County, again, a
20 Section 5 county under the Voting Rights Act.
21 A couple of notes on this particular district:
22 Its deviation is just minus 139 people, and the
23 Hispanic voting age population for this
24 district is 49 percent.

25 And that, Mr. Chairman, concludes my

1 presentation.

2 REPRESENTATIVE SCHENCK: All right, Jeff,
3 thank you for that.

4 Members, any questions? Questions about
5 the presentation? Okay. Comments? All right.
6 Thank you very much, Jeff.

7 Okay, members, if you would, please turn
8 to tab three in your binders. Next we are
9 going to have a presentation from our policy
10 chief, Bob West, about multi-regional maps
11 submitted by Florida citizens.

12 Okay, Bob, it is yours to take away.

13 MR. WEST: Thank you.

14 Well, what I will be presenting today is
15 the maps that were pretty much the full state,
16 or this first one did the first top of the
17 state, and I will be going in and making some
18 comparisons between them and just bringing out
19 some points for you to consider. And then I
20 just want to also mention that this is only up
21 to map 68 that we will be covering today,
22 although we had like four maps that came in
23 over the weekend and we've had a couple of
24 other maps that we've put up at the end of the
25 week. And then at the end, what I will do is I

1 will go in and we will look at some of the
2 statistics that will help you to sort of
3 compare maps and what they do.

4 Okay. So the first one is by Henry Kelly.
5 And what we will do with each of these maps is
6 we will put the person's name and we will put
7 where they are from just to give you a little
8 bit better idea of what perspective they are
9 taking. Anyway, he is from Okaloosa County.
10 He drew a north -- just the north part of
11 Florida, which actually is quite a bit. I
12 figure it takes about a half hour to draw each
13 district. So if you have 120 districts, you
14 are talking about some significant time, and
15 that is if you pretty well know what you are
16 going to do. So even just doing the north part
17 of Florida is a significant accomplishment.

18 Anyway, this map, if you start over in
19 Okaloosa County, you can see he divided it into
20 two places, and he kept all the beaches areas
21 together and he took a little bit of Santa
22 Rosa's beaches and added in there probably to
23 get the right population. He then -- and this
24 was a big discussion in the Panhandle -- he
25 then divided the counties between the coastal

1 areas and the more rural farming areas in that
2 area. And then as you come over to
3 Tallahassee, you see he took all of the black
4 area of Tallahassee and put it into one
5 district, and that district -- let me see -- is
6 about -- anyway, I thought I had the number
7 there -- I believe that was about 32 percent,
8 if I remember right, black voting age
9 population, but he kept it all in the one
10 county. Then he came all the way over to
11 Jacksonville, and you see the little green
12 district there, that is the black voting age
13 population district there, and that is
14 61 percent black voting age population. He
15 took basically and tried to consolidate all
16 that into one district.

17 The next one was a district by David Kozar
18 from Hillsborough, and you will see that this
19 one and the next one are very similar. In
20 fact, what I think the person did in the next
21 one is he actually took this, put it into his
22 computer and he made a bunch of little changes
23 to it, and I identified about 40 different
24 places where he made changes, and then he
25 resubmitted it with his ideas, and when I go

1 there, I will show you what the changes were.
2 Anyway, so I am going to take both of these
3 together a little bit.

4 Both of these districts were under in
5 total population. District 45, I will go there
6 for just a second. Down here where you see the
7 78 where the Everglades are, he took one
8 district and put it together to cross the state
9 in the Everglades there. That district that he
10 drew is about 23,000 people under the
11 population. So even though he showed a
12 cross-state district, it is also very, very
13 much under-populated. Both of these differ --
14 districts divide the black voting age
15 population -- anyway, I lost my place. One of
16 them in District 8 -- oh, that is it. Up here
17 in Leon County, you can see the black -- the
18 area eight and nine right there off of Leon
19 County, what they did is he took the black
20 voting age population and basically split it
21 into two districts, and one of them has about a
22 38 percent black voting age population, the
23 other one has about a 30 percent black voting
24 age population. And then in Jacksonville, both
25 of them take -- and there they fairly evenly

1 divide the two black voting age populations.
2 One is 50 percent and the other one is
3 40 percent.

4 Both of these plans eliminate District 55
5 completely. In fact, all the House maps that
6 we have had submitted pretty much eliminate
7 that district.

8 District 27 has the high black voting age
9 population of six districts, plan 45 only has
10 five, and both of them have 11 Hispanic seats.

11 This is District 47 done by Graham Stacy,
12 he's actually 13 years old, and he did two
13 House districts, so you know he was spending
14 some -- that is what he spent his summer doing.
15 You can see he sort of kept things fairly
16 compact, and he did something that was
17 interesting in several different major places,
18 and in talking about it and all, we called it
19 crimping, okay, because it hadn't been
20 something that we had thought about before, but
21 if you look in Leon County, you have sort of a
22 district in the middle and then you have rural
23 districts that radiate out from it. You also
24 have that in Marion and Alachua County. You
25 know, in Alachua County, you sort of have a

1 core, and then you have these districts -- I
2 forget, I think it is something like seven
3 districts that radiate out from Alachua County.
4 Well, what that does do is it takes and makes a
5 significant amount of population and then it
6 lets you pull in some of those rural districts
7 so you don't -- they are not quite so big. So
8 it is just a concept that he sort of came up
9 with and goes through his map in a very big
10 way.

11 His Jacksonville black seat is 69 percent.
12 You can see he sort of in the Panhandle,
13 instead of keeping counties whole, he uses I-10
14 as his barrier between north and south, also
15 another interesting concept. It looks like in
16 his map he tried to keep The Villages together,
17 and it looks pretty much like they are all
18 together in one -- in one place.

19 And then as -- it looks like as he came
20 down in his map, he got more and more compact.
21 In places like Pinellas and Palm Beach and
22 Broward and Dade County, he got -- his
23 districts became more and more compact and
24 circular. Well, that is his map 27.

25 Now, his map 28. And his map 28, for a

1 lot of your measurements -- I'm sorry, 48,
2 thank you. It is the second map that he did.
3 Okay. This map is very good in it has no VTD
4 splits at all, okay, it is the lowest city and
5 county splits in all the House maps that were
6 presented, from a 13-year-old. The black
7 districts in Leon County, okay, that is about a
8 30 percent black VAP, okay, but he keeps it all
9 into one county, and it looks like he was going
10 for compactness in this map. The black
11 districts in Jacksonville is District 13, and
12 that is about 64 percent black VAP. This map
13 has the lowest number of districts that are
14 50 percent or more black VAP, okay, but it has
15 the highest number of districts that are
16 40 percent or more black VAP, which is kind of
17 interesting. So you can -- you know, it looks
18 like he was actually working towards keeping
19 that. And then it has 12 Hispanic 50 percent
20 or more VAP. His main goal seems to be the
21 compactness.

22 And then also one thing that I want to
23 mention here is in Collier County and the
24 Miami-Dade area, you have no districts that
25 cross over the Everglades, which we had some

1 testimony on. But I just want to mention here
2 that because it became such an issue in the
3 last redistricting map, in order to take -- if
4 you don't make a district that crosses over and
5 you have to do it afterwards, that means you
6 have to maybe take forty or 50,000 people and
7 take out one district on one side of the
8 Everglades and put it in a district on the
9 other side of the Everglades. Well, if you
10 have to do that, that probably means about 40
11 or 50 districts all the way up the map on the
12 east coast, across the top and then down the
13 map on the west coast all have to be changed to
14 move that population over. So that is one of
15 the areas that in the future I think we need to
16 look at and decide what we want to do. It is
17 one of those main things in the map.

18 Now, the next map is a map by Bruce King,
19 and it wins the contest for our perimeter test.
20 One of the tests, and we are going to be
21 preparing a number of tests for doing
22 compactness, is the perimeter, and what that is
23 is if you walked around the edge of every
24 district in the state and added all the miles
25 that you walked together, that is the number

1 that we give for the perimeter, okay. So it is
2 a total of all the outsides of all the polygons
3 of all the districts in the state. And so the
4 lower the number, people surmise, the more
5 compact it is. And then we will be working
6 on -- all together there's about 36 different
7 compactness measurements that are mentioned in
8 the literature, and we will be working on a
9 couple of those for you. Anyway, so he wins
10 the test for that.

11 He wins also the test for the lowest
12 deviation at 23 in this map, okay. But then
13 also in this map, he has the highest number of
14 split VTDs, he has the second-lowest number of
15 city splits, but the second-highest number of
16 county splits. So as you go and you are
17 balancing these different things, you have to
18 -- it is a balance, because if you do one
19 thing, then the other thing falls out. And so
20 you can sort of see that in this map.

21 This map tied the previous map, the lowest
22 number of districts with 50 percent or higher
23 black VAP at four. And this was much lower
24 than the previous map, 40 percent or more black
25 VAP at seven, where the other map was 11. And

1 both of these had 12 black Hispanic -- I mean
2 12 Hispanic districts that were 50 percent or
3 more. This map creates a Jacksonville black
4 VAP district at 73 percent, which is really a
5 high number for that particular district.

6 This one, like 47 and 48, centers quite a
7 few districts in Alachua and Marion County.
8 This map also keeps much of The Villages
9 together. And then this one creates a 118 here
10 that covers most of the Everglades, but the
11 problem -- potential problem with it is that it
12 is only 44 percent Hispanic voting age
13 population.

14 Then on page 31 in your things, you will
15 see a number of statistics in there, and I just
16 want to go through those and just show you how
17 you can use them. And what we have done is
18 taken each of these statistics and then
19 rated -- put the districts in order of how they
20 do.

21 The first one is deviation, and you can
22 see the winner is 23 people deviation, which to
23 achieve that is -- he must have spent hours on
24 every district to find just the right number of
25 people to do that. That is extremely hard and

1 extremely time-consuming. The next one was 47
2 and then you can see on up, and you can see
3 some of them like 27 had 102,000 people
4 deviation, which really affects how you compare
5 the maps.

6 The next one is non-contiguous districts.
7 Every map that is a full map will have one
8 non-contiguous district, okay. That will be
9 the Dry Tortugas, okay. No matter what you do,
10 you can't bring that in together with the rest
11 of Florida, so a 1 is good. Anything higher is
12 something that we will have to look and fix on
13 a map as we go ahead.

14 Then the next one is county splits, and
15 this is not how many times you split the
16 county, but how many counties in total were
17 split. Now, some counties might have been
18 split once, twice, three, four, five, six
19 times, okay, but this is the number of counties
20 that were split. And it is the same number for
21 cities.

22 And then you have your VTD splits, and you
23 can see we had two maps there, map 48 and 27,
24 that didn't split any VTDs at all. And, of
25 course, 27 had a bunch of missing people, so

1 that helped him get there.

2 And then you had the perimeter test, and
3 you can see, in ranking, map 67 was the lowest
4 number there. You would have the least amount
5 of place -- miles to walk if you were walking
6 around every district in District 67.

7 And then you can see the numbers for the
8 black voting age population, and how it works
9 is the first number is cumulative, it is
10 20 percent or higher, the second number is
11 30 percent or higher, and then 40 percent or
12 higher, and 50 percent or higher, and you can
13 see the numbers get lower as you go along, and
14 it is the same way with the Hispanic voting age
15 population. So that way you can sort of see at
16 your cut-off how many districts will be each of
17 those areas.

18 And with that, I end my remarks.

19 REPRESENTATIVE SCHENCK: Thank you, Bob,
20 good presentation.

21 Members, any questions about the maps that
22 Bob went over, or comments? Representative
23 Corcoran.

24 REPRESENTATIVE CORCORAN: Thank you,
25 Chairman.

1 In just looking at some of the
2 presentations and what we have seen so far and
3 the differences between the House and the
4 Senate maps, at what point will we start to
5 drill down further and look at population
6 centers? Like in the Panhandle, you got
7 Pensacola and Panama City and Tallahassee. And
8 then the other one in our neck of the woods
9 which we heard a lot about was at what point
10 will we say, okay, The Villages matters more
11 than the fact that Sumter and Marion cross
12 county boundaries, those types of issues?

13 I mean, I am just kind of -- these are
14 like generic broad strokes, but one will mine
15 down into some more of the specifics, and also
16 the racial requirements that may exist under
17 Amendment 5.

18 REPRESENTATIVE SCHENCK: That is a good
19 question, and I will have Bob address that.
20 Let me try to adjust sort of the process. I
21 think, members, what we are trying to do is
22 start out and look at the state as a whole,
23 sort of big picture ideas, and then as we go on
24 week by week, start drilling down into the more
25 minute issues, population centers, things of

1 that nature, and I think that is the way you
2 have to do it for the process to work, you need
3 to start, you need to start big and then work
4 down. And kind of the reason we have been
5 going over maps like this, I hope this gives
6 you guys a good idea of when you draw a
7 district -- and these maps have been -- and I
8 congratulate everybody that has put in maps,
9 but if you look at it, no matter what map you
10 choose, if just one is slightly off and you
11 have to alter one, it is like a sheet of still
12 water and you throw a little pebble in there.
13 Even though it is a little, tiny pebble, the
14 ripples go out a long way, so it could -- it
15 could affect 30, 40 other districts, and I
16 think we have to be thinking about that as we
17 try to meet all the requirements in the law,
18 that what we do in one part of the state
19 affects every other part of the state, and I
20 think once we get that aspect down, we can
21 start drilling down further into some of the
22 things that you mentioned.

23 And, Bob, you can certainly -- you can
24 certainly pick up from that if you have
25 anything to add.

1 MR. WEST: I think that pretty much covers
2 it, and in the future meetings, we will try to
3 bring things that will help you with those kind
4 of decisions.

5 REPRESENTATIVE SCHENCK: Okay. Other
6 questions or thoughts or comments, members?

7 Representative Baxley.

8 REPRESENTATIVE BAXLEY: Thank you,
9 Mr. Chairman.

10 Just listening to some what was shared
11 about where to get started to reconcile some of
12 these things, I tend to agree with
13 Representative Corcoran, that if you take some
14 of these areas -- like District 55 that has
15 been talked about a lot today and is in a lot
16 of the public meeting comments, you know, I
17 think districts like that that have been -- can
18 kind of be the lynchpin pieces of the map, you
19 know, if you drill down and deal with those --
20 those and get the law applied to them where
21 these subdivided areas that were broken up have
22 been touched, I think we will find entire
23 sections of the map then begin to kind of come
24 together if you go on and drill down and deal
25 with those places. And, you know, I think it

1 will allow us to meet deadline and get things
2 together, but I think that is going to be a
3 starting place.

4 REPRESENTATIVE SCHENCK: Agreed.

5 Representative Bernard.

6 REPRESENTATIVE BERNARD: Thank you, Mr.
7 Chair.

8 Since we are going over the maps by the
9 public, since we have a November 1st deadline
10 and the public will submit their maps on
11 November 1st, what I am concerned about is what
12 if someone submit a map, and after that we have
13 submitted our map on November 14th and they
14 have some changes? For instance, like say the
15 NAACP submit a map on November 1st, and they
16 see our maps when we do our deadline on
17 November 14th. What if they make some changes
18 to their maps, how can they submit those maps
19 to us, and will they be able to -- I guess will
20 -- how can they claim that it is their map that
21 they submitted after the November 14th
22 deadline?

23 REPRESENTATIVE SCHENCK: Good question.

24 We will address it in a number of ways. First

25 I will go to Bob, and it is my understanding

1 that we are not closing down public -- the
2 public can continue to submit maps, isn't that
3 correct?

4 MR. WEST: That is correct. Even after
5 that deadline, if somebody submits a map, we
6 will put it out there for the public to look
7 at. Any member can take it and use it as an
8 amendment, we will be glad to work with them to
9 help them with that, you know. And so the
10 process will go on after that. It just is we
11 need to get down to serious business at that
12 point, and so that is the time that I guess the
13 Chairman set for us to do that.

14 REPRESENTATIVE SCHENCK: Thank you. And,
15 again, the process is for us to try to whittle
16 down all these concepts that we have discussed
17 here to produce a number of maps to push on to
18 the full Committee. So there's still a process
19 after we are done, and, you know, those maps,
20 once we produce ours, I would view them as sort
21 of a reaction to ours, and then I think that
22 continues to dialogue along the way.

23 Sure, go ahead, Representative.

24 REPRESENTATIVE BERNARD: Thank you, Mr.
25 Chair.

1 I know Representative Baxley just
2 mentioned District 55, but if -- are we going
3 to go by regions instead of drawing down on
4 like just say District 55, or can we go into --
5 in terms of the regions that we -- like as we
6 discussed around like the Panhandle and to draw
7 some of the problems areas that were specific
8 to the Panhandle, or is it just going to be one
9 specific district that we are going to drill
10 into?

11 REPRESENTATIVE SCHENCK: I would -- first
12 of all, I don't think -- again, talking about
13 the ripple effect, you can't just drill into
14 one district, because it affects so many other
15 things. So what I would suggest is we have a
16 holistic approach, we drill down into certain
17 things, and while we are doing that, we see how
18 it affects other parts.

19 And some of the comments I was going to
20 make, again, is that I expect everybody on this
21 Committee to have full participation. If you
22 are just going to sit there and not have any
23 suggestions, not offer anything, then you are
24 really doing the process a disservice. It is
25 not my intent, I know it is not Chairman

1 Dorworth's intent for the two of us just to
2 draw maps ourselves and give them to you all
3 for reactions. We want -- we want input. We
4 want you guys coming every week with your ideas
5 on certain parts of the state, drilling down on
6 these topics. This should be a full committee
7 opportunity and process.

8 So when you ask questions on that,
9 Representative Bernard, that is great that you
10 are thinking about those things, because those
11 are the things we are looking for. This is a
12 process where all of us here, however many sit
13 on the Committee, needs to come together to
14 produce some good maps.

15 REPRESENTATIVE BERNARD: Thank you.

16 REPRESENTATIVE SCHENCK: Other questions?
17 Representative Clarke-Reed.

18 REPRESENTATIVE CLARKE-REED: Thank you,
19 Mr. Chair.

20 As we went around the state on the 26
21 hearings, we continued to hear about Amendments
22 5 and 6, and particularly Amendment 6, and the
23 fact that now it's been brought to our
24 attention that we -- the Legislature is going
25 to appeal the decision of the courts. Do you

1 have any idea how that is going to affect what
2 we are doing here, and do you know the cost of
3 what that is?

4 REPRESENTATIVE SCHENCK: Thank you,
5 Representative. Good question. We are sitting
6 on the House Redistricting Committee, which
7 means Amendment 6 is -- has nothing to do with
8 what we will be discussing. As far as I am
9 concerned, for the discussions we are going to
10 have, it is a non-issue, that is for the big
11 Committee to decide. But for the work we are
12 doing on here, there will be no discussion of
13 that or no anything, because it has no bearing
14 upon what our work is and what our charge is on
15 this Committee.

16 REPRESENTATIVE CLARKE-REED: Follow-up?

17 REPRESENTATIVE SCHENCK: Go ahead.

18 REPRESENTATIVE CLARKE-REED: You didn't
19 answer the second part of my question, Mr.
20 Chair. Do you know what the cost is to the
21 taxpayers for this appeal?

22 REPRESENTATIVE SCHENCK: Thank you.
23 Again, as it has no bearing on what we are
24 doing here, I have no idea what the cost is,
25 because, again, it doesn't impact our between

1 80 and 120 districts that we are going to draw
2 for the State House.

3 REPRESENTATIVE CLARKE-REED: Thank you.

4 REPRESENTATIVE SCHENCK: Other questions?

5 Representative Corcoran.

6 REPRESENTATIVE CORCORAN: Yes,
7 Mr. Chairman, the other thing I would just
8 ask -- we have had the legal presentation given
9 to the lawyers about where we think -- as
10 Representative Clarke-Reed mentioned, Amendment
11 5 and how it affects our drawing, but what some
12 of these other groups ultimately will see when
13 they submit their plan, there will be an
14 obvious -- as we saw with these plans here, we
15 could tell Mr. King was focused more on the
16 perimeter test or what have you, but split
17 county boundaries left and right. Is there
18 going to be anything -- I don't know if
19 Representative Bernard or Representative
20 Clarke-Reed -- I think it is helpful to say
21 when you are drawing a plan out there before,
22 which would be helpful, but I guess we will
23 find out at the end regardless if you do or
24 don't. What -- you know, we see Amendment 5
25 that we must prioritize these things and it's

1 so integral to the factor of when you are
2 drawing something like House District 55, if
3 you are -- the only way you can draw House
4 District 55 is to make an assumption of what
5 the priority is in terms of emphasis, and I
6 just think that the more that these groups, the
7 NAACP, League of Women Voters, if it is the
8 Democratic Caucus, whoever it is that can come
9 forward and say, "This is what the criteria is
10 that we think," I think it is helpful for all
11 of us as we are drawing the maps, and if we are
12 supposed to submit three plans, I think it
13 gives us more flexibility.

14 REPRESENTATIVE SCHENCK: Well said.

15 Representative Bernard.

16 REPRESENTATIVE BERNARD: Thank you, Mr.
17 Chair.

18 Since Mr. West brought up the issue of the
19 perimeter test, is there any way for the
20 Committee and staff to instruct us on the
21 different methods of compactness and the
22 perimeter test so in that way we can, at least
23 from the compactness perspective, know exactly
24 which ones that we can tackle as a committee?

25 REPRESENTATIVE SCHENCK: Thank you, and I

1 think what Mr. West said, and I will certainly
2 go back to him, is that that's one of a number
3 that we are developing. And so, Bob, if you
4 want to expound on that.

5 MR. WEST: Well, with that is -- right
6 now, that is what I am doing is I will be
7 programming some of those -- some of those
8 tests. So any direction the Committee has to
9 us, you know, on this is what we would like to
10 be able to see, you know, this is the
11 compactness measurements we would like to have,
12 would be really, really helpful.

13 REPRESENTATIVE SCHENCK: Sure. And I
14 think -- I think, Representative Bernard, to
15 follow that up, we need -- we need a number of
16 those. So, for example, you could have a
17 district in a heavily populated area that is
18 very compact. And then we saw a bunch of
19 examples where like Charlotte County wanted to
20 be in one district, which would probably be
21 compact as well, because it is in one -- it
22 follows all the municipal boundaries, but,
23 again, would not be compact just because of the
24 size of it. So it is helpful, and I think -- I
25 think at some point we are going to have to do

1 that and be fluid. It is just going to have to
2 be a fluid process as well.

3 Representative Clarke-Reed.

4 REPRESENTATIVE CLARKE-REED: Thank you,
5 Mr. Chair.

6 How will we know? Will there be some
7 measurement given to us to say that compactness
8 is this many or that many, or this is what a
9 compact district looks like? Will we have that
10 kind of information or input, or who will give
11 us that kind of information and input?

12 REPRESENTATIVE SCHENCK: Thank you.

13 Again, I think -- I think we are -- we need to
14 back up a little bit. The members sitting at
15 the table are the ones that are elected to
16 actually make the decisions and do -- and
17 produce maps, not our staff. Our staff is
18 going to take directions from us. So if you
19 have an idea of what compactness is, you can
20 certainly submit -- submit your maps or ideas
21 to us, and we will take a look at it, but I do
22 not feel comfortable instructing staff to tell
23 the elected members the rules they need to
24 follow, and we are the ones that are elected to
25 make those decisions, so -- other questions?

1 All right. Seeing none, Representation
2 Frishe moves we rise, and thank you all,
3 members.

4 (Whereupon, the proceedings were
5 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 43 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 February, 2012.

CLARA C. ROTRUCK

Notary Public

State of Florida at Large

Commission Expires:

November 13, 2014

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SENATE REDISTRICTING SUBCOMMITTEE MEETING
MONDAY, SEPTEMBER 19, 2011

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 REPRESENTATIVE HUKILL: Okay, members,
3 could you take your seats, please? Members,
4 please take your seats. Okay, where is a real
5 clock? Yes, because that clock is not -- I
6 have been looking at that clock. That is why I
7 didn't know. All right, members, please take
8 your seats, we are going to start. Thank you
9 very much.

10 All right. The Senate Redistricting
11 Committee -- Subcommittee is now called to
12 order. Please call the order -- roll call.

13 THE CLERK: Chair Hukill?

14 REPRESENTATIVE HUKILL: Present.

15 THE CLERK: Representatives Boyd?

16 REPRESENTATIVE BOYD: Here.

17 THE CLERK: Caldwell?

18 REPRESENTATIVE CALDWELL: Here.

19 THE CLERK: Crisafulli?

20 REPRESENTATIVE CRISAFULLI: Here.

21 THE CLERK: Cruz?

22 Ford?

23 Jenne?

24 REPRESENTATIVE JENNE: Here.

25 THE CLERK: Kiar?

1 REPRESENTATIVE KIAR: Here.

2 THE CLERK: Logan?

3 REPRESENTATIVE LOGAN: Here.

4 THE CLERK: Nehr?

5 REPRESENTATIVE NEHR: Here.

6 THE CLERK: Rouson?

7 REPRESENTATIVE ROUSON: Here.

8 THE CLERK: Stargel?

9 REPRESENTATIVE STARGEL: Here.

10 THE CLERK: Williams, A.?

11 REPRESENTATIVE A. WILLIAMS: Here.

12 THE CLERK: Williams, T.?

13 REPRESENTATIVE T. WILLIAMS: Here.

14 THE CLERK: Workman?

15 REPRESENTATIVE WORKMAN: Here.

16 THE CLERK: A quorum is present, Madam
17 Chair.

18 REPRESENTATIVE HUKILL: Thank you. We
19 have also mentioned that Representative Ford
20 and Cruz are excused.

21 All right. Thank you, members. It is so
22 good to be back together. I hope you've all
23 had a lovely summer, and now it is time for us
24 to get down to work.

25 So today, members, the bulk of our meeting

1 today will consist of a staff presentation and
2 opportunities for your feedback and input
3 regarding public testimony for redistricting,
4 and we are also going to hear a short
5 presentation regarding updates to public
6 information and changes to our websites. We
7 will use this meeting and our first meeting in
8 October, essentially dividing that public input
9 into two parts, to dive into the specific
10 suggestions the public gave for drawing
11 districts.

12 Today we are going to summarize what was
13 heard in the first four regions we visited this
14 summer, including written input about those
15 same four regions and any partial maps that
16 have been submitted which impact those regions.
17 In our first meeting in October, we will cover
18 the fifth region, southwest Florida, and any
19 complete or near complete maps submitted by the
20 public.

21 But before we get into that, I want to
22 share some direction and suggestions that
23 Chairman Weatherford just provided us in the
24 Redistricting Committee meeting that we had
25 just prior to this meeting.

1 First, the bulk of the work during the
2 next couple of months will be done by the three
3 redistricting subcommittees. At this point in
4 the process, our subcommittee will begin
5 digesting all of this information so that
6 members may react, make suggestions and mesh
7 these ideas with the legal requirements of
8 federal and state redistricting laws. Over the
9 past few months, approximately 5,000 people who
10 came to 26 meetings, and approximately 2,000 of
11 whom presented their ideas at these meetings,
12 and many of you attended those meetings. We
13 are in receipt right now of 64 partial or
14 complete maps from the public. The Legislature
15 only received four maps ten years ago, so you
16 can see how much the public is interested in
17 this issue. We are also in receipt of more
18 than 200 additional unique suggestions for maps
19 that came in via social media, e-mails,
20 letters, faxes, the public meetings and even a
21 postcard. Based on this input, our
22 subcommittee should have more than enough
23 information to prepare committee proposals in
24 addition to any individual member bills that
25 are offered.

1 Chair Weatherford's request of us is that
2 our subcommittee pass at least three maps for
3 the full Redistricting Committee to consider.
4 In other words, he is asking that we give the
5 full Committee three options for the State
6 Senate map. Exactly how each subcommittee
7 meets that goal is up to the members of that
8 subcommittee. We can do it through PCBs,
9 member bills or a combination of that.

10 To meet that goal, we need to set some
11 goals of our own in terms of the timeline.
12 Chair Weatherford has recommended that members
13 who wish to file redistricting bills do so
14 before the November 14th/18th interim committee
15 week. You are certainly welcome to use the
16 full time line allowed for filing legislation
17 to file your redistricting maps, as well as
18 bills, but practically speaking, anything filed
19 after November 14th will probably have to be
20 considered as an amendment. We say this
21 because it should be expected that our
22 subcommittee will workshop redistricting maps
23 so that any redistricting maps that get voted
24 on have time to mature in the legislative
25 process, be compared to other options and also

1 give ample time for public input. In other
2 words, it is preferred that votes taken on maps
3 reflect more than one committee meeting in
4 which the map was discussed.

5 For the public, Chairman Weatherford is
6 recommending that members of the public submit
7 any original suggestions for maps before
8 November 1. That gives the members
9 approximately two weeks to study those
10 submissions before your own suggested
11 deadlines. Of course, we will accept comments
12 and suggestions from the public throughout the
13 process, but practically speaking, anything
14 received November 1 and thereafter will have to
15 be viewed as comments and reactions to the maps
16 that are already working their way through the
17 legislative process.

18 Regarding expectations for each of us
19 individually, members who would like to
20 submit -- present maps or amendments in the
21 subcommittees will be given as much courtesy as
22 possible to get their ideas on the agenda to be
23 presented. However, it is important to note
24 that members will be expected to explain in
25 detail how they developed their maps or

1 amendments. Even if you opt to file a map that
2 a member of the public offered, line by line,
3 be ready to explain your map district by
4 district, if necessary.

5 And just one last note before I turn it
6 over to any questions that you may have, in the
7 next day or two, Chairman Weatherford will be
8 sending out a memo to you and all of us, all
9 120 members, refreshing everyone about some of
10 the procedural items for redistricting that we
11 discussed last April in our initial committee
12 meeting.

13 And with that said, members, are there any
14 questions on that issue, because we do have
15 presentations? No questions? All right.
16 Let's go on.

17 All right. Now, before we go forward with
18 today's presentations, just as a reminder, our
19 staff is here to answer technical questions, to
20 provide analysis of the public input, to help
21 us craft options for these maps, and when
22 necessary, to get us the additional resources
23 that we may need to reach a decision. They are
24 not here to answer the overreaching policy
25 questions that are, frankly, more appropriate

1 for us as members to debate. So if you find
2 that your questions are about bigger, broader
3 issues of legislative discretion or
4 redistricting time line, things of that nature,
5 I am going to ask that you direct those
6 directly to me rather than to our staff.

7 With that said, we welcome Katie Crofoot
8 to the podium, and she is going to give us a
9 presentation which is a brief update as to what
10 is new with our websites and public information
11 now that the public meetings are over and we
12 are entering into the next phase of this
13 process. We welcome you, and you are -- you
14 have the podium.

15 MS. CROFOOT: Thank you, Madam Chair.

16 This afternoon I will be presenting a
17 brief update regarding some of the new features
18 of floridaredistricting.org and the Committee's
19 other websites.

20 As you can see on the screen, we have
21 floridaredistricting.org already pulled up.
22 Although the look of the site should be
23 familiar, the content has grown dramatically
24 over the past few weeks. With the public
25 hearings of the summer wrapped up, all of the

1 public input has been made accessible via
2 floridaredistricting.org.

3 First let's talk about what is new on the
4 left side of the page. First I would like to
5 draw your attention to the "Legislative
6 Headlines" button -- or section. This section
7 changes most frequently. All the latest news
8 and updates on redistricting are located here.
9 For example, materials from today's meetings
10 are already posted. If your constituents want
11 the latest information and updates, it is
12 probably located here, they will be able to
13 find it.

14 Directly below that, the next set of
15 links, "Public Participation," is where all the
16 resources for how Floridians can participate in
17 the process are located. One of the most
18 frequently requested documents within this
19 section is the concepts and terminology
20 handout. It goes over the basics of
21 redistricting and includes definitions of
22 frequently used vocabulary. You get a lot of
23 calls from constituents and legislative aides
24 requesting a document like that, so that is
25 where you can find it.

1 Scrolling down, we have the "Legal
2 Concepts" section. That hasn't changed since
3 last session, but I just wanted to note that
4 the legal presentations you all were given last
5 session, they can be found here, so if you
6 needed a brush-up on the legal concepts of
7 redistricting, that is a great resource.

8 Next, the "Additional Resources" section.
9 This one is the one we talk about most with
10 your staffs. We find that the -- one of the
11 most requested documents here is the -- for the
12 populations and the over/under, the current
13 over/unders. So this section is also where you
14 can find current House State maps,
15 congressional maps, as well as current and
16 individual district maps. So if you look, that
17 first link is the population, over/under,
18 followed by the current district maps.

19 Scrolling up to the right side of the
20 page, the "Public Hearing Videos" is the next
21 -- is the first button I would like to draw
22 your attention to. This button used to be
23 titled "Watch Meetings Live" during the public
24 meetings. This is where constituents could go
25 and watch meetings live. It was very popular,

1 and so we have kept it, and it is now an
2 archive where you can go in and watch all of
3 the public meetings.

4 The next button I would like to draw your
5 attention to is the "Blog and Resources"
6 button. That is right below the "Public
7 Submissions" button. And this button is -- and
8 it will take you to the redistricting blog,
9 which is frequently updated. Oh, wait, sorry,
10 I lost my place.

11 Below the blog button is the "Meeting
12 Records" button. This will bring you to the
13 page that has links to all the videos, podcasts
14 and action packets from the past redistricting
15 committees. It is a great resource.

16 The next button I would like to draw your
17 attention to is the "Blog and Resources"
18 button. This button is located directly below
19 the "Plan Submissions" link, and it will take
20 you to the redistricting blog, which is
21 frequently updated with news on Florida
22 redistricting. I will take you to that one.

23 This button located directly below the
24 "Plan Submissions" link, it will take you to
25 the redistricting blog, which is frequently

1 updated with the news on Florida redistricting.
2 For example, the most recent blog post is
3 designed to give the public greater insight on
4 the transition between summer meetings and the
5 current interim meetings. The middle of the
6 page, of this one page, is where your
7 constituents can find in-depth answers
8 regarding the process, so these are where some
9 of the more detailed answers are given. And to
10 the very right of the page, this is where the
11 set of links that will bring you back to all of
12 the other websites are located.

13 The final button that I would like to
14 point out is the "Public Submissions" button.
15 If you click on the link, you can see all the
16 public submissions of partial and complete maps
17 by Florida residents. Not only does this page
18 include every public map submission, but this
19 page also includes all the written testimony
20 submitted to the Redistricting Committee. And
21 actually, as you can see in the center of the
22 screen, you have the "Search Redistricting
23 Plans by Type." That is a very cool feature.
24 You can search by county, by type of plan or
25 even by the name of the author and the creator

1 of the plan, if you know that. Right below
2 that it says, "View Written Redistricting Map
3 Submissions," so that is where the written
4 testimony is located.

5 The site is also a blog and social media
6 accessible site so your constituents can share
7 and comment on the plans. Each public
8 submission of a map includes a summary of the
9 submission, the statistics relevant to the
10 plan, the PDF file and the ability to open the
11 plan in My District Builder using a KMZ file.

12 I will scroll down. The last thing I want
13 to mention is if while reviewing the public
14 submissions you see a map that you want to
15 explore in more detail or enhance using My
16 District Builder, you can load that plan onto
17 My District Builder, make changes and save
18 those changes to your own computer. So let's
19 quickly run through how to save one of these
20 files on your computer and then open it up in
21 My District Builder.

22 You'll first select the KMZ file link,
23 then click "Save" and then close out. And I
24 already have My District Builder loaded up, so
25 I will pull that up. It is pulled up, so now I

1 am going to the "File" button, and then
2 underneath the "File" tab is -- I am going to
3 select "Open." From there, I am going to
4 select the plan that I just saved. This is
5 just pop-up blocks. If you are using -- if you
6 are downloading say a complete map, it might
7 take up to a minute to download just because of
8 the size of the file. This is just one
9 district, so it shouldn't take that long.
10 There you have a complete district so that from
11 there you can then go and edit it, make changes
12 and then save it onto your own computer.

13 So with that, Madam Chair, we are happy to
14 make staff available if there's any additional
15 questions, and, of course, if any additional
16 changes are made to the website, we will bring
17 those to the Committee. So thank you, Madam
18 Chair.

19 REPRESENTATIVE HUKILL: Thank you very
20 much, Ms. Crofoot, very good presentation.

21 Members, are there any questions?

22 Representative Williams.

23 REPRESENTATIVE A. WILLIAMS: Thank you,
24 Madam Chair.

25 Ms. Crofoot, you were saying that the My

1 District Builder -- folks would have the
2 ability to watch -- would still be able to
3 watch on-line all of the various committee
4 meetings, so all the folks that we saw
5 throughout these 26 visits, they will be able
6 to have the opportunity to watch live, or is it
7 only archived?

8 MS. CROFOOT: It is all of the archived
9 meetings, but the current meetings, The Florida
10 Channel website is also -- has all of those
11 archived as well.

12 REPRESENTATIVE WILLIAMS: Okay, but I am
13 saying, like say, for example --

14 REPRESENTATIVE HUKILL: Follow-up?

15 REPRESENTATIVE WILLIAMS: Follow-up, I'm
16 sorry.

17 REPRESENTATIVE HUKILL: Yes, go ahead.

18 REPRESENTATIVE WILLIAMS: Thank you. I
19 got to get back in the swing of this.

20 REPRESENTATIVE HUKILL: That is right.

21 REPRESENTATIVE WILLIAMS: Will they have
22 the ability to watch live -- well, like say for
23 right now, can they watch live --

24 MS. CROFOOT: Yes, this is --

25 REPRESENTATIVE HUKILL: Ms. Crofoot.

1 MS. CROFOOT: Sorry.

2 REPRESENTATIVE HUKILL: Go ahead,
3 Representative.

4 REPRESENTATIVE WILLIAMS: Will they be
5 able to watch live right now, for example?

6 REPRESENTATIVE HUKILL: You are
7 recognized.

8 MS. CROFOOT: Right now, this is streaming
9 live on The Florida Channel, as well as the
10 other meetings that -- redistricting meetings
11 that are going on, yes.

12 REPRESENTATIVE WILLIAMS: Thank you, Madam
13 Chair. Thank you.

14 REPRESENTATIVE HUKILL: Thank you.
15 Members, any other questions? All right, thank
16 you very much.

17 All right, we will proceed. All right,
18 now, members, regarding the packet that you
19 have in front of you, this is the same packet
20 of information that the Redistricting Committee
21 and other subcommittees will receive today, and
22 this will be the subject of what our staff,
23 specifically Mr. Alex Kelly, is presenting
24 today.

25 The first four tabs relate to the four

1 regions we are discussing at this meeting. The
2 fifth tab which we have included for you is
3 summary level data regarding the first 63 maps
4 that have been submitted by the public. Note
5 all of this information will all be
6 available -- and is also available on
7 www.floridaredistricting.org for anyone in the
8 public to review.

9 What I would suggest is that since this
10 packet covers four regions of the state, I
11 think what we will do is ask Mr. Kelly to
12 present one region at a time, and then I will
13 open it up for any questions or comments that
14 you may have about that region.

15 And with that, Mr. Kelly, you are
16 recognized for your presentation.

17 MR. KELLY: Thank you so much, Madam
18 Chair, and thank you, members.

19 Members, as the Chair explained, we are
20 going to be covering the first four regions
21 that you visited this summer, and then next
22 week -- or the next interim committee week we
23 will be covering southwest Florida and the
24 statewide maps that were submitted.

25 And what I'll be going through today is a

1 summary of what was submitted for each region
2 verbally, in writing, partial redistricting
3 maps. Certainly, though, if I skip through
4 something that is in the book and you wish to
5 go back and cover it, just let me know, but I
6 will be giving a summary of the information,
7 and then, of course, today and going forward,
8 staff are always available to discuss any of
9 these in further detail with you.

10 So just to begin, starting in tab one,
11 which is northwest Florida -- and, again, what
12 I will be doing is in some cases giving you a
13 sense of the kind of input that was provided to
14 us. And so input that we got included putting
15 Lafayette County all within one district, both
16 in the House, Senate and congressional plans.
17 And frequently we did hear from particularly
18 rural counties something of a debate between
19 whether they wanted to be included all within
20 one county or within -- or, I'm sorry, within
21 one district or more than one district, but in
22 that case, they wanted to be included within
23 one. Lafayette County did not give a great
24 amount of detail as to why. Some counties
25 actually went into quite a bit of detail, as

1 you probably remember from the public meetings,
2 as to why they would want to be included all
3 within one district.

4 A concept that we heard throughout the
5 state at different meetings was a concept
6 called nesting, which essentially means taking
7 the boundary lines of a Senate district and
8 evenly dividing three House districts within
9 those boundary lines. And so in the
10 map-drawing process, what that actually implies
11 is that you are either drawing the House map
12 first or the Senate map first, not both
13 independently. It is a concept that some
14 states use that does have a positive effect for
15 minimizing some voter confusion, because the
16 voter knows if they are in one particular House
17 district, they must be then by virtue in a
18 Senate district related to that one.

19 The downsides to nesting are that if you
20 have let's say a county divided that you didn't
21 want to do, but you had to do to get
22 population, you are going to also have to do
23 that same thing for the other plan. So any
24 regrettable decisions you may have to make,
25 because there is no perfect map in

1 redistricting, you are going to have to make
2 them twice. So there are some pros and cons to
3 that concept.

4 The next issue that was brought forward in
5 the Panhandle, and really this stretches both
6 the Panhandle and northern central Florida, is
7 Leon County's role in State Senate districts
8 and also congressional districts as well, and
9 there is a piece of a congressional -- I'm
10 sorry, a State Senate district that comes into
11 Leon County, and the suggestion was to have
12 Leon be more centrally located with the other
13 counties in the Big Bend area.

14 The next item for consideration was
15 linking Wakulla and Leon Counties. More than
16 one presenter noted the relationship -- and,
17 forgive me, I should say if you -- in the
18 packet, you have everything by region that was
19 submitted. The number in the top left part of
20 a slide corresponds to the number that we are
21 looking at. So, again, we are not covering
22 every single item. So we are on the seventh in
23 the northwest region right now. And if I go a
24 little too quickly, just let me know.

25 But more than one presenter brought up the

1 relationship that Wakulla County and Leon
2 County have and suggested that they should be
3 in the same districts. The one -- they didn't
4 define exactly where -- how far into Leon
5 County -- if let's say you are talking about
6 the State House district, at some point you
7 wouldn't take all of Leon County, so they
8 didn't define where that boundary line would
9 be. But the one thing to consider in any
10 situation like this, you will see the same kind
11 of issue when you look later at a -- let's say
12 a Pinellas County, is that to take something --
13 a district like this all the way from the coast
14 to the state line, you essentially cut off your
15 ability to draw east/west beyond that. So it
16 is something to consider in a map-drawing
17 process that this kind of decision can have a
18 dramatic impact on every other district around
19 it.

20 The next couple issues that came forward
21 relate to Escambia County in this particular
22 one and its Senate district, and the suggestion
23 was to keep it whole, and I am going to combine
24 that with the next item, number ten, which was
25 putting Escambia and Santa Rosa into the same

1 district. And in the Panhandle, there was a
2 fairly lively debate between how it is that the
3 Senate and congressional districts should be
4 drawn, either whole counties, north to south,
5 east to west, and this point began that
6 dialogue of putting Escambia all into one
7 Senate district.

8 Moving a little -- moving back a little
9 east, there were more than -- there was more
10 than one person who suggested putting the City
11 of Destin all in the same district.

12 In Walton County, the suggestion that came
13 forward was to separate off south Walton County
14 from the rest of the community in ensuring that
15 south Walton County stayed together. That
16 suggestion didn't preclude the notion of
17 putting it with north Walton, but it was just
18 simply making the point that south Walton
19 should all be together. The presenter in the
20 meeting -- actually, I believe multiple people
21 came forward with this issue -- did not
22 identify what that boundary line was, and so
23 you will see in many of these examples today
24 where we apply some kind of boundary line to at
25 least show what it might look like. In this

1 case, we used Interstate 10 as a potential
2 boundary line.

3 Another suggestion that came forward, if
4 you go to the 16th item in northwest Florida,
5 was having Bay County have its own legislative
6 districts. And for the State Senate map, Bay
7 County is smaller than a Senate Senate
8 district, so it could be included all in the
9 same district.

10 Now, again, as I said before, there was a
11 really a debate about whether to draw districts
12 that were whole counties for the State Senate
13 or to go east or west, and a number of people
14 brought up the point about going east to west.
15 We are highlighting this particular presenter's
16 comments because this presenter actually gave
17 some very specific boundary lines and was the
18 first presenter probably to use a particular
19 concept which stuck out, which was the
20 presenter referred to Highway 98 as being a
21 linkage in the district, a way that the
22 constituents have a dedicated route to travel
23 to -- if they are on the southern end, to their
24 legislator or -- they applied this to Congress
25 as well, but -- and then this person actually

1 identified some particular cities as being
2 clearly southern or clearly northern. So,
3 again, that is why we highlighted this one,
4 because they gave some actual very specific
5 boundary lines.

6 The next suggestion came from a gentleman
7 who actually drew two and a half Senate
8 districts. Similar to what you saw before,
9 this individual put Escambia and Santa Rosa
10 Counties all in one district. The population
11 for that is about four and a half percent from
12 the ideal population. And just for reference,
13 as a good example, four and a half percent
14 above the ideal population is a little bit on
15 the high side. It doesn't mean that you
16 couldn't have a district that was four and a
17 half percent from the ideal population, but
18 typically, courts look for state legislative
19 districts to still be close to a zero
20 deviation, but they will take up to a
21 10 percent range with an explanation as to why
22 it was close to 10 percent. So if you have a
23 district that is four and a half percent above,
24 you are limiting your options for how far below
25 any of the other, in this case, Senate, and the

1 other 39 districts may go below the ideal
2 population. And the other district was
3 actually much closer. The yellowish district
4 was actually only 1.2 percent from the ideal
5 population. And then the gentleman just said
6 that everything east of that continued
7 drawing -- he identified three counties, didn't
8 identify the rest of it.

9 And the last item for the northwest
10 region, there were a couple presenters who
11 suggested that Franklin County should be only
12 included in districts with other rural
13 counties, which to do that, you'd have to take
14 a district around the Big Bend to do so. If
15 you, of course, went to Bay County or went to
16 Leon County, it wouldn't meet what this
17 individual was suggesting. And then coming
18 back to what we talked about earlier about
19 Wakulla and Leon, that once you make that
20 commitment to a district to go around the bend
21 like that, you start cutting off your access
22 ways for other districts that you might want to
23 draw. But, nonetheless, the suggestion was to
24 include Franklin with other rural counties so
25 that even if Franklin doesn't put forth the

1 elected official, the elected official probably
2 has rural county issues at heart.

3 And, Madam Chair, with that, that is the
4 northwest region.

5 REPRESENTATIVE HUKILL: All right. Thank
6 you, Mr. Kelly.

7 Members, are there any questions on this
8 part of the presentation? All right. There
9 are no -- Representative Williams, you are
10 recognized.

11 REPRESENTATIVE A. WILLIAMS: Thank you.
12 Thank you, Madam Chair.

13 Mr. Kelly, were there any recommendations
14 included in here? I didn't go through each one
15 by one. I am trying to jump around with you.
16 I think Matt Isbell came to the Tallahassee
17 meeting, the two we had here. Are they in here
18 somewhere, are they -- you just kind of jumped
19 around and picked a few that spoke to different
20 issues.

21 REPRESENTATIVE HUKILL: Mr. Kelly, you are
22 recognized.

23 MR. KELLY: Representative, I remember
24 comments that Matt Isbell made. I can't
25 remember if for the northwest region he had

1 specific comments that made it in here. Our
2 comments here are generally pertaining to
3 comments that we call drawable. I do know that
4 in -- he -- Matt Isbell also came to the Davie
5 meeting and gave some very specific comments
6 about compactness and how it relates to the
7 Everglades, but I will research it for you and
8 I will get back to you.

9 REPRESENTATIVE HUKILL: Follow-up? All
10 right. Members, anyone else, questions? I
11 also neglected to say comments, not just
12 questions.

13 All right. Being no further, let's go to
14 the next region.

15 MR. KELLY: Thank you, Madam Chair.

16 Starting in northeast and north central
17 Florida, the first suggestion that came
18 forward -- first suggestion of note was
19 regarding keeping Nassau County whole. Nassau
20 County is -- in the Senate map today, it is
21 divided. Amelia Island is into a -- Amelia
22 Island is to a district that runs down the
23 coast. The rest of the county is in a district
24 that runs into Jacksonville and Clay. So the
25 suggestion was to make Nassau County whole.

1 And you are going to see in this region
2 frequently the notion of keeping counties
3 whole. It was put forth to keep Clay County
4 whole, which in terms of a State Senate
5 district, you could do. It is large enough
6 they could fit into a State Senate district.

7 Again, another county, keeping Baker
8 County whole, Baker County residents also put
9 forth a notion of making sure -- like a couple
10 of the suggestions from northwest Florida, to
11 make sure that Baker was also lined with rural
12 counties, not just kept whole, but lined up
13 with other rural counties.

14 In terms of St. Johns County and Flagler
15 County, there were a number of individuals who
16 came forward and referred to keeping those
17 communities whole; however, they also expressed
18 that St. Johns and Flagler have a lot of
19 similarities, and so if there is a need to
20 cross county boundary lines, cross so that St.
21 Johns and Flagler are put together because of
22 the common bond between those communities. In
23 terms of doing so, you could fit St. Johns and
24 Flagler all into one Senate district.

25 A number of individuals, both at the

1 public meetings and also in writing, have
2 expressed desire to have Deltona all in a
3 single State Senate district, congressional and
4 State House. Right now, Deltona is divided by
5 all three maps, and so this was one of the more
6 popular suggestions, to have Deltona put all
7 into one district.

8 The suggestion also come forward from more
9 than one person to have Volusia County all in
10 one Senate district. I believe Volusia County
11 is just slightly larger than a Senate district,
12 but, nonetheless, to have Volusia County all in
13 one district.

14 If you were at The Villages meeting, you
15 will remember the number of individuals who
16 suggested that The Villages be kept whole in
17 all three maps. Keeping The Villages whole is
18 interesting, because it does cross three
19 counties -- into three counties. The bulk of
20 The Villages, which can actually be identified
21 as a municipality, is in Sumter County. There
22 is a Lake County portion of The Villages, which
23 for the sake of this map, we used Lady Lake as
24 a reference point, and then The Villages also
25 goes into Marion County. So to approach this

1 kind of suggestion, you'd have to approach it
2 more from a compactness argument than a county
3 boundary line argument, because clearly it can
4 achieve one, but not necessarily the other. So
5 it is an interesting suggestion.

6 And then another point just to use this
7 example for, anytime you are talking about city
8 boundary lines, you will notice throughout this
9 presentation and the next week's that city
10 boundaries frequently include holes, they
11 frequently include non-contiguous points, so to
12 encompass a city into a district, you can take
13 one of a few different approaches. You can
14 draw literally the exact lines of the city and
15 then fill it in, or you can draw around it to
16 make sure that you have completely encompassed
17 the area and you are on the safe side.

18 Another suggestion that came forward from
19 residents in Lake County was specific to an
20 area that is referred to as the Golden Triangle
21 where Tavares, Eustis and Mt. Dora meet. If
22 you have been through that area ever, you'll
23 know that it is very difficult to actually tell
24 when one city ends, the next one begins, and so
25 those communities asked to be kept together in

1 the redistricting process.

2 A number of presenters at both The
3 Villages and the Gainesville meeting, in fact,
4 actually in Orlando as well, came forward and
5 suggested to keep Marion County whole. In
6 terms of the Senate map, the concern was that
7 it's been, according to those who presented,
8 over twenty some years since a Marion County
9 resident served in the Senate, and their
10 objective was to have a district that near
11 guaranteed a Marion County resident would win
12 the seat.

13 Another interesting point that came up
14 here and was fleshed out at the later meetings
15 was a concept of having a majority of a
16 district in a particular county. So let's say
17 that you were attempting to achieve this, but
18 you hit a road block and you had to split the
19 county, you didn't want to, but you had to,
20 still ensuring that you have a significant
21 majority of the 470,000 people in a Senate
22 district in this particular district, so that
23 it is, in all likelihood, going to elect a
24 Marion County resident. So, again, a number of
25 people came forward with the suggestion.

1 In Lake County, there was a suggestion
2 that, again, started here and then you started
3 to hear this in some of the other meetings was
4 actually to -- oh, forgive me, actually, I
5 skipped one, it is not in the slides, but --
6 but to actually reduce the representation of
7 the county to make sure that it is more
8 concentrated, and the suggestion was just
9 simply to make sure that all of Lake County was
10 included in a single Senate district.

11 The Daytona Regional Chamber of Commerce
12 took a different approach with their
13 recommendations at the meeting in Daytona Beach
14 in which they -- coming back to that concept
15 that Marion County hit on, making sure that a
16 majority of their House -- or making sure that
17 a certain number of districts for their House
18 and Senate districts, in this case, Senate,
19 were in the county, and their request was
20 simply to make sure that Volusia County had the
21 majority of the State Senate district, even if
22 it was -- the county was somewhat divided.

23 The suggestion came forward to look at
24 Nassau, Duval and Clay Counties as a region as
25 opposed to three independent counties, and the

1 idea was to ensure that those three counties
2 would have three State Senators regardless of
3 exactly how the lines were divided. Probably
4 the first time that we heard a suggestion like
5 that as well in terms of taking a regional
6 approach to dividing districts. Now, in trying
7 to make three districts there, you would
8 still -- you could get about two and a half
9 seats out of that, so you would actually still
10 need to go into another county here, too.

11 These next couple of suggestions, or
12 actually maps that were submitted to the
13 Legislature, both actually -- yes, both
14 actually drawn by Lake County residents who
15 took a different approach to try to have Lake
16 County as the centerpiece to a seat; in this
17 case, the map drawer put all of Lake County in
18 a seat, all of Sumter, and then portions of
19 Orlando. The next presenter -- I apologize,
20 probably -- that green is probably a little
21 tough to see, but essentially it is all of Lake
22 County, all of Sumter and then all of Citrus.
23 So, in this case, the map drawer went to the
24 coast.

25 And, Madam Chair, that concludes northeast

1 and north central Florida.

2 REPRESENTATIVE HUKILL: Thank you,
3 Mr. Kelly.

4 Members, any questions on this segment, or
5 any comments?

6 All right, there being none, you can
7 proceed to the next one.

8 MR. KELLY: Thank you, Madam Chair.

9 Moving into central Florida, out of the
10 Polk County meeting, the point came forward by
11 a couple speakers to make sure that the City of
12 Winter Haven was kept whole, and that kind of
13 works into the next point. Another presenter
14 was a little more specific and actually
15 identified an entire region in Lake County
16 asking that the northern and northeastern
17 region of the county were kept whole, and that
18 also made the point that that presenter didn't
19 mind if the county was split, noting that south
20 of that area -- and the line on the map there
21 that we have drawn, that shape on the map we
22 have drawn is an approximation based on what
23 the person indicated to us. When they said
24 northeast Polk County, we weren't entirely
25 clear what that meant, so what we did was we

1 put Haines City, for the most part, within that
2 shape, and, again, from what the person did
3 tell us about Bartow and other communities,
4 made sure that those were south of that area.

5 At the Wauchula meeting, there were a
6 number of points made about rural counties
7 similar to what you heard about some areas
8 already about in this case keeping Highlands
9 County whole regardless of what Senate district
10 it was in.

11 Another point that came forward was
12 regarding Senate and congressional districts,
13 in this case, Senate, not lining Hardee County
14 with coastal communities. So not putting
15 Hardee County with, let's say, the coastal
16 parts of Manatee and Sarasota.

17 And then the next presenter of note at
18 that meeting spoke on a similar topic about
19 identifying the rural communities, not just in
20 Hardee County, but going down through Arcadia,
21 Wauchula, Bartow, and noted that for
22 agricultural purposes, they didn't mind the
23 idea of eastern Manatee and Sarasota and
24 Charlotte being lined up with those more
25 central counties. This person also, similar to

1 what we have heard in a couple of places, used
2 State Road 17 as a boundary line -- well, I
3 shouldn't say that. We weren't entirely clear
4 whether they meant as a boundary line or as an
5 artery for the district, but, nonetheless,
6 identifying 17 as a place where there are rural
7 communities off that road.

8 The suggestion came forward to take
9 Zephyrhills out of Senate District 10; in other
10 words, in reverse, take Senate District 10 out
11 of Pasco County.

12 There were an interesting number of
13 suggestions in Pasco County regarding the
14 roadways that travel through the middle of the
15 county, and using those as both boundary lines
16 and also ways to identify where constituents
17 can readily get to their elected official. And
18 so, in this case, the suggestion was to have
19 one or two Senate districts in Pasco. If you
20 are going to have two, use those roadways as a
21 natural boundary line. And, actually, the
22 point that came up about three items ago -- or
23 two items ago, I'm sorry, regarding the City of
24 Zephyrhills, another presenter gave a
25 suggestion as to what district Zephyrhills

1 could go into.

2 For the Orange County area, the -- I hope
3 I say this correctly -- the Orlovista community
4 was identified as one in which a presenter
5 wanted to keep that whole. It is an
6 interesting point, and we are put it here as an
7 example of a census-designated place. It is
8 not actually an incorporated community. A
9 number of suggestions, particularly as we move
10 to south Florida, dealt with keeping
11 census-designated places whole, unincorporated
12 areas, sometimes rural, but oftentimes packed
13 right next to other actual incorporated cities.
14 What is difficult about this process with this
15 kind of suggestion by -- I don't mean to
16 suggest that it is not possible. What is
17 difficult is that sometimes for that presenter,
18 what they mean as the community may be
19 different than what you may find in the Census
20 Bureau's data or so forth. The Census Bureau
21 will have an official line for it, but they may
22 have a different idea in mind as to what they
23 mean by Orlovista, it may be by ZIP code. So
24 sometimes with these kinds of issues, further
25 digging into what they said -- but, also,

1 frankly, from you, your knowledge of your
2 communities is very helpful with these kinds of
3 suggestions in terms of identifying what this
4 kind of person may have meant when they made
5 this suggestion.

6 The suggestion came forward to ensure that
7 east Orange County was in its own district,
8 disconnected from Brevard County. For the
9 State Senate -- well, I should say first, the
10 person who made the suggestion didn't identify
11 an exact boundary line. For the State Senate
12 map, we used the roadway, State Road 417,
13 through, roughly speaking, the middle of the
14 county. That would not get us enough for a
15 State Senate district, but, nonetheless, the
16 suggestion was to make sure that east Orange
17 was in its own district.

18 There was a suggestion that came forward
19 regarding a community referred to -- a
20 high-growth area referred to as the Four
21 Corners area in Lake, Osceola, Orange and Polk
22 Counties. Where the four counties meet -- in
23 fact, I think if you know of the Kings Ridge
24 community, which is almost right on the point,
25 it is a very high-growth area, and in that area

1 you probably couldn't tell the difference if
2 you didn't see a sign between one county and
3 the next because of all the growth. Anyway,
4 the suggestion was to keep Four Corners
5 together as a compact community in a State
6 Senate district.

7 There was a suggestion to link up Apopka
8 with the City of Winter Garden in west Orange
9 County in a State Senate district. We included
10 this in the presentation to point out that
11 sometimes when a person makes this kind of
12 suggestion, when you look at the map, there is
13 a gap in the middle. And so, of course, to
14 meet the request, either you have to go across
15 the water or you have to go through Ocoee. So
16 sometimes these suggestions, in effect by
17 default, actually include other suggestions
18 with them; in this case, I would say including
19 Ocoee in the district as well.

20 The next suggestion I wanted to mention
21 was a suggestion regarding Brevard County and
22 the idea of cutting Brevard County north and
23 south. The presenter also had ideas for the
24 State House districts, but, of course, in the
25 State Senate, the notion was to have two

1 districts in Brevard.

2 Brevard has slightly more than enough
3 population for one district, so you'd have to
4 have a second in the county, and, again, to cut
5 it north/south.

6 A very specific suggestion about Brevard
7 was to connect the Cities of Cape Canaveral and
8 Cocoa Beach with Merritt Island.

9 A number of people made suggestions
10 regarding the State Senate and House districts
11 by a pure mathematical approach, and this is an
12 example of one in Orlando where a gentleman
13 suggested by the exact math of it that the
14 county have about two and a half state Senate
15 districts, and, in fact, that is about the
16 math. I believe the county equates to 2.4
17 State Senate districts. And we heard that in a
18 number of different meetings and also in
19 written testimony, to just use pure
20 mathematical division by the counties and to,
21 in effect, ease the process that way.

22 Madam Chair, that is the remarks for
23 central Florida.

24 REPRESENTATIVE HUKILL: Thank you, Mr.
25 Kelly.

1 Members, any questions or any comments?

2 All right. There being none, let's go on to
3 the next one. You are recognized.

4 MR. KELLY: Thank you, Madam Chair.

5 In the southeastern region, there were a
6 number of suggestions, an overwhelming number
7 of suggestions, in regards to keeping cities
8 whole. And so this is just an example
9 including Port St. Lucie. The interesting
10 challenge in southeast Florida is that the
11 further south you go, the more closely packed
12 those cities are. And something near 15 or so
13 Cities requested specifically to be kept -- or
14 people on behalf of the Cities requested to be
15 kept whole in the redistricting process. So
16 the further south you go, those decisions can
17 be more and more challenging unless you have a
18 means to potentially lump those cities together
19 in groups that may represent bigger interests
20 that those cities align.

21 There was an interesting suggestion from
22 the Boynton West Residential Association to
23 have their community -- and they gave
24 relatively specific boundary lines to have
25 their community -- this is -- I should say this

1 is the 12th suggestion in southeast Florida --
2 to have their communities kept together in a
3 State Senate district. And, again, they gave
4 very specific boundary lines for that.

5 Another example of a City requesting to be
6 kept whole, the 18th suggestion in southeast
7 Florida for the City of Parkland, and, again,
8 there were several others just like this that
9 made a similar request.

10 But as you -- as we find in some of these
11 meetings, there was also someone with a
12 similar, but potentially differing interest.
13 In this case, the person was suggesting to keep
14 Parkland and Coral Springs whole. Now, that is
15 not in conflict, the notion of keeping Parkland
16 whole, but nonetheless, you did find in some
17 cases people with different distinct priorities
18 related to the same cities; for example,
19 combining Hialeah, Hialeah Gardens and Miami
20 Lakes into one State Senate district is the
21 21st suggestion in southeast Florida.

22 Another suggestion was keeping the Kendall
23 community whole, and this is another example of
24 where sometimes the boundary lines are a little
25 bit tough to define. So in suggestions like

1 this, again, particularly with your knowledge
2 of your communities, it is very helpful if we
3 as staff are able to get more feedback as to
4 what exactly a person who made this suggestion
5 may have meant.

6 Now, it wasn't in every case people asking
7 to keep their community whole. The Village of
8 Palmetto Bay asked that they remain split
9 between two State Senate districts. They
10 weren't terribly specific as to why, but they
11 did ask that they remain split between two
12 State Senate districts.

13 There were a number of suggestions,
14 particularly in southeast Florida, regarding
15 the Hispanic community where persons came
16 forward and specifically asked that their
17 vote -- their current ability to elect a
18 candidate of choice not be diluted. And so, in
19 this case, this was a broad request for Broward
20 County as a whole. Today Broward County elects
21 one member -- one Hispanic member to Congress,
22 two to the State House, none to the State
23 Senate. Now, this person didn't indicate
24 anything beyond keeping what they had today.

25 Again referring to cities that actually

1 requested to not be split, this map just shows
2 the boundaries of Coconut Creek. That is not
3 the district itself. Coconut Creek today is
4 actually divided, have two members of Congress,
5 two State Senators and two State
6 Representatives, and asked that they still have
7 two members of the Senate at the end of this
8 process.

9 Now, the point was made by more than one
10 individual to maintain the majority-minority
11 black districts in Palm Beach County, which are
12 shown there on the screen. That would be
13 Senate District 19 and House District 84.
14 There wasn't anything further than just to
15 maintain the district that was suggested. Like
16 all districts, they still have population to
17 adjust for. Senate District 19, which is
18 pertinent to your work, has seven -- needs
19 72,000, almost 73,000 people to meet equal
20 population.

21 There was a suggestion from residents of
22 Okeechobee County that they actually remain
23 split in the State Senate, currently have two
24 Senators serving them and wish to continue
25 having two Senators serving them.

1 Indian River County was interesting in its
2 request in that -- and this is actually the
3 division in the State House that you are
4 looking at. Today they have a State Senator
5 and a congressperson, but they requested to
6 remain whole in Congress and Senate, divided in
7 the House. So, again, for the State Senate
8 map, Indian River County actually requested to
9 be whole. It was just interesting in the sense
10 that they had a different request for a
11 different map.

12 The Palm Beach County Commission had some
13 -- had a number of priorities, but like Marion
14 County, like Volusia County and like a handful
15 of other places, the Palm Beach County
16 Commission specifically referred to keeping the
17 majority of certain numbers of seats in their
18 community, and in this case, they request that
19 regardless -- their biggest priority was making
20 sure that they had three Senate seats that were
21 a majority Palm Beach County seat.

22 The suggestion came forward to split up
23 the Senate district that goes from Broward
24 County down into West Kendall. The person
25 making the suggestion felt like they wanted to

1 be represented by a Miami-Dade State Senator.
2 So what this map does here is it just takes the
3 Broward County portion, blanks it out, although
4 it still leaves the line so you can see where
5 the Broward County portion of the district was,
6 and then at this point, you would need to add
7 approximately 350,000 people in Miami-Dade
8 County to complete the district. So that kind
9 of suggestion, of course, carries with it a
10 significant impact on all the districts around
11 it.

12 And then, lastly, there was a suggestion
13 from our number one fan actually on our public
14 submission site who comments frequently to make
15 sure that Palm Beach County -- again, similar
16 to what actually the county government in Palm
17 Beach asked for, to make sure that there are a
18 certain number of seats anchored in the county,
19 majority in the county, and this gentleman had
20 specific suggestions for the State Senate maps,
21 in this case actually was requesting the same,
22 to make sure that the county has three State
23 Senators, albeit I will note that in this
24 individual's case, his preference based on his
25 numerous comments seems to be more to make sure

1 that those districts are as wholly located in
2 Palm Beach County as possible, as opposed to
3 let's say maybe 30 percent in Broward County,
4 70 percent in Palm Beach. He is hoping that
5 they are all in Palm Beach as much as possible.

6 And, Madam Chair, with that, those are my
7 comments for southeast Florida.

8 REPRESENTATIVE HUKILL: Thank you very
9 much, Mr. Kelly. Members, any questions or
10 comments?

11 All right, there being none, do you want
12 to just say a word, Mr. Kelly, about the next
13 tab mark, "Statistics"?

14 MR. KELLY: Oh, absolutely. Thank you,
15 Madam Chair.

16 REPRESENTATIVE HUKILL: Thank you.

17 MR. KELLY: The next tab pertains to the
18 first 63 -- if you were in this morning's
19 meeting, that we have a 64th plan now, but the
20 first 63 maps that were received, partial or
21 complete maps, and it is really just meant to
22 give you an idea of the kinds of data and
23 information that you will be getting as we move
24 through the fall, move through the interim
25 committee meetings.

1 If you look -- and forgive us for one
2 point, it is alphabetized. So the plans are
3 not in a numerical order, they are in
4 alphabetical order, and it starts with the
5 current Senate and current House maps. But it
6 gives you an opportunity, particularly with the
7 complete maps, to compare questions like the
8 number of counties that are split by a map, the
9 number of cities that are split by a map, the
10 number of Voter Tabulation Districts that are
11 split. So in terms of comparing the maps that
12 people have submitted so far and comparing them
13 to what actually exists today, you can look at
14 the differences and say, okay, well, this map
15 splits less geography than this map does or so
16 forth. You can also compare voting age
17 population data for African-Americans, for
18 Hispanics; again, comparing submitted maps to
19 the current maps. And as the fall moves on, we
20 will be just rolling out more data like that,
21 hoping to continue to give you ways to compare
22 the maps and compare suggestions.

23 REPRESENTATIVE HUKILL: All right,
24 members, questions? Yes, Representative
25 Williams.

1 REPRESENTATIVE A. WILLIAMS: Can you go
2 back through those last three columns? You
3 said how -- it tells us how it compares to
4 current maps right now. Can you say that a
5 little bit slower for me?

6 REPRESENTATIVE HUKILL: Mr. Kelly, you are
7 recognized.

8 MR. KELLY: Thank you, Madam Chair.

9 Yes, sir. If you take a look at the
10 beginning of tab five, what you will see -- or
11 you will see the statistics for -- actually, it
12 is the current congressional map and the
13 current House map. And so as you review those
14 25 districts let's say for the current
15 congressional map, and then you want to compare
16 that, to flip a couple of pages to page five to
17 the very first map that was submitted,
18 HPUBC0001, what you will see is you will see
19 the number of counties and cities and Voting
20 Tabulation Districts that are split by each
21 district, and then you will see a total at the
22 bottom of the map. And so if your goal in this
23 process is to reduce county splits, reduce city
24 splits, keep common geography together, then it
25 is an easy way to compare that information.

1 REPRESENTATIVE HUKILL: Follow-up,
2 Representative Williams?

3 REPRESENTATIVE A. WILLIAMS: Yes.

4 REPRESENTATIVE HUKILL: Go ahead, you are
5 recognized.

6 REPRESENTATIVE A. WILLIAMS: Thank you.

7 So if I am looking at this correctly, on
8 page five, the first -- I guess you are saying
9 the first full map is HPUB0001, the
10 congressional map, and I guess this other piece
11 up here is just a House -- a partial House map
12 that was drawn for 29 through 32, is that
13 correct?

14 REPRESENTATIVE HUKILL: You are
15 recognized.

16 MR. KELLY: Madam Chair -- yes.

17 REPRESENTATIVE A. WILLIAMS: Okay. I just
18 want to make sure I am looking at the right
19 thing and understand --

20 REPRESENTATIVE HUKILL: Okay. Any other
21 members? Do I see a hand over here, no? Okay,
22 Representative Kiar.

23 REPRESENTATIVE KIAR: Thank you, Madam
24 Chair, and you did a very good job as always
25 about that, Alex.

1 Just a quick question, and I think I know
2 the answer to this. With -- for example, on
3 each of the maps, you know, it has the district
4 numbers. Those don't correspond to the current
5 district numbers, those are the district
6 numbers as provided by the resident that
7 submitted the maps, is that right?

8 REPRESENTATIVE HUKILL: You are
9 recognized.

10 MR. KELLY: Thank you, Madam Chair.

11 Yes, Representative, it corresponds to
12 what that individual submitted. So if in the
13 old map District 1 was in the Panhandle, but
14 their map, District 1 is in Key West, you do
15 have to eyeball the maps to make sure
16 apples-to-apples comparison.

17 REPRESENTATIVE KIAR: Thank you. Thank
18 you, Madam Chair.

19 REPRESENTATIVE HUKILL: Follow-up?

20 REPRESENTATIVE KIAR: I have no follow-up.

21 REPRESENTATIVE HUKILL: All right,
22 members, any other questions. Yes,
23 Representative Trudi Williams.

24 REPRESENTATIVE T. WILLIAMS: Thank you.

25 Very good presentation, but I don't see -- you

1 show the map for 2002 of Congress and House.

2 Do you have a Senate one?

3 REPRESENTATIVE HUKILL: You are
4 recognized.

5 MR. KELLY: Thank you, Madam Chair.

6 Yes, and forgive this. It was in
7 alphabetical order, so, yeah, it is in the
8 packet here. It just happened to be that when
9 we sorted this and made this for the packet, it
10 didn't print out in numerical order, it printed
11 out alphabetical. So, yes, it is in here.

12 REPRESENTATIVE T. WILLIAMS: Okay. Thank
13 you.

14 REPRESENTATIVE HUKILL: Follow-up, any --
15 all right. Anyone else, Representatives? No?

16 All right, Mr. Kelly, thank you very much,
17 excellent presentation.

18 All right, members, I just want to remind
19 you that in the early October interim committee
20 meeting, this subcommittee will cover the fifth
21 region, which is southwest Florida, and the
22 complete or near complete maps submitted by the
23 public.

24 I want to thank you all for your very hard
25 work, I want to thank you all for attending the

1 redistricting meetings, and especially for the
2 members of the public who so diligently came to
3 the meetings and gave us their comments. And I
4 look forward to continuing to work with all of
5 you in the coming months. And if there are no
6 further comments or questions, Representative
7 Stargel moves we rise.

8 (Whereupon, the proceedings were
9 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 54 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 February, 2012.

CLARA C. ROTRUCK

Notary Public

State of Florida at Large

Commission Expires:

November 13, 2014

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CONGRESSIONAL REDISTRICTING SUBCOMMITTEE MEETING

MONDAY, SEPTEMBER 19, 2011

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 REPRESENTATIVE HOLDER: Okay, members, we
3 are going to call this meeting to order.

4 Katie, would you please call the roll?

5 THE CLERK: Representatives Abruzzo?

6 REPRESENTATIVE ABRUZZO: Here.

7 THE CLERK: Albritton?

8 REPRESENTATIVE ALBRITTON: Here.

9 THE CLERK: Brodeur?

10 REPRESENTATIVE BRODEUR: Here.

11 THE CLERK: Burgin?

12 REPRESENTATIVE BURGIN: Here.

13 THE CLERK: Chestnut?

14 REPRESENTATIVE CHESTNUT: Here.

15 THE CLERK: Fullwood?

16 REPRESENTATIVE FULLWOOD: Here.

17 THE CLERK: Goodson?

18 REPRESENTATIVE GOODSON: Here.

19 THE CLERK: Horner?

20 REPRESENTATIVE HORNER: Here.

21 THE CLERK: Legg?

22 REPRESENTATIVE LEGG: Here.

23 THE CLERK: Passidomo?

24 REPRESENTATIVE PASSIDOMO: Here.

25 THE CLERK: Plakon?

1 REPRESENTATIVE PLAKON: Here.

2 THE CLERK: Reed?

3 REPRESENTATIVE REED: Here.

4 THE CLERK: Taylor?

5 REPRESENTATIVE TAYLOR: Here.

6 THE CLERK: Trujillo?

7 REPRESENTATIVE TRUJILLO: Here.

8 THE CLERK: Chair Holder?

9 REPRESENTATIVE HOLDER: Here.

10 THE CLERK: A quorum is present.

11 REPRESENTATIVE HOLDER: Great. And

12 members, forgive me, I've got a little bit of
13 an issue. I am not contagious, but my voice
14 may go a little bit during this, and if it
15 does, then we will just pass the gavel down to
16 Chair Legg.

17 But, first of all, thank you, and welcome
18 to -- for being here, and welcome to the
19 Congressional Redistricting Subcommittee. The
20 bulk of our meeting today will consist of a
21 staff presentation and opportunities for your
22 feedback and input regarding public testimony
23 for redistricting. We are going to hear a
24 short presentation regarding updates to public
25 information and changes to our websites.

1 We will use this meeting and our first
2 meeting in October, essentially dividing that
3 public input into two parts to divide into the
4 specific suggestions the public gave for
5 drawing districts.

6 Today we are going to summarize what was
7 heard in the first four regions we visited this
8 summer, including written input about those
9 same four regions and any partial maps that
10 have been submitted which impact those regions.

11 In our first meeting in October, we will
12 cover the fifth region, southwest Florida, and
13 any complete or near complete maps submitted by
14 the public. But before we can get into that, I
15 want to share some direction and suggestions
16 that Chair Weatherford provided us in the
17 Redistricting Committee meeting held just
18 before this meeting.

19 First, the bulk of the work during the
20 next couple of months will be done by the three
21 redistricting subcommittees. At this point in
22 the process, our subcommittee will begin
23 digesting all of this information so that
24 members may react, make suggestions and mesh
25 these ideas with the legal requirements of

1 federal and state redistricting laws.

2 Over the last few months, we have heard
3 from approximately 5,000 people who came to the
4 26 meetings, approximately 2,000 of whom
5 presented their ideas at the meetings. We are
6 in receipt of 64 partial or complete maps from
7 the public. The Legislature only received four
8 maps ten years ago. We are also in receipt of
9 more than 200 additional unique suggestions for
10 maps that came via social media, e-mails,
11 letters, faxes and public meetings and even a
12 postcard. Based on this public input, our
13 subcommittee should have more than enough
14 information to prepare committee proposals in
15 addition to any individual member bills that
16 are offered.

17 Chair Weatherford's request of us is that
18 our subcommittee pass at least three maps for
19 the full Redistricting Committee to consider.
20 In other words, he is asking that we give the
21 full committee three options for the
22 congressional map.

23 Exactly how each subcommittee meets --
24 meets that goal is up to the members of that
25 subcommittee. We can do that through PCBs,

1 member bills or a combination of the two.

2 To meet that goal, we need to set some
3 goals of our own in terms of the time line.
4 Chair Weatherford has recommended that members
5 who wish to file a redistricting Bill do so
6 before November 14th through 18th interim
7 committee week. So each individual that wants
8 to file a redistricting Bill needs to do that
9 before the November 14th and 18th interim
10 committee week. You are certainly welcome to
11 use the full time line allowed for filing
12 legislation, to file your redistricting maps as
13 bills, but practically speaking, anything filed
14 after that November 14th date will probably
15 have to be considered as an amendment. We say
16 this because it should be expected that our
17 subcommittee will workshop redistricting maps
18 so that any redistricting maps that get voted
19 on have time to mature in the legislative
20 process and be compared to other options, and
21 also give ample time for public input. In
22 other words, it is preferred that votes taken
23 on maps reflect more than one committee meeting
24 in which that map was discussed.

25 For the public, Chair Weatherford is

1 recommending that members of the public submit
2 any original suggestions for maps before
3 November 1st. That gives you, the members,
4 approximately two weeks to study those
5 submissions before your own suggested
6 datelines -- deadlines, excuse me. Of course,
7 we will accept comments and suggestions from
8 the public throughout the process, but
9 practically speaking, anything received after
10 November 1st and thereafter will have to be
11 viewed as comments and reactions to the maps
12 that are already working their way through the
13 legislative process.

14 Regarding expectations for each of us
15 individually, members who would like to present
16 maps or amendments in this subcommittee will be
17 given as much courtesy as possible to get their
18 ideas on an agenda to be presented. However,
19 it is important to note that members will be
20 expected to explain in detail how they
21 developed their maps or amendments. Even if
22 you opt to file a map that a member of the
23 public offered line for line, be ready to
24 explain your map district by district, if
25 necessary.

1 And just one last note before I turn it
2 over to any questions that you may have, in the
3 next day or two, Chair Weatherford will be
4 sending out a memo to you and all 120 members
5 refreshing everyone about some of the
6 procedural items for redistricting that we
7 discussed last April in our initial committee
8 meetings.

9 And with that being said, members, are
10 there any questions? Representative Taylor,
11 you are recognized.

12 REPRESENTATIVE TAYLOR: Thank you, Mr.
13 Chair.

14 After we have completed the -- that work
15 up to November 14th, thereafter, what would be
16 the process on narrowing down the number of
17 maps to the three particular maps that we want
18 to suggest to the full Committee?

19 REPRESENTATIVE HOLDER: It is a great
20 question. I am glad you asked it. We are
21 going to deal with this almost as if -- almost
22 in the way that you have dealt with workshops
23 in the past. There will be member
24 participation by each of the members of this
25 subcommittee, and we will agree upon what maps

1 we are going to -- we are not limited to just
2 three. It is a minimum of three. So we are
3 going to decide what maps we are going to send
4 to the main Committee out of this subcommittee,
5 and we will all take part in doing that, we
6 will send them to the main Committee, and the
7 main Committee then will have the opportunity
8 to choose out of at least three maps coming
9 from this subcommittee.

10 REPRESENTATIVE TAYLOR: Thank you.

11 REPRESENTATIVE HOLDER: Any other
12 questions? Great.

13 Now, before we go forward with today's
14 presentation, just as a reminder, our staff are
15 here to answer technical questions, to provide
16 analysis of the public input, to help us craft
17 options for these maps, and when necessary, to
18 get us to the additional resource -- to get us
19 the additional resources that we may need to
20 come to a decision. They are not here to
21 answer the overarching policy questions that
22 are, frankly, more appropriate for us as
23 members to debate. So if you find that your
24 questions are about bigger, broader issues of
25 the legislative direction, our redistricting

1 time line, things of that nature, I am going to
2 ask that you direct those questions directly to
3 me versus staff.

4 With that being said, we have all at one
5 time or another met Ben Fairbrother, who is
6 standing at the podium, who has done a great
7 job this summer working very hard in our
8 listening tour, and he is going to give us a
9 brief update as to what is new with our
10 websites and public information now that the
11 public meetings are over and we are entering
12 into the next phase of this process.

13 And, Ben, you are recognized to give your
14 presentation. Thank you for being here.

15 MR. FAIRBROTHER: Thank you, Mr. Chairman.

16 As the Chair said, this afternoon I will
17 be presenting a brief update on some of the new
18 features of floridaredistricting.org, as well
19 as our other committee websites. As you can
20 see on the screen, we have loaded
21 floridaredistricting.org, and although the look
22 of the site should be familiar to you, there
23 have been some significant additions over the
24 last several weeks.

25 With the public hearings wrapped up this

1 summer, all that public informa- -- public
2 input has been added to
3 floridaredistricting.org, and -- but let's
4 first start with the left side of the page as
5 we scroll down here.

6 We look at the "Legislative Headlines"
7 section. This section changes the most
8 frequently. All the latest news and updates on
9 the redistricting process can be found here.
10 For example, materials from today's meetings
11 are actually posted here. In addition, if your
12 constituents want the latest information on
13 what is happening with the redistricting
14 process, those answers will likely be found
15 here.

16 The next set of links that you will see on
17 the page if you scroll down is the "Public
18 Participation" section. This is where
19 Floridians can find ways, obviously, to
20 participate in the process. There are a number
21 of different handouts that are helpful to you
22 and your staff and the public. In particular,
23 the concepts and terminology document is the
24 one that is frequently requested by your staff.
25 This document goes over the basics of

1 redistricting and includes definitions of
2 vocabulary that is frequently used in the
3 process.

4 If you look down to the "Legal Concepts"
5 section, this section hasn't changed
6 significantly over this last several months;
7 however, I will point out that the legal
8 presentations that you were given in April in
9 committee are available under this section. So
10 if you would like to pull those up, those are
11 there.

12 To the bottom right of the page, you will
13 see the section called "Additional Resources"
14 right here. This is another one that we
15 frequently reference to your staff. The first
16 link right here gives the current populations
17 of each district and as well as how many people
18 that district needs to gain or lose in the 2012
19 redistricting process. And under this section
20 as well you can also find House, Senate and
21 congressional maps, as well as individual
22 district maps.

23 If you scroll up on the page a little bit,
24 you will see a number of buttons on the right
25 side here. And the first one I would like to

1 draw your attention to is the "Public Hearing
2 Videos" button right here. This button used to
3 be entitled "Watch Meetings Live" during the
4 summer public meetings. Because this button
5 was such a popular button then, and still is,
6 we have turned this button into an archive site
7 that will allow the public to get quick access
8 to video archives from those meetings.

9 Below the "Blog and Resources" button is
10 the "Meeting Records" button. That will bring
11 you to a page that has all of the videos and
12 podcasts and action packets from the past
13 redistricting committee meetings, and I have
14 pulled it up here.

15 The next button I would like to draw your
16 attention to is -- actually, if I could go back
17 to that page, I will show you a couple of
18 things. This will bring you to a page -- like
19 I said, this includes all the podcasts and
20 action packets. The most recent blog posting
21 that we had gives the public a greater insight
22 into the transition between the summer meetings
23 and the interim.

24 Moving to the middle of this page, you
25 will see where constituents can find in-depth

1 answers to the process and other meeting
2 records. And then to the right of the page,
3 you will see a list over here of all the links
4 to our different sites, back to
5 floridaredistricting.org, including our social
6 media sites and that sort of thing.

7 I am going to go back to
8 floridaredistricting.org. The final button
9 that I would like to show you on this site here
10 is the "Public Submissions" button, and this
11 will take you to another blog-style page, and
12 not only does this page include every public
13 map submission that we have had, but it also
14 includes all the written testimony that
15 we've -- that's been submitted to the
16 Redistricting Committee. And you will see
17 those on the left side here.

18 These map submissions can be searched in a
19 number of different ways, including the
20 different type of map, the Senate map,
21 congressional or House map. It can be searched
22 by county. It can also be searched by name if
23 you know the name of the constituent that
24 submitted that map.

25 Now, each public submission of a map, on

1 the left side here you can see includes a
2 summary of the submission, statistics relevant
3 to the plan, the PDF file and the ability to
4 download that map in a KMZ format. So if you
5 are reviewing the public submissions and you
6 see a certain map that you would like to
7 explore in detail or enhance using My District
8 Builder, you can quickly download that plan
9 into My District Builder using that KMZ file
10 link, which is located right here.

11 So let's quickly run through how to save
12 one of these files on your computer and then
13 open it up in My District Builder. The first
14 thing we are going to do is click on the KMZ
15 file link right here, and it automatically
16 prompted me to save this to my desktop. You
17 name it what you like to name it and save it
18 where you would like to. I am going to go
19 ahead and click "Save," "Yes." So now that
20 file has been saved in my computer. The next
21 thing you will do is open up My District
22 Builder, which we already have loaded, and you
23 will go to the "File" tab and then click
24 "Open." You will locate the plan that you just
25 saved to your computer, select it and "Open,"

1 and this box tells you that there might be a
2 delay while the file loads, depending on the
3 size of the file, whether it is -- if it's a
4 congressional plan that has 27 districts in it,
5 it might take a little bit longer, obviously,
6 than a congressional plan that only has two. I
7 will say "Okay," and then as you can see, in a
8 second it will load up, and I will make this
9 bigger for you so you can see, full screen, and
10 you can see that that single Senate district
11 that we have loaded onto our computer is now
12 loaded into My District Builder, you can
13 explore the demographics of it and you can
14 enhance that district to your own liking.

15 Now, if you would like a more detailed
16 review of this process or the different
17 additions to our website, we would be happy to
18 make our staff available to you one-on-one,
19 and, of course, as additional changes are made,
20 the Committee will be updated.

21 Thank you very much, Mr. Chairman. I
22 would be happy to take any questions.

23 REPRESENTATIVE HOLDER: Thank you for your
24 very detailed presentation.

25 Members, do you have any questions for

1 Mr. Fairbrother? Representative Taylor, you
2 are recognized for a question.

3 REPRESENTATIVE TAYLOR: Thank you, Mr.
4 Chair, and I will make this brief.

5 As far as the finished product, the
6 finished map, do we submit that particular file
7 to Bill Drafting, or what happens as far as
8 filing a completed map for a Bill?

9 REPRESENTATIVE HOLDER: Mr. Fairbrother.

10 MR. FAIRBROTHER: Mr. Chair, if I could
11 defer to either my staff director --

12 REPRESENTATIVE HOLDER: Alex?

13 MR. KELLY: Thank you, Mr. Chair.

14 Yes, Representative Taylor, the process is
15 basically the same as most other bills, with
16 one exception, that you first submit it to the
17 House Redistricting Committee. The House
18 Redistricting Committee will then prepare it in
19 a proper format, submit it to Bill Drafting for
20 you -- so let's say it is a Bill or a floor
21 amendment, submit it to Bill Drafting for you,
22 but then you will still through the LEGUS
23 system, you or your legislative aide will still
24 get the e-mail asking if you actually want to
25 file that information. So the one difference

1 is the House Redistricting Committee is a
2 middle man between you and the Bill Drafting.

3 For committee amendments, as you would for
4 any other committee, you will just come
5 directly to the House Redistricting Committee,
6 and Bill Drafting is not part of committee
7 amendments.

8 REPRESENTATIVE HOLDER: And I think,
9 Representative Taylor, you will also find that
10 in your packet -- and we will get into this in
11 just a few minutes -- you are going to see
12 there are a lot of -- a lot of ideas in here
13 that came about based on suggestions made by
14 the general public that were literally comments
15 from the podium, and staff has taken those
16 suggestions and actually manipulated that
17 portion of a region or an area into what it
18 would look like on a map, so that they -- so
19 you can actually see what someone's suggestion
20 is, and it's saved the computer system -- the
21 software program so that it can be used at some
22 point by this Committee if we so choose to use
23 that. So --

24 REPRESENTATIVE TAYLOR: I was really
25 trying to -- I know this is going to be pushed

1 through like a Bill, Mr. Chair, but when it
2 comes to the actual Bill itself, who is going
3 to do the -- is staff going to do an analysis
4 of the Bill, or how does it -- how do the
5 particulars work when it comes to defining,
6 again, what you said earlier in your criteria
7 on how we would have to pretty much defend what
8 it is or explain how we got to this point, how
9 does the actual Bill look? Because now we get
10 the staff analysis and, you know, pretty much
11 the background and all these other things. Is
12 that process still going to be the same?

13 REPRESENTATIVE HOLDER: At this point, we
14 are not sure what it is going to look like. We
15 don't know if it is going to be a PCB, we don't
16 know if it is going to be a member Bill, we
17 don't know if it is going to be a combination
18 of the two. So it is kind of hard to answer
19 that question, other than in very general
20 terms, you can expect that it would look like
21 any other Bill that was brought before the
22 Legislature. However, this is going to be
23 something that is workshopped even if it --
24 even if it is a member's Bill, so that your
25 participation, as well as my participation or

1 Representative Horner's participation in this
2 subcommittee will be taken into consideration
3 and a part of the process.

4 REPRESENTATIVE TAYLOR: And to follow up,
5 Mr. Chair, will other members outside of the
6 congressional subcommittee be allowed to file
7 bills or maps, and would that count against
8 their six bills that they are allowed to file?

9 REPRESENTATIVE HOLDER: Yes, it would be
10 considered just like any other Bill that would
11 be filed, and certainly everyone in the
12 Legislature has the opportunity to file their
13 bills within their Bill slot numbers, but, yes,
14 it would be considered. If you file a
15 stand-alone Bill that has to do with
16 redistricting, it would be one of your six.

17 REPRESENTATIVE TAYLOR: So --

18 REPRESENTATIVE HOLDER: Follow-up.

19 REPRESENTATIVE TAYLOR: Follow-up, thank
20 you. So then they would have to file a Bill
21 with all three and reference the House -- 120
22 House seats, the 40 Senate seats and the 27
23 congressional seats. Would they have to file
24 it in one Bill, or are they three separate
25 bills?

1 REPRESENTATIVE HOLDER: We -- there's
2 going to be three separate bills that will be
3 voted on for the House district lines, the
4 Senate district lines and the congressional
5 district lines. I think I am hearing your
6 question -- I think I am answering the question
7 that I am hearing, but any member of the
8 Legislature has the opportunity to file a Bill
9 as a stand-alone Bill pertaining to essentially
10 whatever topic they feel is important, and it
11 will be -- even redistricting would be handled
12 just like any of those bills that you have
13 filed in the past and we would go through the
14 entire vetting process. However, it could be
15 that that one Bill that you write as an
16 individual member of the Legislature, one of
17 your six bills, could be the map that is chosen
18 for all of the congressional districts in the
19 state of Florida, that can happen, and I
20 certainly encourage you to do as much homework
21 as you can and draw maps and present them to
22 us. Sure, and what we will do is we will have
23 Alex just go ahead and expand on that a little
24 bit and move forward, so Alex.

25 MR. KELLY: Thank you, Mr. Chair, and just

1 to address the technical side of the questions
2 that you are asking, the -- you would file one
3 of the three plans, House, Senate or
4 congressional. The House and Senate by the
5 Florida Constitution will at the end of the
6 process be passed on a singular -- single joint
7 resolution. The congressional plan would be
8 passed as a general Bill, which is why they
9 take a different path. The House and Senate go
10 directly to the Florida Supreme Court -- or I
11 shouldn't say that -- they go to the Attorney
12 General, then to the Supreme Court. The
13 congressional plan goes to the Governor,
14 because there are two different types of bills.
15 But the bills themselves, as the Chair was
16 saying, look like any other Bill, except that
17 it is quite a lengthy Bill, it is about 400
18 pages, depending on how it prints out, of just
19 literally census blocks being assigned to a
20 district. So it reads, "District 10 has
21 Jackson County and the following census blocks
22 from Holmes County," and so forth. And so with
23 that, you are used to seeing a written Bill
24 analysis. What you will see with the
25 redistricting plan, just because it is a

1 different type of legislation, is you will see
2 a statistical analysis in lieu of a written
3 Bill analysis.

4 REPRESENTATIVE HOLDER: Follow-up?

5 REPRESENTATIVE TAYLOR: Thank you, Mr.
6 Chair.

7 And like we normally do with our bills, do
8 we need to have a Senate companion Bill or a
9 Senate sponsor for that same very Bill?

10 REPRESENTATIVE HOLDER: Not necessarily.
11 We will -- I don't want to get the cart before
12 the horse, because we haven't really determined
13 at this point what it is going to look like,
14 whether it is going to be a PCB or an
15 individual Bill, so -- but I wouldn't think
16 that through this process it would necessarily
17 have to have a Senate sponsor in the same way
18 that other bills have in the past.

19 REPRESENTATIVE TAYLOR: Follow-up,
20 Mr. Chair?

21 REPRESENTATIVE HOLDER: Yes, follow-up.

22 REPRESENTATIVE TAYLOR: I am not talking
23 about a PCB. I am mainly talking about a
24 stand-alone Bill that I would file, will I need
25 to go get a Senate sponsor for that same Bill,

1 that is all.

2 REPRESENTATIVE HOLDER: Thank you for your
3 questions.

4 Members, any other questions? Great.

5 Now we are going to the packet that you
6 have in front of you, members. This is the
7 same packet of information that the
8 Redistricting Committee and other subcommittees
9 will receive today, and this will be the
10 subject of what our staff, Alex Kelly and Jeff
11 Takacs, is presenting today. And Alex Kelly is
12 the one that is sitting next to me. I kept
13 referring to you as Alex. I should call you
14 Mr. Kelly formally here in our meetings.

15 The first four tabs relate to the four
16 regions we are discussing today. The fifth
17 tab, which we have included for you, is summary
18 level data regarding the first 63 maps that
19 have been submitted by the public, the first 63
20 maps that have been submitted by the public.
21 Note all of this information will also be
22 available on floridaredistricting.org for
23 anyone in the public to review.

24 What I would suggest is since the packet
25 covers four regions of the state, I think that

1 what we will do is we will ask Mr. Kelly and
2 Mr. Takacs to present one region at a time, and
3 then I will open up to any questions or
4 comments that you might have about that
5 particular region. So with that being said,
6 Mr. Kelly and Mr. Takacs, you are recognized to
7 begin your presentation.

8 MR. TAKACS: Thank you, Mr. Chairman.

9 REPRESENTATIVE HOLDER: And that is Mr.
10 Takacs.

11 MR. TAKACS: Thank you.

12 Before we get started, I wanted to kind of
13 show you what the first slide would look like
14 within northwest Florida and then kind of talk
15 to you about how you can follow along with me
16 and Alex as we go forward.

17 You will notice on this slide here on the
18 screen on the upper left-hand side, you will
19 see the NW-4. What we are doing, as you look
20 at your book, we are not actually going to be
21 talking about all of the examples within your
22 book, because either, A, it doesn't actually
23 match up with a congressional map, or B, just
24 for the sake of time, we are not able to go
25 through all of the examples. So if you are

1 following along in the book, just keep an eye
2 on that upper left-hand portion of the screen,
3 and then you will be able to follow along
4 within the book or you can just watch the
5 screen as we move forward.

6 Talking about northwest Florida here, this
7 is the first example. We received testimony in
8 the Tallahassee meeting talking about removing
9 Jefferson County from current Congressional
10 District 4, which on the screen is the yellow
11 district going from Duval County all the way
12 over to parts of Leon County there. And this
13 is a real good example about a request or
14 something that can happen in one county and the
15 effect that it can have on another county. In
16 this instance, the person requested that all of
17 Jefferson County be removed from this district.
18 Well, of course, Jefferson County being just
19 the county to the east of Leon County, if you
20 were to remove that district from that county,
21 you would also have to remove the Leon County
22 portion of that district as well for it to be
23 contiguous. So that is an example of how one
24 county can affect another within this process.

25 A very common request that we received

1 from many citizens across the state talks about
2 their own city or municipality and keeping them
3 whole within the process. This is an example
4 here in northwest Florida that we see that
5 deals with the City of Monticello. Someone
6 testified that they would like their city whole
7 within this redistricting process. That is
8 what the City of Monticello would look like.
9 As you note as you look at that, those city
10 limits in terms of a district, you will notice
11 that there are some holes within the city
12 limits that if you were to draw that as a
13 legislative district, a congressional district,
14 you would have to fill those holes and address
15 those issues in order to create a district.

16 It is also important to note, thinking
17 about city boundaries, sometimes when you are
18 working with a city boundary, it may also not
19 be contiguous, so you would have to fill in
20 geographies of land to make it so.

21 Similarly to the first example that we
22 just talked about, there was some testimony
23 talking about linking eastern Leon County for
24 congressional as well as Senate districts,
25 thinking about a district -- a congressional

1 district being more centered within that
2 region. Here again, we have shown
3 Congressional District 4 that extends from
4 Duval County to Leon County, you can see the
5 Leon County portion is kind of highlighted in a
6 pink color there. Again, those folks would be
7 asking for their Congressional Representative
8 represent an area that is more centered within
9 Leon County and the Big Bend region.

10 Here we talk about linking Wakulla and
11 Leon Counties. There was testimony in the
12 Tallahassee meeting talking about those two
13 counties and how similar they are and they have
14 similar interests and similar people and things
15 of that sort. It is important to note when
16 thinking about a district like this that
17 connects two of these counties like this does
18 here, you are land-locking yourself. And what
19 I mean by that is that if you are building
20 districts from the west to the east, and you
21 want to keep this district whole that you have
22 just created, linking Wakulla and Leon
23 Counties, all of your districts to the west
24 have to be the ideal population for a
25 congressional district. If they are not, as

1 you are moving east, you are going to have to
2 break up this district that is created here.
3 So just something to think about. There are
4 certain areas of the state as you are building
5 that you have to be cautious of land-locking
6 yourself in a specific district in a specific
7 region.

8 A very popular topic in the Pensacola, Ft.
9 Walton Beach and Panama City meetings was the
10 concept of keeping districts horizontal or
11 vertical. We had a number of people testify on
12 both sides of the issue for horizontal and
13 vertical districts. To give you kind of a
14 general flavor of what those folks were talking
15 about, folks who were in favor of horizontal
16 districts talked about linking communities that
17 are very similar to one another, whether it be
18 economical -- you know, economic issues that
19 they have in common, if it is tourism, the
20 folks to the south and the beach communities in
21 that region talked about having more in common
22 with the beach communities in the county next
23 door versus the northern area of those
24 counties, which tend to be more agricultural
25 and more rural, and so those folks would

1 also -- talking about being horizontal
2 districts, those folks to the north also
3 testified saying, "We would like to be kept
4 together as well."

5 On the other side of the aisle, you had
6 folks that talked about vertical districts,
7 talking about keeping counties whole within
8 this process, not crossing county boundary
9 lines as much as you can, and thinking about a
10 county as a whole, saying, you know, "We as a
11 county are all one community, and we should be
12 kept together as a county in this process."

13 Thinking about horizontal districts, going
14 back for just a second, if you create
15 horizontal districts, thinking in the
16 congressional map, if you look to the north of
17 all of those counties, they are less populated
18 than the southern regions of all of those
19 counties are. So what may occur is you would
20 have a longer, big district to the north that
21 might stretch over several counties, whereas
22 you may have shorter county -- shorter
23 districts on the southern end of that region as
24 well.

25 Again, thinking about keeping cities whole

1 in this process, we did hear testimony from the
2 City of Destin asking that they be kept whole
3 within this process. Again, you will see that
4 there are some holes within the city limits of
5 Destin that would need to be filled within a
6 congressional district.

7 It is also important to note, thinking
8 about city boundaries, thinking about the VTDs
9 and the testimony that we received from the
10 Supervisors of Election across the state, many
11 of them asked that the Voter Tabulated
12 Districts, which are the boundaries that they
13 created in an attempt to minimize voter
14 confusion to keep communities whole and
15 neighborhoods whole, they asked that we try to
16 build as many districts as possible with whole
17 VTDs. Oftentimes when you are building a
18 district and you want to include an entire city
19 within that district, you are oftentimes going
20 to have to choose between keeping VTDs whole or
21 to split VTDs in order to go right along the
22 city boundaries. So that is a policy decision
23 that you would have to make.

24 The next example actually talks about two
25 different congressional districts. The first

1 is asking that all of Okaloosa County be put
2 into Congressional District 1 and south Walton
3 County be put into Congressional District 2. A
4 couple of things here of note: Of course,
5 thinking about where we are in the state, the
6 testimony did not talk about what is west of
7 Okaloosa County. Thinking about District 1,
8 you would have to think about going west as
9 well with District 1, so that is something to
10 think about.

11 Thinking about that south Walton County
12 suggestion, it wasn't actually defined, the
13 parameters of south Walton County weren't
14 defined in the testimony. Just so you had a
15 visual here for this purpose, we used I-10 as
16 the dividing line in Walton County to divide
17 north to south. There certainly could be other
18 geographic or roadway barriers that could be
19 used to create that district.

20 Also, too, obviously thinking about this
21 Congressional District 2 and for District 1,
22 obviously with an ideal population of nearly
23 696,000 people, you'd have to add to south
24 Walton County or to Okaloosa County in order to
25 meet that ideal population for a district.

1 The next issue came up in our Panama City
2 hearing. This is the concept of keeping Bay
3 County whole versus splitting it into different
4 districts. There were arguments on both sides
5 of this issue as well. The folks that were in
6 Bay County that argued to keep Bay County whole
7 in this process said, you know, "We want to be
8 able to go to a single Representative, we want
9 to know who that person is. We would like for
10 them to live near us and be in our community,
11 someone we could have access to and be able to
12 communicate with." On the other side, there
13 were folks who said, you know, "I like having
14 multiple voices representing me in Washington
15 and Tallahassee, and I would like to see, you
16 know, maybe there being multiple
17 Representatives representing this area." So
18 that is, again, a policy decision that would
19 need to be made. On the screen here, this is
20 what Bay County as a whole would look like if
21 it were all in one singular district.

22 Thinking about Bay County as well,
23 obviously, again, thinking about a
24 congressional district when you are trying to
25 meet nearly 700,000 people, if you were to keep

1 Bay County whole, you would have to add other
2 counties or communities to it to meet that
3 ideal population.

4 This was a unique request that we got that
5 is interesting to look at. This is the concept
6 of syncing up legislative and congressional
7 districts with judicial circuit boundary lines.
8 This is a political boundary, thinking about
9 judicial circuit boundary lines, that is
10 something that could be examined. For this
11 example, what we have done here is this is the
12 14th Judicial Circuit, which is all outlined
13 here. One of the biggest challenges that you
14 would run into if you were running into this
15 concept is that judicial circuits are not drawn
16 based on population, which is obviously the
17 main driver of what redistricting is. So you
18 may need to -- as an example, if you were
19 creating a congressional district, the district
20 shown above may not meet that ideal population
21 for a congressional district, so you would be
22 forced to cross that line into another county
23 or community to create that district.

24 Again, this is the horizontal versus
25 vertical argument that we spoke about a moment

1 ago, but this one was a little bit different in
2 that the example here, if you are looking --
3 following along in your book, specific roadways
4 and specific cities were mentioned in this
5 particular suggestion to us as opposed to more
6 of the global issue of vertical versus
7 horizontal. So there were specific roadways
8 used, thinking about Highway 98 as a dividing
9 line, and there were other municipalities, both
10 north and south, that were suggested to be
11 linked together. So that is kind of another
12 opportunity or another way that that could be
13 done as well.

14 Here is a publicly submitted map. It is a
15 partial map of a congressional district that
16 extends from Escambia County and goes west
17 here, grabbing whole counties. Thinking about
18 this specific map, it is 8,438 people short of
19 the ideal population of a congressional map, so
20 it would need to have more people and more
21 communities added to it, but, clearly, you
22 know, this is a map looking to keep counties
23 whole within that District 1.

24 Next here is a public submission that we
25 received as well. This is a District 2,

1 thinking about the Big Bend region. A couple
2 of things to look at on the screen as you are
3 looking at this: The actual district that was
4 drawn in peach is the submitted district that
5 they gave to us. The pinkish-purplish outline
6 that you also see on the map is the current
7 District 2. As we reviewed this submission and
8 reviewed the current District 2, we believe
9 what they were attempting to do here was to
10 take the current district and try to adjust it
11 to meet the ideal population. We don't know
12 that for sure, but that is what we suspect as
13 we reviewed this particular submission.
14 Thinking about that, too, they came within 574
15 people of the ideal population in drawing this
16 map. Obviously thinking about the
17 congressional map and that plus or minus one
18 standard, they got pretty close for us, so that
19 is -- that was a nice thing to do.

20 Here we are thinking about Franklin
21 County. There was some testimony asking that
22 Franklin County be linked with other rural
23 counties. We do hear this from other testimony
24 across the state as well. This is what
25 Franklin County looks like.

1 Another thing to think about, especially
2 thinking about a congressional map, the Big
3 Bend region, again, is an area where you could
4 get land-locked if you don't think about the
5 ideal populations for those districts to the
6 west and to the east.

7 Mr. Chairman, that is the last map for
8 that region. I can take questions if you have
9 any.

10 REPRESENTATIVE HOLDER: Great. Thank you
11 very much. Members, any questions about that
12 particular region?

13 Great. Appreciate that very much.

14 MR. TAKACS: Thank you.

15 REPRESENTATIVE HOLDER: We will move on to
16 the next region.

17 MR. TAKACS: Thank you, Mr. Chairman.

18 The next region is the northeast and north
19 central portion of the state, starting off here
20 with keeping Nassau County whole; again, an
21 example of a community asking they be kept
22 whole within this process. This is what Nassau
23 County would look like. The position of Nassau
24 County is a bit unique. Obviously we can't
25 draw any districts to the north of Nassau

1 County, so we would have to go to the south or
2 to the west of Nassau County in order to create
3 a district. Thinking about Nassau County, it
4 is roughly 73,000 people, so you would have to
5 have a significant number of more people added
6 to it in order to meet that ideal population
7 for a congressional district.

8 This was some testimony we received in the
9 Jacksonville meeting in regards the Fleming
10 Island community. If you look on the screen
11 where the two red arrows are, that is kind of
12 where that Fleming Island is. It is a little
13 bit of a peninsula there. Their request was
14 that they be kept within the same congressional
15 district. As you can see where that peninsula
16 is of Fleming Island, there is two districts
17 that's kind of bisected in the middle there.
18 The blue district is Congressional District 3,
19 and the greenish district is Congressional
20 District 6. That is the current map that you
21 are looking at there.

22 The next issue is keeping Clay County
23 whole; again, another community asking that
24 they be kept whole within this process. This
25 is what Clay County would look like. One of

1 the issues that they talked about there,
2 thinking about reasoning as to why they'd be
3 like to be kept whole is that their fear was if
4 they were linked with a member from
5 Jacksonville, from Duval County, that their
6 issues might get kind of, you know, not
7 prioritized as much, thinking about a member
8 from Jacksonville, that Jacksonville would kind
9 of take over the membership of that district
10 and the issues that would be brought forward by
11 that Representative.

12 Again, obviously thinking about the
13 population of Clay County, you are talking
14 about roughly 191,000 folks, you have to add a
15 significant number of people to get to that
16 ideal population for a congressional district.

17 Thinking about that same concept, the
18 folks in Baker County also asked that they be
19 kept whole within this process, but they also
20 asked that they be connected to rural
21 communities as well. Baker County is a
22 relatively small county with a population of
23 27,115, so, obviously, many other counties
24 would need to be added to that. Thinking about
25 rural communities, less populated counties, it

1 would take a large number of those counties and
2 those communities to be combined together to
3 meet that ideal population for a congressional
4 district.

5 The next issue comes from our St.
6 Augustine meeting, which talks about keeping
7 St. Johns County whole, and if that is not
8 possible, linking that community with Flagler
9 County. As you can see here, this is the St.
10 Johns County line as it appears now. Thinking
11 about a congressional map, St. Johns and
12 Flagler Counties can be combined together if
13 you chose to do so. Their combined population
14 is 285,735. So you would still need some more
15 communities to be added to it to meet the ideal
16 population for a congressional district, but
17 that, if the policy decision was made, could be
18 done.

19 Next, thinking about, again,
20 municipalities, this was the request of the
21 City of Deltona that they be kept whole within
22 this process. They did note that they are the
23 largest city in Volusia County and they would
24 like to be kept whole in the process. As you
25 can see, looking at the city boundaries there,

1 there may be some contiguity issues or some
2 holes there that would need to be addressed in
3 completing a congressional district, but that
4 is what the City of Deltona looks like.

5 Moving on to The Villages, this was --
6 probably the most popular opinion that came out
7 of that meeting was keeping The Villages whole.
8 Here on the map, as you can see, this was the
9 best attempt we could make to recreate what The
10 Villages looks like. How we went about doing
11 this was that we took the census-designated
12 places of The Villages in Sumter and Marion
13 Counties -- again, thinking about The Villages,
14 The Villages is actually in portions of three
15 counties: Marion, Sumter and Lake. So for
16 Sumter and Marion, we used the
17 census-designated places, thinking about the
18 Lake County portion of this district that we
19 drew here, we used all of the City of Lady
20 Lake -- the Town of Lady Lake to be a part of
21 this district. Again, thinking about holes,
22 non-contiguous areas of land, those would be
23 issues that would need to be addressed in this
24 issue if The Villages were to be kept whole.

25 This is also an example of perhaps a

1 compact community that may force you to cross
2 county boundary lines if you wanted to draw a
3 district that looked like this, but here you
4 have a cohesive, compact group of people that
5 could be included together within a single
6 district.

7 Next, an issue that we heard in many of
8 the meetings across the region, thinking about
9 The Villages and Gainesville and Orlando, we
10 heard this, and this was keeping Marion County
11 whole. Again, the many folks testified
12 thinking about how divided they are within the
13 various maps, and they asked that they be kept
14 whole within this process. That's what Marion
15 County would look like. Marion County's
16 population is 331,298, so, again, obviously
17 more counties and communities would need to be
18 added to it in order to meet that ideal
19 population.

20 Here is the concept of keeping Gilchrist
21 and Levy Counties together and whole and
22 linking them with Alachua County. You can see
23 here on the map what we did was we combined all
24 three of those counties and kept them whole, so
25 you can see what that would look like. The

1 population of those three counties together is
2 roughly 305,000, so, again, more communities
3 would need to be added to it in order to meet
4 that ideal population for a congressional
5 district.

6 Also, too, this would be another example
7 of where you need to be a little concerned
8 about the land-locking issue there. You are
9 ending that district there on a coastal
10 community, so another district would have to go
11 around it or south of it, again, thinking you
12 don't want to land-lock yourself when meeting
13 the ideal population for that congressional
14 district of being plus or minus one person.

15 This is actually a public submission that
16 we received in the Davie, Florida, meeting. It
17 wasn't actually received in the region itself,
18 but received in our Davie meeting. We put it
19 here within this region, obviously because it
20 affects a district within that region, and this
21 was an attempt to redraw the lines for
22 Congressional District 3. What this gentleman
23 did was, thinking about -- he offered several
24 different looks, one of which would be talking
25 about starting the district in Jacksonville and

1 moving west, keeping counties as whole as
2 possible. This -- if you look at the screen
3 there, the one on the top there goes from
4 Jacksonville and then goes all the way to the
5 west to where Jackson County is west of Leon
6 County. This gentleman also gave kind of a
7 second look of another option for you, so to
8 speak, would be to connect that area -- instead
9 of going so far to the west, you would then go
10 kind of to the southeast where you would
11 connect into the Ocala and Gainesville area as
12 well.

13 This was another partial submitted map
14 that we received. I'm sorry, excuse me, this
15 is actually from an e-mail that we received,
16 talking about Volusia and Flagler Counties in a
17 congressional district. They drew all of
18 Volusia County there, and Flagler County, and
19 said, "We would like for this to be the base of
20 a district. If you -- if this doesn't meet the
21 ideal population" -- which it doesn't -- "we
22 would like this district to go to the west, but
23 please avoid Gainesville and Jacksonville to
24 the west and to the north." So they kind of
25 started a base of a district and left it there.

1 That particular base has a population of
2 roughly 106,000, so, obviously, again, more
3 counties, more communities would need to be
4 added to it to meet that ideal population.

5 The next issue was thinking about
6 testimony that we received that would deal with
7 the reduction of Lake County's representation,
8 basically similar to the concept of keeping a
9 county whole, but obviously with the population
10 of Lake County being as big as it is, they
11 recognized that we just want a reduction in our
12 population -- in our representation, I should
13 say. So what this district here is is that
14 this district essentially encompasses all of
15 Lake County, with the exception of what they
16 believe is the Lady Lake/The Villages portion
17 of Lake County.

18 Next is a suggestion -- it is actually
19 chart that we received from the Daytona
20 Regional Chamber of Commerce. Thinking about
21 the congressional map, they kind of talk about
22 what their current delegation is and what they
23 would like to see their delegation be moving
24 forward. Their current delegation has three
25 members of Congress within the county. They

1 would like to see either two or three in their
2 delegation. And unlike their request for the
3 House and Senate maps, they didn't propose that
4 a majority of Volusia County be within that --
5 one of those two or three districts, but they
6 did want to comment on what their
7 representation would look like in Washington.

8 Next is a publicly submitted map that we
9 received. This is a partial map. The next
10 several slides are actually all partially
11 public submitted maps. This one here has a
12 base in Lake County, also includes all of
13 Sumter County to the west and then has portions
14 of northwest Orange County.

15 It is important to note -- I should go
16 back to that one. That -- the ideal population
17 for that district, they are actually 24 people
18 short of the ideal population.

19 This next congressional map that we
20 received from a member of the public has all of
21 Lake County within it and then a vast majority
22 of Seminole County within it. Again, thinking
23 of ideal population, they got to ten. Their
24 map is ten people away from the ideal
25 population.

1 Again, another congressional map that we
2 received that also has all of Lake County in
3 it. This has all of Lake County, all of
4 Sumter, all of Citrus, and then portions of
5 northwest Orange County, again, just -- again,
6 multiple different looks for this region that
7 we received for the congressional map from
8 members of the public. The ideal population
9 for this map was 941 away from the ideal.

10 We got another map. This is the last map
11 for this region; again, all of Lake County, all
12 of Sumter County and then most of Marion
13 County, I can't say all, but it has a lot of
14 Marion County within it, another look for you.
15 This is a -- this is actually a combination of
16 a couple of different maps that we received,
17 folks that had similar ideas. We kind of put
18 that graphic up there for you, but that is,
19 again, combining Lake County, Sumter County and
20 most of Marion County.

21 And that is the last map of that region,
22 Chairman.

23 REPRESENTATIVE HOLDER: Great. Members,
24 any questions about that portion of the state?

25 Seeing none, we will move forward to

1 central Florida.

2 Mr. Kelly, I didn't even realize you got
3 up. You got replaced. You are recognized.

4 MR. KELLY: Thank you, Mr. Chair, and
5 thank you, members, and I will be continuing on
6 with central Florida and southeast Florida for
7 the rest of the presentation.

8 In the Polk County meeting, a piece of
9 testimony suggested keeping the City of Winter
10 Haven whole in a congressional district, and
11 this is a representation of that. And, again,
12 it is a good reminder of what Jeff was speaking
13 about earlier that in keeping a city whole,
14 oftentimes you are actually going to have holes
15 in the city, you are going to have to cure that
16 issue, you are going to have points of
17 non-contiguity, but in addition to that, you
18 are going to be, by following city boundary
19 lines, frequently using census blocks. And
20 just a point that we wanted to bring up in
21 that, when you are actually using My District
22 Builder, when you are drawing districts or
23 perhaps maybe working with someone's suggestion
24 like this in the public, the main reason why
25 you have for -- at least for -- in our

1 practical purposes, census blocks in a program
2 like My District Builder is they do correspond
3 to city boundary lines. So if you are running
4 up along the edge of one district and another,
5 and you really feel compelled to have a city
6 entirely within a district, that is why you
7 would go down to a level of using census
8 blocks. Otherwise, generally, we would
9 recommend that you would use VTDs when you're
10 drawing districts.

11 But, anyway, moving on, a related
12 suggestion also from the Lakeland meeting
13 regarding not just Winter Haven, but the bulk
14 of northern Polk County suggested keeping the
15 cities like Lakeland -- what was referred to as
16 northeast Polk County, which wasn't entirely
17 defined in the meeting, but, nonetheless,
18 Lakeland, northern Polk County, that it was
19 suggested that it was okay actually to split
20 that from the southern parts of the county,
21 Bartow and other communities, and that there
22 was a genuine difference between those
23 communities. And so the lines here on the map
24 is our best estimation as to what the presenter
25 meant based on their testimony, although, for

1 instance, we include all of Haines City in the
2 map, although we weren't entirely clear what
3 they meant by northeast Polk County.

4 Moving to the Wauchula meeting, the
5 suggestion was to keep Highlands County whole,
6 which you heard in many of the meetings as far
7 as rural counties go, not always, but in many
8 of the meetings, to keep rural counties whole
9 and give them a concentration of all the
10 residents being represented by one particular
11 person, in this case, Congress.

12 REPRESENTATIVE HOLDER: Mr. Kelly, can I
13 ask you just to hang on one second? I just
14 wanted to welcome Speaker Credel, who just
15 walked in, and say hello to him and welcome you
16 to our subcommittee meeting.

17 Please continue.

18 MR. KELLY: Thank you, Mr. Chair.

19 The next suggestion that came from that
20 meeting, referring to Hardee County, was a
21 request to not align Hardee County with the
22 coastal portions of let's say counties like
23 Manatee or Sarasota. There wasn't an objection
24 to aligning Hardee County with potentially the
25 rural parts of those communities, but don't

1 align them with the coastal portions of those
2 counties.

3 And similar to that, another gentleman at
4 the Wauchula meeting referred to the different
5 agricultural communities in that part of the
6 state and actually offered State Road 17 as an
7 actual transportation corridor. It wasn't
8 entirely clear whether that gentleman meant
9 State Road 17 as an artery for the district, or
10 an actual eastern boundary, but either way,
11 identified 17 as a connector for several
12 communities where rural agricultural interests
13 are predominant, and that person suggested that
14 aligning Hardee County and other communities
15 with eastern Manatee, eastern Sarasota, eastern
16 Charlotte, would be okay, because those are
17 communities that have cohesive interests.

18 The next suggestion referred to actually
19 taking Congressional District 9 out of -- or at
20 least as much as possible out of Hillsborough
21 County and moving it into Pasco County. And as
22 it is, if you actually did take the population
23 of the 9th Congressional District out of
24 Hillsborough County -- and it is that darker
25 orange district that is on the screen right

1 there that goes from Pasco into Pinellas and
2 over into Hillsborough -- if you took that
3 population out and you added it back to Pasco
4 County and moved the 5th Congressional District
5 out of Pasco County, the populations aren't
6 identical in terms of the swap that you would
7 be making, but they are not that far removed
8 from each other. So as you can see, one move
9 tends to lead to another -- well, it has to
10 lead to another when you are moving the
11 districts from one place to another.

12 There was a suggestion in Orlando to keep
13 the student population at UCF all in one
14 district. It was a suggestion without a lot of
15 definition, and like any college or university,
16 students don't necessarily live in one clearly
17 defined place around the campus, particularly a
18 school like UCF, which has a number of
19 commuters and students who probably live five,
20 six miles from the campus. So it was a general
21 suggestion, and it is a good example of one
22 where sometimes some additional information may
23 be helpful. And, frankly, we as staff offer to
24 you that your insight into suggestions like
25 this may be particularly helpful if this

1 happens to be an area -- this or any other
2 suggestion that is your part of the state and
3 you may be able to offer further guidance as to
4 what the presenter may have meant when they
5 made a suggestion like this.

6 There was a suggestion in the Lakeland
7 meeting regarding the Four Corners region,
8 which is thought of as where Lake County, Polk
9 County, Osceola County and Orange County meet.
10 They happen to meet relatively at one point.
11 In fact, if you know the Kings Ridge community,
12 you have driven past there, that is, roughly
13 speaking, about where the four corners meet,
14 and the suggestion in one of the meetings was
15 that this is a compact, cohesive community,
16 high-growth community, and should be considered
17 for, despite the fact that it crosses county
18 boundary lines, a heart of a congressional
19 district.

20 There was a suggestion regarding keeping
21 Brevard County whole within a congressional
22 district. The size of the county is a little
23 smaller than -- about 150,000 people smaller
24 than what you need for a congressional
25 district, so you could include all of Brevard

1 in a congressional district.

2 Likewise, there was also a suggestion
3 regarding removing Congressional District 3
4 from the Orlando area. It was a suggestion
5 that was debated back and forth to some degree
6 at the Orlando meeting, persons who felt that
7 they didn't want to be represented by a
8 Congressperson who was in Jacksonville, but
9 then others who spoke to the minority
10 communities in Orlando and ensuring that they
11 have some kind of ability to elect a candidate
12 of choice. So this was a debated point, and we
13 want to include that suggestion to note that
14 that debate occurred at that meeting.

15 There was a suggestion actually, and this
16 was a fairly popular suggestion from a number
17 of people, particularly via e-mail, regarding
18 putting all of Osceola County into the same
19 congressional district. And a number of those
20 people also carried forth that remark one step
21 further by saying to then get the remaining
22 population from Orange County. They identified
23 similar economic interests and so forth. What
24 you see in the graphic here in yellow is a
25 depiction of what that could look like.

1 Obviously the boundaries of Osceola County are
2 pretty clear, but no one specifically suggested
3 what parts of Orange County to include with the
4 district, so this is just a suggestion as to
5 what that could look like if you combine the
6 two.

7 And just a couple of suggestions, we will
8 come back to a suggestion that was actually
9 very contrary to that, but moving on, there was
10 a request from a Seminole County resident, a
11 very specific request from a Seminole County
12 resident who has a Winter Park ZIP code, lives
13 in the sort of little L corner right there
14 where Seminole and Orange meet, and as you can
15 see, roughly within that ZIP code, about four
16 different congressional districts intersect
17 there, and this resident wants to vote in the
18 same congressional district that his neighbors
19 in Orange County in the same ZIP code, just a
20 street over, vote in. So a pretty specific
21 request right there.

22 There was more than one suggestion
23 regarding how it is that Brevard County relates
24 to Orange County, and specifically, this
25 suggestion suggests that Brevard County should

1 be separate, or at least have the ability to
2 determine who the candidate is, as opposed to
3 being lined up with an Orange County elected
4 office holder. And so as the meetings went on
5 throughout the state, that point came across in
6 a number of areas. That point came across in
7 Volusia County, Marion County, Palm Beach
8 County, not just whether or not a district
9 wholly encompasses all or part of a county, but
10 taking a look at whether a district is the
11 majority of the county. So even if a county
12 line is split, what a number of people came
13 forward and said is they wished that they could
14 at least have some predictability as to whether
15 the elected office holder is likely to come
16 from their home county, because they felt like
17 their county deserved a Congressperson or so
18 forth, and that was the issue here.

19 A map that was submitted -- if you
20 reference back to the Osceola County example
21 that came up before about making Osceola a
22 whole community and then lining it up with
23 Orlando in a congressional district, this
24 district came forth from a group called
25 LatinoJustice, and their suggestion was for the

1 predominantly Puerto Rican communities,
2 Hispanic communities in Osceola County, a
3 little bit of Polk and Orlando be aligned
4 together. Their goal was to try to create a
5 majority-minority seat. The seat that they
6 submitted and actually submitted to us via our
7 application, I believe is approximately
8 43 percent Hispanic, but they were trying to
9 create an opportunity for the Hispanic
10 communities in Osceola, Orange and Polk
11 counties to elect a candidate of choice. Of
12 course, that doesn't match up with the
13 suggestion of keeping Osceola County whole, so
14 you can see that there was a genuine difference
15 of opinion from those two groups.

16 Mr. Chair, that's the comments for central
17 Florida.

18 REPRESENTATIVE HOLDER: Thank you very
19 much.

20 Members, any questions about central
21 Florida? Representative Taylor, you are
22 recognized for a question.

23 REPRESENTATIVE TAYLOR: Thank you, Mr.
24 Chair. I remember being at the Orlando
25 meeting, and there were some questions about

1 the creation of that additional congressional
2 district being placed there because of the
3 increase in the population in that area. Have
4 you looked at the policy issues associated with
5 that request if it was possibly that one of
6 those two additional congressional districts
7 that were received -- that the state received?

8 REPRESENTATIVE HOLDER: Mr. Kelly.

9 MR. KELLY: Thank you, Mr. Chair.

10 I am not sure how to equate it to the
11 question of two additional districts, because
12 in a sense, they are all -- all their lines are
13 going to change. But in terms of the policy
14 issues that might come up, the district that
15 they have suggested does not meet the
16 50 percent number that Section 2 of the Voting
17 Rights Act would require. So that in itself is
18 not an issue.

19 In terms of state law and other issues and
20 just the discretion that you may have, there is
21 no existing Hispanic district there today, so
22 you don't have a question of retrogression,
23 which Amendment 6 to Florida's Constitution
24 would deal with. So it is really a question of
25 discretion for you as to whether or not you

1 feel that you have compact, cohesive
2 communities there that would warrant putting
3 together into a single district.

4 REPRESENTATIVE HOLDER: Representative
5 Horner, you are recognized for a question.

6 REPRESENTATIVE HORNER: Thanks.

7 Alex, I remember at the Orlando hearing
8 there were probably ten or so presenters on
9 this Hispanic district, if you will, but they
10 handed out a map and it had kind of smooth
11 edges. It was more of a blob than -- I am
12 looking at number 37, your previous slide is --
13 looks different than the map presented. Now,
14 you are talking -- this is the LatinoJustice
15 map. There was another group, and forgive me
16 for not remembering their name, but
17 Commissioner Quiñones spoke, former Rep Tony
18 Suarez spoke, you probably recall they had a
19 lot of speakers and they passed a map around,
20 they didn't put it on the screen, it was a
21 little rounder. Did that map make it or -- and
22 perhaps it just didn't meet the appropriate
23 standards. Did that make it into the system or
24 --

25 REPRESENTATIVE HOLDER: Mr. Kelly.

1 MR. KELLY: Thank you, Mr. Chair.

2 Representative, this may have been the --
3 it may have been a similar, related map, I am
4 not entirely sure. This organization though
5 did submit a map that night, which was
6 submission 17 in our system, and then within
7 about a week, week and a half, revised their
8 submission. So it could have been that what
9 they handed out that night was what you were
10 thinking of, and then they updated it and
11 revised it some. So I am not entirely sure as
12 to whether it is the same thing that you
13 referenced Mr. Quiñones was handing out, or if
14 it was just an earlier version of their updated
15 submission.

16 REPRESENTATIVE HOLDER: Follow-up?

17 REPRESENTATIVE HORNER: And also I went
18 and looked at the statistics on this particular
19 map. It seemed to have a relatively low
20 African-American population. So would it be
21 accurate to say creating this district would
22 not preclude an African-American district in
23 central Florida being created, or is that a
24 poor assumption on my part?

25 REPRESENTATIVE HOLDER: Mr. Kelly.

1 MR. KELLY: Thank you, Mr. Chair.

2 It does look like in the drawing of the
3 district, relatively speaking, they have
4 avoided impacting the concentrations of
5 African-American communities in Orlando. So it
6 does -- to some extent, it does look like they
7 don't overlap and there is no conflict there.

8 REPRESENTATIVE HOLDER: Great questions.
9 Members, any other questions about central
10 Florida?

11 Great. Moving on, we will move to
12 southeast Florida.

13 MR. KELLY: Thank you, Mr. Chair.

14 A suggestion came forth regarding
15 combining all of Martin County, St. Lucie,
16 Indian River, Okeechobee, all into forming one
17 congressional district, which that -- those
18 counties is actually less than the size of a
19 congressional district, so you could do that.
20 You would still need approximately 94,000 more
21 people to complete the district.

22 The Martin County Supervisor of Elections
23 actually had staff speak that night and then
24 submitted a letter regarding keeping the
25 community of Indiantown whole, and it is a good

1 example beyond just the issue of keeping a
2 community whole.

3 Another good example, as Jeff I think was
4 referring to earlier, regarding
5 census-designated places that are not actually
6 incorporated cities, so in some cases, these
7 can be readily identified, depending on the
8 census data, depending on data that EDR has
9 here in the Legislature, but sometimes they
10 can. So this can be, but sometimes these type
11 of communities can be difficult to identify in
12 the process, and these kind of suggestions do
13 sometimes benefit from some additional input.

14 The next suggestion -- many, many
15 suggestions in southeast Florida pertain to
16 keeping cities whole, especially as you moved
17 into Brevard, Palm Beach -- Broward, Palm Beach
18 and Miami-Dade Counties. In this case, just
19 one example, keeping the City of Port St. Lucie
20 whole, and another example moving into Broward,
21 keeping the Town of Wilton Manors whole. And
22 in all of these cases, as was brought out a
23 couple times before, there were holes in the
24 district, as you can see the hole right in the
25 middle of the city right there, so you have to

1 be conscious of those.

2 The other issue that we noticed with the
3 south Florida requests, specifically the number
4 of keep city whole requests, is that many times
5 those cities run up against each other. So you
6 have to consider that it may physically not be
7 possible to meet all those requests. And in
8 some cases, it is helpful to help identify do
9 some of those cities belong together, do they
10 have particular geography or so forth that
11 would match them up together, and there were
12 some suggestions in south Florida to that
13 extent. Speaking of which, the next suggestion
14 referenced here regards combining the Cities of
15 Cooper City and Davie into a district.

16 There was a decent amount of discussion
17 regarding the 17th Congressional District,
18 which is a majority -- currently a
19 majority-minority African-American District,
20 and there were a number of suggestions, the one
21 on the screen regarding just keeping the
22 current district intact. There were some
23 suggestions to reconfigure the current
24 district. This particular gentleman's
25 suggestion, he was actually -- the 17th

1 Congressional District is the red district and
2 the 20th Congressional District is the purple
3 district. This gentleman was actually
4 suggesting to take the 20th Congressional
5 District, pull it all into Broward County and
6 then take the 17th District and push it closer
7 to the coastline, not all the way to the
8 coastline, but closer to the coastline.

9 Actually, back up for one second. There
10 were a couple of other suggestions, we didn't
11 include them here, but they were unique in that
12 they recommended for the 17th District actually
13 wrapping in the port, wrapping in the airport
14 as well into the district.

15 There was a suggestion about keeping
16 districts -- congressional districts in
17 Miami-Dade County running vertical,
18 north/south. Practically speaking, for
19 congressional districts, this is generally the
20 way they are now because of the coastline,
21 because of where people live. For State House,
22 maybe State Senate districts, you have a little
23 more latitude in terms of drawing the districts
24 east to west, but in terms of congressional
25 districts, practically speaking, this is

1 probably the way you would have to draw
2 districts just because of where people live and
3 the coastline itself.

4 Moving down to Monroe County, there was a
5 suggestion in the Key West meeting to keep
6 Monroe County whole, which is applicable to the
7 current map today, because Monroe County is
8 divided into two different congressional
9 districts today. The one thing -- Monroe
10 County is a good example -- Monroe County,
11 Collier, Hillsborough, Hendry and Hardee
12 Counties are all counties affected by Section 5
13 of the Federal Voting Rights Act, so those kind
14 of implications also come up in these kinds of
15 requests.

16 There was a separate request from the Keys
17 requesting that the Hispanic communities not
18 have their vote diluted, and currently Monroe
19 County, the two congressional districts just
20 referenced, do both -- are both served by
21 Hispanic members of Florida's congressional
22 delegation.

23 Coming back to the 17th Congressional
24 District and that area, there was a request to
25 line up North Miami Beach with Aventura and to

1 move those communities together because of some
2 similarities between those communities. So the
3 individual -- actually, a couple of individuals
4 who submitted this request wanted to be taken
5 out of the 17th Congressional District.

6 And then overall there was a general
7 suggestion to not dilute the Hispanic
8 representation for Broward County. Today,
9 Broward County is represented by one member of
10 -- one Hispanic member of Florida's
11 congressional delegation.

12 Now, we referenced before that there were
13 many requests to keep cities together. This is
14 actually a request to keep a city separated,
15 Coconut Creek, and this is just -- this is not
16 meant to represent a district, but this is just
17 the boundaries of Coconut Creek filled in. But
18 Coconut Creek today is represented by two
19 members of Congress, two members of the State
20 Senate and two members of the State House, and
21 actually, their specific request, too, was
22 remain represented by two members at all
23 levels.

24 There were a number of suggestions at the
25 different southeast Florida meetings regarding

1 coastal communities. There was never one set
2 definition as to what that is, and that is
3 probably fair to say about most of the state,
4 but a number of people at the different
5 meetings did at least offer some examples of
6 districts that they felt like represented
7 coastal communities, and so some of those were
8 included here, and their suggestion was to not
9 break up coastal communities.

10 The next suggestion referred to a
11 gentleman who broke up Palm Beach County into
12 different segments by cities and suggested that
13 if Palm Beach County had to be divided or if
14 Palm Beach County, let's say, had to be aligned
15 with Martin County, he drew the county into
16 different cities. If you go along the
17 coastline where most of the population is, this
18 gentleman basically drew a north, middle and
19 south area, lined three to four cities together
20 in each area, and then took everything that is,
21 roughly speaking, off the coast, Wellington
22 over, and put that into the fourth area. And
23 so his suggestion was if you have to split up
24 the county, group those cities in pods, if you
25 will, and keep those -- and keep those

1 groupings together, whether it is the
2 congressional map or the other maps.

3 This map that was submitted splits up Palm
4 Beach County into two congressional districts,
5 and there's a little bit of Broward at the
6 bottom end of that as well. A point that is
7 important to raise here is that this kind of
8 configuration does potentially raise some
9 Voting Rights Act questions with the 23rd
10 Congressional District, not to say that you
11 can't follow through with a suggestion like
12 this, but, again, it is one of those cases
13 where if you have an interest in a suggestion
14 like this, you have to consider its impact on
15 existing districts that, in this case, elect an
16 African-American candidate of choice. So,
17 again, it is just a good example of where some
18 of those issues collide.

19 And then this map was submitted by the
20 Haitian-American Task Force on Redistricting.
21 Actually, this map was drawn at the Miami
22 meeting at Miami-Dade College, and it
23 essentially recreates most of Congressional
24 District 17, although it attempts to grab more
25 of the Haitian-American community in that area.

1 And in the booklet -- or in your -- in your
2 meeting packet, we show a visual of the current
3 congressional district just so you can get an
4 idea as to what changes were made.

5 And with that, Mr. Chair, those are the
6 comments about southeast Florida.

7 REPRESENTATIVE HOLDER: Thank you very
8 much.

9 Members, any questions about southeast
10 Florida?

11 Seeing none, members, obviously you can
12 tell by how difficult of a task it was just to
13 take all of these suggestions from the public
14 and put them on paper so that you could
15 visually see them. Number one, I would like to
16 thank Mr. Kelly and Mr. Takacs and
17 Mr. Fairbrother for their hard work today in
18 putting together these presentations for us.
19 And just as a reminder, in the early October
20 interim committee meetings, the subcommittee
21 will cover the fifth region, which is southwest
22 Florida, and the complete or near complete maps
23 submitted from the public in that area.

24 I want to thank you all again for your
25 hard work so far in this process. Obviously,

1 it is going to -- it is going to require an
2 awful lot of work, and I appreciate
3 Representative Taylor's questions today, and
4 hopefully we will be able to get specific
5 answers for you and continue to answer
6 questions as we go through the process. I look
7 forward to continuing to work with all of you
8 over the next coming months, and with that,
9 Representative Abruzzo moves we rise.

10 (Whereupon, the proceedings were
11 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 70 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 21st day of February, 2012.

CLARA C. ROTRUCK

Notary Public

State of Florida at Large

Commission Expires:

November 13, 2014

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HOUSE REDISTRICTING SUBCOMMITTEE MEETING
MONDAY, SEPTEMBER 19, 2011

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 REPRESENTATIVE SCHENCK: (In progress)

3 suggestions the public gave for drawing
4 districts.

5 Today we are going to summarize what was
6 heard in our first -- in the first four regions
7 we visited this summer, including written input
8 about those same four regions and any partial
9 maps that have been submitted which impact
10 those regions. In our first meeting in
11 October, we will cover the fifth region,
12 southwest Florida, and any complete or near
13 complete maps submitted by the public.

14 Before we get into that, I want to share
15 some directions and suggestions that Chairman
16 Weatherford just provided us in the
17 Redistricting Committee meeting held just
18 before this meeting.

19 First, the bulk of the work during the
20 next couple of months will be done by the three
21 redistricting subcommittees, specifically us.
22 At this point in the process, our subcommittee
23 will begin digesting all of this information so
24 that members may react, make suggestions and
25 mesh these ideas with the legal requirements of

1 federal and state redistricting laws.

2 Over the last few months, we have heard
3 from approximately 5,000 people who came to the
4 26 meetings. Approximately 2,000 of them
5 presented their ideas at the meetings. We are
6 in receipt of 64 partial or complete maps from
7 the public, and to give you some frame of
8 reference, ten years ago, the Legislature only
9 received four maps. We are also in receipt of
10 more than 200 additional unique suggestions for
11 maps that came via social media, e-mails,
12 letters, faxes, the public meetings and even a
13 postcard. Based on this public input, our
14 subcommittee should have more than enough
15 information to prepare committee proposals in
16 addition to any individual member bills that
17 are offered.

18 Chairman Weatherford's request of us is
19 that our subcommittee pass at least three maps
20 for the full Redistricting Committee to
21 consider. In other words, he is asking that we
22 give the full Committee three options for the
23 State House map, the state of Florida. Exactly
24 how each subcommittee meets that goal is up to
25 the members of that subcommittee. We can do

1 that through PCBs, member bills or a
2 combination thereof.

3 To meet that goal, we need to set some
4 goals of our own in terms of the time line.
5 Chairman Weatherford has requested that members
6 who wish to file redistricting bills do so
7 before the November 14th to 18th interim
8 committee week. He also noted that
9 November 14th is his birthday, just for the
10 record. You are certainly welcome to use the
11 full time line allowed for filing legislation
12 to file your redistricting maps as bills, but
13 practically speaking, anything filed after
14 November 14th will probably have to be
15 considered as an amendment. We say this
16 because it should be expected that our
17 subcommittee will workshop redistricting maps
18 so that any redistricting maps that get voted
19 on have time to both mature in the legislative
20 process, be compared to other options and also
21 give ample time for public input. In other
22 words, it is preferred that votes taken on maps
23 reflect more than one committee meeting in
24 which that map was discussed.

25 For the public, Chairman Weatherford is

1 recommending that members of the public submit
2 any additional suggestions for maps before
3 November 1st. That gives you, the members,
4 approximately two weeks to study those
5 submissions before your own suggested
6 deadlines. Of course, we will accept comments
7 and suggestions from the public throughout the
8 process, but, again, practically speaking,
9 anything received after November 1st and
10 thereafter will have to be viewed as comments
11 and reactions to the maps that are already
12 working their way through the legislative
13 process.

14 Recording expectations for each of us
15 individually, members who would like to present
16 maps or amendments in this subcommittee will be
17 given as much courtesy as possible to get their
18 ideas on an agenda to be presented. However,
19 it is important to note, and please note this,
20 that members will be expected to explain in
21 detail how they developed their maps or
22 amendments. Even if you opt to file a map that
23 a member of the public offered line for line,
24 be ready to explain your map district by
25 district, if necessary.

1 And just one last note before I turn it
2 over to any questions that you may have. In
3 the next day or two, Chairman Weatherford will
4 be sending out a memo to you and all 120
5 members, refreshing everyone about how -- some
6 of the procedural items for redistricting that
7 we discussed last April in our initial
8 committee meetings.

9 With that said, are there any additional
10 questions? Are there any questions?

11 Seeing no questions, all right. Now,
12 before we go forward with today's
13 presentations, just as a reminder, our staff
14 are here to help answer technical questions, to
15 provide analysis of the public input, to help
16 us craft options for these maps, and when
17 necessary, to get us the additional resources
18 that we may need to come to a decision. They
19 are not here to answer the overarching policy
20 questions that are, frankly, more appropriate
21 for us as members to debate. So if you find
22 that your questions are about bigger, broader
23 issues of legislative discretion, redistricting
24 time line, things of that nature, I am going to
25 ask that you direct those to me rather than our

1 staff.

2 With that said, Ben Fairbrother is going
3 to give us a brief update as to what is new
4 with our websites and other public information.
5 Now that the public meetings are over, we are
6 entering the next phase of this process.

7 Mr. Fairbrother, you are recognized.

8 MR. FAIRBROTHER: Thank you, Mr. Chairman.

9 This afternoon I will be presenting a
10 brief update regarding some of the new features
11 to floridaredistricting.org and the other
12 committee's websites. As you can see on the
13 screen, I have pulled up
14 floridaredistricting.org, and although the site
15 is mainly familiar to you, there have been some
16 significant changes over the past several
17 weeks. So first let's talk about what is on
18 the left side of the page. If we scroll down
19 on the left here, you will see "Legislative
20 Headlines," and this section is the one that
21 changes the most frequently. All the latest
22 news and updates on redistricting are located
23 here. For example, the materials from today's
24 meetings are already posted here. Your
25 constituents will also find all the latest

1 updates and information on where we are in the
2 process, and it will likely be here if you
3 receive any questions by those folks.

4 The next set of links that you will look
5 at is the "Public Participation" headline here.
6 There are several documents that will be
7 helpful to your constituents and your staff in
8 helping your constituents kind of digest this
9 process and any questions they may have as
10 well. The most frequently requested document
11 in this section is actually the concepts and
12 terminology document, and that is the one that
13 explains the different vocabulary and the
14 overall redistricting process. There are also
15 some other helpful handouts that kind of just
16 make this easy to understand.

17 The next section you will see is the
18 "Legal Concepts" section, and this one has not
19 changed significantly from last year, but I
20 will note that the legal presentations that you
21 received in committee last April are available
22 under this section here.

23 Looking over to the right side of the
24 page, you will see the "Additional Resources"
25 section. This -- this right here is -- you can

1 actually find a number of -- an answer to a
2 number of different questions, including the
3 population that certain districts are over or
4 under, you can find the current map of Florida
5 as to House, Senate or congressional districts,
6 and you can also just look at the individual
7 districts in that section.

8 Scrolling up to the right side of the
9 page, at the top you will see a number of
10 different buttons. The "Public Hearing Videos"
11 is the first button I would like to show you.
12 This button used to be called the -- used to be
13 called "Watch Meetings Live" during the summer
14 when we were doing the public meetings, and
15 since that button was such a popular button
16 then and it still is now, we have turned it
17 into an archives site where you can have quick
18 access to the video archives of all those
19 meetings.

20 Below the "Blog" button, you will see the
21 "Meeting Records" button, and that will bring
22 you to the page that has links to all the
23 videos, podcasts and action packets from the
24 past redistricting committee meetings. I will
25 go ahead and pull that up for you so you can

1 see it. On this page, you can see different --
2 it is a blog-style page, and you can see
3 different entries here. The first one is --
4 for an example is posts designed to give the
5 public a greater insight into the process and
6 the transition between the summer and the
7 interim. Moving to the middle of this page,
8 you will see where your constituents can find
9 in-depth answers regarding the process, and
10 then to the right of the page, you will see all
11 of the links to our -- back to our
12 floridaredistricting.org and our other social
13 media sites, for example. And we will go back
14 to floridaredistricting.org.

15 The final button that I will show you is
16 the "Public Submissions" button. This is the
17 -- if you click on this button, it will bring
18 up another blog-style page that includes every
19 public map submission, as well as the written
20 testimony submitted to the Redistricting
21 Committee. These map submissions can be
22 searched in a number of different ways. You
23 can search by type of map, congressional,
24 Senate or House, you can search by county or
25 even by name if you know the name of the

1 constituent that posted the map. Each public
2 submission of a map includes a summary of the
3 submission, the statistics relevant to the plan
4 and the PDF file -- the PDF file of the plan,
5 and then the ability to open the plan in My
6 District Builder using the KMZ file. And if --
7 the KMZ file I will explain. If while you are
8 reviewing these maps you see a certain map that
9 you would like to explore in detail or enhance
10 using My District Builder, you can do so by
11 opening it through the KMZ file. And let me
12 run through how to do that really quick.

13 Let's say that you like this plan up on
14 the top left, Mr. Ed Wendell's plan, and it
15 looks like it is a single State Senate
16 district. What you are going to do is you are
17 going to find the KMZ file link here and you'll
18 click on that and you will go ahead and save
19 this file to your desktop. So I will click
20 "Save," "Yes," and now that file is saved to
21 your computer. Then what we will do is open up
22 My District Builder, and My District Builder is
23 here, and then we will go to the "File" tab and
24 then click "Open," "Yes," and then it will open
25 up your desktop here and you will select that

1 plan that you just saved, "Open," and this box
2 right here just tells you that it will take --
3 it might be a bit of a delay because the files
4 are very large. Especially if you load a
5 complete House, Senate or congressional plan,
6 it could take a few minutes. This plan is
7 relatively small, so it should load quickly.
8 And then once you do that -- I will go to full
9 screen to make it easier to view -- you will
10 scroll down here and you will see that that
11 plan has actually loaded into My District
12 Builder.

13 So if you would like a more detailed
14 review of this process or what -- the changes
15 made to our website, we will be happy to make
16 staff available to you one-on-one or answer any
17 questions you may have. And, of course, as
18 additional changes are made, we will let the
19 Committee know as soon as possible.

20 Thank you very much, Mr. Chairman. I
21 would be happy to answer any questions.

22 REPRESENTATIVE SCHENCK: Members, are
23 there any questions? Not a very inquisitive
24 bunch today, okay.

25 Now, members, regarding the packet you

1 have in front of you, this is the same packet
2 of information that the Redistricting Committee
3 and other subcommittees will receive today, and
4 this will be the subject of what our staff,
5 specifically Jeff Takacs, is presenting today.

6 The first four tabs relate to the four
7 regions we are discussing. The fifth tab which
8 we have included for you is summary level data
9 regarding the first 63 maps that have been
10 submitted by the public. Note, all of this
11 information will also be available on
12 www.floridaredistricting.org for anyone in the
13 public to review.

14 What I would suggest is that since this
15 packet covers four regions of the state, and I
16 think that what we will do is ask Jeff to
17 present one region at a time, and then I will
18 open it up to any questions or comments that
19 you may have about that region.

20 With that said, Mr. Takacs, you are
21 recognized to begin the presentation.

22 MR. TAKACS: Thank you very much, Mr.
23 Chairman. If I could just get my computer set
24 up here, we will get ready.

25 REPRESENTATIVE SCHENCK: Take your time.

1 And, Jeff, we are starting off with the
2 northwest, is that correct?

3 MR. TAKACS: Yes, sir. Thank you, Mr.
4 Chairman.

5 Before we get started, I just want to talk
6 a little bit about what you see in front of you
7 as we look through the four regions of the
8 state that we are going to examine today.

9 I am not actually going through every
10 example that is in the big book that you have
11 in front of you. The ones I am going to be
12 going through are going to be House-specific,
13 and even some of the House-specific ones will
14 not be mentioned here this afternoon for the
15 sake of time. So if you have a question about
16 any of the issues that are in this big book,
17 you can feel free to ask me, but I may not
18 cover all of them in the presentation this
19 afternoon. I will just have to use the mouse
20 instead of the clicker.

21 First we are going to start in the
22 northwest Florida area, which was the first
23 week of meetings that we had.

24 Before I get started and talk about this
25 issue of nesting, you will notice at the top

1 left portion of the screen where it says
2 "NW-2." If you want to follow along in the
3 book -- again, since I am not going in order,
4 you can kind of skip ahead and follow me in the
5 book if you would like, or you can just follow
6 the screen, but since we are not going in
7 order, if you look to that upper left-hand
8 corner of what's on the screen, you can follow
9 it in the book and all of the verbiage that is
10 in there explaining what this issue is.

11 So the first example that was -- one of
12 the first examples that was brought to us in
13 the Tallahassee meeting is the concept of
14 nesting. And what nesting is is that if you
15 took a Senate district, you could then neatly
16 fit or nest three House districts into that
17 Senate district. Or, conversely, what you
18 could do is take three House districts and then
19 nest a Senate district within those three
20 districts. This issue was actually brought up
21 several times as we traveled around the state
22 and, you know, just as a suggestion of how the
23 districts could be drawn.

24 Thinking of this issue and maybe some
25 questions I would want to be asked if this was

1 something that the subcommittee wanted to
2 explore is which would come first? Would the
3 Senate districts be drawn first and the House
4 districts nested within them, or vice-versa,
5 the House districts drawn first and the Senate
6 districts drawn around them? That would be a
7 policy question that you would have to answer.

8 Also, thinking about in this process, if a
9 county or city were split within a Senate
10 district, let's say we were going to do Senate
11 districts first and then nest three House
12 districts within that one Senate district, if a
13 county or municipality was split in that Senate
14 district, there would be no way to avoid that
15 splitting again. You would have to replicate
16 that splitting of that county or that
17 municipality if you were to use the nesting
18 concept.

19 The next issue here is the concept of
20 linking northeast Gadsden County in a State
21 House district to northern Leon County. You
22 will see on the screen this was actually
23 submitted to us by a member of the County
24 Commission in Gadsden County, and he actually
25 -- he didn't submit a map formally through the

1 My District Builder and the process that we
2 have in that version. What he brought with him
3 was actually a highlighted map of what he
4 defined as northeast Gadsden County, and that
5 is what you see before us here. We replicated
6 that here in My District Builder. So that was
7 his testimony saying that northeast Gadsden
8 County should be linked with northern Leon
9 County. It is important to note for this
10 specific example, if you are following along in
11 the book, north Leon County was not defined in
12 his testimony. We kind of -- trying to give
13 you a visual split, Leon County, using I-10 as
14 the dividing line between north and south, but,
15 again, that was not specifically written about
16 in the testimony or talked about in the
17 testimony, so we just did that for you.

18 The next issue here is keeping the City of
19 Monticello whole. As we traveled around the
20 state, as you know, we heard from a lot of
21 residents of specific cities saying, "I would
22 like to keep my city whole in this
23 redistricting process. We are split into two
24 or three districts, and it is confusing for the
25 members of our small city," or, you know, "My

1 city has no Representative from my city, and I
2 would like to change that," or those sorts of
3 things. So the first example here would be
4 keeping the City of Monticello whole. You can
5 see it there on the screen.

6 An issue that comes up with a lot of -- a
7 lot of cities across the state, if you were to
8 make that city a whole district, as you can see
9 there, that district would have some holes in
10 it that would need to be filled within a
11 district for it to be a complete district.
12 Also, too, sometimes with municipalities, their
13 lines may not be contiguous, which would
14 present a problem drawing a legislative
15 district.

16 The next issue here is linking Wakulla and
17 Leon Counties. Someone from Wakulla County
18 testified that they thought they had a lot of
19 similar interests to Leon County and they
20 should be linked together, so we showed you
21 what those whole counties would look like
22 together. It is important to note with this
23 specific example, and there are other examples
24 throughout the map, but if a district like this
25 were to be drawn, thinking about the whole

1 state and the Panhandle, you are land-locking
2 yourself. And what I mean by that is that any
3 district to the west of a district that was
4 drawn like this on the screen would have to
5 meet the ideal population, because if it
6 doesn't, you have locked yourself here and you
7 would have to then divide into that drawn
8 district to be able to meet the ideal
9 population of the districts as you continue to
10 move east across the state.

11 Moving along, this was one of the biggest
12 issues that came out of the meetings in the
13 Panhandle region. We heard testimony in
14 Pensacola, in Ft. Walton Beach, as well as
15 Panama City, and that is the issue of drawing
16 horizontal districts versus vertical districts.
17 This issue kind of takes on, for lack of a pun,
18 better -- takes different shapes as you look at
19 the House map versus the Senate map and the
20 congressional map. Obviously, with the
21 congressional map, there are bigger districts,
22 there are a lot more people, they cover a lot
23 more land, whereas a House district can be
24 smaller, and thinking about horizontal and
25 vertical, isn't as prevalent as you would see

1 in the Senate and the congressional districts.

2 But the main arguments on both sides, just
3 to kind of highlight, the folks who would argue
4 on behalf of horizontal districts talked about
5 similar communities, communities that had a lot
6 of things in common with each other, whether it
7 is their economy, tourism in the example of
8 horizontal districts, agriculture to the north,
9 the more, you know, beach communities,
10 tourism-related communities to the south. The
11 folks on the other side of the argument -- and,
12 again, there were a lot on both sides in all
13 three of those meetings -- a lot of those folks
14 argued that, you know, we should follow county
15 boundary lines, that the whole county should be
16 included into one district as opposed to
17 divided into two. Other thoughts were that,
18 you know, we are all one county, we should all
19 be together within a district and not divided.

20 Another thing to think about as you kind
21 of envision the Panhandle, if you were to draw
22 horizontal districts, thinking north to south,
23 or even south to north, what you could have is
24 if you were to draw a northern district,
25 thinking of drawing horizontally, that district

1 would be a lot bigger, would go a lot longer,
2 because it is less populated to the north of
3 those counties in the Panhandle versus the
4 south. You could also draw a thin, long
5 district along the beaches in those communities
6 if you chose to do so, which would create
7 smaller counties to -- smaller districts to the
8 north. So that would be something that would
9 have to be considered.

10 This next one is talking about putting the
11 communities of Wedgewood and Lincoln Park into
12 current House District 3. What you see on the
13 map in front of you is actually the current map
14 for House District 3. The folks who testified
15 stated that the communities of Wedgewood and
16 Lincoln Park were strong African-American
17 communities and wanted to be linked with the
18 other African-American communities in the City
19 of Pensacola, so they asked that they be linked
20 together in the current House District 3.

21 Again, similar concept to what we saw in
22 Monticello, and, again, we saw this in a lot of
23 cities across the state, this would be keeping
24 the City of Destin whole within legislative and
25 congressional districts. Again, you can see

1 there would be some holes that would have to be
2 filled within that district if you chose to go
3 that way.

4 Here's a little bit of a different
5 example. You know, like we heard, a lot of
6 counties wanted to be a whole, a lot of cities
7 wanted to be whole, with this specific
8 testimony, the person asked that south Walton
9 County be kept together into a district,
10 meaning they didn't mind as much if Walton
11 County were to be split into two, but they
12 wanted to make sure their community was kept
13 together in south Walton County. It is also
14 important to note in this example they actually
15 didn't define the parameters of south Walton
16 County, but to provide you a visual, what we
17 did was, again, using Interstate 10 as a
18 dividing line, we drew everything south of
19 I-10.

20 The next issue is having one
21 Representative or multiple Representatives in
22 Bay County. There was some differing opinions
23 in the Panama City hearing that we heard, you
24 know, but basically both sides of the argument.
25 On one side, folks would say, "I want to know

1 who my Representative is, I want to be able to
2 go to them, there is no confusion in my county
3 as to who represents me, I have my go-to person
4 for my issues." Conversely, there were some
5 folks who argued on the other side that said,
6 "I like having multiple voices in Tallahassee
7 and I like having multiple chances of getting
8 my issues heard before a Representative in my
9 county, so I would like to be split." It is
10 important to note, and we will address this a
11 little bit later, but thinking of drawing Bay
12 County as a whole, as all of one district, the
13 population of Bay County would lead to a
14 deviation of 7.8 percent on the high side of
15 that district, and a deviation of 7.8 percent
16 would be a higher deviation than we saw in any
17 of the districts from the 2010 map. So that
18 would be something to consider moving forward.

19 Again, thinking of kind of the other side
20 of the coin, we received testimony regarding
21 Jackson County. What you will see on the map
22 here are the current districts as it relates to
23 Jackson County, but there was some testimony in
24 support of maintaining two House districts in
25 Jackson County, those folks liked to be split;

1 again, thinking of the multiple voice concept.
2 Thinking about the current districts, House
3 District 5, which is to the north, is -- needs
4 to gain 2,663 people, while District 7, which
5 is the southern district there in Jackson
6 County, actually needs to lose 12,632 people.

7 Moving forward, this was not a map.
8 Obviously you see a chart here in front of you.
9 This was provided to us by a citizen, Ed
10 Winkelseff, who without drawing the districts,
11 proposed how Districts 1 through 7 in the State
12 House could be addressed in the Florida
13 Panhandle. You will see two districts in
14 Escambia County, one in Santa Rosa, one in
15 Okaloosa. District 5 would have four counties
16 within it, Bay County would be whole, and then
17 District 7 started with Calhoun and Gulf County
18 and keep working east, he did not complete that
19 district. If you look in your books there, I
20 won't go through all of them, but if you look
21 through the books there, Districts 1 through 6
22 were the ones he completed in this chart. They
23 all have varying deviations that would need to
24 be looked at ranging from 15.4 percent to 3.4
25 percent, so that would have to be addressed if

1 that were to be considered.

2 Again, coming back, this is the --
3 allowing Bay County to be kept whole, we did
4 hear that quite a lot in that Panama City
5 meeting. That is what Bay County whole would
6 look like in a legislative district. And I
7 already mentioned the deviation of that county
8 there.

9 And the last issue I want to go over with
10 you this afternoon for the northwest region
11 deals with Franklin County and other rural
12 communities and counties. As you can see here,
13 this is Franklin County on the map in yellow,
14 and they requested that they be connected with
15 other rural communities in that area.

16 And that is the end of that region, Mr.
17 Chairman.

18 REPRESENTATIVE SCHENCK: Thank you, Jeff,
19 great job.

20 Any questions on the northwestern region
21 of the state? Representative Bernard, you are
22 recognized.

23 REPRESENTATIVE BERNARD: Thank you, Mr.
24 Chair.

25 I am trying to remember -- in one of the

1 meetings there was some questions in regards to
2 removing Gulf Breeze out of I think either
3 District 2 or District 3. Were there any --
4 did you take a look at that?

5 REPRESENTATIVE SCHENCK: You are
6 recognized, sir.

7 MR. TAKACS: Thank you, Mr. Chairman.

8 I am going to have to go back and look at
9 specifically the notes that we took from that
10 specific meeting. I know that a lot of folks
11 talked about that issue as far as Gulf Breeze
12 being connected with House District 3, and then
13 thinking about those other two communities that
14 were not within District 3. I would have to go
15 back and see if we actually received -- what we
16 tried to do in creating these maps is if we
17 received an instruction of we would like to see
18 Gulf Breeze removed or we would like to see
19 this done -- sometimes folks brought up issues
20 without giving us that instruction, if that
21 makes any sense, but I would have to go back
22 and look in my notes, but that was -- that was
23 talked about as a potential issue, thinking
24 about Gulf Breeze being connected to Pensacola
25 in House District 3.

1 REPRESENTATIVE SCHENCK: Do you have a
2 follow-up question, sir?

3 REPRESENTATIVE BERNARD: No follow-up.
4 Thank you.

5 REPRESENTATIVE SCHENCK: Any other
6 questions?

7 Great job. Moving on to the northeastern
8 portion of our state.

9 MR. TAKACS: Thank you, Mr. Chairman.

10 We are going to talk about the northeast
11 and north central part of the state now, and
12 this first issue here deals with House District
13 19. This is the first example in the
14 presentation here this afternoon about using a
15 roadway as a dividing line between districts.
16 There was a request made by a few folks in the
17 Jacksonville meeting that said, "We would like
18 to bring House District 19 down to where I-295
19 would be the dividing line for that district,
20 while keeping the communities of Mandarin and
21 Fleming Island whole and together," and you can
22 see there on the map, that big red arrow points
23 to where 295 is located. It is important to
24 note, obviously, when you make any kind of
25 change like that, you are talking about

1 population, it is not just talking about land
2 and having it how it looks. We have to meet
3 ideal population.

4 Thinking about that particular district as
5 it currently sits, House District 19 is
6 actually roughly 8,000 short of its ideal
7 population. So if we were to move that
8 district down, we would be removing more people
9 from that district, so they would need to be
10 gained -- that district would need to gain
11 people in other areas to meet that ideal
12 population for a State House district.

13 Moving along, this is keeping Nassau
14 County whole. You can see here, this is what
15 Nassau County looks like. It is a bit unique
16 in that, obviously, we can't go to the north in
17 this district. As much as we might like to, we
18 can't actually redistrict into Georgia, so you
19 have to go south into Duval County or west into
20 Baker County if you were to keep that county
21 whole in this process. So that is what keeping
22 Nassau County whole would look like.

23 Again under the concept of keeping
24 counties whole, we heard testimony from the
25 folks in Clay County requesting the same thing,

1 that Clay County be kept whole. Their main
2 concern was thinking about they are so close to
3 Jacksonville, there was a fear that if they
4 were included into a Jacksonville district,
5 that the Jacksonville Representative would just
6 kind of -- the issues would go all to
7 Jacksonville, and they would feel left out in
8 this process. So they wanted to have a unique
9 Representative for their unique county. It is
10 important to note, thinking of the population
11 of Clay County at 190,865, it is too large to
12 have a whole State House district within it and
13 would need to be divided at least once, but
14 just something to think about moving forward.

15 Under that same concept, keeping Baker
16 County whole, they had a little bit of a
17 different spin on it. Similar to other
18 communities in the Big Bend, they requested
19 that they be connected with other rural
20 counties in the region and be kept whole in
21 this process. Obviously, Baker County, a small
22 populated county, would need to be connected
23 with other counties in the region to create a
24 State House district.

25 Moving forward, looking at State House

1 District 12, we received testimony in
2 Jacksonville asking that the precinct that is
3 in Duval County that is in House District 12 be
4 removed from that district. You can see there
5 where the red arrow is on the screen, that is
6 pointing to where that precinct is. Thinking
7 about the current district, current House
8 District 12 is roughly 2,700 over the ideal
9 population of a State House district.

10 Moving along, this was some testimony we
11 heard a lot in the St. Augustine meeting,
12 keeping St. Johns County whole, and if that
13 wasn't possible, linking St. Johns and Flagler
14 Counties together. We heard that a number of
15 times from a number of folks in that St.
16 Augustine meeting. The map here in front of
17 you is all of St. Johns County. It is
18 important to note that the population of St.
19 Johns County is too large for its own House
20 district, so it would need to be split into at
21 least two districts, and where those districts
22 would go, north, west or south, would be the
23 policy decision, but they are asking if when
24 you do split us, please link us with Flagler
25 County as opposed to Duval County to the north

1 or counties to the west.

2 Again, thinking about another
3 municipality, the City of Deltona, they asked
4 that they be kept whole. Several folks
5 testified on behalf of this saying that Deltona
6 is the largest municipality in Volusia County,
7 and they asked that they be kept whole within a
8 legislative district. So that is what the City
9 of Deltona would look like there. Again,
10 thinking about when municipalities are kept
11 whole, oftentimes there are holes or
12 non-contiguous territories of land that would
13 have to be addressed in order to complete that
14 district moving forward.

15 This was a little more specific. The City
16 of Ormond Beach requested that they be kept
17 whole in House District 26. Currently the vast
18 majority of the City is within House District
19 26. They just asked that the rest of the City
20 be grabbed into House District 26. A couple of
21 things to note: House District 26 currently is
22 actually over in its population by 20,905, so
23 this district as a whole needs to lose
24 residents. Another interesting point here, if
25 you look on the screen, in that purplish color

1 is the city limits of Ormond Beach. A little
2 bit harder to see, but just to the south of the
3 City of Ormond Beach is the city limits to
4 Holly Hill. So if you were to want to keep
5 Ormond Beach whole and not draw a district that
6 then bled over into Holly Hill, you would have
7 to be very careful to do that and you would
8 also have to actually split Voter Tabulated
9 Districts to do so. Of course, Voter Tabulated
10 Districts are the districts that were drawn by
11 the Supervisors of Elections across the state,
12 thinking about keeping neighborhoods whole,
13 thinking about trying to minimize voter
14 confusion, thinking about, you know, common
15 roadways and things of that sort, you know.
16 Just about every meeting, a Supervisor of
17 Elections officer or the actual supervisor
18 themselves testified asking us to not split
19 those Voter Tabulated Districts. So that would
20 be something to keep in mind as you move
21 forward, again, kind of balancing the
22 recommendations of two different entities.

23 Again, under the guise of keeping counties
24 whole, Flagler County, we received testimony
25 from several folks, some on the county

1 commission, as a matter of fact, asking that
2 Flagler County be kept whole within a
3 legislative district, so that is what Flagler
4 County would look like. Currently the county
5 is too small to have a district all to itself,
6 so it would have to be linked with another
7 community or communities within a county to
8 create a district.

9 Moving on to the meeting in The Villages,
10 this was testimony that we heard quite often in
11 The Villages meeting, and that was keep The
12 Villages whole within a legislative district.
13 You can see here on the map that this is
14 what -- roughly what The Villages would look
15 like in a district, and I say roughly because
16 to actually create this visual for you, what we
17 did was looking at census-designated places
18 within Marion and Sumter County -- keep in mind
19 that The Villages is right at the border of
20 three different counties, and actually has
21 parts of three different counties, Marion,
22 Sumter and Lake County, all within it -- so
23 using the census-designated places, and we
24 actually also looked at some maps from EDR,
25 that was how the Marion and Sumter County

1 portions of The Villages was drawn here. To
2 the right-hand side there on the Lake County
3 portion, we used all of the City of Lady Lake
4 to be built into this district. Again, you can
5 see there are holes, potentially non-contiguous
6 areas of land there in keeping The Villages
7 whole.

8 Thinking about Lake County, there was a
9 request made to keep what is called the Golden
10 Triangle, which is the Cities of Mt. Dora,
11 Eustis and Tavares, whole and together within
12 this process. That is what it would look like.
13 It does, you know, basically look like a
14 triangle. Thinking about the population of
15 this district, it is about 45,000 short of what
16 a State House district would look like, so more
17 communities would be needed to add to it, and,
18 of course, looking at that map, some holes
19 would need to be filled and potentially
20 non-contiguous land, again, would have to be
21 addressed to complete that district.

22 Moving forward, keeping Gilchrist and Levy
23 Counties together and linking them with Alachua
24 County, we received that testimony in the
25 Gainesville meeting, and you can see what that

1 looks like there. That district, again,
2 keeping all of those counties together and
3 whole, has a population of 305,000, roughly,
4 which is well over the population of a State
5 House district. So in some way, shape or form,
6 that district as you see in front of you would
7 have to be divided at least once. Where that
8 would be would be up to you.

9 Again under the guise of keeping counties
10 whole, this is Columbia County. They asked
11 that they be kept whole within this process,
12 and they actually said here, as I am looking at
13 my notes here, that they are currently divided
14 between four Representatives in Tallahassee was
15 the testimony, so they wanted to be
16 consolidated so they could have one
17 Representative that they could talk to and work
18 with in the Legislature.

19 Moving back to Lake County, there was some
20 testimony in favor of basically reducing the
21 number of legislators that represent their
22 county. Obviously, Lake County is too large to
23 have just one member, and that community knew
24 it, and obviously there are multiple
25 legislators from that county now, so the

1 request was made to reduce the number of
2 representation here. You can see in the
3 testimony that they gave, they suggested kind
4 of the bits and pieces of two districts. There
5 on your screen, you can see the yellow district
6 is kind of a northern district, while the other
7 purple color, obviously two non-contiguous
8 areas of land which would have to be connected
9 using Sumter County or other communities to the
10 west, thinking about The Villages portion of
11 Lake County and then connecting it with
12 southern Lake County.

13 This was a proposal that we received that
14 relates to four different House districts, 25
15 through 28. What they did here, this was a
16 specific testimony by Mr. Hoyt in Daytona
17 Beach. This was actually written sub- --
18 written testimony that we received. What he
19 was trying to do essentially was keeping cities
20 within that community whole as opposed to some
21 of the splits that are currently in the map in
22 the House districts.

23 Again, thinking about Volusia County, the
24 Daytona Regional Chamber of Commerce made some
25 recommendations on how they would like to be

1 represented. We are going to see a very
2 similar recommendation to this when we get to
3 Palm Beach County, but what they were talking
4 about is the number of districts they would
5 like to see that has a majority of their county
6 within it. They know that their county is too
7 large and that they have to be split, so they
8 made some requests. Thinking about the State
9 House, they would like three majority Volusia
10 County districts within their county. They
11 know that they could be divided. Their current
12 delegation is six, as it says there in the
13 chart, and they would like to see three House
14 members have the majority of their district be
15 in Volusia County.

16 Kind of moving back up towards the Big
17 Bend area of the state, this relates to House
18 District 10. What you see in front of you was
19 the person who testified wanted to see -- this
20 was actually an e-mail that we received. They
21 wanted to see District 10 kind of more squared
22 off. They talk about removing Wakulla and
23 Franklin Counties, and then thinking about all
24 of Jefferson County and then parts of Columbia
25 and Dixie and also taking out Levy County from

1 that district. Some of the counties that they
2 wanted within this district they weren't real
3 clear about as far as their testimony, so,
4 again, just to give you a visual, we created
5 that map there that is in front of you there.

6 Up next is actually a partial submitted
7 map that we received from a member of the
8 public. This is a district that is a northern
9 Lake County district, as you can see. Just one
10 area of note, I am going back to some previous
11 testimony that we heard about. This district
12 would have all of the Lake County portion of
13 The Villages within it, but would not have any
14 of the Sumter or Marion County portions within
15 that, so that community would be divided, but
16 that is what a northern Lake County district
17 would look like. I should note that the
18 deviation on that actual district drawn by the
19 member of the public was 377 people, so well
20 done by them.

21 Moving on is another publicly submitted
22 map. This one creates two House districts,
23 thinking of a northern Lake County district and
24 a southern Lake County district here. You will
25 see that in this particular map, the person

1 made an attempt to grab the Sumter County area
2 of The Villages. You will see that little
3 finger kind of stick out of Lake County and go
4 into Sumter. We believe that is their attempt
5 to try to grab The Villages portion of Sumter
6 County into this district. And then they drew
7 a southern district as well. Thinking about
8 the deviations of this district, the northern
9 district has a deviation of 945 people, while
10 the southern district has a deviation of 276
11 people.

12 And that's the last map that I have for
13 that region, Mr. Chairman.

14 REPRESENTATIVE SCHENCK: Members, are
15 there any questions on the northeastern and
16 north central portions of the state?

17 Seeing none, we will move on to the
18 central region. Take a second and grab some
19 water there. You are doing good work, bud, I
20 got to tell you.

21 MR. TAKACS: Thank you, I appreciate it.
22 Thank you, Mr. Chairman.

23 Yes, moving on to central Florida,
24 testimony that we received in the Lakeland
25 meeting talked about keeping the Cities of

1 Winter Haven and Lakeland and northeast Polk
2 County separate from the rest of the county.
3 The person made the argument that they believe
4 that Lakeland and Winter Haven and the
5 northeast area of the county was more of the
6 metropolitan areas of the county, the more high
7 population growth area, and they wanted to keep
8 that separate from what they called the
9 agricultural areas of the county, thinking
10 about House districts.

11 What this graphic here before you is, it
12 kind of shows -- thinking about the concept of
13 northeast Polk County, that wasn't clearly
14 defined in the testimony. So what we tried to
15 do was to create that red line, as you can see,
16 that grabs the City of Lakeland and the City of
17 Winter Haven and then what we thought might be
18 northeast Polk County there. I should also
19 note that, thinking of northeast Polk County,
20 there is a city within that area, which is
21 Haines City. That particular municipality
22 wasn't mentioned in the testimony, and as you
23 can see in that -- kind of that red line, we
24 kind of drew it right through the middle of
25 Haines City, so that would be divided if a

1 district that looked kind of like that would
2 look like, they would be divided. So that
3 would be something to consider in this process.

4 This was testimony that we received in the
5 Wauchula meeting. This was, again, thinking
6 about a roadway as a -- either an artery or a
7 boundary for a district, and this was actually
8 looking at U.S. 17. Starting in Bartow, going
9 south on U.S. 17 to Arcadia, then thinking of
10 the communities west, thinking about eastern
11 Hillsborough, eastern Manatee, Sarasota and
12 eastern Charlotte Counties, what they were
13 saying is that all of those segments of those
14 counties are all agricultural and should be
15 included into a district that had all of the --
16 those cities that I just listed along U.S. 17
17 into a district all to itself. I should note
18 that it wasn't clearly specified whether U.S.
19 17 would be the eastern boundary of a district,
20 or if that would actually be the heart of a
21 district. Thinking about the testimony and
22 agricultural lands, you could make the argument
23 that east of U.S. 17 also may have agricultural
24 lands that could be included into a district of
25 that sort, but, again, it wasn't specified.

1 Moving on to Pasco County, we received a
2 lot of testimony in Pasco County, as you may
3 remember, about thinking about east and west
4 and even central Pasco County. A lot of --
5 there were basically two arteries,
6 transportation arteries, that were mentioned as
7 potential dividing lines, one being the
8 Suncoast Parkway, the other being I-75. What
9 this map before you looks like is basically
10 thinking of those two -- those two roadways,
11 folks mentioned that there could be a western,
12 a central and an eastern portion of Pasco
13 County drawn into districts, so that's what
14 that would look like. It is important to note
15 that the western district, the green district
16 there, is actually over the population for an
17 ideal House district by quite a bit, by 97,000,
18 roughly, and the central and the eastern
19 districts are both under. So that is just what
20 that would look like using those major roadways
21 as dividing lines.

22 We received specific testimony actually on
23 both sides of the argument about House
24 Districts 45 and 61 and their non-Pasco
25 populations. We received a number of folks who

1 testified specifically in House District 61,
2 but a little bit in 45 as well, that
3 Hillsborough County should be removed from that
4 district, and that district should be more of
5 a -- have more Pasco -- you know, bring it up
6 into Pasco County. There were folks on the
7 other side of the argument who said, you know,
8 we -- in the New Tampa area of Hillsborough
9 County, we have a lot in common with those
10 folks that live in western Pasco County, and
11 similarly, the folks in eastern -- I'm sorry,
12 western Hillsborough having things in common
13 with the folks in western Pasco. So there were
14 arguments on both sides of the argument there.
15 You can see where the red arrows are. Those
16 are the non-Pasco portions of both of those
17 House districts as they currently sit.

18 Again thinking about Pasco County, there
19 was testimony asking that the four precincts
20 that are in Pasco County that are in House
21 District 44 be removed. You know, kind of
22 taking House District 44 out of Pasco County,
23 you can see there, again, where that red arrow
24 is is where those precincts lie if they were to
25 be removed from Pasco County.

1 Next we are moving on to Orange County.
2 This was an example, and we see this to some
3 extent in central Florida and to some extent in
4 south Florida as well, where they may not live
5 in an incorporated city or a municipality, but
6 they say, you know, "I want you to keep my
7 community whole." In this instance, it is the
8 community of Orlovista in Orange County there
9 where 408 and 435 meet, roughly. You can see
10 it there on the map where it says "Orlovista."

11 In the testimony, they did not define the
12 parameters of what their community would look
13 like, so that is why you don't see a map here
14 in front of you. There were not roadways given
15 to us as far as what would define that
16 community, but we did want you to see where it
17 was on the map, thinking about keeping that
18 community whole.

19 Next is -- there were some folks that
20 testified, again, in Orange County, thinking
21 about the concept of keeping an east Orange
22 County seat all to itself that would not link
23 to another community, being Brevard County to
24 the east. You can see there on the graphic
25 before you is the pink district that kind of

1 has a swooping effect there is State House
2 District 32, which has both Orange and Brevard
3 Counties in it. If you look in your book, what
4 we actually did was -- again, without defining
5 the parameters of east Orange County within the
6 testimony, we, just to give you a visual, used
7 State Road 417, the vertical portion of 417, as
8 a dividing line between east and west Orange
9 County to create a district there so you could
10 see what that would look like, but, again, they
11 are just asking that an exclusive east Orange
12 County seat be drawn for the State House.

13 Next here is keeping the Four Corners
14 region whole. The Four Corners area is
15 actually the intersection of Polk, Orange,
16 Osceola and Lake Counties. It is a well-known
17 community called the Four Corners area. If you
18 look on the map, it is a little hard to see on
19 the screen, but if you look in the book there,
20 I put a little circle around it so you could
21 see where those four counties meet. Again,
22 thinking about the testimony that we received,
23 there was not a specific parameter definition
24 of how to define the Four Corners region, so
25 that is why you don't see a map here in front

1 of you. Thinking about roadways or, you know,
2 rivers, lakes, things of that sort, there were
3 no geographic boundaries that were outlined as
4 to define that community.

5 Next would be to connect the City of
6 Apopka with the City of Winter Garden and west
7 Orange County. You can see what those two
8 cities look like here. You can see that they
9 are actually -- there's a little bit of a
10 distance there between the two of them, and
11 actually creates kind of a choice here if you
12 were to decide to go that route. If you were
13 to connect those two cities to the east of Lake
14 Apopka, just to the south of Apopka and to the
15 north of Winter Garden is the City of Ocoee.
16 If you were to connect Apopka and Winter
17 Garden, you would have to either include all of
18 Ocoee, or split Ocoee into more than one -- two
19 or more districts. Obviously, another option
20 would be to go all the way around Lake Apopka
21 and go to the west of that lake, and you could
22 link those two cities that way. Again,
23 thinking about municipalities, again, holes
24 would have to be filled, potentially
25 non-contiguous land would have to be filled and

1 continued as well.

2 Also, too, just as an aside, thinking
3 about what we said earlier about VTDs and Voter
4 Tabulated Districts, oftentimes if you want to
5 draw a district that follows the city boundary,
6 oftentimes you will have to split VTDs as well
7 in that process, so it is something that you
8 would have to weigh as you are creating a
9 district.

10 Next is removing Brevard County from House
11 District 80. The folks in southern Brevard
12 County testified saying, you know, that "The
13 Representative from this district lives in
14 Indian River County, not in my community. I
15 would prefer to have a Brevard County
16 Representative in my district." So they
17 requested that House District 80 be removed
18 from Brevard County.

19 Thinking about south Brevard County, this
20 is keeping the City of Palm Bay whole within a
21 House district. Just thinking about
22 populations, the population of the City of Palm
23 Bay is 103,190, not quite enough for a State
24 House district, so it would need to be linked
25 with other communities within that area.

1 Next we received some testimony as it
2 regards to House District 29. You can see it
3 there on the map, we put the red box around it
4 there. The actual district itself is in brown.
5 It goes from the City of Titusville in northern
6 Brevard County to the Indian River/St. Lucie
7 County line to the south. There were folks
8 that testified -- you know, thinking about the
9 distance that it would take to travel to see
10 their legislator, there were folks who
11 testified thinking about the legislator in this
12 district has to have two district offices
13 because the district is so long, that it would
14 be difficult to represent the people of both of
15 those communities. Interestingly enough, we
16 only received one -- it is in your book here,
17 too. We only received really one suggestion on
18 how to redraw that district, and that is in the
19 book there in front of you, but that is what
20 House District 29 currently looks like, and,
21 again, folks just thought that the distance to
22 travel to their legislator was too far.

23 Moving on, we are back into Orange County
24 now, and thinking about State House districts
25 for blacks and Hispanics, there was testimony

1 that said that in Orange County, there is
2 enough space for two State House districts with
3 a heavy voice for the black community as well
4 as the Hispanic community, two each. You can
5 see here on the graphic here what we did. This
6 actually is just the Hispanic voting age
7 population of 30 percent or higher. The
8 graphic in your book has also the same thing
9 for black members of that community as well.
10 It is important to note, thinking about the
11 testimony that was given, they didn't define
12 the phrase "heavy voice," so we don't know what
13 that means as far as, you know,
14 majority-minority seats, minority access seats,
15 et cetera, but that is what those
16 concentrations of populations would look like.

17 Interestingly enough, thinking about the
18 folks who testified asking for an eastern
19 Orange County seat, this is kind of the flip
20 side of that coin, and some folks from northern
21 Brevard County asked that they not be linked
22 with areas within Orange County that would then
23 produce a district that would have a
24 Representative from Orange County, from the
25 Orlando area, because they -- you know, again,

1 thinking about distance to travel, thinking
2 about things that they have in common with
3 their legislator, things of that sort, so they
4 asked that they not be linked in a district
5 that would likely to produce a candidate from
6 Orlando. Also important to note just for a fun
7 fact, this is actually the very first public
8 submission that we received in the
9 Redistricting Committee, so it is pretty
10 exciting.

11 Next is a partial map that we received by
12 a member of the public. This has four State
13 House districts. This is actually in line with
14 a lot of testimony we received in the Melbourne
15 meeting. A lot of folks in that area asked
16 for -- thinking about State House districts,
17 they asked for a northern, central and southern
18 district within their county, that's kind of
19 what this map achieves. You will note,
20 thinking about Brevard County, it is too big to
21 have three members of the Legislature within
22 it, so it has to have at least four, so this
23 accomplishes that by having four, and you will
24 notice that the northern area of Brevard County
25 is split basically on an east/west line with

1 the Titusville area and that area of north
2 Brevard linked with Volusia County to the
3 north.

4 Kind of jumping all around the map here, I
5 apologize for that. We're going back to Pasco
6 County here. This is a publicly submitted map
7 for five State House districts. You will see
8 they kind of -- thinking about that map that we
9 talked about earlier for Pasco County, thinking
10 about I-75 and the Suncoast Parkway, they tried
11 to use or come close to using that area as well
12 in defining east, west and central Pasco
13 County. As you can see for both the central
14 and eastern districts, they had to go both
15 north -- well, the eastern district had to go
16 both north and south, whereas the central
17 district just went south into Hillsborough. So
18 that is what that would look like there. You
19 can see that the Hernando-based seat to the
20 north does not come into Pasco County, which
21 would be similar to the testimony that was
22 received earlier about that district not being
23 in Pasco County.

24 Again, this was a partially submitted map
25 from a member of the public. This is thinking

1 about a State House district that is based in
2 Indian River County. What you will see is that
3 they used the western part of Indian River
4 County, the western part of Brevard County, as
5 well as linking it with Okeechobee and Osceola
6 and even maybe portions of Polk County as well.
7 So the thought process there was maybe that
8 they were trying to create an
9 agricultural-based district. They didn't say
10 when they submitted the map, but that could be
11 ascertained from that. The deviation of that
12 district is 251 people for a State House
13 district.

14 Mr. Chairman, that is my last map for that
15 region.

16 REPRESENTATIVE SCHENCK: Any questions on
17 the central region of the state?

18 Representative Bernard, you are recognized for
19 a question, sir.

20 REPRESENTATIVE BERNARD: Thank you, Mr.
21 Chair.

22 I know you haven't addressed the southeast
23 portion yet. Was -- is District 29 also in the
24 southeast portion?

25 REPRESENTATIVE SCHENCK: You are

1 recognized to answer that.

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

3 For the purposes of the way we had our
4 hearings, it was not. It is not in the --
5 well, I guess -- well, thinking about Indian
6 River County, I guess there could be some
7 bleed-over between the central area and the
8 southeast area, just thinking about how we had
9 our meetings. We did have a meeting in Stuart,
10 so I guess it could be theoretically that
11 someone from Indian River County may have
12 traveled to Stuart to testify in that meeting.
13 I would have to go back and look and see if
14 that actually happened.

15 REPRESENTATIVE BERNARD: Okay. Thank you.

16 REPRESENTATIVE SCHENCK: Any follow-up
17 questions?

18 Seeing none, we will move on to our fourth
19 and final region of the state today, the
20 southeastern region. Jeff, you are recognized.

21 MR. TAKACS: Thank you, Mr. Chairman.

22 The first issue within this region is the
23 community of Indiantown, which is in western
24 Martin County. It has roughly 6,400 residents.
25 Actually, an employee of the Supervisor of

1 Elections' office testified, asking that
2 Indiantown be kept whole within a legislative
3 district. It is actually currently split
4 between three House districts. You can see
5 there Indiantown is not a municipality, it is
6 more of a community, so it is circled there on
7 the map. We didn't receive specific parameters
8 as to what would define Indiantown, but you can
9 see on the map that that's where that is about,
10 and, again, they asked that that community be
11 kept whole in the redistricting process.

12 Thinking about being kept whole, we
13 received testimony asking that all of Martin
14 County be kept whole within a single House
15 district. That's what that would look like
16 there. It is important to note with Martin
17 County's population of 146,318, it is a bit too
18 small to have a House seat unto itself, so it
19 would have to be connected to another county or
20 to another community to it to meet that ideal
21 population for a State House district.

22 Next was actually -- this was kind of
23 interesting. We received specific testimony on
24 how to draw a map. They didn't actually submit
25 the map to us, but they gave us specific

1 verbiage on how to draw two House districts in
2 the Martin County/Treasure Coast area. The
3 district to the west, they said that if you
4 used the Turnpike there in Martin County as the
5 dividing line, putting all of west Martin
6 County into a district with all of Okeechobee
7 and Highlands Counties, that could be a State
8 House district, and they talked about it being
9 maybe a more rural or agricultural district in
10 that region of the state. It is important to
11 note that that population deviation is 284
12 people, or .2 percent of a deviation.

13 Thinking about the next district there on
14 this map to the east, what they said was
15 basically what is not in that western portion
16 west of the Turnpike in Martin County, the rest
17 should be within its own district, all of
18 eastern Martin County. They also talked about
19 coming south as far as the City of Tequesta.
20 What we did here was -- this is all of east
21 Martin County within a district. We did not go
22 down into Palm Beach County, because the City
23 of Tequesta kind of comes right up there on the
24 border, so we just kind of stopped it there at
25 the Martin County line. Thinking about that

1 second district, it would have to go further to
2 the south or to the north because it doesn't
3 meet the ideal population for a House district.
4 That district there is currently roughly
5 128,700. So that is how that district would
6 look, those two districts would look.

7 Again, thinking about keeping cities
8 whole, we received a lot of testimony in
9 southeast Florida about keeping municipalities
10 whole within this process. This is the example
11 of the City of Boca Raton asking to be kept
12 whole in this process. It is important to
13 note, thinking about this more from a global
14 perspective, if you are in a county and you
15 have several or many municipalities asking to
16 be kept whole within this redistricting
17 process, more likely than not, that is not
18 going to be able to happen for all of those
19 municipalities, thinking about meeting ideal
20 populations, especially for a State House
21 district. If you were thinking about a Senate
22 or a congressional district, you might be able
23 to achieve that, because you have to grab more
24 people, but with a State House district with it
25 being the size that it is, you may not be able

1 to keep every municipality whole that you would
2 like to in this process, and a policy decision
3 would have to be made as to which
4 municipalities would be split up. This is an
5 example of where, obviously, feedback from
6 members and your constituents would be
7 important hearing about which municipalities
8 should be kept whole and not in this process as
9 we move forward.

10 Next was testimony that we received by the
11 Coalition of Boynton West Residential
12 Associations, which is a coalition of
13 neighborhood associations within that
14 community. What they did was they asked for
15 basically the parameters of their coalition to
16 be kept together within a single House
17 district, and you can see that on the graphic
18 above. They gave some specific, you know,
19 geographical marks to create a district that
20 would look like this, and this was about what
21 we thought that would look like. So you can
22 see that that district there in the west
23 Boynton Beach area, that district before you
24 has roughly 111,000 people, so it is a bit too
25 small for a House district, so we need to be --

1 more communities would need to be added to it.

2 This particular example talks about the
3 community of Wynmoor, which is currently split
4 between House Districts 95 and 92. They asked
5 that they be kept whole within District 95, and
6 that District 95 be solely housed within
7 Broward County. So that is what the current
8 map looks like there. You can see kind of the
9 circle area. Again, thinking of some of these
10 communities, we didn't receive what the
11 parameters of that community would look like,
12 so that circle is kind of a guesstimate as to
13 what that community would look like. And,
14 again, it is currently split between the two
15 House districts, and that's what that looks
16 like on the current map.

17 Conversely, this is an example of a
18 community that gave us the exact parameters of
19 what their community looks like, and this is
20 the community of Eastgate within Lauderdale
21 Lakes. This was actually the first person to
22 testify in the Dania meeting. And you can see
23 here on the -- where that rounded square is,
24 that is exactly what they said was the
25 parameter of Eastgate, and what they said was

1 they would like to be kept all within House
2 District 94.

3 Again thinking of the concept of keeping
4 cities whole, this is the City of Cooper City,
5 and they asked to be kept whole in this
6 process. And although it is not in my
7 PowerPoint presentation, it is important to
8 note that there were some folks who actually
9 testified that the City of Cooper City should
10 be connected with Dania as well, so that is
11 something to consider as we move forward.

12 Moving into Miami-Dade County, this is the
13 community of Kendall. They asked that they be
14 kept whole in this process as well, again,
15 similar to other communities across the state.
16 In the testimony, we didn't receive exact
17 parameters of what that community would look
18 like, so we didn't want to blindly draw a
19 district to capture what they were saying, and,
20 again, where feedback from constituents would
21 be welcomed. And, again, this is keeping the
22 community of Kendall whole within a House
23 district.

24 The next is testimony that we received
25 asking that we create opportunities for Palm

1 Beach Hispanics within the State House. You
2 can see here on the map what we did was we got
3 to the VTD level and showed some concentrations
4 of Hispanic persons that are voting age
5 population. What you see on the screen are
6 folks that are 30 percent or more within that
7 concentration of that VTD. It is important to
8 note that as a whole, Palm Beach County has a
9 Hispanic voting age population of 17 percent.

10 Kind of along similar lines, we received
11 testimony that said that we should not dilute
12 Hispanic representation for Broward County.
13 You can see here in that purple outline there,
14 that is the county boundaries for Broward
15 County. This is the -- this is actually the --
16 I think that is actually the congressional map
17 on your screen, but what they noted is thinking
18 about diluting Hispanic representation, it is
19 important to note that Broward County currently
20 has two Hispanic members in the State House, so
21 that is -- they are asking to not basically
22 dilute or reduce that number.

23 The folks of Coconut Creek asked that
24 their current levels of representation be
25 maintained, and actually, they currently have

1 two State Representatives within their city.
2 This is actually what all of the city would
3 look like, but they asked that they keep their
4 split. Again, you do see that in some of these
5 cities across the state where they ask, "No, we
6 don't want to be kept whole, we want to have
7 more than one voice in Tallahassee, so we like
8 our current level of representation," and the
9 City of Coconut Creek is an example of that.

10 We received testimony asking that we
11 maintain the Palm Beach County
12 majority-minority black districts, both in the
13 State Senate and the State House. You will see
14 there that both of those districts are outlined
15 on the map. House District 84 is on that
16 bottom map there before you.

17 This was an interesting example. What we
18 received in this, it was actually a written
19 submission that we received, was there wasn't
20 specific directions on how to draw a map, but
21 what they did was saying if you were to draw a
22 map within Palm Beach County, there are
23 specific areas in northern, central and
24 southern Palm Beach County that could be linked
25 together that have similar interests, similar

1 ideas, similar communities that could be linked
2 together to be districts. So that is all of
3 Palm Beach County as a whole, and, again, if
4 you look at the testimony in your book there,
5 you will see what cities they specifically were
6 talking about, including into districts as we
7 move forward.

8 Again, similar to what I just said a
9 moment ago, some folks in Okeechobee County
10 asked that they maintain their current level of
11 representation. Similar to the City of Coconut
12 Creek, Okeechobee County has two members of the
13 Legislature in the State House, and they asked
14 that that be maintained.

15 Moving on, we received testimony regarding
16 House District 78. Some folks testified that,
17 you know, it was a challenge for whoever
18 represented that district to represent all of
19 the people within that community. You can see
20 that on the screen here, that district is the
21 reddish district that goes from the City of Ft.
22 Pierce all the way south, thinking about where
23 Delray Beach is, in that area. Again, some
24 folks testified thinking that it would be
25 difficult for a member of the Legislature

1 representing that district to be able to do the
2 travel necessary, it is too large, those sorts
3 of things. Interestingly enough, just thinking
4 about ideal population, District 78 is roughly
5 520 people short of the ideal population.

6 Next, thinking about Indian River County,
7 Representative Bernard, this answers your
8 question. We did receive testimony in that
9 southeast region, thinking about Indian River
10 County. We also received some in the central
11 region of the state. The testimony here was
12 asking that Indian River County have two
13 members in the State House. You can see they
14 asked to be kept whole in the congressional and
15 Senate maps, but for our purposes here, they
16 asked that they be divided into two members of
17 the House, and you can see this is actually
18 just the current districts there, District 29
19 to the left and then District 80 to the right.

20 As I mentioned before, thinking about what
21 we heard from the Daytona Beach -- what is it
22 called -- the Daytona Beach Chamber of
23 Commerce, excuse me, this was -- we received
24 some priorities from the Palm Beach County
25 Commission as it relates to redistricting, and

1 it really talks about the number of districts
2 that are a majority of their county, and they
3 asked -- thinking about Palm Beach County as a
4 hole, it has enough for roughly eight and a
5 half House districts, and what they propose was
6 they would like to see nine members of the
7 House of Representatives representing Palm
8 Beach County.

9 Mr. Chairman, that concludes -- wait, I'm
10 sorry, I have one more. Sorry about that.

11 This was some written testimony, it is not
12 a map here on the screen, but this is some
13 testimony that we received, again, thinking
14 about Palm Beach County. This gentleman wrote
15 to us thinking about the nine House members
16 representing Palm Beach County and the House of
17 Representatives. That's the summation of
18 that written testimony.

19 REPRESENTATIVE SCHENCK: Excellent. Any
20 questions on the southeastern region?
21 Representative Bernard, you are recognized for
22 a question, sir.

23 REPRESENTATIVE BERNARD: Thank you, Mr.
24 Chair.

25 Were there some concerns in regards to

1 like Miramar and Pembroke Pines that were
2 brought up?

3 REPRESENTATIVE SCHENCK: You are
4 recognized, sir.

5 MR. TAKACS: Thank you, Mr. Chairman.

6 Yes, Representative Bernard, there were.
7 If you look in the book, there are some issues
8 within there that were talked about, again,
9 thinking about, for the sake of time, I just
10 didn't bring up every issue that was raised,
11 but there are some issues in the book thinking
12 about the City of Miramar in that area.

13 REPRESENTATIVE BERNARD: Thank you, Mr.
14 Chair.

15 REPRESENTATIVE SCHENCK: Any further
16 questions?

17 This is probably as good a time as any
18 just to thank our staff. I mean, if you went
19 to all these meetings, if you toured around the
20 state, you know exactly how organized we were,
21 and that is a great credit to our professional
22 staff, so thank you very much, and that
23 presentation was amazing. If there's ever a
24 legislative geography bee, you are going to be
25 my first draft pick, because I feel like you've

1 really got a good grasp of the state of
2 Florida.

3 Also worth noting on the subject of those
4 meetings, we have a few redistricting
5 celebrities on this Committee, people who
6 actually made it to all 26 committee meetings.
7 One is Representative Bernard, one is
8 Representative Clarke-Reed, one is
9 Representative Julien. Representative Rogers
10 made it to 25, just one spot short of
11 perfection. Representative Passidomo made it
12 to 22, so that was quite an effort. I, myself,
13 did not.

14 Having seen that, having seen no
15 questions, just as a reminder, in the early
16 October interim committee meeting, the
17 subcommittee will cover the fifth region,
18 southwest Florida, and the complete or near
19 complete maps submitted from the public.

20 Thank you again for all your hard work so
21 far in this process. I look forward to
22 working -- continuing to work with you, all of
23 you, over the coming months, and with that,
24 Representative Young moves we rise.

25 (Whereupon, the proceedings were

1 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 66 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 21st day of February, 2012.

CLARA C. ROTRUCK

Notary Public

State of Florida at Large

Commission Expires:

November 13, 2014

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REDISTRICTING SUBCOMMITTEE MEETING
MONDAY, SEPTEMBER 19, 2011

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 REPRESENTATIVE WEATHERFORD: Okay, if we
3 could get everybody to get in their seats, we
4 are going to get started.

5 Katie, would you please call the roll?

6 THE CLERK: Representatives Adkins?

7 REPRESENTATIVE ADKINS: Here.

8 THE CLERK: Bernard?

9 REPRESENTATIVE BERNARD: Here.

10 THE CLERK: Chestnut?

11 REPRESENTATIVE CHESTNUT: Here.

12 THE CLERK: Dorworth?

13 REPRESENTATIVE DORWORTH: Here.

14 THE CLERK: Eisnaugle?

15 REPRESENTATIVE EISNAUGLE: Here.

16 THE CLERK: Fresen?

17 REPRESENTATIVE FRESEN: Here.

18 THE CLERK: Frishe?

19 REPRESENTATIVE FRISHE: Here.

20 THE CLERK: Holder?

21 REPRESENTATIVE HOLDER: Here.

22 THE CLERK: Hukill?

23 REPRESENTATIVE HUKILL: Here.

24 THE CLERK: Jenne?

25 REPRESENTATIVE JENNE: Here.

1 THE CLERK: Jones?
2 REPRESENTATIVE JONES: Here.
3 THE CLERK: Kiar?
4 REPRESENTATIVE KIAR: Here.
5 THE CLERK: Lo- -- Legg?
6 REPRESENTATIVE LEGG: Here.
7 THE CLERK: Nehr?
8 REPRESENTATIVE NEHR: Here.
9 THE CLERK: Precourt?
10 REPRESENTATIVE PRECOURT: Here.
11 THE CLERK: Rogers?
12 REPRESENTATIVE ROGERS: Here.
13 THE CLERK: Rouson?
14 REPRESENTATIVE ROUSON: Here.
15 THE CLERK: Schenck?
16 REPRESENTATIVE SCHENCK: Here.
17 THE CLERK: Workman?
18 REPRESENTATIVE WORKMAN: Here.
19 THE CLERK: Chair Weatherford?
20 REPRESENTATIVE WEATHERFORD: Here.
21 THE CLERK: Quorum is present.
22 REPRESENTATIVE WEATHERFORD: All right.
23 Welcome, everyone. I can tell it is the first
24 committee week, because almost everybody is on
25 time and in their chairs, so it is -- this is

1 the gold standard, as Representative Fresen
2 said. We are starting on a very high note here
3 with punctuality, so we appreciate that.

4 I want to say really quickly, you know, we
5 just spent the entire summer with each other
6 around the state of Florida hearing from
7 citizens all across, and I want to thank,
8 obviously, the 5,000 citizens that came out to
9 hear us and to offer suggestions, and over
10 2,000 people who gave specific instruction.

11 I think that we should all be proud of the
12 fact that we were able to solicit that much
13 information from the public, and so I
14 appreciate you all taking the effort and
15 spending time away from your families to do
16 that.

17 And I just have to point out, there is --
18 one of the first rules in politics is that you
19 don't make the Chairman look bad, but I would
20 just like to point out for the record that
21 Representative Bernard and Representatives
22 Clarke-Reed and Julien both went to every
23 single hearing around the state of Florida,
24 didn't miss a single one.

25 So you guys -- they are the gold standard

1 and they are probably crazy, but -- no, we are
2 grateful to you all. And I have to -- I was
3 just telling Representative Rogers, I felt bad
4 about it, you know, she doesn't get the
5 present, but she actually went to 25, so she
6 slept in on one of those meetings, we haven't
7 decided -- we haven't decided which one it was.
8 And the only other person who put in the kind
9 of above and beyond was Representative
10 Passidomo went to a significant amount, I think
11 22 out of the 26. We appreciate you doing that
12 as well. She says 23, we will figure it out.

13 If you all will bear with me for a minute,
14 there's a lot of information to go through
15 today. This is the full committee, as you
16 know. We've got subcommittee meetings all
17 afternoon, but I am going to try to kind of
18 download to you a lot of information about
19 what's going to happen over the next few
20 months, and so if you will bear with me, I've
21 got a lot of notes here that I want to walk you
22 through, and then we will have some time for
23 Q&A, and then we will have staff walk us
24 through a very brief presentation.

25 So the first thing I want to do is kind of

1 briefly talk about some of the expectations of
2 what is going to happen for the next few
3 months. The bulk of the work during those
4 months are going to be done at the subcommittee
5 level. So most of the work, substantive work,
6 I am hoping, just like any committee, will be
7 done in the subcommittees. I can only expect
8 that we as a committee will meet probably two
9 or three more times prior to when it is that
10 the subcommittees would report the
11 redistricting bills to us. So this Committee
12 will not be meeting on a regular basis
13 throughout the committee process, but the
14 subcommittees will.

15 So over the next few months, I would
16 encourage each of you to pay close attention to
17 what is going on in all the subcommittees.
18 Regardless of whether you serve on one of the
19 subcommittees, we as a group will have to be
20 very critical of the work and the product that
21 comes before us. We are going to have to
22 answer questions like: Do the maps pass and
23 meet the requirements of the Federal Voting
24 Rights Act? Do the maps meet the standards of
25 Florida's Amendments 5 and 6?

1 Have the subcommittees really vetted a
2 number of options for those maps? Those are
3 the questions that we are going to have to
4 answer as the maps come to us. And,
5 ultimately, whatever exactly the maps look
6 like, we put forth to the entire membership of
7 the House, we as a group have to explain to the
8 entire membership what those plans do and if
9 they meet the requirements both in federal and
10 state law.

11 So just a quick history lesson that we
12 have all heard before, but I think it is worth
13 saying again, how did we get here today. As
14 you all know, over the last several months we
15 have gathered input from thousands of citizens
16 across Florida regarding where and how
17 congressional and state legislative districts
18 should be drawn. So I mentioned it earlier,
19 but I am going to hit it again, a couple of the
20 facts. The first is at our 26 hearings, we
21 were in 25 counties, and approximately 5,000
22 people came to the meetings and approximately
23 2,000 actually presented ideas. That is
24 historic.

25 To date, we are in receipt of 64 partial

1 or complete maps from the public. Ten years
2 ago, just for comparison, the Legislature only
3 received four maps. We've had 64 today.

4 We are also in receipt of more than 200
5 additional unique suggestions for maps that
6 came to us from social media, e-mails, letters,
7 faxes, we even got one in a postcard. So we've
8 gotten a lot of feedback that way as well.

9 At this point in the process, our
10 committees will begin digesting all of the
11 information so that members can react, make
12 suggestions and mesh out the ideas with the
13 legal requirements that the federal and state
14 laws require. Based on this public input, each
15 subcommittee will have more than enough
16 information to prepare committee proposals in
17 addition to any individual member bills that
18 may be offered.

19 My overall request to the subcommittees
20 and to the Chairmen specifically is this: I
21 would ask that you provide at least three
22 complete options for each type of map. Now,
23 what that means is that you would send this
24 Committee three Congressional maps, at least
25 three Senate maps and at least three options

1 for a State House map. Exactly how each
2 subcommittee meets that goal is up to the
3 member of that subcommittee and -- members of
4 that subcommittee and the Chairman, but my
5 suggestion would be that you consider four,
6 five, six or even more complete maps and make
7 it a combination of either member bills or
8 committee bills. Regardless, our staff is
9 available to everyone to help you develop those
10 proposals or the amendments to those proposals.

11 Now let's talk a little bit about the time
12 line that we are working under and some of the
13 practical suggestions that we have. If the
14 committees are going to report three options
15 each to this Committee, I would recommend that
16 the members who wish, just to file
17 redistricting bills. So if you are a member on
18 this Committee or on a subcommittee or any
19 member of the Legislature, and you plan to file
20 a bill, we would ask that you do so before the
21 November 14th committee week. And now I would
22 have to tell you that November 14th also
23 happens to be my birthday, not that I am asking
24 you to take notes on that, but, you know, there
25 is no coincidence, but it is my birthday, so by

1 my birthday, we would hope that every member of
2 this body has turned in a map, or if you are
3 going to turn in a complete bill, do it by that
4 date. We say it this also because it is
5 expected that the subcommittees workshop on
6 redistricting maps so that any redistricting
7 maps that can get voted on have time to mature
8 and allow members to look at those bills and
9 really understand them before they are asked to
10 take a vote. So, in other words, it is
11 preferred that the votes taken on maps reflect
12 more than one committee meeting in which that
13 map is discussed. So we would like to have
14 those maps be out there for the public and for
15 you to analyze very critically.

16 For the public, I would recommend that
17 members of the public submit any original
18 suggestions for maps, original suggestions for
19 maps, before November 1st. Now, the reason why
20 we do that and we ask for November 1st for the
21 public and November 14th for members is because
22 that gives members the opportunity of about two
23 weeks to study those submissions by the
24 citizens before your own suggested deadlines.
25 Of course, we will accept comments and

1 suggestions from the public throughout the
2 process, but practically speaking, anything
3 received November 1st or thereafter will have
4 to be viewed as more comments and reactions to
5 the maps that we are already working on through
6 the process.

7 Now, let's talk a little bit about
8 exceptions to each of you as members -- I'm
9 sorry, not exceptions -- expectations to each
10 of you as members and who might present
11 redistricting maps or amendments to maps.
12 Members who would like to submit maps or
13 amendments in committee will be given as much
14 courtesy as possible to get their ideas on the
15 agenda to be presented; however, it is
16 important to note that members will be expected
17 to explain the details of their maps or their
18 amendments. And so even if you are opting to
19 file a map that has already been offered by the
20 public, what we would ask you to do is if you
21 are going to submit a map, whether it is an
22 amendment or actual original map, that you be
23 able to explain what that map does district by
24 District. That is very important. We are
25 going to ask every person who is submitting

1 maps to be able to do that. That helps the
2 process work better. So, please, know your
3 maps.

4 Also, Representative Adkins, Eisnaugle,
5 Fresen and Jones, since you are on this
6 Redistricting Committee but you are not on a
7 subcommittee, I would ask that you attend a mix
8 of the subcommittee meetings so that when the
9 Redistricting Committee meets those two or
10 three times prior to receiving maps, you will
11 be able to report to this Committee your
12 observations of the big picture issues that the
13 Redistricting Committee should be prepared to
14 address when it receives those maps from the
15 subcommittees. I may ask you also to brief the
16 Redistricting Committee on common themes,
17 challenges and the results of the
18 subcommittees' report.

19 Now, members, regarding the packet that
20 you have in front of you -- as you can see,
21 everybody should have one. If you don't have
22 one, raise your hand. In the packet, you will
23 find summaries of the verbal and written
24 testimony that we have received thus far from
25 the first four of the five regions that we

1 visited this summer, so the Panhandle,
2 northeast Florida, central Florida and
3 southeast Florida. This is the material that
4 the subcommittees will cover today in their
5 review of public input. In the early October
6 interim committee meeting, the subcommittees
7 will cover a fifth region, the southwest
8 Florida, as well as we will cover all the
9 complete maps that were submitted to the
10 Legislature on-line. So essentially what we
11 are doing is we have broken this discussion up
12 into two interim committee weeks, and we will
13 add southwest Florida and the other maps for
14 the second week into the packet.

15 In addition, we have included for you in
16 the fifth tab, summary level data regarding the
17 first 63 maps that have been submitted from the
18 public. All of this information will be
19 available on the Florida redistricting website
20 for anyone in the public to review it. Feel
21 free to take all this information with you
22 today, and note, if you are on one of the
23 subcommittees, you are going to get the same
24 packet again.

25 And just one last note before I turn it

1 over to questions that many of you may have, in
2 the next day or two, I am going to be sending
3 out probably a memo to all the members of the
4 House, not just the members of the Committee,
5 refreshing everybody about the procedural rules
6 that will guide us as we go through this
7 process, so you will be getting that as well.

8 I know that was a mouthful, but I think we
9 covered a lot of territory. Are there any
10 questions from the members of this Committee in
11 regard to what I just discussed? Any comments
12 from this Committee on what I just discussed?
13 Well, you guys are good, okay.

14 With that, with the remaining time, what I
15 am going to do is ask our staff director, Alex
16 Kelly, to give us a brief update as to what is
17 going on with our websites and all the public
18 information that we have, but before I turn it
19 over to Alex, I just want to say this: For
20 those of you who went to numerous public
21 hearings around the state, I think everyone
22 took notice on how organized we were, how well
23 run the meetings were. All that happens, it
24 looks really smooth when you are running the
25 meeting, but I can tell you, it is like a duck

1 on a pond, those legs are churning underneath,
2 and those legs that were churning were our
3 staff here in the Florida House, and led by
4 Alex Kelly, our entire staff did a great job
5 around the state of Florida at all 26 hearings,
6 so we thank you very much for that.

7 So with that, now that we have embarrassed
8 you with kind words, Alex, it is -- you are in
9 charge, buddy, take over.

10 MR. KELLY: Thank you, Mr. Chair.

11 Members, we just wanted to briefly go over
12 with you today, now that the public meetings
13 are over and you are embarking on interim
14 committee meetings, what has changed regarding
15 the public information, what is new on the
16 websites, and where -- the kinds of questions
17 your constituents may put your way, where you
18 can find information to answer their questions
19 now that you are entering the interim committee
20 meetings. And just looking at
21 floridaredistricting.org, if you look on the
22 left side of the page, what you will see are
23 the "Legislative Headlines," and that section
24 of the page is meant to provide the latest,
25 most current information; for example, the

1 information that is in your packets today, it
2 is right there, so that if any of your
3 constituents are unsure as to where to find the
4 most recent bills that have been filed when
5 redistricting bills do get filed, the most
6 current information by default, they can go to
7 floridaredistricting.org under "Headlines,"
8 look right there.

9 If you scroll down the page a little bit,
10 the "Public Participation" section has been
11 there for some time, but just based on actually
12 questions that we tend to get from your
13 legislative aides, I wanted to point out the
14 concepts and terminology document. That is
15 probably one of the most frequent questions we
16 get from your staff presumably from your
17 constituents. I just wanted to point that out
18 for you.

19 And then if you scroll down a little
20 further, the "Legal Concepts," if you need a
21 refresher on the information that you heard
22 back in April during the last session, the
23 presentations on redistricting, legal issues,
24 state issues, federal issues, all that
25 information is right there.

1 And if you move over to the right side of
2 the page, again, under the heading of questions
3 that your staff tend to ask and presumably
4 probably are coming from your constituents, the
5 "Additional Resources," probably the most
6 popular documents we actually have on the site,
7 that is where you can get the information
8 pertaining to the population numbers for your
9 current districts, what they need to lose or
10 gain to achieve equal population, the current
11 maps and so forth.

12 If you scroll up the site, I just wanted
13 to highlight a few of the buttons here that
14 have changed a little bit where there's new and
15 additional information. The "Public Hearing
16 Videos" button, if you noticed when you were
17 going around the state during the public
18 meetings, it said "Watch Meetings Live."
19 There's still an archive of all the videos and
20 downloadable audio files right there, it just
21 reads differently, but that is where you can
22 get direct access to the meeting videos if you
23 need to reference them or download an audio
24 file from the 26 meetings.

25 If you scroll up a little bit to "Meeting

1 Records" -- and in fact, Ben, if you could open
2 the page -- the different information that
3 comes out of meetings like this, the public
4 meetings from the summer, you probably realize
5 that you have to go to four or five web pages
6 to get that kind of information. That can be
7 burdensome on your constituents. And so in
8 duplicate to what is on myfloridahouse.gov and
9 The Florida Channel's website, links to all the
10 videos, podcasts, presentations and so forth
11 are all right there on that page. So there's
12 one-stop shop for all that information.

13 Ben, if you could go back to Florida --
14 thank you.

15 And the "Blog and Resources" page, that
16 page is ever changing. It is just additional
17 information for your constituents who really
18 wish to dive into the details of redistricting,
19 and there's always information there regarding
20 greater insight into meetings just like this.
21 So for your constituents who are trying to
22 connect the dots between the summer meetings
23 and what you are doing now, there's always blog
24 posts there and there's additional information
25 if they really, again, want to dive into the

1 details of this redistricting process.

2 And then the last thing we want to show
3 you is the "Public Submissions" button, and
4 this is probably a question that we also get
5 quite frequently, which is just where to go
6 look at the 63, and we actually got a 64th that
7 will be added to the site soon, but the 63
8 public submissions that are on the Web now. Go
9 to this page, the "Public Submissions" page,
10 and here what you actually find is a blog-style
11 page where you can get a quick view of the
12 maps -- and, Ben, if you want to click on the
13 -- wrong button. There you go. If you want to
14 get a quick view of one of the maps that's been
15 submitted, or if you want to get more detailed
16 information, the data that goes with the maps,
17 if you really want to actually download the
18 maps and actually pull them up in My District
19 Builder yourself, you can do that all here at
20 the website. And, Ben, why don't you close
21 that. You can search the maps here at the site
22 by category, if it is a complete Congressional
23 plan, a partial plan, a complete House plan,
24 partial House plan. You can search by the name
25 of who may have submitted it, so if you know a

1 particular person submitted a plan, but you
2 don't know anything else about it, you can
3 search by their name. You can search by the
4 counties that it impacts if it is a partial
5 plan. But the neatest thing that you can do
6 here the at the website -- Ben, why don't you
7 go to that first plan -- is you can actually
8 download the files and upload it in My District
9 Builder. Ben is going to click on what is
10 called the KMZ file and he is going to save
11 that. Why don't you save that to the desktop.
12 Just hit "Yes." And Ben just saved the file
13 from Mr. Ed Wendell's State Senate district
14 that he submitted. And, Ben, why don't you go
15 to My District Builder. And Ben is going to go
16 into the "File" tab and he is going to click on
17 "Open," and he is going to go find that file
18 and he is going to click on "Open," and that is
19 just telling you that this could take a moment.
20 If it is a statewide plan, it might take up to
21 a full minute, but it is just one district, so
22 -- Ben, why don't you do a full screen view.
23 So pretty quickly Ben was able to save the plan
24 that someone in the public submitted to his
25 desktop, he opened it in My District Builder

1 and now he can actually work with that plan.
2 So if one of your constituents or someone else
3 submits a plan that you like or you want to
4 work with, that is how you can pull the plan
5 into My District Builder and then from there,
6 edit the plan yourself and resubmit it as your
7 own work product.

8 And with that, Mr. Chair, I would be happy
9 to answer any questions.

10 REPRESENTATIVE WEATHERFORD: Great, thank
11 you. Thank you very much, Alex.

12 Members, any questions for Alex? Yes,
13 Representative Kiar, you are recognized.

14 REPRESENTATIVE KIAR: Thank you,
15 Mr. Chair, and thank you, Alex.

16 Actually, I have a quick question. Is
17 there -- and I should have asked you this
18 before, but I forgot. Is there a way to also
19 pull it up in Google maps? I just find Google
20 maps to be very easy, and I know on the Senate,
21 we can do it, but I was trying to figure out
22 how to do it in the House.

23 MR. KELLY: Representative, we could give
24 you a link to do that, we could provide you
25 with a link to do that. And if you would like,

1 we could provide those links on the site.

2 REPRESENTATIVE KIAR: Okay.

3 REPRESENTATIVE WEATHERFORD: Thank you,
4 good question. Any other questions?

5 Okay. Well, thank you very much, Alex.

6 Members, that is pretty much it for
7 business today. I just want to take a brief
8 moment to thank you all again. I thought that
9 the tour around the state and the listening
10 tour was tremendously successful. Two thousand
11 people showed up to give us their thoughts.
12 They are going to be in your packets, study
13 them and understand them, and we will be back
14 and waiting for the subcommittees to get to
15 work, so we look forward to working with you.

16 I'm sorry, Representative Jones, you had a
17 question?

18 REPRESENTATIVE JONES: Okay, first day
19 back, I've got to remember how to use the
20 mikes. Thank you, Mr. Chairman.

21 I know that prior to us leaving to go
22 to -- on our tour, there was a lawsuit that was
23 being undertaken. Can you give us an update on
24 where we are on that? I know there was a
25 ruling made.

1 REPRESENTATIVE WEATHERFORD: Absolutely.
2 There's a good question. It was in regard to a
3 lawsuit that was filed in regard to Amendment
4 6, which the House intervened in that.
5 Apparently, the -- I think it was written -- I
6 don't know the proper terminology, because I am
7 not an attorney, but I guess the case was
8 thrown out basically, the proponents lost. The
9 House, obviously we respect the decision of the
10 Court, and I don't think any decision has been
11 made in regard to what the future of that
12 lawsuit will be, and so we will keep you up to
13 speed on that. I think there would be an
14 announcement of some sort to the membership if
15 that were to change, but right now I think I
16 would just tell you we respect the decision
17 that was made by the Court and will continue to
18 look at it going forward.

19 REPRESENTATIVE JONES: So we shouldn't
20 anticipate any appeal or anything at this time?

21 REPRESENTATIVE WEATHERFORD: We -- I don't
22 know. I mean, I think that is a decision the
23 Speaker has to make in regard to that legal
24 question, but I think that that decision will
25 be made at some point, but it has not yet.

1 Good question.

2 Anybody else? Representative Jenne.

3 REPRESENTATIVE JENNE: Thank you,
4 Chairman.

5 First of all, just to kind of piggy-back
6 off what Representative Jones said that really
7 wasn't in my head before she made her comment,
8 is there a mechanism for us as a body to
9 request that we as a body no longer support the
10 lawsuit and can pull out of it?

11 REPRESENTATIVE WEATHERFORD: I think as an
12 individual member, any member can express their
13 thoughts and opinions, and so if you wanted to
14 reach out to the Speaker, either in writing or
15 verbally, I am sure he would encourage you to
16 do so --

17 REPRESENTATIVE JENNE: Okay.

18 REPRESENTATIVE WEATHERFORD: -- but as a
19 body, I think -- I don't know if there's a way
20 that we do that, but as an individual member, I
21 would -- you know, if you have strong feelings
22 about it as a member, you should let them be
23 known.

24 REPRESENTATIVE JENNE: And if I may,
25 Mr. Speaker --

1 REPRESENTATIVE WEATHERFORD: Sure, you are
2 recognized.

3 REPRESENTATIVE JENNE: -- ask a question
4 on a completely unrelated subject -- well, I
5 guess it is all redistricting, so it is
6 somewhat related. Basically it was about the
7 time line we are currently using. Has it been
8 altered lately and is it the same time line we
9 have been working with since day one?

10 REPRESENTATIVE WEATHERFORD: I think it is
11 the same time line. You know, the idea, of
12 course, is the Constitution doesn't allow us to
13 vote on these maps until January, the
14 legislative maps until January, we are not in
15 session until January. So we want to make sure
16 that we give all the maps that are submitted,
17 the 64 plus that we have gotten from the
18 citizens, plus maps that you may be submitting
19 as members, plus maps that these committees may
20 be presenting, we want to give them thorough
21 time to be vetted and to have the opportunity
22 to be amended before they work their way to the
23 floor. So we are ahead of schedule. We have
24 had more success getting public input than any
25 Legislature in Florida has ever had, and I

1 would put us up against any state in the
2 country, and so I am proud of where we are
3 right now as we stand, and we are going to
4 continue to move forward and hopefully the
5 subcommittees will get to work and we will stay
6 on them and we will start making progress.

7 REPRESENTATIVE JENNE: Thank you.

8 REPRESENTATIVE WEATHERFORD: Thank you.

9 Any other questions? Representative
10 Bernard.

11 REPRESENTATIVE BERNARD: Thank you, Mr.
12 Chair.

13 One of the comments that you made was that
14 the subcommittees would submit three maps. Are
15 they -- would they submit them by the
16 November 14th or --

17 REPRESENTATIVE WEATHERFORD: No, we don't
18 have a date for that. I haven't really -- we
19 haven't come up with a date certain on that.
20 When I say "submit," you'd vote on them. The
21 maps are treated just like any other bill, and
22 so you would literally vote on three House maps
23 of the House committee, three Senate maps out
24 of the Senate subcommittee and three
25 Congressional maps, and the thought process

1 behind that is as opposed to just, you know,
2 trying to pick one map, it basically gives the
3 full Committee, this Committee, options to look
4 at. And I think that what the citizens want,
5 what I have heard over the last three and a
6 half months is that people want to see
7 different options, they don't want
8 take-it-or-leave-its, they want to see options.
9 And so that is exactly what my hope is the
10 subcommittees will give them. How you get to
11 those three maps is entirely up to each
12 subcommittee. And so you can start off with 20
13 maps and whittle it down to three, but the idea
14 as a full committee would be, just like in any
15 legislation, to try to narrow it down and focus
16 on just a small number of maps, and then allow
17 this Committee to go from three, hopefully, to
18 one.

19 REPRESENTATIVE BERNARD: One more
20 follow-up, Mr. Chair?

21 REPRESENTATIVE WEATHERFORD: You are
22 recognized.

23 REPRESENTATIVE BERNARD: So would we vote
24 on them before session begins or -- in the
25 subcommittees, would we vote on them --

1 REPRESENTATIVE WEATHERFORD: There is
2 nothing that prohibits us from doing that. I
3 mean, I think a lot of this will be determined.
4 You may have some committees who are -- some
5 subcommittees who are ahead of the others. You
6 may have one that is really proactive and is
7 blowing through the process, you may have
8 another one that is not moving as quickly. And
9 so there is no date certain when they have to
10 vote on them. It can be before session, but it
11 also can come in session.

12 REPRESENTATIVE BERNARD: Thank you, Mr.
13 Chair.

14 REPRESENTATIVE WEATHERFORD: You got it.
15 Thank you. I think the most important thing I
16 will just point out is that each map that we do
17 vote on, that there is enough time for the
18 public and for every member of the Legislature
19 to understand them, look at them and have them
20 debated.

21 Anybody else?

22 Okay. Thank you all very much.

23 Representative Precourt moves we rise.

24 (Whereupon, the proceedings were
25 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 28 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 21st day of February, 2012.

CLARA C. ROTRUCK

Notary Public

State of Florida at Large

Commission Expires:

November 13, 2014

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HOUSE REDISTRICTING COMMITTEE MEETING
FRIDAY, JANUARY 27, 2012

Transcribed by:
CLARA C. ROTRUCK
Court Reporter

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

2 REPRESENTATIVE WEATHERFORD: Okay,
3 members, if we can get everybody to take their
4 seats and get settled, we are going to get
5 started. If we can get everybody to get
6 settled, I think we have everybody seated.

7 Katie, if you would, please call the roll.

8 THE CLERK: Representatives Adkins?

9 REPRESENTATIVE ADKINS: Here.

10 THE CLERK: Bernard?

11 REPRESENTATIVE BERNARD: Here.

12 THE CLERK: Chestnut?

13 REPRESENTATIVE CHESTNUT: Here.

14 THE CLERK: Dorworth?

15 REPRESENTATIVE DORWORTH: Here.

16 THE CLERK: Eisnaugle?

17 REPRESENTATIVE EISNAUGLE: Here.

18 THE CLERK: Fresen?

19 REPRESENTATIVE FRESEN: Here.

20 THE CLERK: Frishe?

21 REPRESENTATIVE FRISHE: Here.

22 THE CLERK: Holder?

23 REPRESENTATIVE HOLDER: Here.

24 THE CLERK: Horner?

25 REPRESENTATIVE HORNER: Here.

1 THE CLERK: Hukill?
2 REPRESENTATIVE HUKILL: Here.
3 THE CLERK: Jenne?
4 REPRESENTATIVE JENNE: Here.
5 THE CLERK: Jones?
6 REPRESENTATIVE JONES: Here.
7 THE CLERK: Kiar?
8 REPRESENTATIVE KIAR: Here.
9 THE CLERK: Legg?
10 REPRESENTATIVE LEGG: Here.
11 THE CLERK: Nehr?
12 REPRESENTATIVE NEHR: Here.
13 THE CLERK: Precourt?
14 REPRESENTATIVE PRECOURT: Here.
15 THE CLERK: Rogers?
16 REPRESENTATIVE ROGERS: Here.
17 THE CLERK: Rouson?
18 REPRESENTATIVE ROUSON: Here.
19 THE CLERK: Schenck?
20 REPRESENTATIVE SCHENCK: Here.
21 THE CLERK: Workman?
22 REPRESENTATIVE WORKMAN: Here.
23 THE CLERK: Chair Weatherford?
24 REPRESENTATIVE WEATHERFORD: Here.
25 THE CLERK: A quorum is present.

1 REPRESENTATIVE WEATHERFORD: Thank you
2 very much, Katie.

3 Good morning, members. Thank you for
4 hanging around on a Friday. We are certainly
5 going to try to be judicious with everyone's
6 time, but I think we all know that we are here
7 to do a very important job, so we are not going
8 to rush through it. We are going to make sure
9 everybody has an opportunity to participate.

10 I want to thank the Committee. I think
11 this has been a very long process, and
12 hopefully today will be the culmination of a
13 committee that has been very deliberate,
14 started nine or ten months ago, and has worked
15 for a product -- multiple products that I think
16 we can be proud of.

17 Members, at our last meeting, we
18 workshopped seven options for Florida's two
19 State Legislative maps and Congressional map.

20 Regarding the State House map, last week
21 members of the Committee recommended that we
22 take up House Joint Resolution 6011, which is
23 plan 9027, this week.

24 Regarding the Congressional map, there
25 were members of the Committee that recommended

1 that we take up House Bill 6005, which is plan
2 9043, this week as well. As such, today we
3 will take up the maps in the following order:

4 The proposed State House map, House Joint
5 Resolution 9011 will be first. The proposed
6 Congressional map, House Bill 9005 will be
7 second, and the proposed Senate map, House
8 Joint Resolution 9001 will be third.

9 There are amendments drafted to each of
10 these. There are two amendments drafted to
11 House Joint Resolution 9011, there are two
12 amendments drafted to House Bill 9005 and
13 there's -- that is a six, okay. We have a
14 misprint on my script. It is not 9001, 9006.
15 That is probably an important thing to point
16 out. And -- what's that? 6001. Okay. So let
17 me clarify that for everyone.

18 The House Joint Resolution for the State
19 Senate map is 6001, not 9001. That is my
20 fault, I apologize for that, 6001.

21 In regard to amendments, there are
22 amendments drafted to each of these. There are
23 two amendments drafted to the House map, 9011,
24 there are two amendments drafted to the
25 Congressional map, 9005, and there's one

1 amendment drafted to the House Joint Resolution
2 for the Senate map, 6001.

3 Just so that we are all on the same page
4 here, Vice-Chairman Precourt has filed an
5 amendment to each of these Bills, and I have
6 filed amendments both to the House State map
7 and to the Congressional map.

8 Everyone here should have received an
9 e-mail from me Wednesday noting that I filed my
10 amendments based on a request from three
11 organizations, including the League of Women
12 Voters of Florida, who very recently submitted
13 maps for our consideration.

14 I filed those amendments as a courtesy to
15 those organizations so that their suggestions
16 for us and their critiques of us could be heard
17 here on the record. As I have stated
18 repeatedly to everyone here, that if you have a
19 way to make these maps more legally appropriate
20 or compliant, we certainly want to give your
21 ideas a fair consideration.

22 I did ask that they be here to explain
23 their maps in the same manner that every other
24 proposal before you has been explained. Just
25 at the outset, I want to let you know that they

1 have declined to explain via a letter that they
2 sent us last evening.

3 Now, with that said, members, there are --
4 are there any questions of us or anything I
5 have stated thus far about the process going
6 forward for today? Any questions?

7 Okay. Seeing no questions, at this time,
8 we are going to take up House Joint Resolution
9 9011, which is -- 6011, which is also State
10 House Map 9027. Members, this is the sixth tab
11 in your packets.

12 Representative Schenck, who is Co-Chair of
13 the Committee, you are recognized to explain
14 the Bill, sir.

15 REPRESENTATIVE SCHENCK: Thank you,
16 Mr. Chair, and it is great to be here on
17 another Friday redistricting with you and the
18 rest of the Committee.

19 Last week as a committee, we decided to
20 consider HJR 6011, which is also map 9027, as
21 the base map for this week. HJR 6011 makes
22 dramatic improvements to Florida's State House
23 map, particularly when you just look at the map
24 side by side with the current House map that
25 was adopted in 2002.

1 Overall, it has a 3.97 percent population
2 deviation. The Joint Resolution splits only 30
3 of 67 counties, compared to 46 in the current
4 map, and only splits 84 of a total of 411
5 cities in the state, compared to 170 on the
6 current map.

7 Just to put that in perspective, by
8 population and geography, you must split 29
9 counties. So splitting 30 counties is only one
10 above what is physically even possible.

11 Pursuant to federal and state law, this
12 proposed map preserves the existing
13 opportunities for racial and language
14 minorities in Florida to elect the candidate of
15 their choice. We believe that this map
16 actually creates new opportunities in certain
17 areas of the state. It does all of this while
18 also being significantly more compact than the
19 current map.

20 To be very frank, Mr. Chair and members of
21 the Committee, I am astounded as to how compact
22 the staff was able to get all 120 districts,
23 even most of the minority districts.

24 With that, Mr. Chairman, we are all
25 familiar with the Bill, and so I will turn it

1 over to you for amendments.

2 REPRESENTATIVE WEATHERFORD: Okay. Thank
3 you very much for the explanation.

4 Members, we are going to move right into
5 the amendatory process, so why don't we move on
6 to the first amendment.

7 Amendment number one, State House Map
8 9049, which is by Vice-Chair Precourt.
9 Representative Precourt, you are recognized to
10 explain your amendment, sir.

11 REPRESENTATIVE PRECOURT: Thank you,
12 Mr. Chair.

13 Members, this amendment, which is also map
14 9049, I believe you have it in your packets, it
15 makes a number of changes to the base map. And
16 due to the detail that we have here, I am going
17 to go ahead and turn it over to staff to
18 provide a much more detailed presentation.

19 The guys who can run the computer like a
20 wizard, but overall, the amendment seeks to
21 make what you guys had as an already good
22 product even better.

23 Some of the changes resulted from staff
24 just going back and taking a second and a third
25 look at what they had already drawn, and, you

1 know, really it is more like a 20th and a 30th
2 look.

3 So we had them go back and take a second
4 and third look over the map, find other
5 improvements that could be made, and we also
6 got more comments from members of the public
7 and several Supervisors of Elections, as well
8 as local county and municipal officials. So
9 we've got a number of things that we considered
10 in making these changes and improvements.

11 In addition to several other things
12 though, I think you are going to see something
13 very impressive. The staff were able to
14 make -- reduce -- changes that reduces the
15 cities split from an already impressive only 84
16 down to 75. So that is something to pay close
17 attention to as we are going through this
18 presentation.

19 And with that, Mr. Takacs, can you go
20 ahead and take us through the changes
21 themselves?

22 REPRESENTATIVE WEATHERFORD: You are
23 recognized, Mr. Takacs.

24 MR. TAKACS: Thank you, Mr. Chairman.

25 Members, in your packets, there are --

1 there's an amendment packet in each of your
2 binders. So if you want to take a look at
3 that --

4 REPRESENTATIVE WEATHERFORD: And, members,
5 if you can, it is actually a separate packet,
6 if you pull it out, it's -- you got it, okay.

7 MR. TAKACS: Thank you, Mr. Chairman.

8 I am just going to walk through the
9 different areas of the map that are changes
10 between the map that was workshopped last week
11 and the amendment that Vice-Chair Precourt has
12 filed.

13 First we are going to look in Pinellas
14 County. I am going to zoom in here. We were
15 able to discover that the city -- the Town of
16 Indian Shores could be kept whole, all within
17 one district. You will see here that there is
18 the city there on the screen.

19 By just making a minor adjustment to the
20 boundaries of 66 and 69, all of the Town of
21 Indian Shores is brought into District 66.

22 Moving over to Brevard County, a similar
23 situation. As we were scoping through the map
24 and looking for different areas, different
25 cities and municipalities that could be kept

1 whole within the map, we discovered that both
2 the City of Palm Bay, which you see here on the
3 screen, as well as the City of Melbourne Beach,
4 could be kept whole.

5 You see this is actually the amendment
6 before you, and that is what is accomplished
7 here, both the City of Palm Bay and the City of
8 West Melbourne -- I'm sorry, Melbourne Beach
9 are whole within the two districts.

10 Moving further south into Miami-Dade
11 County, we were able to discover that the Town
12 of Medley could be kept whole within a
13 district.

14 The adjustment was made between Districts
15 103 and 110. You will see here -- there, that
16 is where the Town of Medley's boundaries are,
17 and you can see that now that is all brought
18 into District 103.

19 Staying in Miami-Dade County, the Town of
20 Sweetwater can also be kept whole within a
21 district. So the adjustment was made to
22 District 105 to include all of that city within
23 the district.

24 One of the other things that we were doing
25 as we were reviewing this map was to see if

1 there were ways to improve the way that
2 districts follow natural or geographic boundary
3 lines, and one of those examples in this
4 amendment is the difference -- the boundary
5 between Districts 100 and 107.

6 As you zoom in here, you will see that the
7 city boundary there kind of zigs and zags right
8 along U.S. 1, and there were some boundary
9 issues there where we were trying to pick up
10 pieces of that particular municipality, which
11 was already split between the two districts.

12 So what we did -- I will turn the city
13 boundaries off. As you can see, we just
14 straightened out that line to use U.S. 1, you
15 know, that geographic boundary line between the
16 two districts.

17 A similar concept in Volusia County
18 between Districts 26 and 27. There was a --
19 East Graves Avenue was used as the boundary
20 between the two districts here, and I will zoom
21 in and show you that here in just a moment.

22 And basically what we did was we
23 straightened out that line. It does affect two
24 people that are -- that were in that un- --
25 kind of that jagged edge that we had

1 previously, but, again, we have smoothed that
2 out between Districts 26 and 27, and you will
3 see here that's where that line is here. We
4 just straightened that line out, again, to
5 better follow the roadway.

6 As the Chairman said, thinking about
7 public testimony, I will move into Lee County.
8 We received a significant amount of testimony
9 from the folks of the Estero community in Lee
10 County requesting that they be kept whole.

11 As we had mentioned in the meeting last
12 week, that we believe that maybe with some
13 possible minor adjustments to the districts,
14 that could be achieved, and that's what's done
15 here.

16 You will see in District 76, which is the
17 yellow district here, this is the general area
18 of Estero, and as you can see, the lines were
19 adjusted to make Estero whole within that --
20 within that particular district.

21 I should also note that as we were looking
22 at Lee County as a whole, we made some changes
23 to District 78 as well. It still has all of
24 the City of Ft. Myers within its boundaries,
25 but we wanted to use the roadways as a better

1 boundary and geographic boundary between
2 Districts 78, 79, and 78 and 76. So that's
3 what that change is there.

4 Going back to the concept of keeping
5 cities whole, we took a hard look at Polk
6 County, and I'm going to turn the city lines
7 back on so that you can see.

8 When you look at the Bill that we
9 workshopped last week versus this amendment
10 that is before you today, we were able to
11 determine that four municipalities in Polk
12 County could be kept whole with some
13 adjustments between 39 and 41, as well as a
14 minor adjustment to 42.

15 The municipalities that are kept whole --
16 I will kind of zoom in here a little bit closer
17 so you can take a look. The cities that are
18 now kept whole is Auburndale. You can see they
19 are wholly within 39, Lake Alfred, which is
20 wholly within 41, Haines City, which is here,
21 that is wholly within 41, and then as I
22 mentioned, with a minor adjustment to 42, the
23 City of Frostproof is now wholly within that
24 district.

25 Moving up into Duval County, thinking

1 about the testimony that we reviewed last week,
2 we heard from some testimony that there was a
3 request to see if there were some districts
4 that could better follow the St. Johns River as
5 a use of a geographic boundary between the two
6 districts.

7 After last week's meeting, we took a look
8 at Duval County as a whole to see if that could
9 be achieved, and you will see here, with the
10 amendment, that it is. If you look between
11 Districts 15 and 16 now that the St. Johns
12 River is used as the boundary between the two
13 districts, as we adjusted the population
14 between those two districts, what we were also
15 able to discover was that we could improve the
16 compactness of 14 and 12, as you can see here
17 on the screen, and then also increase or
18 improve the functional compactness, thinking
19 about drive times, for the residents of
20 District 11, which is the green district here
21 that comes into Nassau County and into portions
22 of Duval. So that is, again, what the Duval
23 County change would look like.

24 REPRESENTATIVE WEATHERFORD: Mr. Takacs,
25 if you could, I think Mr. Kelly wanted to add

1 something to that.

2 MR. KELLY: Thank you, Mr. Chair.

3 Just to add to this, looking at District
4 13, which is right in the center of the county,
5 it has been a fairly compact seat in any of the
6 designs, but what we did notice in examining
7 this is that we had split several
8 neighborhoods.

9 So what we did was we adjusted a number of
10 the lines just to make sure that a neighborhood
11 is completely in one district or completely in
12 another. So we did some general cleanup to
13 District 13, which is also a majority-minority
14 seat. Just wanted to add that. Thank you,
15 Mr. Chair.

16 REPRESENTATIVE WEATHERFORD: Thank you,
17 Mr. Kelly.

18 Mr. Takacs, you are recognized to
19 continue.

20 MR. TAKACS: Thank you, Mr. Chairman.

21 Moving south into Palm Beach County, when
22 we looked at Districts 81, 85 and 86, we saw
23 two things: One, that there was a possibility
24 for those districts to be drawn more compactly,
25 and also to bring in the unincorporated area of

1 the acreage to make that wholly within one
2 district.

3 So that is what this portion of the
4 amendment does here. The acreage area that I
5 am talking about. I will turn the city
6 boundaries off -- is in this general vicinity
7 here. It is kind of an inverted L-shape. So
8 what we did was kind of we smoothed this line
9 out here and then brought the line down here.

10 I should also mention that while doing so,
11 we were still able to keep the municipalities
12 of Wellington, Loxahatchee Groves and Royal
13 Palm Beach wholly within 86 as a part of that
14 change. That was not -- those municipalities
15 were not affected in this amendment. They were
16 always in 86 to begin with.

17 I am going to move back up. We received
18 some comments from various Supervisors of
19 Elections' office. You know, as we mentioned
20 last week, one of those was from the Clay
21 County Supervisor's Office. I am going to zoom
22 in here real close. They asked that one census
23 block that was on the boundary between
24 Districts 18 and 19 be moved into District 19.

25 I am going to do my best to zoom in on

1 that particular census block so you can see
2 what we're talking about. They requested that
3 that be done so that the boundaries line up
4 with the Camp Blanding Florida National Guard
5 base. So that is done here in this amendment.

6 And if you will bear with me here, I will
7 work to find that -- that particular census
8 block. It affects no population, it was along
9 a roadway, and actually what we did was we
10 actually brought in the census block that was a
11 very small census block on top of the one they
12 asked so that it would create a squared-off, 90
13 degree angle for that roadway.

14 I am going to go over to Leon County now.
15 As we had mentioned last week, the Supervisor
16 of Elections' Office in that county asked us
17 for a series of changes between the boundaries
18 of Districts 8 and 9. You can see them here.

19 In the series of requests that they gave
20 us, there were three requests that they asked
21 in whole, and their second request was actually
22 a two-part request.

23 What we had found is we had looked at
24 making all three of those changes, that the
25 black -- the black voting age population for

1 District 8, which is currently a
2 majority-minority black district, would
3 actually have dropped to 49.99 percent, taking
4 away that majority-minority status for that
5 particular district.

6 So what we did was we made all of the
7 changes possible to preserve that
8 majority-minority district and also following
9 the request of the Supervisor of Elections. So
10 of the three requests, we essentially honored
11 two and a half of those requests.

12 And lastly, Mr. Chairman, ending at the
13 beginning, the Escambia County Supervisor of
14 Elections' Office asked us to take a look at
15 the boundary between Districts 1 and 2 and how
16 they interacted with the city boundary of
17 Pensacola.

18 I am going to zoom in here so you can take
19 a look at what we did. What we did was in this
20 region here, we initially had used, I believe,
21 this roadway here where my mouse is as the
22 boundary in this particular area of the two
23 districts, and they requested that we drop that
24 down so that it would match up with the City of
25 Pensacola's line, and so we did that in

1 accordance to their request.

2 And, Mr. Chairman, that is the amendment.

3 REPRESENTATIVE WEATHERFORD: Thank you
4 very much, Mr. Takacs.

5 Members, are there any questions on the
6 amendment? I think we had a question from
7 Representative Bernard. You are recognized,
8 sir.

9 REPRESENTATIVE BERNARD: Thank you,
10 Mr. Chair.

11 Jeff, going back to -- in Palm Beach
12 County, District 85 and 86, it appears to me
13 that initially you had the community of Century
14 Village in -- I think in District 85, and I
15 don't know where it is at now, if it's been
16 shifted to District 86, or is it still in 85?

17 REPRESENTATIVE WEATHERFORD: You are
18 recognized.

19 MR. TAKACS: Thank you, Mr. Chairman.

20 Let me get to that area on the map and we
21 can -- we can see. Thinking about the
22 amendment, Mr. Chairman, I can tell you that --
23 and I will zoom in here a little bit closer,
24 Representative Bernard.

25 The only area that was affected in 85 is

1 this area here, and then when you look to 86 to
2 make up for the population in order to make the
3 districts more compact, that came from this
4 area here. So I don't know if you are able to
5 see, if that shows you enough visually to
6 answer your question.

7 REPRESENTATIVE BERNARD: Okay. So is it
8 in 86 now? I just want to know which one --

9 REPRESENTATIVE WEATHERFORD: I think what
10 he is saying, Representative Bernard, is that
11 the swap of population was between those two
12 districts of 85 and 86.

13 REPRESENTATIVE BERNARD: Thank you very
14 much, Mr. Chair.

15 REPRESENTATIVE WEATHERFORD: Any other
16 questions, members, in regard -- Representative
17 Jones, you are recognized.

18 REPRESENTATIVE JONES: Thank you,
19 Mr. Chairman, and I know I heard you state what
20 the breakdown was in terms of the number of
21 cities and the difference with what this
22 amendment made. Can you tell us what that
23 split count is?

24 REPRESENTATIVE WEATHERFORD: You are
25 recognized.

1 MR. TAKACS: Thank you, Mr. Chairman.

2 After the amendment, there would be 75
3 Florida cities that are split. Prior to this
4 amendment, it was 84.

5 REPRESENTATIVE WEATHERFORD: Thank you
6 very much. Any other questions, members?

7 Okay, seeing none, is there any public
8 testimony on the amendment? Any public
9 testimony on this amendment?

10 Okay. Members, any debate on the
11 amendment?

12 Seeing no debate, Representative Precourt,
13 you are recognized to close on the amendment.

14 REPRESENTATIVE PRECOURT: Thank you,
15 Mr. Chair, and just in closing, I want to draw
16 everyone's attention to the level of detail in
17 tightening this up and the effort that staff
18 put into this.

19 It was -- they were tremendously helpful,
20 and you can see how difficult it is and how
21 challenging to get this just right. So thank
22 you, Mr. Chair, for tasking us with this.

23 REPRESENTATIVE WEATHERFORD: Thank you.
24 And with that, if the administrative assistant
25 would please call the roll.

1 THE CLERK: Chair Weatherford?
2 REPRESENTATIVE WEATHERFORD: Yes.
3 THE CLERK: Representative Adkins?
4 REPRESENTATIVE ADKINS: Yes.
5 THE CLERK: Bernard?
6 REPRESENTATIVE BERNARD: No.
7 THE CLERK: Chestnut?
8 REPRESENTATIVE CHESTNUT: No.
9 THE CLERK: Dorworth?
10 REPRESENTATIVE DORWORTH: Yes.
11 THE CLERK: Eisnaugle?
12 REPRESENTATIVE EISNAUGLE: Yes.
13 THE CLERK: Fresen?
14 REPRESENTATIVE FRESEN: Yes.
15 THE CLERK: Frishe?
16 REPRESENTATIVE FRISHE: Yes.
17 THE CLERK: Holder?
18 REPRESENTATIVE HOLDER: Yes.
19 THE CLERK: Horner?
20 REPRESENTATIVE HORNER: Yes.
21 THE CLERK: Hukill?
22 REPRESENTATIVE HUKILL: Yes.
23 THE CLERK: Jenne?
24 REPRESENTATIVE JENNE: No.
25 THE CLERK: Jones?

1 REPRESENTATIVE JONES: No.

2 THE CLERK: Kiar?

3 REPRESENTATIVE KIAR: No.

4 THE CLERK: Legg?

5 REPRESENTATIVE LEGG: Yes.

6 THE CLERK: Nehr?

7 REPRESENTATIVE NEHR: Yes.

8 THE CLERK: Precourt?

9 REPRESENTATIVE PRECOURT: Yes.

10 THE CLERK: Rogers?

11 REPRESENTATIVE ROGERS: No.

12 THE CLERK: Rouson?

13 REPRESENTATIVE ROUSON: No.

14 THE CLERK: Schenck?

15 REPRESENTATIVE SCHENCK: Yes.

16 THE CLERK: Workman?

17 REPRESENTATIVE WORKMAN: Yes.

18 REPRESENTATIVE WEATHERFORD: Show the

19 amendment passes.

20 Members, at this time, I am going to turn

21 the gavel over to Vice-Chair so that I can

22 explain the next amendment.

23 REPRESENTATIVE PRECOURT: Thank you,

24 Mr. Chair. Okay. You are recognized to

25 explain the next amendment.

1 REPRESENTATIVE WEATHERFORD: Thank you
2 very much.

3 Members, probably a little uncustomary, if
4 that is even a word, for the Chairman of the
5 Committee to offer an amendment, but I thought
6 it was important.

7 The League of Women Voters and many
8 organizations have followed this process since
9 the very beginning. They have traveled around
10 the state with us as we did public hearings and
11 have been, frankly, a part of this throughout
12 from the very first day this committee met.

13 And so when they asked us to consider a
14 map that they had taken the time to draw, I
15 thought that it would be perfectly appropriate
16 for this committee to do so, and so I offered
17 it because the workshop process had been done,
18 we are now into the amendatory process.

19 So the only way essentially to consider it
20 would be to file it as an amendment, and I
21 thought that that would be the appropriate
22 thing to do.

23 We have worked extremely hard to make this
24 process a no-surprises process. We have made
25 this, I believe, to be very open, very

1 transparent. I think we have followed the
2 letter to the law up until the very end. And I
3 have to say I am a little bit disappointed that
4 the League has chosen not to speak, and I want
5 to just one more time before I go into the
6 explanation of the map, I know there are
7 members of the representative of the League of
8 Women Voters that are here, Mr. Wilcox, who
9 serves as their lobbyist.

10 Mr. Wilcox, we would love to have you come
11 and express any of your thoughts on this map.
12 I know y'all worked hard on it. We have had
13 many others express thoughts, and just one more
14 time we would love to give you a chance to do
15 that or share any words with the Committee.
16 Not prepared to do that? Okay.

17 Well, I think the citizens of Florida
18 deserve better than a 12-page letter the night
19 before the Committee meets, and I think the
20 citizens of Florida deserve better than a map
21 proposed to this Committee two and a half days
22 before we take a vote.

23 We put our maps out on December 6th,
24 members, we put all of our maps out on
25 December 6th. We have been talking about them

1 for six or eight weeks. Any amendments could
2 be filed, any comments could be made. We've
3 made adjustments to the maps based on
4 suggestions from members of this Committee and
5 members of the public.

6 We have made adjustments based on what we
7 thought to make the map more legally compliant.
8 And, frankly, I find it disappointing that
9 anyone would suggest first calling our maps --
10 looking at them in a derogatory manner saying
11 that they don't follow the letter of the law,
12 and then refusing to stand before us and
13 explain to us how theirs does, and I am very
14 disappointed by that.

15 But, Mr. Chairman, since we don't have
16 members to speak on that, I think that it is a
17 frankly unfortunate political and more likely
18 probably a legal stunt that this is taking, and
19 I frankly find it offensive personally how
20 hard -- given how hard this Committee and given
21 how hard this Chamber has worked to try to make
22 this process fair and open.

23 And with that, that is my explanation of
24 the amendment.

25 REPRESENTATIVE PRECOURT: Thank you,

1 Representative Weatherford.

2 Members, are there any questions of the
3 Representative on the amendment?

4 Seeing no questions, is there any public
5 testimony on this amendment? Second chance,
6 another bite at the apple.

7 Seeing no public testimony, members, we
8 are moving right into debate. Is there anyone
9 that wishes to debate on this amendment?

10 Representative Eisnaugle, you are
11 recognized in debate.

12 REPRESENTATIVE EISNAUGLE: Thank you,
13 Mr. Vice-Chairman. I will keep it brief.

14 I view this amendment and the letter that
15 I have had a chance to review, the 12-page
16 letter, as nothing more than pre-textual. The
17 letter states that the House map is plainly
18 drawn to favor incumbents. It has an entire
19 section discussing that.

20 I was incredibly disappointed when I read
21 the letter, because while it mentions several
22 members of the Legislature and several
23 districts who are not drawn into the same
24 district, it utterly fails to discuss and
25 adequately discuss those members who are drawn

1 into the same district as other members.

2 And, Mr. Vice-Chairman, it -- you know, I
3 was shocked by that, frankly, because
4 personally I know that there are members drawn
5 into the same district as other members.

6 Frankly, sir, you and I are drawn into the
7 same district in this map, and yet this letter
8 fails to even put it in a footnote. I find it
9 disingenuous, I find the amendment
10 disingenuous, and, Mr. Chairman, I am also
11 offended by it, and I encourage the Committee
12 to reject this amendment.

13 REPRESENTATIVE PRECOURT: Thank you,
14 Representative Eisnaugle.

15 Further debate on the amendment?
16 Representative Workman.

17 REPRESENTATIVE WORKMAN: I was going to
18 speak, but Eric has chinned me up, and I did
19 review the map and, you know, they try to do
20 this nesting thing that flies in the face of
21 our minority districts.

22 They create a map that is going to be
23 difficult to get Hispanics elected in
24 predominantly Hispanic areas, and I find it
25 insulting, because we spent so much time early

1 making maps that would not degrade their right
2 to choose, to elect a person of their choice,
3 and these maps tend to -- well, not tend to --
4 seem to fly in the face of that basic tenet
5 that we put together.

6 It reduces the black. I can go on and on
7 with what it reduces in regards to our minority
8 populations, but I won't. So I certainly want
9 to say that I am in favor of voting this map
10 down loudly.

11 REPRESENTATIVE PRECOURT: Thank you,
12 Representative Workman.

13 Further debate? I think we have a
14 question or debate from Representative Frishe.
15 You are recognized.

16 REPRESENTATIVE FRISHE: It's kind of a --
17 thank you, Mr. Chairman. It is kind of a
18 question. I thought we were hearing from the
19 League of Women Voters. Clearly we are hearing
20 from the Audubon Society, because we are
21 talking about nesting now, not redistricting.

22 REPRESENTATIVE PRECOURT: Thank you for
23 that comment, Representation Frishe.

24 Now we will move to Representative Nehr.
25 You are recognized in debate.

1 REPRESENTATIVE NEHR: Thank you,
2 Mr. Chair.

3 You know, it is very inherent in this
4 process that we hear from people and
5 organizations regarding the maps and how --
6 suggestions on how to improve those maps.

7 We have heard many suggestions over the
8 course of many months that we have gone around;
9 however, it is always consistent in those cases
10 that the citizens and the groups took the time
11 to explain all of their reasonings behind the
12 suggestions and the changes.

13 And, likewise, our own staff made many
14 recommendations, and in addition, explained
15 them fully to everyone how they affected the
16 legality of the maps.

17 Everything I have heard and seen when I
18 looked at the maps and the letter I have read
19 does not explain anything. The League does not
20 explain why they say our maps are poorly drawn,
21 they don't explain why theirs are better.

22 Now, I have no idea why they have done
23 that, why they refuse to come out and explain
24 anything. It is -- as far as I am concerned, I
25 don't see any reason why any of us could vote

1 in favor of the League's maps today, and I
2 suggest that everyone vote this amendment down.

3 REPRESENTATIVE PRECOURT: Thank you,
4 Representative Nehr.

5 Further debate on the issue?
6 Representative Julien, you are recognized.

7 REPRESENTATIVE BERNARD: Bernard.

8 REPRESENTATIVE PRECOURT: Bernard, sorry.

9 REPRESENTATIVE BERNARD: We look alike.
10 Thank you, Mr. Chair.

11 REPRESENTATIVE PRECOURT: Justice is
12 blind.

13 REPRESENTATIVE BERNARD: Thank you,
14 Mr. Chair.

15 At this time, I am going to vote against
16 the map since we received -- I think it was
17 filed on Monday, and I haven't had the chance
18 to review the map fully to understand the
19 impact of the map. So at this time, I will
20 vote against the map.

21 REPRESENTATIVE PRECOURT: Thank you,
22 Representative Bernard.

23 Representative Horner, you are recognized
24 in debate.

25 REPRESENTATIVE HORNER: Thank you,

1 Mr. Chairman.

2 I've spent a little bit of time looking at
3 the subcommittee product, looking at the
4 League's map, and the thing that strikes me is
5 the exceptional job that the subcommittee did
6 and the staff has done in using whole counties
7 in putting these districts together, or keeping
8 districts entirely within a county. To be only
9 one over your -- the mathematical possibility
10 is, frankly, amazing.

11 It looks to me the League gave precedence
12 to this nesting concept and felt that nesting,
13 which is not mentioned anywhere in the
14 Constitution, was somehow more important than
15 preserving political boundaries, and
16 specifically county boundaries.

17 And we spent all summer hearing from folks
18 that it was important to preserve these county
19 boundaries, we needed to go by Amendment 5. So
20 just looking at it on its face, our maps have
21 fewer county splits and they are more compact.
22 So it is an easy choice for me, and I will be
23 voting down this amendment.

24 REPRESENTATIVE PRECOURT: Thank you,
25 Representative Horner.

1 Further debate?

2 REPRESENTATIVE HUKILL: Yes.

3 REPRESENTATIVE PRECOURT: Representative
4 Hukill, you are recognized in debate.

5 REPRESENTATIVE HUKILL: Thank you,
6 Mr. Chairman.

7 I have to reiterate what some people have
8 said. We did spend a lot of time, many members
9 traveled throughout the state this year, so
10 that we could hear from so many people in very
11 different parts of the states and how they felt
12 that we should be completing this process.

13 And yet when I look at this amendment and
14 some of these districts, and they're areas that
15 we visited, which you look at Duval County and
16 you look at Polk and the Space Coast and
17 southwest Florida, I can't even find the words
18 to describe some of these districts.

19 And I think that if we had the
20 opportunity, I know we don't, but if we had the
21 opportunity to go back face-to-face and visit
22 some of these areas, that at the very least,
23 the people we spoke to would be extremely upset
24 and probably would be very vocal and -- about
25 these particular types of districts.

1 I do want to compliment the members of the
2 public who did spent an awful lot of time
3 devising their maps and giving us comments so
4 that we could understand their thinking and how
5 they arrived at their feeling about the maps
6 and the maps that they created, and I think
7 that it is a compliment to the many people who
8 did take the time to explain it to us, because
9 it is very important to us, and that is -- and
10 even more important today as we sit here and
11 the League refuses to explain how they
12 developed their districts and what their
13 process and what their thought process was.

14 So I do once again want to compliment the
15 subcommittees and also this Committee, and I
16 would vote not in favor of this amendment.

17 REPRESENTATIVE PRECOURT: Thank you,
18 Representative Hukill.

19 Further debate? Representative Dorworth,
20 you are recognized in debate.

21 REPRESENTATIVE DORWORTH: Thank you,
22 Mr. Chairman. Like you, the allergies in town
23 can get to me a little bit, so forgive my -- my
24 voice is a little weak today.

25 But I do find some irony that the

1 organization whose battle cry throughout the
2 legislative hearings on redistricting was "Show
3 us the maps," showed us the maps about 60 hours
4 before we were expected to vote on the maps.

5 When you, Mr. Chairman, and the Chairman
6 in the Senate, Senator Gaetz, made a
7 conscientious decision for us to travel
8 throughout the state, hold hearings and to have
9 the most transparent process certainly in the
10 history of redistricting in the state of
11 Florida, and possibly in this country, by
12 offering an open-source software so that people
13 could see the programming tools that we use,
14 they made the conscientious decision to bring a
15 map, to not share with us who authored that
16 map.

17 We have no idea who did, we don't know
18 what computers were used for it, we don't know
19 if they were operatives for one particular
20 political party, we don't know anything about
21 it. And today we as a deliberative body are
22 being asked to vote on them. We are not able
23 to ask any questions.

24 And the juxtaposition to me of our
25 committee staff standing before you, week after

1 week, offering amendments and showing why we
2 were doing it, improving compactness, showing
3 fewer city splits, fewer county splits,
4 adhering to all the standards set forth by
5 Amendments 5 and 6 in our Constitution were
6 brought there, and instead what we see today is
7 a map, a half-hearted explanation and a
8 steadfast refusal to address it all.

9 So I think it is pretty obvious which way
10 I am leaning on that, but I think I would be
11 very much opposed to doing it. Thank you.

12 REPRESENTATIVE PRECOURT: Thank you,
13 Representative Dorworth.

14 Representative Legg, I believe you wanted
15 to debate.

16 REPRESENTATIVE LEGG: Thank you,
17 Mr. Chair.

18 You know, going throughout the state and
19 the public hearings, I have attended over half
20 of them, and one of the -- kind of the
21 nomenclature that was said is dealing with
22 compactness, and many of the folks and mainly
23 from the League of Women Voters said when they
24 said, you know, when we asked them what was
25 their definition of "compactness," and they

1 says, "Well, we'll know it when we see it," you
2 know.

3 And I looked at -- I look at the map up
4 there and I look at our region, or my region,
5 in particular, the Tampa Bay region over there,
6 and if that is the definition -- their
7 definition of "compactness" compared to our --
8 the map that's been proposed, I would be
9 shocked and amazed.

10 My three-year-old could draw something a
11 little bit more compact than that. That is
12 anything but compact. I find it is kind of
13 insulting to those many folks that went out
14 there and spoke at the public hearings and the
15 definition of "compactness," you know.

16 And I will just have to also say, you
17 know, for once, I am going to enjoy voting
18 against Chair Weatherford for -- I think it's
19 the first time I've ever done that.

20 REPRESENTATIVE PRECOURT: I am sure he is
21 happy that we could tee this up for you.

22 Further debate, anyone? Any further
23 debate? Okay. Seeing no further debate,
24 Representative -- Chair Weatherford, you are
25 recognized to close on your amendment.

1 REPRESENTATIVE WEATHERFORD: Thank you
2 very much, Chairman.

3 Before I close, I know we have had a
4 chance to hear from all the members of the
5 Committee, but I do think that there are
6 probably some -- some legal issues and maybe
7 some details that I am probably not equipped to
8 answer to close out this debate and make sure
9 that everyone has all the information before we
10 take a vote.

11 So I would like to just very briefly, as
12 part of my close, ask staff and our legal team
13 to walk us through some of the details that are
14 in this map that I think need to be
15 transparently discussed before we take a vote.
16 So I would like to transfer that over to Mr.
17 Kelly.

18 REPRESENTATIVE PRECOURT: You are
19 recognized, Mr. Kelly.

20 MR. KELLY: Thank you, Mr. Chair and
21 members, and Mr. Chair, pursuant to your
22 request, in the time that we were afforded when
23 the letter was received last night.

24 We did -- as staff, we did a cursory
25 review of the letter, again, to the extent of

1 time we had. Right now, Mr. Fairbrother is
2 passing out a copy of the letter to any of the
3 members who have yet to see it.

4 There were -- we do note some statements
5 made in the letter that are, in fact, not
6 correct, and in other cases are revealing in
7 terms of this process and the legal issues
8 involved in this process.

9 First, page one of the letter, the League
10 and others state that their maps contain more
11 whole counties and more whole cities than do
12 the Legislature's proposed maps.

13 However, looking at the tables provided on
14 pages three to four, their own data illustrates
15 that this is not the case. In terms of county
16 splits -- Mr. Takacs has put on the screen a
17 chart for you.

18 In terms of county splits, the House map
19 proposed, the Precourt amendment that was just
20 adopted, the House map only splits 30 counties,
21 the League map splits 32.

22 In terms of -- and just to -- this covers
23 the Congressional map briefly as well. In
24 terms of the Congressional map, the amendment
25 that is being considered later today would

1 split 21 counties. The League amendment would
2 split 22. Not a great difference, but,
3 nonetheless, the statement on page one of the
4 document is inaccurate.

5 In terms of municipal splits, as you can
6 see on the screen, in terms of the State House
7 map, the Precourt amendment brings the city
8 split total down to 75. The League amendment
9 is at 70. Out of Florida's 411 municipalities,
10 there's a difference of five.

11 Note, in terms of the document that was --
12 the letter that was provided by the League,
13 they are stating that there are over 1,000
14 cities in the state of Florida.

15 Not sure whether it was an intentional or
16 unintentional inaccuracy, but at the time of
17 the 2010 census, there were 411 municipalities,
18 incorporated municipalities, in the state. It
19 is likely that they are including data related
20 to unincorporated communities, but,
21 nonetheless, the data in the letter is not
22 accurate.

23 There are a very similar number of
24 municipal splits in the State House map being
25 proposed by the House and the map being

1 proposed by the League.

2 In terms of the Congressional map, again,
3 looking at the screen, the Precourt amendment
4 that you will be looking at later today brings
5 the total number of city splits in the House's
6 proposal down to 27. The League's proposal is
7 at 36.

8 Moving on in the document, page eight of
9 the League's letter state that the districts
10 are very similar to the 2002 districts, and
11 that the new districts contain almost
12 60 percent of their old constituencies.

13 We found that 52 of the 120 districts, so
14 less than half, shared that 60 percent or
15 greater population of a district from the 2002
16 map. However, when you factor in that many of
17 the minority districts by law will result in
18 sharing similar constituencies, this statistic
19 turns out to be relatively misleading in terms
20 of its use and the actual compliance with the
21 law.

22 On page nine of the letter, the League
23 references -- just, again, to a very specific
24 example -- the League references the division
25 between the districts that would be represented

1 by Representative Adkins and Representative
2 Renuart, and that line -- according to what the
3 League has found is that that line is a short
4 distance from Representative Renuart's
5 residence.

6 What is failed to be mentioned in the
7 letter is that that division is the St.
8 Johns/Duval County line. The line was used in
9 adherence to following county boundary lines.
10 What is also failed to be mentioned in the
11 letter is that the League's submission uses the
12 same line in their map.

13 By implication, the particular accusation
14 and others also brings into question -- well,
15 actually, illustrates that the League's data
16 includes the residence of the members, at least
17 some of the members of the Legislature.

18 In addition to that, by using the same
19 line, the question then does come up, did the
20 League intend to favor Representative Renuart
21 in the drawing of their map.

22 At the very end, page 11 of the letter,
23 the League acknowledges that the proposed State
24 House map by the House is more compact than
25 their proposed State House map. The assertion

1 that is made following is that this is the
2 result of due to the House's proposed map not
3 being as adherent to political and geographical
4 boundary lines.

5 However, as was just mentioned in the
6 League's own data tables on pages three to four
7 of the document, they actually show that the
8 House -- Jeff, if you could go back to that
9 visual -- they actually show that the House
10 used county lines slightly more frequently than
11 the League did, and in addition, nothing the
12 correction that we noted earlier about city
13 splits, the House used -- the House split fewer
14 cities in the Congressional map, the League
15 split fewer cities in the State House map, but
16 both numbers are very comparable, and in every
17 case, all the numbers on the screen are a
18 significant departure from the existing maps.

19 Those numbers being relatively equal or
20 similar in terms of county splits and city
21 splits, the data then just does come back to
22 point that the State House proposed map by the
23 House is significantly more compact than the
24 proposed amendment.

25 That is it, Mr. Chair, in examining the

1 letter. The letter did not actually address
2 your questions about who drew the map, how the
3 lines were picked. The letter did note that
4 the lines were picked based on corresponding
5 with the League's proposed State Senate map,
6 but in that case, it didn't note how those
7 lines were picked for that map, nor were there
8 any questions answered regarding the
9 methodology of drawing districts in a manner
10 which does seem to subordinate compactness in
11 an irregular fashion compared to other
12 standards.

13 Thank you, Mr. Chair, that is our
14 analysis.

15 REPRESENTATIVE PRECOURT: Thank you, Mr.
16 Kelly, for that very thorough analysis in such
17 a short time frame, I might add. Who knows
18 when you have a little bit more time to go
19 through this and dig further?

20 Chair Weatherford, are you finished with
21 your close?

22 REPRESENTATIVE WEATHERFORD: Well, I just
23 -- I wanted to give the opportunity -- we have
24 members of our legal team here. Just very
25 briefly, if there's anything that we've missed

1 or that the Committee needs to be aware of
2 before we take a vote, I would like to give
3 them that opportunity, Mr. Meros.

4 MR. MEROS: Thank you, Mr. Chair and
5 members. I will be brief, but there are some
6 very important legal matters to consider here.

7 If this map had been proposed on
8 December 6th or any day after that, I would
9 have advised this Committee that it violates
10 the amendments -- it violates Amendment 5, it
11 violates the Voting Rights Act, and I will be
12 brief about some portions of it, but I would
13 like Mr. DeGrande to talk about the Hispanic
14 districts in south Florida, because that is a
15 particularly egregious example of the
16 violations of law here.

17 I would like to talk about the issue of
18 compactness and just go directly into that, and
19 Mr. Takacs has some districts that I would like
20 to compare.

21 Now, compactness has all different sorts
22 of mathematical measurements, but one of the
23 key elements of compactness is the visual
24 element, and as Dr. Bernie Grothman said, whose
25 opinion about how to assess minority Voting

1 Rights Act was accepted by the U.S. Supreme
2 Court in the Jingles case.

3 Dr. Grothman says the best way to look at
4 compactness is the intraocular test, and that
5 is if it leaps out at you and hits you between
6 the eyes, you know it isn't compact. And so
7 let's look at some of these districts.

8 On the left is the House map in the Duval
9 County area, which, by the way, includes two
10 majority-minority African-American seats,
11 which, nonetheless, are amazingly compact,
12 particularly as against 2002. Look at District
13 2 on the right. I don't know how you would
14 describe that.

15 I can tell you that I am sure Chair Legg's
16 three-year-old could do a better job than that
17 in drawing that map. That is not a
18 majority-minority district. That is -- that is
19 a regular district with no explanation
20 whatsoever as to how that could be compact.
21 And if I am correct, and Jeff will correct me
22 if I am wrong, that crosses the St. Johns River
23 in an area where there is no bridge. So bring
24 your boat if you want to be in that district.

25 Going down further south to the next area,

1 and particularly looking at the Districts 54,
2 55, 84, on the House map, and then compare that
3 with District 78. One of the things you always
4 worry about in compactness measures is whether
5 there is a loop-around or a horseshoe or
6 something like that surrounding a district.
7 Again, there are no Section 2 or legal
8 requirements to do so. Seventy-eight is
9 unprotected and absolutely uncompact.

10 Going a little further south from there to
11 the Pasco County area, right, and look at --
12 look at what the House did on the left, compact
13 districts within the county, and look at the
14 jagged edges and the knife stabs along the
15 county for no other legal reason, no legal
16 compulsion.

17 Going further south to District -- to the
18 areas of District 78 and District 76 on the
19 House map, and one might not believe that that
20 -- that District 68 includes something north of
21 the number and south, but, again, that is a
22 district. I don't know what you would call it,
23 it is not a majority-minority district. It has
24 appendages, it has jagged edges.

25 It has all of the things that if this

1 House had done in maps, you would have been
2 excoriated for doing. You cannot explain this
3 by any common sense measurement without someone
4 accusing you of having a political reason to do
5 so.

6 The only other thing I will say, again,
7 because I do need to be brief, the notion of
8 nesting is not in and of itself a nefarious
9 concept, but the first thing to notice, it is
10 not in Amendment 5.

11 If the House, again, had interposed a
12 concept that was not in Amendment 5, you would
13 have been lambasted from the beginning about
14 doing so.

15 Another thing about nesting, beware, there
16 are studies, including the University of
17 California study, that says that nesting makes
18 it much more difficult to preserve minority
19 voting rights, it makes it much more difficult
20 to preserve county and other geographical
21 boundaries.

22 And when I think about nesting in a common
23 sense way, if you have a Senate district and
24 three House districts, ask yourself, can a
25 citizen who wants to become a Legislator, who

1 is not a Legislator, win in the House or the
2 Senate when you have three House members vying
3 for a Senate seat who are already in the area
4 and have name ID, can citizen Legislator win
5 that Senate district? I don't think so.

6 Think about a Senator coming into the
7 House. Can a Senator who represents that
8 entire area be beaten by a citizen Legislator
9 in an area by virtue of nesting? I don't think
10 so. I cannot imagine that this House would
11 have been applauded for a concept that might
12 have the effect of incumbency protection.

13 So with that, I would ask if Mr. DeGrande
14 can talk briefly about south Florida.

15 REPRESENTATIVE LEGG: Mr. DeGrande, you
16 are recognized.

17 MR. DEGRANDE: Thank you, Mr. Chairman.
18 Good morning, members.

19 If I may, we have significant concerns
20 that in south Florida, the districts that were
21 crafted will not only violate the Federal
22 Voting Rights Act, but would also violate the
23 provisions of Tier 1 of Amendment 5.

24 In fact, this plan would take you probably
25 to a place prior to pre-1992 redistricting.

1 In the late 1980s, when I was elected to
2 the House of Representatives and was privileged
3 to sit at that table, we had seven
4 majority-minority Hispanic seats. After the
5 1992 redistricting, as of the 1994 election, I
6 believe, there were ten performing
7 majority-minority Hispanic seats. The 2002
8 plan created 11, and this plan, in my analysis,
9 would take it to, at best, nine.

10 Now, you see some of the districts that
11 look in their face to be more than 50 percent
12 VAP. Let me walk you through some of the
13 issues that exist there.

14 For Hispanic districts, you normally want
15 to have anywhere from minimum, bare minimum,
16 55, but better, 60 percent Hispanic VAP,
17 because you have to factor in for the low
18 citizenship rate, registration rate, et cetera,
19 and make sure that those districts perform.

20 This plan has elements of both cracking
21 and packing to defeat the rights of minorities
22 to elect candidates of choice. You see three
23 districts in Miami-Dade County that are
24 Hispanic districts that are over 90 percent
25 Hispanic, and then you see some 50 some percent

1 districts, and some of them are adjacent to
2 each other and it makes you wonder why they
3 weren't balanced.

4 If you look, for example, at District 107,
5 that is 55 percent Hispanic VAP. It is
6 adjacent to District 117, which is at 90.6
7 percent VAP. It is adjacent to District 118,
8 which is 87.9 percent VAP. It is adjacent to
9 108, which is 81 percent VAP. Now, that
10 district, which is 107, only 55 percent
11 Hispanic VAP, is actually only 46 percent
12 Hispanic registered voters.

13 Now, we have looked at one particular race
14 that was recent to see how these districts may
15 have performed. We looked at the
16 Rubio/Meek/Crist Senate race. In this
17 district, Senator Rubio would have gotten
18 elected, and Senator Rubio was overwhelmingly
19 the Hispanic candidate of choice, but only
20 because he was also in that district the white,
21 non-Hispanic candidate of choice.

22 So what it tells you is that's more of a,
23 at best, coalition district, but not a true
24 majority-minority Hispanic district.

25 We look now at District 106, which is

1 53 percent Hispanic VAP. It is adjacent to
2 District 108, which is 81 percent. In the
3 proposed League of Women Voters district map,
4 106 has an actual percentage of Hispanic
5 registered voters of only 37 percent.

6 Now, District 120, which is 50.67 Hispanic
7 VAP, neighbors District 118 at 87.9, District
8 119 at 91 percent. The actual percentage of
9 Hispanic registered voters in that district is
10 only 40 percent.

11 Now, again, we looked at the
12 Rubio/Meek/Crist race. That district would
13 also have elected Senator Rubio, who was
14 clearly the Hispanic candidate of choice, but
15 also because the non-Hispanic white candidate
16 -- he was the non-Hispanic white candidate of
17 choice in that election. Again, indicates
18 that, at best, it would be a coalition
19 district, not truly a majority-minority
20 District.

21 District 115, which is 51.37 percent
22 Hispanic VAP, is in proximity of District 114
23 at 82.8, to District 117 at 90.6. Now, this
24 district has an actual percentage of Hispanic
25 registered voters of only 33 percent.

1 Now, again looking at that Rubio race,
2 this district would not have favored Senator
3 Rubio, because although he was clearly the
4 Hispanic candidate of choice, in that
5 particular district, he was not the white,
6 non-Hispanic candidate of choice. And that
7 illustrates the problems with that district
8 where Hispanics do not have an equal
9 opportunity to elect a candidate of choice.

10 I could go very briefly, if you want, into
11 some of the African-American districts. In my
12 opinion, the League of Women Voters' map
13 contains only one majority black district
14 predominantly within Miami-Dade County. That
15 is District 98, and that District is a bare
16 minimum 51 percent in black voter registration.

17 The League of Women Voters proposed
18 Districts 99, 101 and 102 are retrogressed back
19 to 49 percent black registration, 45 percent
20 black registration and 46 percent black
21 registration, respectively.

22 In my opinion, Mr. Chairman, the map
23 suffers from both cracking and packing. There
24 is clearly evidence in Miami-Dade County that
25 the three prongs of Jingles are met. Most

1 recently, there was also a study regarding
2 polarized voting in Miami-Dade County to craft
3 their redistricting plan, which certainly
4 indicates, based on that analysis and data,
5 that the three prongs of Jingles are met in
6 Miami-Dade County.

7 And, therefore, a conscious effort to
8 dilute minority strength in some districts, and
9 at the same time, pack minorities in another
10 district to diminish the opportunity to create
11 effective adjoining districts I believe would
12 violate the Voting Rights Act and certainly
13 violates Tier 1 of Amendment 5. Thank you,
14 Mr. Chairman.

15 REPRESENTATIVE PRECOURT: Thank you,
16 Mr. DeGrande.

17 Chairman Weatherford, back to you.

18 REPRESENTATIVE WEATHERFORD: Thank you,
19 Mr. Chairman.

20 I want to apologize to the Committee and
21 to the members who are here for the longest
22 close in history, but I think it was necessary,
23 and I am not going to drag this out much
24 longer, but I will just say that the integrity
25 of this process and the manner in which this

1 process has gone forward for the last eight
2 months is very important to this Committee, and
3 not just important to me, but the fact that we
4 are protecting the integrity of this process.

5 This is the first time that the
6 Legislature, and particularly the House, has
7 had a chance to pass maps with new
8 constitutional standards. So we are setting
9 a -- we are setting a course for how future
10 Legislators and how future members of this
11 Chamber will handle the redistricting process,
12 and that is an important thing, it is bigger
13 than this map, it is bigger than today.

14 And so I believe it is incumbent on me and
15 on us to protect the integrity of that process.
16 A lot of people predicted there would be a
17 January or February surprise from the House.
18 When we first put out our maps and people
19 recognized the amount of incumbents that would
20 be running against each other, many members
21 within this room did not believe these were
22 going to be the real maps.

23 They thought surely members would not draw
24 maps that would take themselves out of their
25 districts. Who would do that? They thought

1 surely there will be some January surprise or
2 February surprise that will come into the
3 process and will save everyone.

4 Little did we know that not only were we
5 going to stay the course and do what we said we
6 were going to do since March, but that the
7 January surprise would come from the very
8 organization that told us that they didn't
9 think that we would be transparent or open or
10 that we would follow the law.

11 And so the January surprises come from
12 them, and to -- for anyone to say -- and this
13 is what I took most issue with in that
14 letter -- for anyone to say that any type of
15 political and/or incumbent protection was
16 considered in this map is just wrong.

17 There is over -- according to accounts
18 from the media, not me, one out of every three
19 members who sits on that floor with us does not
20 live in their district or is paired with
21 someone else, one out of every three.

22 I would challenge any member of this
23 Committee to go find any state in the United
24 States of America that was not issued a court
25 order that has ever drawn out a third of their

1 membership, a third.

2 So, with that, I am going to read you a
3 quote that I heard from the League by their
4 Chair just a few months ago that said, "We
5 remain concerned that the citizens will have
6 minimal time to give substantive comment on the
7 real maps being concerned by the Legislature --
8 being proposed by the Legislature." We have
9 given citizens plenty of time to consider our
10 maps. They have given the citizens none.

11 And for that, members, for the integrity
12 of this process, I would ask that you vote down
13 this amendment. I never thought I would ask
14 members to vote against my amendment, but in
15 this case, I will, and help us protect the
16 integrity of this process.

17 Thank you, Mr. Chairman.

18 REPRESENTATIVE PRECOURT: Thank you,
19 Chairman Weatherford. Members, Chairman
20 Weatherford having closed on the amendment --
21 procedurally, remember, we are voting on the
22 League of Women Voters Weatherford amendment
23 right now.

24 We will get back to voting on the
25 underlying Bill in a minute, but with that

1 closed, Katie, will you please call the roll on
2 this amendment?

3 THE CLERK: Chair Weatherford?

4 REPRESENTATIVE WEATHERFORD: No.

5 THE CLERK: Representative Adkins?

6 REPRESENTATIVE ADKINS: No.

7 THE CLERK: Representative Bernard?

8 REPRESENTATIVE BERNARD: No.

9 THE CLERK: Chestnut?

10 REPRESENTATIVE CHESTNUT: No.

11 THE CLERK: Dorworth?

12 REPRESENTATIVE DORWORTH: No.

13 THE CLERK: Eisnaugle?

14 REPRESENTATIVE EISNAUGLE: No.

15 THE CLERK: Fresen?

16 REPRESENTATIVE FRESEN: No.

17 THE CLERK: Frishe?

18 REPRESENTATIVE FRISHE: No.

19 THE CLERK: Holder?

20 REPRESENTATIVE HOLDER: No.

21 THE CLERK: Horner?

22 REPRESENTATIVE HORNER: No.

23 THE CLERK: Hukill?

24 REPRESENTATIVE HUKILL: No.

25 THE CLERK: Jenne?

1 REPRESENTATIVE JENNE: No.
2 THE CLERK: Jones?
3 REPRESENTATIVE JONES: No.
4 THE CLERK: Kiar?
5 REPRESENTATIVE KIAR: No.
6 THE CLERK: Legg?
7 REPRESENTATIVE LEGG: No.
8 THE CLERK: Nehr?
9 REPRESENTATIVE NEHR: No.
10 THE CLERK: Precourt?
11 REPRESENTATIVE PRECOURT: No.
12 THE CLERK: Rogers?
13 REPRESENTATIVE ROGERS: No.
14 THE CLERK: Rouson?
15 REPRESENTATIVE ROUSON: No.
16 THE CLERK: Schenck?
17 REPRESENTATIVE SCHENCK: No.
18 THE CLERK: Workman?
19 REPRESENTATIVE WORKMAN: No.
20 REPRESENTATIVE PRECOURT: And, members, by
21 your vote, show that amendment fails. And I
22 will turn the gavel back over to Chairman
23 Weatherford.
24 REPRESENTATIVE WEATHERFORD: Thank you
25 very much, Mr. Vice-Chair.

1 Members, we are back on the Bill. Is
2 there any public testimony on the Bill? Any
3 public testimony on the Bill?

4 Seeing none, is there any debate on the
5 Bill as amended? Any debate on the Bill? You
6 have public testimony? Yes, sir, please come
7 forward. We are going to need you to fill out
8 a card -- oh, I'm sorry, you did that.

9 MR. TERRELL: Yes.

10 REPRESENTATIVE WEATHERFORD: Our fault.
11 Mr. Ryan Terrell, you are recognized, sir.

12 MR. TERRELL: Thank you, Mr. Chairman and
13 members of the Committee. I am going to try
14 and be brief.

15 I have been a member who has been
16 participating in the process, who has been
17 going on the Senate side particularly and
18 working on Senate maps, but I did want to bring
19 to the attention one potential issue that I did
20 have with the House map that we are voting on,
21 particularly in the Tallahassee area.

22 One of -- I think it was the November
23 Senate Reapportionment Committee meeting, we
24 had members from the Nature Coast who came and
25 testified about what exactly the Nature Coast

1 is, and what counties and cities identify as
2 being part of the Nature Coast.

3 Unfortunatly, it looks like the Nature
4 Coast is split under this map. Residents from
5 the counties of Taylor County and Lafayette
6 County, particularly cities of Mayo and Perry,
7 identified as being a part of the Nature Coast,
8 along with Dixie, Levy and Gilchrist and Citrus
9 Counties. Those were the counties that they
10 identified as the Nature Coast.

11 The problem that we have here is that if
12 you look at District 7 under this map, compared
13 to other maps that this Committee has reviewed
14 last week, the travel time from one end of the
15 district to the other has expanded
16 exponentially.

17 To go from Port St. Joe, which is on the
18 western end of the district in Gulf County, to
19 Mayo, which is in Lafayette, which is all the
20 way on the eastern side, is a two hour and 53
21 minute drive from one end to the other.

22 One of the other proposals that this
23 Committee considered last week would have gone
24 from Port St. Joe just to Leon County. Leon
25 County and Wakulla County would have been the

1 dividing line. That would have cut down the
2 travel time by an hour from one end of the
3 district to the other.

4 So my concern with this Committee is that
5 maybe with particular -- in that area of the
6 map, it doesn't look like any other areas are
7 majorly affected by changing the Capitol
8 region. So maybe it might be better to just
9 try and reduce the travel time to increase
10 better representation for the Tallahassee area,
11 and that is really my request for this
12 Committee.

13 REPRESENTATIVE WEATHERFORD: Thank you
14 very much for your comments. We have a
15 question from Representative Kiar?

16 REPRESENTATIVE KIAR: It is not a
17 question, it is more of a quick comment.

18 REPRESENTATIVE WEATHERFORD: Okay. You
19 are recognized.

20 REPRESENTATIVE KIAR: I just wanted to --
21 and this has absolutely nothing to do with the
22 substantive portion of these maps. I just want
23 to let the Committee know how proud I am of
24 this young man.

25 I've actually known him for a number of

1 years. His family lives in my district. Ryan
2 has recently moved to Tallahassee, and I always
3 tell him if I lose by one vote, I am going to
4 blame him, but I just want to --

5 A VOICE: What makes you think he's voting
6 for you?

7 REPRESENTATIVE KIAR: That is true, that
8 is a good point. But I do want to let
9 everybody know Ryan has been working very hard
10 on these issues from the beginning, and unlike
11 many other people, Ryan is a college student
12 who just is interested in the process, and I
13 think that is a real testament to just
14 Floridians. I am very proud of him, I just
15 wanted to mention that. Thank you, Mr. Chair.

16 REPRESENTATIVE WEATHERFORD: Thank you,
17 Representative Kiar, and Ryan, thank you, and I
18 think that it speaks to the process, you know,
19 the fact that technology and the openness that
20 this process has created has allowed people
21 just like Ryan to come and give substantive
22 thoughts and ideas, and we really appreciate
23 you coming in today and we will certainly take
24 your ideas and your suggestions into thought.

25 So we have one more stop, and that is the

1 floor, so we will look into it. Thank you very
2 much.

3 MR. TERRELL: Thank you.

4 REPRESENTATIVE WEATHERFORD: Any other
5 members of the public who wish to speak? Yes,
6 ma'am, please come forward. If you can
7 identify yourself, and we will get you to fill
8 out a speaker card, if you could, after you
9 speak. You are recognized, ma'am.

10 MS. OFNER: I would be glad to fill out a
11 speaker card. I am Eleanor Ofner, I am a
12 resident and a voter in Wakulla County, and I
13 have been to Mayo, and it seems to me that Mayo
14 is much more akin to the Alachua area,
15 Gainesville, as a metropolitan area, which
16 people in south Florida don't understand we
17 don't really have them up here.

18 But in -- we very much relate to Leon
19 County, and in a number of ways, because many
20 people from Wakulla County work in Leon County.

21 In addition, the Leon County, Wakulla
22 County, Gadsden County, Jefferson County, these
23 counties work together on transportation issues
24 and other issues, social issues. So I think it
25 is important that you take a look again at

1 this.

2 I was hoping that one of the amendments
3 was coming up might have addressed this in
4 terms of our -- what we consider our
5 metropolitan area, our city area. So I hope
6 you can still consider that. Thank you very
7 much.

8 REPRESENTATIVE WEATHERFORD: Thank you
9 very much. We appreciate you taking the time
10 to speak, and if you could fill out that card.

11 MS. OFNER: This is what you want me to
12 fill out?

13 REPRESENTATIVE WEATHERFORD: Yes, ma'am.
14 Thank you so much.

15 Any other members of the public wishing to
16 speak?

17 Okay. Any debate on the Bill as amended?
18 Debate on the Bill?

19 Seeing no debate, Representative
20 Schenck -- we're back to Representative
21 Schenck. Representative Schenck, you are
22 recognized to close on the Bill.

23 REPRESENTATIVE SCHENCK: Thank you,
24 Mr. Chair. Just some closing comments to sort
25 of summarize up the map.

1 In HJR 6011, our subcommittee placed a
2 focus on keeping counties whole and adhering to
3 county lines in those cases where a county was
4 larger than the size of a district, and I think
5 we have accomplished that.

6 In this Committee, we took the next step
7 of further reducing city splits, reducing the
8 -- that number by 95 splits from the current
9 House map that was adopted ten years ago.

10 Both of these are, of course, consistent
11 with the law and much of the public input we
12 received throughout the state. Regarding that
13 public input, members, when you read the
14 district-by-district explanation in the Bill
15 analyses, it makes it clear how much public
16 input impacted the designs of each district.

17 In fact, I think we have adopted
18 amendments in the subcommittee and now in this
19 Committee based specifically on public input.
20 We have a process, members, that has worked.
21 Where we can bring together our legal
22 obligations and the input of the public, that
23 is the right thing to do, and I believe that is
24 the thing we have now done.

25 Thinking about compactness, when you look

1 at the districts in Brevard County, Pasco
2 County, Lee County, and really throughout the
3 map, it is remarkable how much more compact
4 they are. We even made most of the minority
5 districts very compact as well.

6 Speaking of which, we did maintain those
7 existing minority districts, and we even
8 created additional opportunities in Orange
9 County, Osceola County and possibly other
10 places.

11 All in all, I really do ask for everyone's
12 vote, and before I close, Mr. Chair, I would
13 like to give one more final thanks not only to
14 our committee staff, as many of you have
15 experienced the machine, Jeff Takacs, and the
16 amount of expertise and Alex and the rest of
17 our subcommittee.

18 I would also like to give a thanks to my
19 excellent co-Chair, Chairman Dorworth, and a
20 lot of members of the Committee, you know. We
21 had members like Representative Bernard and
22 Julien, which today I learned were two
23 different people, Representatives Clarke-Reed
24 and Rogers, who went to almost every public
25 hearing we had over the summer, Representative

1 Baxley and Frishe and others, and the amount of
2 work, time and effort that they have put into
3 this map I think makes it legally compliant.

4 With that, I am proud to close on the
5 House maps, Mr. Chair.

6 REPRESENTATIVE WEATHERFORD: Thank you
7 very much, Representative Schenck, always
8 levity in your close, my friend, and with
9 having closed on the Bill, would the
10 administrative assistant please call the roll?

11 THE CLERK: Chair Weatherford?

12 REPRESENTATIVE WEATHERFORD: Yes.

13 THE CLERK: Representative Adkins?

14 REPRESENTATIVE ADKINS: Yes.

15 THE CLERK: Bernard?

16 REPRESENTATIVE BERNARD: No.

17 THE CLERK: Chestnut?

18 REPRESENTATIVE CHESTNUT: No.

19 THE CLERK: Dorworth?

20 REPRESENTATIVE DORWORTH: Yes.

21 THE CLERK: Eisnaugle?

22 REPRESENTATIVE EISNAUGLE: Yes.

23 THE CLERK: Fresen?

24 REPRESENTATIVE FRESEN: Yes.

25 THE CLERK: Frishe?

1 REPRESENTATIVE FRISHE: Yes.
2 THE CLERK: Holder?
3 REPRESENTATIVE HOLDER: Yes.
4 THE CLERK: Horner?
5 REPRESENTATIVE HORNER: Yes.
6 THE CLERK: Hukill?
7 REPRESENTATIVE HUKILL: Yes.
8 THE CLERK: Jenne?
9 REPRESENTATIVE JENNE: No.
10 THE CLERK: Jones?
11 REPRESENTATIVE JONES: No.
12 THE CLERK: Kiar?
13 REPRESENTATIVE KIAR: No.
14 THE CLERK: Legg?
15 REPRESENTATIVE LEGG: Yes.
16 THE CLERK: Nehr?
17 REPRESENTATIVE NEHR: Yes.
18 THE CLERK: Precourt?
19 REPRESENTATIVE PRECOURT: Yes.
20 THE CLERK: Rogers?
21 REPRESENTATIVE ROGERS: No.
22 THE CLERK: Rouson?
23 REPRESENTATIVE ROUSON: No.
24 THE CLERK: Schenck?
25 REPRESENTATIVE SCHENCK: Yes.

1 THE CLERK: Workman?

2 REPRESENTATIVE WORKMAN: Yes.

3 REPRESENTATIVE WEATHERFORD: Okay. With
4 that, show that the Bill passes, or the HJR
5 passes.

6 Members, we are going to move forward. At
7 this time, we are going to take up House Bill
8 6005, which is also Congressional Map 9043.
9 Members, that is the third tab in your packets.

10 Representative Legg, Chair Legg, you are
11 recognized to explain the Bill.

12 REPRESENTATIVE LEGG: Thank you,
13 Mr. Chairman.

14 Mr. Chairman, last week our Committee made
15 the recommendation of HB 6005 to you, which is
16 also map 9043, as the base map to build on. I
17 want to briefly describe that map in kind of a
18 large view.

19 First, HB 6005 is a complete redistricting
20 map of Florida's new 27 congressional
21 districts. Unlike the House and the Senate
22 maps, the Congressional map has a population
23 deviation of zero percent.

24 The Bill reduces the number of county
25 splits from 30 on the current map to just 22.

1 It reduces the city splits from the current 110
2 at the current map to just 39 as compared to
3 the current Congressional map.

4 The Bill significantly improves the
5 compactness of Florida's Congressional map in
6 terms of perimeter, width/height measurements
7 and in terms of drive time measurements.

8 The Bill also maintains Florida's
9 commitment to the Florida Voter Rights Act and
10 Florida's new constitutional standards
11 regarding racial and language minority.

12 With that, Mr. Chair, that is the overview
13 of the Bill.

14 REPRESENTATIVE WEATHERFORD: Thank you
15 very much, Chair Legg.

16 Members, moving forward, I believe we have
17 an amendment by Representative Precourt.
18 Vice-Chair Precourt, you are recognized to
19 explain your amendment.

20 REPRESENTATIVE PRECOURT: Thank you, Chair
21 Weatherford.

22 This amendment, members, is also map 9047,
23 you also have it in your package, and it,
24 again, makes a number of changes to the
25 underlying map that's already been adopted.

1 Staff will make more detailed
2 presentation, just like we did previously, but
3 briefly, the overall amendment reduces the
4 number of cities split from 39 down to 27, a
5 substantial reduction, and reduces the number
6 of counties split from 22 down to 21.

7 Additionally, the amendment improves the
8 likelihood of minority representation, and
9 Alex, I believe, will be getting into the
10 details on that as well.

11 So with that, Mr. Chairman, I would like
12 to have Mr. Kelly give a more detailed
13 presentation of the changes that are proposed
14 in this amendment.

15 REPRESENTATIVE WEATHERFORD: Okay. Thank
16 you very much, Representative Precourt.

17 Alex, if you could maybe give us a little
18 more further explanation on the amendment.

19 MR. KELLY: Thank you, Mr. Chair and
20 members, and I will walk through initially the
21 municipal issues in the amendment.

22 Just moving first to the Pinellas County
23 area of the map -- and we will turn on the city
24 boundary lines so that you can see those.

25 What the amendment does is the amendment

1 places the entirety of the municipalities of
2 Tarpon Springs and Oldsmar into Congressional
3 District 12. In addition to that, Gulfport is
4 placed entirely into Congressional District 13.

5 While we are in the Pinellas/Hillsborough
6 area, at the advice of counsel, District 14 has
7 shifted to -- proportionally greater to the
8 Hillsborough County side. If you look sort of
9 to the region where I am moving the mouse at
10 this point, that portion was previously in the
11 earlier design of District 14. It's now been
12 moved to the Hillsborough County side.

13 The point raised by counsel is that
14 District 14 is a district that has a
15 significant coalition of African-American,
16 Hispanic and other minority voters. That
17 district, as a result of being in Hillsborough
18 County, is a Section 5-covered jurisdiction,
19 and that district needed to have a slight
20 increase due to the minority population.

21 Effectively what the increase does is the
22 total minority population of the district is
23 approximately 53 percent of the district, so it
24 is just a small shift ensuring that the
25 minority population is essentially a majority

1 of the district as compared to the non-minority
2 population in the district.

3 So, again, it is a small shift, and
4 incidentally, that request also corresponded --
5 for different reasons, but that request
6 corresponded with a significant amount of
7 public input that you had and that you reviewed
8 during your prior meeting.

9 We will move to Broward County now, and,
10 again, along the lines of issues relating to
11 municipal splits, the City of Coconut Creek is
12 now entirely included in Congressional District
13 21, the municipality of Wilton Manors is now
14 entirely included in Congressional District 22.

15 Moving down a little further into Broward
16 County, the municipality of Hallendale Beach is
17 now entirely included in Congressional District
18 23; likewise, the City of Hollywood is now
19 entirely included within Congressional District
20 23.

21 Moving down further, looking at
22 Congressional District 24, again, we have the
23 city lines featured, a view with them not
24 featured, now a view with them on. North Miami
25 and North Miami Beach now are both also

1 included entirely in Congressional District 24.

2 Moving to the other side of Congressional
3 District 24, the municipality of Opa-Locka is
4 also entirely included in Congressional
5 District 24. And just as a side note, a piece
6 of public input that was actually received in
7 the Florida Senate regarding the Opa-Locka
8 airport, the request was if the city was to be
9 entirely included, have the airport, and just
10 to match up with the public input, which we do
11 share back and forth with the other Chamber,
12 the airport is also entirely included within
13 District 24 as well.

14 Moving to Palm Beach County, there are two
15 additional municipalities that are kept whole,
16 both Loxahatchee Groves and the municipality of
17 Lake Park are kept whole in this region, both
18 in the proposed Congressional District 20.

19 And we will move briefly to Polk County.
20 The municipalities of -- I will turn the county
21 off here -- Auburndale, which is what is
22 highlighted here, Auburndale and Dundee are now
23 wholly located within districts.

24 In addition to that, taking a step back to
25 the county level, at the county level, the

1 county of Osceola County is now wholly included
2 in Congressional District 9. Okeechobee County
3 is now wholly included in Congressional
4 District 17. So that was two more counties --
5 county splits that were reduced.

6 Now, the City of Bartow had been kept
7 whole previously in the prior versions of the
8 map, but in this particular case, the City of
9 Bartow has been moved entirely into the 15th
10 Congressional District as opposed to previously
11 it was in the 17th Congressional District.

12 In addition to that, changes were made to
13 the 5th Congressional District, the proposed
14 5th Congressional District, which today is just
15 slightly under a 50 percent -- has just
16 slightly under a 50 percent black voting age
17 population.

18 House maps proposed previously had
19 proposed a 48 percent district; however, the
20 opportunity was identified to increase the
21 black voting age population above 50 percent.
22 I will turn on the county boundaries to give
23 you an idea of the effect.

24 So the district -- the principal change,
25 the district now would come into Seminole

1 County, increasing the black voting age
2 population to just slightly above 50 percent.
3 I believe it is exactly 50.06 percent.

4 In addition to that, in terms of the
5 9th -- the proposed 9th Congressional District,
6 which has been sometimes referred to as a sort
7 of Hispanic opportunity district, or at the
8 very least, a potentially future opportunity,
9 the district would now have approximately a
10 41.3 percent Hispanic voting age population.

11 The district previously in this particular
12 iteration, this particular map, did not come
13 into Polk County, although some of the other
14 House suggestions had brought the district into
15 Polk County.

16 So this is more tracking what this
17 district did in some of the other maps that the
18 Committee has looked at. It would now come
19 into Polk County. The net effect did not add
20 to any -- in terms of this district, did not
21 add to any city splits, and, in fact, as we
22 just covered, it actually kept Osceola County
23 whole.

24 And, Mr. Chairman, with that, that is the
25 amendment.

1 REPRESENTATIVE WEATHERFORD: Thank you
2 very much, Mr. Kelly, for the detailed
3 explanation.

4 Members, are there any questions to Mr.
5 Kelly or Mr. Precourt on the amendment? Any
6 questions?

7 Seeing no questions, is there any public
8 testimony to the amendment?

9 Seeing no public testimony, is there any
10 debate on the amendment? Any debate?

11 Seeing no debate, Representative Precourt,
12 you are recognized to close on the amendment.

13 REPRESENTATIVE PRECOURT: Thank you,
14 Mr. Chair. Once again, I just appreciate all
15 the help from staff. With the level of detail
16 that is required on these things, it is a lot
17 of work.

18 REPRESENTATIVE WEATHERFORD: Thank you
19 very much. Having closed, would the
20 administrative assistant please call the roll.

21 THE CLERK: Chair Weatherford?

22 REPRESENTATIVE WEATHERFORD: Yes.

23 THE CLERK: Representative Adkins?

24 REPRESENTATIVE ADKINS: Yes.

25 THE CLERK: Bernard?

1 REPRESENTATIVE BERNARD: No.
2 THE CLERK: Chestnut?
3 REPRESENTATIVE CHESTNUT: No.
4 THE CLERK: Dorworth?
5 REPRESENTATIVE DORWORTH: Yes.
6 THE CLERK: Eisnaugle?
7 REPRESENTATIVE EISNAUGLE: Yes.
8 THE CLERK: Fresen?
9 REPRESENTATIVE FRESEN: Yes.
10 THE CLERK: Frishe?
11 REPRESENTATIVE FRISHE: Yes.
12 THE CLERK: Holder?
13 REPRESENTATIVE HOLDER: Yes.
14 THE CLERK: Horner?
15 REPRESENTATIVE HORNER: Yes.
16 THE CLERK: Hukill?
17 REPRESENTATIVE HUKILL: Yes.
18 THE CLERK: Jenne?
19 REPRESENTATIVE JENNE: No.
20 THE CLERK: Jones?
21 REPRESENTATIVE JONES: No.
22 THE CLERK: Kiar?
23 REPRESENTATIVE KIAR: No.
24 THE CLERK: Legg?
25 REPRESENTATIVE LEGG: Yes.

1 THE CLERK: Nehr?

2 REPRESENTATIVE NEHR: Yes.

3 THE CLERK: Precourt?

4 REPRESENTATIVE PRECOURT: Yes.

5 THE CLERK: Rogers?

6 REPRESENTATIVE ROGERS: No.

7 THE CLERK: Rouson?

8 Schenck?

9 REPRESENTATIVE SCHENCK: Yes.

10 THE CLERK: Workman?

11 REPRESENTATIVE WORKMAN: Yes.

12 REPRESENTATIVE WEATHERFORD: Show the Bill

13 -- show the amendment is adopted.

14 Okay. I think I am going to have to turn
15 the gavel back over to the Vice-Chair again.

16 REPRESENTATIVE PRECOURT: Thank you,
17 Chairman. Chair Weatherford, you are
18 recognized to explain this amendment.

19 REPRESENTATIVE WEATHERFORD: Thank you
20 very much, Mr. Chairman.

21 Members, I am not going to go into the
22 near detailed explanation. I think we have
23 touched on the process under which these maps
24 were brought forth to us, but what I would like
25 to do is to turn over to our legal team to talk

1 about some of the specifics, and ask them to
2 walk us through maybe some of the details or
3 potential challenges that this map may have.

4 And so, with that, as part of the
5 explanation, if Mr. Meros and potentially
6 Mr. DeGrande could come up and walk us through
7 that very briefly, we would appreciate it. You
8 are recognized, sir.

9 MR. MEROS: Thank you, Mr. Chair and
10 members, and I will be very brief, and I will
11 limit my testimony to just a very few
12 instances.

13 Once again, with regard to the League of
14 Women Voters' Congressional map, I find serious
15 constitutional and -- or serious Florida
16 constitutional problems with regard to the
17 notion of the obligation not to diminish the
18 opportunity to elect representatives of choice,
19 as well as potential Federal Section 5
20 violations.

21 Regarding Congressional Amendment 5, what
22 the League of Women Voters has done has taken a
23 district that has been historically in the 48
24 to 50 percent African-American population,
25 which has elected an African-American for the

1 past 20 years, which was created by a Federal
2 District Court in 1990 as a result of
3 litigation brought by then Representative
4 Miguel DeGrande to try to create protections
5 for minorities, and has cut that district from
6 48 percent or 50 percent to 35 percent.

7 To some extent, that is a matter -- that
8 is a personal matter for Mr. DeGrande and a
9 personal matter for me, because I represented
10 some of the parties in 1990, and at that time,
11 there had not been an African-American
12 congressional -- congressperson elected in
13 Florida since reconstruction.

14 After that and after the Federal District
15 Court came in and recognized minority Voting
16 Rights Act, thereafter there were three
17 African-Americans elected. Thereafter, that
18 has stood the test of time and has consistently
19 elected an African-American as the population's
20 candidate of choice.

21 What has happened -- we have a standard,
22 which all of you heard from the testimony from
23 the proponents of Amendment 5 and 6, that is a
24 Tier 1 standard that says that we shall not,
25 must not diminish the opportunity of citizens

1 to elect a candidate of their choice.

2 That diminishment standard, by the words
3 of the promoters of Amendment 6, is a Section 5
4 type analysis as to whether there's any -- any
5 movement backwards, whether the population is
6 less able to elect a candidate by virtue of a
7 change.

8 I suggest to you that it doesn't take a
9 lawyer, it doesn't take careful analysis to
10 know that when you go from 48 or 50 percent
11 African-American population to 35 percent, you
12 have made that district less able to elect a
13 candidate of choice. That is absolutely a
14 diminishment by any means and by any stretch of
15 the imagination.

16 Worse still, in the central Florida area,
17 the public testimony will reflect that there
18 were 10 to 15 members of the African-American
19 community, including ministers of churches in
20 that area, that urged that that district
21 remain, and that they remain in congressional
22 -- proposed Congressional District 5.

23 What has happened by virtue of what the
24 League of Women Voters has done here is to
25 displace over 80,000 African-Americans in

1 central Florida and put them in a white
2 district which will not elect an
3 African-American or their candidate of choice.

4 That cannot be justified by me as a matter
5 of law and as a matter of common sense. It
6 ignores the public testimony, it ignores the
7 Tier 1 standard, it ignores what the proponents
8 said would never be a diminishment.

9 Now, very briefly, the -- I say Alcee
10 Hastings' seat, I apologize, I don't remember
11 the proposed district number, but there is a
12 District 23 in this proposed map is a map -- is
13 a district that touches a Section 5 county
14 under the federal voting rights, and -- Voting
15 Rights Act, and so care, much care must be
16 taken with any potential that the Department of
17 Justice would not pre-clear this district by
18 virtue of any diminishment of the electoral
19 opportunities of African-Americans or
20 minorities in that district.

21 This district has less black voting age
22 population, two or three points, than the
23 proposed map. It, to me, is tempting fate and
24 asking for a delay, asking for a refusal for
25 pre-clearance to do that. Why would we do

1 that? Why would we provoke the Department of
2 Justice and possibly risk a Section 5
3 pre-clearance when the result would be voters
4 would be confused, there would be delays in
5 drawing the map, and ultimately potentially a
6 federal court drawing an interim map simply by
7 virtue of that decision?

8 That same issue is -- the same thing is at
9 risk in the Hillsborough and Pinellas County
10 area where there is a district that, again, is
11 in Hillsborough County, which is a Section 5
12 district that does reduce the minority
13 population to some extent, and, again, temps a
14 Section 5 challenge or a Section 5 refusal to
15 pre-clear that need not occur.

16 A cynical mind would say messing with
17 those two districts is an intent to have
18 justice pre- -- refuse to pre-clear and delay
19 the process. Whatever the result is, it makes
20 no sense, it is not a rational thing to do, and
21 I think would violate the law. Thank you.

22 REPRESENTATIVE PRECOURT: Thank you,
23 Mr. Meros. Chair Weatherford?

24 REPRESENTATIVE WEATHERFORD: Thank you. I
25 was just saying, I wanted to give Mr. DeGrande

1 an opportunity as well to speak and give some
2 legal analysis on this map. Thank you.

3 REPRESENTATIVE PRECOURT: Mr. DeGrande,
4 you are recognized.

5 MR. DEGRANDE: Thank you, Mr. Chairman.

6 Members, I think Mr. Meros has covered
7 most everything I would say, except I will take
8 you back to 1990 and that litigation.

9 At that time, as Mr. Meros mentioned,
10 there had not been an African-American elected
11 to Congress since reconstruction. There was
12 one majority Hispanic-American seat, and as a
13 matter of fact, until Claude Pepper passed away
14 in 1989, Claude Pepper was the Hispanic
15 candidate of choice in that district, and when
16 he passed away, Ileana Ros-Lehtinen became the
17 Hispanic candidate of choice in that district.

18 When we got to the remedy phase in that
19 litigation, there was an impasse in the
20 congressional, and the Court had to draw a map,
21 and both members of the Legislature and
22 Plaintiffs had an opportunity, and Intervenors
23 had an opportunity to propose maps to the
24 Special Master, which ultimately would go to
25 the three-judge panel, and in those maps, we,

1 the Plaintiffs, actually drew four
2 African-American congressional seats, and the
3 Court did not accept it.

4 The Court -- there was one seat that
5 became colloquially known as the barbell
6 district because it joined areas of Orlando and
7 Tampa through the I-4 corridor, and the Court
8 said no, that is too much. But this plan with
9 three African-American seats is a good plan.

10 And when you look at District 3, that
11 district is basically the template of what a
12 three-judge federal panel drew, improved in
13 2000 and greatly improved now in this amendment
14 that you just passed by keeping more cities
15 intact and respecting and adhering to the
16 standards of Amendment 5.

17 So that district, as it has been proposed
18 by the Legislature, to me, is nothing more than
19 following the dictates of a federal court that
20 knew what the limits were in terms of a
21 district that would stretch the boundaries of
22 constitutionality.

23 It found that template to be
24 constitutional. That template has been
25 significantly improved upon in the amendment

1 that you just passed, and, therefore, I think
2 that it is wholly compliant with constitutional
3 provisions.

4 I agree fully with Mr. Meros that this
5 amendment would not be, because of the reasons
6 he stated. Thank you very much.

7 REPRESENTATIVE PRECOURT: Thank you,
8 Mr. DeGrande.

9 Chair Weatherford, further explanation of
10 the amendment?

11 REPRESENTATIVE WEATHERFORD: No.

12 REPRESENTATIVE PRECOURT: Okay. Chair
13 Weatherford having explained the amendment,
14 members, are there any questions on the
15 amendment? Representative Jenne, question on
16 the amendment.

17 REPRESENTATIVE JENNE: Thank you, and I am
18 not sure if this would be appropriate now or
19 later. It is more on the mechanism. When the
20 two gentlemen were just speaking, I had some
21 questions about how we figure out minority
22 representation.

23 So I am not sure if it would be better to
24 ask that question now on this, or to wait later
25 on when we are back on the --

1 REPRESENTATIVE PRECOURT: If -- yes, if
2 it's -- Chair Weatherford.

3 REPRESENTATIVE WEATHERFORD: I was going
4 to say, if I could answer that, Mr. Chairman,
5 if it pertains to this specific amendment, we
6 can do it. If it is not, we can do it later at
7 the end of the meeting.

8 REPRESENTATIVE JENNE: Chairman, I will
9 wait then, thank you.

10 REPRESENTATIVE PRECOURT: Representative
11 Rogers, you are recognized for a question.
12 Thank you. Any further questions on the
13 amendment, members?

14 Okay. Seeing no further questions, we are
15 on to public testimony. I don't believe we
16 have any testimony cards filled out. I don't
17 see anyone approaching the podium.

18 So seeing no further public testimony,
19 members, we are into debate. Any debate on the
20 amendments?

21 Okay. Seeing no debate on the amendment,
22 Chair Weatherford, you are recognized to close.

23 REPRESENTATIVE WEATHERFORD: Thank you
24 very much, Mr. Chairman. I think I would echo
25 the comments I made earlier in my close on the

1 House map in regard to the process and why I
2 think that this amendment should be voted down
3 strictly on those purposes.

4 But I also think that our counsel, who has
5 done this for a very long time and is very
6 well-schooled in the legal matters that involve
7 redistricting, I think have laid out some
8 significant problems with this map.

9 And so for those reasons, and for the
10 reasons in regards to the process, I would urge
11 members of this Committee to vote no.

12 REPRESENTATIVE PRECOURT: Thank you, Chair
13 Weatherford. Having closed on the amendment,
14 members, please recall we are voting on the
15 amendment, not the underlying Bill.

16 Katie, will you please call the roll?

17 THE CLERK: Chair Weatherford?

18 REPRESENTATIVE WEATHERFORD: No.

19 THE CLERK: Rep Adkins?

20 REPRESENTATIVE ADKINS: No.

21 THE CLERK: Bernard?

22 REPRESENTATIVE BERNARD: No.

23 THE CLERK: Chestnut?

24 REPRESENTATIVE CHESTNUT: No.

25 THE CLERK: Dorworth?

1 REPRESENTATIVE DORWORTH: No.
2 THE CLERK: Eisnaugle?
3 REPRESENTATIVE EISNAUGLE: No.
4 THE CLERK: Fresen?
5 REPRESENTATIVE FRESEN: No.
6 THE CLERK: Frishe?
7 REPRESENTATIVE FRISHE: No.
8 THE CLERK: Holder?
9 REPRESENTATIVE HOLDER: No.
10 THE CLERK: Horner?
11 REPRESENTATIVE HORNER: No.
12 THE CLERK: Hukill?
13 REPRESENTATIVE HUKILL: No.
14 THE CLERK: Jenne?
15 REPRESENTATIVE JENNE: No.
16 THE CLERK: Jones?
17 REPRESENTATIVE JONES: No.
18 THE CLERK: Kiar?
19 REPRESENTATIVE KIAR: No.
20 THE CLERK: Legg?
21 REPRESENTATIVE LEGG: No.
22 THE CLERK: Nehr?
23 REPRESENTATIVE NEHR: No.
24 THE CLERK: Precourt?
25 REPRESENTATIVE PRECOURT: No.

1 THE CLERK: Rogers?

2 Rouson?

3 Schenck?

4 REPRESENTATIVE SCHENCK: No.

5 THE CLERK: Workman?

6 REPRESENTATIVE WORKMAN: No.

7 REPRESENTATIVE PRECOURT: Members, by your
8 vote, the amendment fails, and I will turn the
9 chair back to Chair Weatherford.

10 REPRESENTATIVE WEATHERFORD: Thank you
11 very much, Mr. Vice-Chair.

12 Members, we are back on the Bill. Is
13 there any public testimony in regard to the
14 actual Bill as am- -- no appearance cards,
15 okay, so we are good.

16 Any debate on the Bill, members?

17 Seeing no debate -- I'm sorry, do you have
18 a question? Sure, we will do a question.

19 Representative, you are recognized.

20 REPRESENTATIVE ROGERS: Thank you,
21 Mr. Chairman. After listening to the comments
22 around the League of Cities -- League of Women,
23 corrected, League of Women's maps, I just
24 wanted to be reminded of the definition the
25 Committee used to determine if districts were

1 racially fair, and was it not -- what was it?
2 What did we use? I know we -- I like our maps,
3 I like our comments, I attended --

4 REPRESENTATIVE WEATHERFORD: Does that
5 mean you are voting for them?

6 REPRESENTATIVE ROGERS: Just keep --
7 answer my question. I like it, you know, not
8 that much, but I am telling you --

9 REPRESENTATIVE WEATHERFORD: I think I
10 know the question you have.

11 REPRESENTATIVE ROGERS: -- I attended 25
12 of the 26 meetings around the state and I heard
13 the comments, and just remind me again, because
14 I know we are comparing those maps, and I
15 wanted to know our definition.

16 REPRESENTATIVE WEATHERFORD: Let me
17 restate your question, and you tell me if I am
18 asking the right question for you so I can --
19 and get our attorneys.

20 I think what you are asking is, you want
21 to know what standard are we using when we are
22 looking at what is diminishment of a minority
23 district, how are we determining diminishment?
24 Okay.

25 Because that is more complicated than I

1 can probably answer, so I would probably ask
2 our general counsel to walk us through that and
3 give us that explanation. You are recognized.

4 MR. MEROS: Representative, the standard
5 we are using is the standard in Amendment 6,
6 because it is a Congressional map. It is the
7 same as in Amendment 5. It is the Tier 1
8 standard that says you shall not diminish the
9 opportunity of citizens to elect candidate of
10 choice.

11 What everyone has agreed that standard
12 means is a -- is a -- the standard for Section
13 5 of the Federal Voting Rights Act, which now
14 applies to all districts in the state, as
15 opposed to the five districts that it applies
16 to under the Federal Voting Rights Act.

17 And the notion there is that there shall
18 be no backsliding, not going backwards in the
19 opportunity of citizens to elect a candidate of
20 choice. That is different than standards under
21 Section 2, and what -- and particularly in the
22 reenactment of the Federal Voting Rights Act
23 and Section 5 of the Federal Voting Rights Act.

24 Congress made it clear in their analysis
25 that the language of Section 5 had changed

1 somewhat in response to the Georgia v. Ashcroft
2 decision, which suggested somewhat of a
3 weakening of what that standard was, and
4 Congress said it intended to make it clear that
5 in every district, the issue is whether
6 minority citizens are less able to elect a
7 candidate of choice in the new district than
8 they were in the old district.

9 Now, I know some would argue that, well,
10 what that means is you can take a district from
11 50 percent down to 35 percent, because once you
12 crunch a bunch of numbers, the minority
13 candidate has a pretty good chance or an equal
14 chance of winning. But that is not what
15 Amendment 6 says. That is not what Congress
16 said even about the Federal Voting Rights Act.

17 What Congress said and what the Floridians
18 said is if you backslide, if you make it less
19 able to elect a minority candidate, then that
20 is a violation. Now, if you go from 50 percent
21 to 35 percent, maybe someone, maybe an
22 African-American candidate will win, maybe an
23 incumbent. But it is not about the incumbent,
24 it is about the population that originally
25 elected an African-American candidate.

1 And so the notion that there is no going
2 backwards from 50 percent to 35 percent, to me,
3 defies common sense. It defies the law and it
4 defies every analysis of voting rights that I
5 am aware of.

6 REPRESENTATIVE WEATHERFORD: Thank you,
7 Mr. Meros.

8 Ms. Rogers, did you have a follow-up?

9 REPRESENTATIVE ROGERS: No, Mr. Chair.
10 Thank you very much. Can I just make a
11 comment?

12 REPRESENTATIVE WEATHERFORD: Yes, you may.

13 REPRESENTATIVE ROGERS: I really enjoyed
14 the process, really enjoyed working with you,
15 so -- and looking forward to the next vote.

16 REPRESENTATIVE WEATHERFORD: Well, thank
17 you very much. I appreciate that.

18 Representative Jenne, you are recognized,
19 sir.

20 REPRESENTATIVE JENNE: Thank you, Chairman
21 Weatherford, I appreciate it. And I think the
22 question is really best given to you, and thank
23 you so much, as always, for being here with
24 your answers, and I know we have a lot of
25 detailed questions.

1 Piggy-backing a little bit off of
2 Representative Rogers' question, is there any
3 mathematical formula that we can use to try to
4 determine -- and this is really a blanket
5 question for any of the maps --

6 REPRESENTATIVE WEATHERFORD: Sure.

7 REPRESENTATIVE JENNE: -- to be completely
8 honest. But is there a formula, numeric or
9 otherwise, that we can use to determine if we
10 are harming minority representation, or is that
11 just a straight numbers game?

12 MR. MEROS: If one is harming minority
13 representation in what way, I'm sorry?

14 REPRESENTATIVE JENNE: I'm sorry,
15 weakening it in some way, I apologize.

16 MR. MEROS: Meaning the diminishment
17 standard?

18 REPRESENTATIVE JENNE: The diminishment
19 standard, yes, sir.

20 MR. MEROS: Sure.

21 REPRESENTATIVE JENNE: Is there a numeric
22 formula, or some other type?

23 MR. MEROS: There is no set formula to
24 assess that. It is a -- it is an assessment
25 that is in part based on electoral results in

1 the past, it is based on registration of
2 minority voters, it is based on turn-out.

3 It is based on the minority population in
4 that area and their wishes, any number of
5 things that in combination come up with the
6 notion as to whether people in that district
7 have gone backwards in their -- in their
8 ability to elect a candidate of choice.

9 The one thing that is clear is that after
10 enactment of the congressional -- or after
11 Congress reenacted Section 5, the language was
12 intended to make it clear that one cannot say,
13 well, you can backslide a little bit in one
14 district, but strengthen another and you are
15 okay, or that you can think more about a
16 coalition district and backslide traditionally
17 and maybe that's okay. Congress said no. The
18 question is less able.

19 Now, less able, again, would have to look
20 at all sorts of factors: Registration,
21 turnout, the -- you know, the polarization in
22 that area, any number -- the wishes of the
23 minority community, such as the Orlando
24 community. And so my analysis of that is I
25 cannot imagine a case where going from

1 50 percent to 35 percent means that you are not
2 less able to elect a candidate of choice.

3 Maybe there are, but I don't -- I can't
4 imagine it. But it is a -- it is a complex and
5 comprehensive analysis that you have to
6 undertake.

7 REPRESENTATIVE JENNE: A brief follow-up,
8 Mr. Chair, if that's all right?

9 REPRESENTATIVE WEATHERFORD: You are
10 recognized.

11 REPRESENTATIVE JENNE: You mentioned
12 turnout, and it kind of led to another
13 question --

14 MR. MEROS: Sure.

15 REPRESENTATIVE JENNE: -- that I had had,
16 and that is basically election performance data
17 and how or if it was even used to determine if
18 the districts diminished the ability of
19 minorities to elect candidates of their choice.

20 MR. MEROS: Well, I can tell you what the
21 House did was to focus on districts that had
22 historically performed for African-Americans or
23 for Hispanics, because now non-diminishment was
24 statewide, and tried very carefully not to
25 diminish the population percentages more than

1 one or two or three points, or sometimes more,
2 and in doing so there, to comply with other
3 standards, such as compactness and complying
4 with city and county boundaries.

5 And the reason for that was obvious.
6 Diminishment means diminishment. If you reduce
7 it more than a few percentage points, you at
8 least facially have to address the possibility
9 that there is a diminishment. And so that is
10 very much how the House went about doing it.

11 And, again, one of the things here we have
12 to realize is if we delay the process or permit
13 there to be challenges to the map that have
14 some possibility of succeeding, then this is
15 taken away from the Legislature and the
16 legislative prerogative and put into the court
17 simply by virtue of the delay involved in
18 having this sort of thing litigated.

19 As a matter of just policy and as a matter
20 of legal prudence, one would never want to do
21 that.

22 REPRESENTATIVE WEATHERFORD: Thank you,
23 Mr. Meros.

24 REPRESENTATIVE JENNE: One last follow-up?
25 Mr. Chair, thank you.

1 REPRESENTATIVE WEATHERFORD: Sure. You
2 are recognized for a follow-up.

3 REPRESENTATIVE JENNE: And this is the
4 last one, sir. Thank you so much for being up
5 there to answer these questions in a kind of --
6 one bridges off the other.

7 The next and my final question here is,
8 are we improperly overpacking a district with
9 minority voters if we place more of that group
10 in a district than is necessary to allow
11 minority voters their personal choice and --
12 but simultaneously violate other criteria? Do
13 you see the gist of the question?

14 MR. MEROS: Sure, sure. That essentially
15 is an issue of are you packing minorities in a
16 given dis- -- that is a Section 2 sort of
17 claim. Are you packing minority voters in a
18 district and thereby diluting their strength
19 which could be in two districts rather than one
20 district?

21 With regard to Congressional 5, you are
22 clearly not doing that, because, remember,
23 there are two standards that -- the Tier 1
24 standards that the voters wanted and that the
25 proponents of these districts have set from

1 start to finish, and that is there is a Section
2 2 protection for minority and there is a
3 Section 5 protection statewide, so don't worry,
4 all of the concerns that this Legislature
5 raised about the possibility of weakening
6 minority voting rights, they said don't worry.
7 When you talk about diminishment, the issue is
8 are you backsliding, are you making it less
9 able for a minority to be elected. That is a
10 different standard, that is a very strong
11 standard. And so that is not packing. If that
12 district is at 48 or 50 percent, and when you
13 take it to 35 percent, someone is less able to
14 elect a candidate of choice, that is not
15 packing, that is complying with that standard.
16 That is -- the Legislature didn't do that. I
17 didn't do that. The voters of Florida did
18 that.

19 REPRESENTATIVE JENNE: Sir, thank you.

20 REPRESENTATIVE PRECOURT: Follow-up,
21 Representative Jenne?

22 REPRESENTATIVE JENNE: Mr. Chairman, no,
23 thank you, and I appreciate it.

24 REPRESENTATIVE PRECOURT: Representative
25 Chestnut, you are recognized for a question.

1 REPRESENTATIVE CHESTNUT: Thank you,
2 Mr. Chair. In terms of the -- we were talking
3 about performance data, I think the question
4 came up. Does staff have access to performance
5 data at all?

6 REPRESENTATIVE PRECOURT: Mr. Meros, you
7 are recognized.

8 MR. MEROS: The public has access to it,
9 the staff has access to it, you can -- you can
10 go to places where there's all sorts of
11 election data, so, sure. And in drawing
12 districts that have significant minority
13 populations, it is incumbent upon us to look at
14 those matters. And if you will recall in the
15 debates before when this House was asking about
16 how can we do these, the framers of the
17 amendment said of course you look at election
18 data and performance data when it comes to
19 minority districts. That is part of the
20 calculation you have to do to comply with the
21 law.

22 REPRESENTATIVE PRECOURT: And since that
23 is a technical question on the system itself, I
24 would like to have Mr. Kelly address that as
25 well. Alex?

1 MR. KELLY: Thank you, Mr. Chair.

2 Representative Chestnut, yes, data is in
3 the application right here that you are looking
4 at on the screen.

5 REPRESENTATIVE CHESTNUT: Thank you.

6 REPRESENTATIVE PRECOURT: And that you
7 have access to, as well as everyone else.

8 REPRESENTATIVE CHESTNUT: Thank you.

9 REPRESENTATIVE PRECOURT: Representative
10 Bernard, you are recognized for a question.

11 REPRESENTATIVE BERNARD: Thank you,
12 Mr. Chair.

13 Mr. Meros, going to District 5, I guess,
14 was it -- I guess the 2002 map, was that
15 district short in terms of population?

16 MR. MEROS: I will defer to staff on the
17 specifics of that. I -- Alex, if you want to
18 answer that.

19 REPRESENTATIVE WEATHERFORD: Mr. Kelly,
20 you are recognized -- I will tell you what.
21 He's going to probably have to pull that out.
22 I don't think he has it off the top -- do you
23 have it?

24 MR. KELLY: Thank you, Mr. Chair.

25 Jeff, if you could pull up the current

1 congressional map.

2 REPRESENTATIVE WEATHERFORD: This is so
3 much better than 1980. We would have run out
4 of crayons by now.

5 REPRESENTATIVE CHESTNUT: Go ahead, Alex.

6 REPRESENTATIVE WEATHERFORD: I don't think
7 Mr. Kelly can see it from here. We need to get
8 him some bifocals like you've got there.

9 MR. KELLY: Okay. So the population
10 deviation was 37,289 under in District 3.

11 REPRESENTATIVE CHESTNUT: Follow-up,
12 Mr. Chair?

13 REPRESENTATIVE WEATHERFORD: You are
14 recognized for a follow-up.

15 REPRESENTATIVE CHESTNUT: Thank you.

16 What I -- I guess what I want to find out
17 is since the district was created in nineteen
18 -- if that -- the concept of the district was
19 created in 1992, and the population changed
20 from 1992 to 2002 and then two thousand and --
21 in 2012, if the population is declining, do we
22 still -- if we had to get the numbers from
23 somewhere else, would we have -- would we have
24 to kind of like -- if the numbers were in Key
25 West, would that district have to be created

1 from Jacksonville to Key West to make up that
2 number, if that is how it would -- for
3 minorities to elect a representative of their
4 choice?

5 MR. MEROS: Entirely appropriate question,
6 and the answer is certainly no. When
7 population shifts occur, one has to go back and
8 figure out what can be done. A Section 5
9 analysis does not mean -- and I say Section 5,
10 an Amendment 5 diminishment standard -- does
11 not mean if that population vanishes, you have
12 to create something you cannot. What you do
13 have to do is look at it and say can you make a
14 good faith effort to avoid backsliding with a
15 population as it exists now. And so certainly
16 that is a factor.

17 Clearly there is sufficient population in
18 that district to avoid non-diminishment,
19 because -- to avoid diminishment. If we were
20 to take it to 35 percent, then one of the
21 factors would be, well, wait a minute, there
22 are alternative maps that better comply than
23 earlier that don't -- that don't diminish so
24 much, and those alternatives is the very proof
25 that there is backsliding.

1 But you are absolutely correct, the
2 population shifts are a factor that you have to
3 take into consideration.

4 REPRESENTATIVE CHESTNUT: Thank you.

5 REPRESENTATIVE WEATHERFORD: Okay.

6 Members, any other questions? Mr. DeGrande,
7 did you want to add to that explanation?

8 MR. MEROS: He is going to correct my
9 mistakes.

10 REPRESENTATIVE WEATHERFORD: Okay.

11 MR. DEGRANDE: Absolutely not. Just one
12 additional comment, at least how I interpret
13 the constitutional amendments.

14 When the voters voted to say no
15 diminishment, in the same way that it could be
16 assumed that they knew what all the intricacies
17 were of the amendment, it could also be assumed
18 that they needed a configuration of the
19 districts that they didn't want diminished.
20 And so an argument to say that the, you know,
21 current District 3 shouldn't be redrawn the
22 same way, if it can be redrawn with the same
23 template in a manner that does not diminish, it
24 would seem to me that that is exactly what the
25 voters that voted for Amendment 5 and 6 were

1 asking this Legislature to do, because they
2 would have known that, okay, that is what it
3 looks like now, we don't want it diminished.
4 So I don't see -- again, not only do I see that
5 as simply following a template that was
6 approved by a three-judge court, but also very
7 consistent with the intent of the voters in
8 Amendment 5 and 6.

9 And to your point, Mr. Chairman, in 1990
10 when I was a member of the House, we had a
11 computer that was I think \$5 million in a
12 cooled environment that had less computing
13 capacity than your laptop today to do
14 redistricting. That's how much we've advanced.

15 REPRESENTATIVE WEATHERFORD: You are aging
16 yourself, be careful, Miguel.

17 Representative Jones, I think you had a
18 question.

19 REPRESENTATIVE JONES: Thank you,
20 Mr. Chairman. We talked earlier about the
21 number of counties that had been split into
22 multiple districts. Do we have that
23 information for the congressional in comparison
24 to 2002?

25 REPRESENTATIVE WEATHERFORD: We do, I

1 think we do. If I could restate that, I think
2 what you would like to see is the data on the
3 amount of county splits we had in the 2002
4 congressional map versus the 2012 suggested
5 congressional map?

6 MR. TAKACS: Thank you, Mr. Chair. The
7 2002 congressional maps split 30 counties. The
8 proposal, as amended, would only split 21
9 counties. So it would keep nine additional
10 counties whole.

11 REPRESENTATIVE JONES: One final question.

12 REPRESENTATIVE WEATHERFORD: You are
13 recognized for a question.

14 REPRESENTATIVE JONES: How are we
15 measuring compactness for the congressional
16 seats?

17 REPRESENTATIVE WEATHERFORD: Very good
18 question, and I will let staff answer that as
19 well.

20 MR. TAKACS: Thank you, Mr. Chair.

21 Representative Jones, there's a number of
22 different ways to measure compactness. There
23 are some -- there are some traditional scores
24 that are utilized based on perimeter or area of
25 the districts, width plus height test, and

1 sometimes you take a ratio of those different
2 numbers. Those are actually all included in
3 the planned data report that is in your packet
4 for each bill.

5 In addition to that, we have implemented a
6 number of functional measures that measure
7 items such as drive time, mileage, the average
8 mileage to cross a district, mileage based on
9 physically what you actually can drive. So
10 there is functional compactness measured as
11 well.

12 In addition to that, a comment that was
13 utilized in a number of the maps, not just the
14 congressional, was during a course of the
15 summer meetings, a number of individuals from
16 the public oftentimes made a case that
17 compactness and county boundary lines tended to
18 be relative equals in their eyes. And so that
19 comment was factored in in terms of the drawing
20 and in terms of the debate and discussion in
21 your various subcommittees.

22 REPRESENTATIVE JONES: Thank you,
23 Mr. Chairman.

24 REPRESENTATIVE WEATHERFORD: You're
25 welcome. Members, any other questions?

1 Okay. We are back on debate. Is there
2 any debate on the bill? Debate on the bill as
3 amended?

4 Seeing no debate, we are now going to
5 recognize Representative Legg to close.

6 REPRESENTATIVE LEGG: Thank you,
7 Mr. Chair. I just want to briefly go over some
8 numbers that Representative Jones was just
9 asking. Forty-six of the 67 counties are kept
10 whole. Only 27 of the 411 cities in the state
11 have been split, versus the current
12 congressional map, which has over 110 splits
13 right now.

14 The -- this congressional map has been
15 held true to Amendment 6 by keeping county and
16 city boundaries. It's also held true to all
17 the public testimony that we have heard
18 throughout the state about keeping the
19 communities and cities and counties together.
20 This -- the districts are significantly more
21 compact than Florida's current congressional
22 map, and the district also maintains a
23 likelihood that minority communities can elect
24 a candidate of their choice.

25 And with that, Mr. Chair, I just want to

1 echo the words of Chair Schenck and just say
2 thank you to our co-Chairs, Chair Holder and
3 Vice-Chair Horner, and all our committee staff
4 who worked on this, and look forward to
5 presenting it on the floor if this Committee
6 passes.

7 REPRESENTATIVE WEATHERFORD: Thank you
8 very much, Representative Legg. And with that
9 closed, would the administrative assistant
10 please call the roll.

11 THE CLERK: Chair Weatherford?

12 REPRESENTATIVE WEATHERFORD: Yes.

13 THE CLERK: Rep Adkins?

14 REPRESENTATIVE ADKINS: Yes.

15 THE CLERK: Bernard?

16 REPRESENTATIVE BERNARD: No.

17 THE CLERK: Chestnut?

18 REPRESENTATIVE CHESTNUT: No.

19 THE CLERK: Dorworth?

20 REPRESENTATIVE DORWORTH: Yes.

21 THE CLERK: Eisnaugle?

22 REPRESENTATIVE EISNAUGLE: Yes.

23 THE CLERK: Fresen?

24 REPRESENTATIVE FRESEN: Yes.

25 THE CLERK: Frishe?

1 REPRESENTATIVE FRISHE: Yes.
2 THE CLERK: Holder?
3 REPRESENTATIVE HOLDER: Yes.
4 THE CLERK: Horner?
5 REPRESENTATIVE HORNER: Yes.
6 THE CLERK: Hukill?
7 REPRESENTATIVE HUKILL: Yes.
8 THE CLERK: Jenne?
9 REPRESENTATIVE JENNE: No.
10 THE CLERK: Jones?
11 REPRESENTATIVE JONES: No.
12 THE CLERK: Kiar?
13 REPRESENTATIVE KIAR: No.
14 THE CLERK: Legg?
15 REPRESENTATIVE LEGG: Yes.
16 THE CLERK: Nehr?
17 REPRESENTATIVE NEHR: Yes.
18 THE CLERK: Precourt?
19 REPRESENTATIVE PRECOURT: Yes.
20 THE CLERK: Rogers?
21 REPRESENTATIVE ROGERS: No.
22 THE CLERK: Rouson?
23 Schenck?
24 REPRESENTATIVE SCHENCK: Yes.
25 THE CLERK: Workman?

1 REPRESENTATIVE WORKMAN: Yes.

2 REPRESENTATIVE WEATHERFORD: All right.

3 And with that, show HJR 601 passes -- I'm
4 sorry, 605 -- 6005 passes.

5 We are now moving on to HJR 6001, which is
6 also the State Senate Map 9004. Members, this
7 is in the first tab in your packets. This is
8 the last HJR we will go through.

9 Representative Nehr, you are recognized to
10 explain the House joint resolution.

11 REPRESENTATIVE NEHR: Thank you,
12 Mr. Chairman. I want to share with you some
13 details regarding House Joint Resolution 6001
14 as a whole, and how it compares to the current
15 State Senate district map.

16 For the 40 districts in this particular
17 map, there is only a 1.84 percent total
18 population deviation. And compared to our
19 current map, the bill reduces the number of
20 county splits from 45 all the way down to 31,
21 and the number of city splits from 126 down to
22 a very low number of 78.

23 Looking at some of the more mathematical
24 compactness scores relating to perimeters and
25 height and width of districts, this proposed

1 committee bill consistently improves the
2 compactness of Florida's 40 State Senate
3 districts. And looking some at the more
4 functional compactive measures, such as drive
5 times, the bill again consistently improves
6 these measures of compactness compared to the
7 existing State Senate map. The bill maintains
8 Florida's commitments to compliance with the
9 Federal Voting Rights Act, both Section 2 and 5
10 of Florida's constitutional standards regarding
11 racial and language minorities. Thank you,
12 Mr. Chairman.

13 REPRESENTATIVE WEATHERFORD: Thank you
14 very much. Are there any questions on the
15 bill? Yes, you are recognized for a question.

16 A VOICE: Mr. Chairman, thank you, as
17 always. The first question is this,
18 Representative Nehr: Is this -- basically this
19 is the same map that the Senate passed off
20 their floor?

21 REPRESENTATIVE WEATHERFORD: Actually, if
22 I could interject just really quickly, we're
23 going to get to an amendment by Representative
24 Precourt.

25 A VOICE: That will get us to that

1 posture.

2 REPRESENTATIVE WEATHERFORD: That will get
3 us to that posture?

4 A VOICE: Thank you, yes.

5 REPRESENTATIVE WEATHERFORD: Would you
6 like to wait to get there?

7 A VOICE: Yes, absolutely, sir. Thank
8 you.

9 REPRESENTATIVE WEATHERFORD: Okay. Well,
10 then, any other questions before we move to the
11 amendatory process?

12 Seeing none, we are going to move to
13 amendment number one by Representative
14 Precourt. You are recognized to explain the
15 amendment.

16 REPRESENTATIVE PRECOURT: Thank you,
17 Chairman Weatherford.

18 Members, again, you have the amendment in
19 front of you. This amendment is a little bit
20 different than the others. It is also map
21 9008, and it conforms to this bill that we have
22 in front of us, the one that passed through the
23 Senate subcommittee and that we workshopped in
24 our last meeting. It conforms that bill to the
25 Senate map included in SJR 1176, 1176, which is

1 the bill that the Senate passed last week.

2 I will let staff again outline the
3 detailed changes that were made, but in
4 summary, the amendment reduces the number of
5 cities that were split by 24 cities, reduces it
6 by 24, decreasing that down to only 54 cities
7 that are split, and it also lowers the total
8 population deviation to two percent. So with
9 that, Mr. Chair, we ought to have Mr. Poreda --

10 REPRESENTATIVE WEATHERFORD: Yes, why
11 don't we do that, if we could, staying in the
12 same light here, why don't -- Mr. Poreda, if
13 you could enlighten us on some of the
14 differences between the former map and what the
15 amendment would do, thank you.

16 MR. POREDA: Absolutely. Thank you,
17 Mr. Chairman.

18 The amendment makes several changes all
19 around the map. It actually decreases the
20 amount of cities split by 24 cities, going from
21 78 to 54 cities all around the map. In many
22 cases, some of those changes are just one or
23 two census blocks where no people live in them
24 that were changed to keep the city whole, and
25 rather than take the Committee through every

1 single one of those little, tiny changes, I
2 will highlight some of the three or four
3 examples to kind of show some of the larger
4 examples and then go from there.

5 First we will go to the Lake County area
6 once it comes back up. This you can see, this
7 is probably the largest change that is most
8 visible on the map. Previously the three
9 cities considered the Golden Triangle of
10 Eustis, Tavares and Mt. Dora were split. On
11 this map, those three cities are kept whole.
12 And I think the city lines are -- yes, there
13 you go. So you can see those three cities that
14 are in the green District 11 right there, those
15 are the Golden Triangle cities that are kept
16 whole. And by keeping those three cities
17 whole, the district was actually -- District
18 10, the pink district directly underneath it,
19 was actually able to keep the City of Leesburg
20 whole and the City of Fruitland Park whole,
21 which were both cities that were previously
22 split in the previous map.

23 Next we will kind of go to the Orange
24 County area to see the City of Oakland, that
25 little city right there. This is an example of

1 a city that Senate reapportionment staff saw
2 that they could keep whole, and made that
3 change to the map. So that is one of the
4 changes that you can see there.

5 The next example is an example of a city
6 where the Polk County Supervisor of Elections,
7 as well as public input, suggested they keep
8 whole. That is the city of Davenport in Polk
9 County. Previously, the City of Davenport was
10 split. That is Haines City right there.
11 Davenport is right above that. You can see it
12 is kept whole in the District 16 just above
13 Haines City. Right there, yeah, that is the
14 City of Davenport. Previously, this was a city
15 that was split. The Polk County Supervisor of
16 Elections suggested to try to keep that city
17 whole, and there was a lot of public input
18 speaking to that effect as well, and they were
19 able to make that change.

20 Another example of the many changes
21 throughout the map are small, little changes
22 that Supervisors of Election throughout the
23 state asked. If we go to the Pensacola area
24 real quick, you can see that -- if we zoom in
25 on the City of Pensacola, the borders between

1 Districts 1 and 3 were altered very, very
2 slightly, in some cases, just a couple of dozen
3 people were affected. Those changes were
4 recommended by the Escambia County Supervisor
5 of Elections to try to keep -- try to prevent
6 some of the voter islands, the concept that we
7 talked about last week where there might be a
8 school board district that overlaps just ever
9 so slightly with one of the Senate districts,
10 so then that would -- only a couple dozen
11 people would get a unique ballot and you would
12 be able to figure out how they voted. So
13 that's very, very minor changes to that, and
14 the rest of the changes throughout the map are
15 kind of in the same light, recommended by the
16 Supervisors of Elections around the state.

17 REPRESENTATIVE WEATHERFORD: Great. Thank
18 you very much, Jason.

19 Members, are there any questions in regard
20 to the amendment? Questions on the amendment?

21 Is there any public testimony on the
22 amendment? I don't think we have any cards.

23 Any debate on the amendment? Seeing no
24 debate on the amendment, you are recognized to
25 close the amendment, Representative Precourt.

1 REPRESENTATIVE PRECOURT: Thank you, Chair
2 Weatherford. Again, thank you to staff for all
3 the detailed hard work they did on this, and I
4 waive close.

5 REPRESENTATIVE WEATHERFORD: Having waived
6 close, would the administrative assistant
7 please call the roll.

8 THE CLERK: Chair Weatherford?

9 REPRESENTATIVE WEATHERFORD: Yes.

10 THE CLERK: Representatives Adkins?

11 REPRESENTATIVE ADKINS: Yes.

12 THE CLERK: Bernard?

13 REPRESENTATIVE BERNARD: No.

14 THE CLERK: Chestnut?

15 REPRESENTATIVE CHESTNUT: No.

16 THE CLERK: Dorworth?

17 REPRESENTATIVE DORWORTH: Yes.

18 THE CLERK: Eisnaugle?

19 REPRESENTATIVE EISNAUGLE: Yes.

20 THE CLERK: Fresen?

21 REPRESENTATIVE FRESEN: Yes.

22 THE CLERK: Frishe?

23 REPRESENTATIVE FRISHE: Yes.

24 THE CLERK: Holder?

25 REPRESENTATIVE HOLDER: Yes.

1 THE CLERK: Horner?
2 REPRESENTATIVE HORNER: Yes.
3 THE CLERK: Hukill?
4 REPRESENTATIVE HUKILL: Yes.
5 THE CLERK: Jenne?
6 REPRESENTATIVE JENNE: No.
7 THE CLERK: Jones?
8 Kiar?
9 REPRESENTATIVE KIAR: No.
10 THE CLERK: Legg?
11 REPRESENTATIVE LEGG: Yes.
12 THE CLERK: Nehr?
13 REPRESENTATIVE NEHR: Yes.
14 THE CLERK: Precourt?
15 REPRESENTATIVE PRECOURT: Yes.
16 THE CLERK: Rogers?
17 REPRESENTATIVE ROGERS: No.
18 THE CLERK: Rouson?
19 REPRESENTATIVE ROUSON: No.
20 THE CLERK: Schenck?
21 REPRESENTATIVE SCHENCK: Yes.
22 THE CLERK: Workman?
23 REPRESENTATIVE WORKMAN: Yes.
24 REPRESENTATIVE WEATHERFORD: Okay. So the
25 amendment passes.

1 We are back on the bill. Is there any
2 debate on the bill as amended? Any debate on
3 the bill? Any questions on the bill? Do you
4 have a question? Representative Jenne, we are
5 back to you, questions on the bill.

6 REPRESENTATIVE JENNE: Thank you, thank
7 you, Chairman, and, again, I always appreciate
8 it.

9 And I guess what my question is, I have
10 seen public comment that -- and I guess beauty
11 is in the eye of the beholder, but I've heard a
12 lot of public comment after the Senate map had
13 come out that our map -- our map meaning the
14 map governing the House seats -- was better.
15 I've read public commentary from members and
16 other folks who had said that.

17 So my question is this: Outside of
18 legislative tradition, why do we want to vote
19 this map out? Is this the best product we
20 have, or is there something we can do moving
21 forward, because I know there are some concerns
22 with this map?

23 REPRESENTATIVE WEATHERFORD: What I would
24 say is if your curiosity peaks you to such an
25 extent, you can certainly file an amendment to

1 change the map. We have had the maps out since
2 December the 6th. We have been following the
3 Senate map very closely. We send e-mails
4 regularly out to every member of this Committee
5 and of the chamber to let them know what the
6 amendment deadlines are. If any member of this
7 Committee or of the chamber would like to file
8 an amendment, we have another crack at it on
9 the floor, and if you feel like you can improve
10 the map, we would encourage you, Representative
11 Jenne, to file that amendment and explain it on
12 the floor.

13 REPRESENTATIVE JENNE: I always appreciate
14 your encouragement, Chairman, thank you.

15 REPRESENTATIVE WEATHERFORD: You're
16 welcome. Any other questions?

17 Seeing no questions, any debate on the
18 bill?

19 Seeing no debate on the bill, you are
20 recognized to close on the bill, Representative
21 Legg -- or, I'm sorry, Representative Nehr.

22 REPRESENTATIVE NEHR: Thank you,
23 Mr. Chairman.

24 I don't have much to add, members. I just
25 want to reiterate that the bill, when you

1 reflect on those issues that are pertinent in
2 the law, makes improvements in every single way
3 in terms of compactness, use of city, county
4 and other boundaries, and in terms of
5 representation for racial and language
6 minorities. And at this time, Mr. Chair, I
7 just want to thank my co-Chair, Representative
8 Hukill, for all her hard work that she's put
9 into this particular bill. Also I want to
10 thank the redistricting staff as a whole,
11 especially Alex Kelly, for their hard work, and
12 with that, Mr. Chairman, I close.

13 REPRESENTATIVE WEATHERFORD: Thank you
14 very much. Having closed on the bill, would
15 the administrative assistant please call the
16 roll.

17 THE CLERK: Chair Weatherford?

18 REPRESENTATIVE WEATHERFORD: Yes.

19 THE CLERK: Representatives Adkins?

20 REPRESENTATIVE ADKINS: Yes.

21 THE CLERK: Bernard?

22 REPRESENTATIVE BERNARD: No.

23 THE CLERK: Chestnut?

24 REPRESENTATIVE CHESTNUT: No.

25 THE CLERK: Dorworth?

1 REPRESENTATIVE DORWORTH: Yes.
2 THE CLERK: Eisnaugle?
3 REPRESENTATIVE EISNAUGLE: Yes.
4 THE CLERK: Fresen?
5 REPRESENTATIVE FRESEN: Yes.
6 THE CLERK: Frishe?
7 REPRESENTATIVE FRISHE: Yes.
8 THE CLERK: Holder?
9 REPRESENTATIVE HOLDER: Yes.
10 THE CLERK: Horner?
11 REPRESENTATIVE HORNER: Yes.
12 THE CLERK: Hukill?
13 REPRESENTATIVE HUKILL: Yes.
14 THE CLERK: Jenne?
15 REPRESENTATIVE JENNE: No.
16 THE CLERK: Jones?
17 REPRESENTATIVE JONES: No.
18 THE CLERK: Kiar?
19 REPRESENTATIVE KIAR: No.
20 THE CLERK: Legg?
21 REPRESENTATIVE LEGG: Yes.
22 THE CLERK: Nehr?
23 REPRESENTATIVE NEHR: Yes.
24 THE CLERK: Precourt?
25 REPRESENTATIVE PRECOURT: Yes.

1 THE CLERK: Rogers?

2 REPRESENTATIVE ROGERS: Yes.

3 THE CLERK: Rouson?

4 REPRESENTATIVE ROUSON: No.

5 THE CLERK: Schenck?

6 REPRESENTATIVE SCHENCK: Yes.

7 THE CLERK: Workman?

8 REPRESENTATIVE WORKMAN: Yes.

9 REPRESENTATIVE WEATHERFORD: Okay. Let's
10 show that it passes favorably.

11 Okay, members, we are almost there. A
12 couple of announcements that we want to get out
13 of the way here. I appreciate everyone hanging
14 in there with us, but before I make some
15 parting comments, I want to walk through the
16 process of where we go from here.

17 The plan right now is that next week we
18 should have second reading of these bills on
19 Thursday. Amendments would be due to the
20 Committee by 12:00 p.m. on Tuesday. That's
21 that -- the two-day rule that we've got to give
22 everyone opportunity to see amendments. At a
23 minimum, I will have two amendments.

24 First, we are in possession of a single
25 joint resolution from the Senate for both state

1 legislative -- for both state legislative maps.
2 That joint resolution contains the State Senate
3 map that they passed, and it essentially
4 contains language, without any details, as a
5 parking spot for the State House map to be put
6 into it. We will be taking up the joint
7 resolution passed by the Florida Senate, and
8 amending it to the State House map.

9 Second, we are in possession of a single
10 general bill from the Senate for the
11 congressional map. I will be offering an
12 amendment to strike the congressional map as
13 passed by the Florida Senate and replacing it
14 with the congressional map that we passed here
15 today. In addition to that, in the maps passed
16 by the Florida Senate, they include a
17 plain-language description of the geography of
18 each of the districts as whereas clauses in the
19 beginning of the bills. My amendments will
20 also include a plain-language description of
21 the State House and the congressional maps.
22 Essentially, if you look at the bill analysis
23 of the bills that were passed today, the
24 whereas clauses will be almost exactly the
25 same, very similar to those.

1 Are there any questions on what I just
2 walked through or on the process between now
3 and Friday? Representative Bernard, you are
4 recognized for a question.

5 REPRESENTATIVE BERNARD: Thank you,
6 Mr. Chair. Regarding the House maps that we
7 passed out, do we expect any amendments filed
8 by staff or anything like that from now until
9 next week, or is this it?

10 REPRESENTATIVE WEATHERFORD: As far as
11 changes to the map we just pass -- at this
12 stage of the game, I would say we don't have
13 any plans to file any additional amendments.
14 Certainly we have had people who showed up just
15 today offering suggestions, and I think that is
16 part of the fluid process of this, so if new
17 amendments come forth, they certainly would be
18 filed by Tuesday and we'd give everyone ample
19 opportunity to look at them, and we encourage
20 anyone, if you feel like you can make an
21 improvement to this map and make it in
22 compliance with the law better than what we
23 have done, we certainly would ask you to do so.
24 Good question.

25 Any other questions before we move

1 forward?

2 If I could just -- really quickly, I just
3 think that -- I want to thank the indulgence of
4 this Committee, of all the subcommittees and
5 really everyone who participated in this
6 process. We have been doing this for quite
7 some time. We've gotten to know each other
8 very well. We've sat through a lot of public
9 hearings. We had thousands of people come
10 before us and tell us what they thought, and I
11 think it is really historic. And what I said
12 earlier about us charting a course for the
13 process in the future, I really meant that. I
14 feel like it is our obligation to do this in
15 the right way so that when people come behind
16 us in 2022 and 2032 and '42 and so forth, that
17 we have laid a foundation that is honorable and
18 holds up the integrity of this process. I feel
19 like we have done that. I am very proud of you
20 and your contributions to this.

21 We are not done, but I certainly want to
22 thank all of our co-Chairs who worked extremely
23 hard to get the product to this Committee, and
24 I want to thank all the members of this
25 Committee for your support.

1 We had -- in the essence of thanks,
2 there's a couple of folks I want to thank.
3 First of all, we want to thank our
4 redistricting staff. Alex Kelly and -- I have
5 never witnessed a staff that has worked harder.
6 I mean, these guys have been -- you know, we
7 know our staff and this process work hard the
8 last three or four weeks of session. They have
9 been working that hard for three or four months
10 straight. And you guys all deserve a good
11 vacation, so -- and a bonus. I will try to
12 talk to the Speaker. I am not sure I can pull
13 that trigger for you. But Alex Kelly and Jeff
14 Takacs and Jason Poreda and Katie Crofoot and
15 Ben Fairbrother and Jeff Silver, these folks
16 have really sacrificed a lot of time, time with
17 their families, to try to make this process go
18 smooth, and we just cannot thank you all
19 enough. We are very proud of the product you
20 have put forth.

21 I also want to thank the House -- the
22 Office of Public Information. They have done a
23 wonderful job of making sure all the things
24 that we are doing have been available to the
25 public, and we are very grateful for that.

1 I want to thank Speaker Cannon. Speaker
2 Cannon came to me early on -- I think I have
3 told you all this story, but when he told me I
4 was going to Chair this Committee, he had a big
5 smile on his face, and I wasn't sure why he was
6 smiling, but I've figured it out now, and that
7 he knew this was going to be a challenge, but
8 he entrusted me with this opportunity to guide
9 this process, and I thank the Speaker for
10 making sure that this process was a fair and
11 open one.

12 And, frankly, lastly, and I will close
13 with this, I want to thank all the citizens who
14 have worked so hard to make this product what
15 it is. This truly is a product of thousands of
16 people. It truly is a product that
17 incorporated more thoughts, more public
18 testimony, more input, than I think anybody at
19 the beginning of this process would have
20 imagined, and we should be proud of that as a
21 committee, I look forward to presenting it on
22 the floor, and I thank you all for working with
23 me.

24 And, Representative Rouson, you've got
25 that look on your face, I know you want to say

1 something, so I will recognize you, too, sir.

2 REPRESENTATIVE ROUSON: Thank you very
3 much, Mr. Chair. I do want to say that I think
4 people have had an opportunity to be heard.
5 You certainly have been a good Chair, allowing
6 folks to speak. And I attended a lot of the
7 hearings, like everybody else here, but I have
8 to say to you that it wasn't until today that I
9 really heard invectives, pejoratives, reference
10 to organization as being like a three-year-old,
11 you know. Maybe it is because we couldn't
12 speak at some of the public hearings that we
13 didn't hear it before. Like I've said to you,
14 I think some of us have prided ourselves on
15 being able to attack policy, procedure, as
16 opposed to character of men or character of
17 organizations or refer to each other in terms
18 that are less than endearing. I hope that when
19 this does get to the floor and as we continue
20 this process, that as a statesman and not so
21 much as politicians we remember in our comments
22 that, you know, extremism and attacking
23 people's motives and character, we need to look
24 out for that and be concerned. I certainly
25 would never tell an organization that they

1 acted like a three-year-old, or use some of the
2 other words that I heard today, I would never
3 say that to a fellow State Representative. If
4 I have done it, I apologize, and -- but
5 certainly this has been a tense process, but as
6 we move towards the floor, I hope we are guided
7 by our real purpose here.

8 REPRESENTATIVE WEATHERFORD: Mr. Rouson, I
9 appreciate those comments, and the ones at
10 least that you stated never came out of my
11 mouth, but I will say this: If someone is
12 going to attack the integrity of this Committee
13 and attack the integrity of the process under
14 which we've spent the last eight months working
15 for, then we have every single right to push
16 back, we have every single right to defend
17 ourselves and to defend, frankly, this process.
18 It is not defending people. We are not talking
19 about people. This is not about organizations
20 or people. This is about a process, this is
21 about a constitutional obligation that we
22 signed up for. And when we follow that
23 constitutional mandate and people challenge
24 that integrity and the integrity of the people
25 who sit on that Committee, then as Chairman and

1 as a member of this Committee, we have every
2 right to challenge that, and we will continue
3 to do that, and if people challenge it on the
4 floor, we will challenge it there as well.

5 But I welcome your comments, I take your
6 words to be genuine, and we should be careful
7 as to the types of words that we utilize when
8 we are expressing our thoughts. But I view it
9 as Chairman of this Committee who has worked to
10 guide this process through in a legal manner,
11 that if someone tries to attack the manner in
12 which we led this Committee, that we will push
13 back, and we will answer those questions with
14 honesty and with integrity, and we will make
15 sure that when this map passes the floor,
16 everything we have done up until this point
17 will be for the right reasons and we will
18 follow through on the things that we said when
19 we started out.

20 So thank you, and with that, if there's no
21 other comments, Representative Nehr moves we
22 rise.

23 (Whereupon, the proceedings were
24 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 137 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 7th day of February, 2012.

CLARA C. ROTRUCK

Notary Public

State of Florida at Large

Commission Expires:

November 13, 2014

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HOUSE REDISTRICTING COMMITTEE WORKSHOP
FRIDAY, JANUARY 20, 2012

Transcribed by:
CLARA C. ROTRUCK
Court Reporter

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

2 REPRESENTATIVE WEATHERFORD: Okay,
3 members, if we can get everybody to take their
4 seats, we are going to start here. Katie,
5 could you please call the roll?

6 THE CLERK: Representatives Adkins?

7 REPRESENTATIVE ADKINS: Here.

8 THE CLERK: Bernard?

9 REPRESENTATIVE BERNARD: Here.

10 THE CLERK: Chestnut?

11 REPRESENTATIVE CHESTNUT: Here.

12 THE CLERK: Dorworth?

13 REPRESENTATIVE DORWORTH: Here.

14 THE CLERK: Eisnaugle?

15 REPRESENTATIVE EISNAUGLE: Here.

16 THE CLERK: Fresen?

17 REPRESENTATIVE FRESEN: Here.

18 THE CLERK: Frishe?

19 REPRESENTATIVE FRISHE: Here.

20 THE CLERK: Holder?

21 REPRESENTATIVE HOLDER: Here.

22 THE CLERK: Horner?

23 REPRESENTATIVE HORNER: Here.

24 THE CLERK: Hukill?

25 REPRESENTATIVE HUKILL: Here.

1 THE CLERK: Jenne?
2 REPRESENTATIVE JENNE: Here.
3 THE CLERK: Jones?
4 REPRESENTATIVE JONES: Here.
5 THE CLERK: Kiar?
6 REPRESENTATIVE KIAR: Here.
7 THE CLERK: Legg?
8 REPRESENTATIVE LEGG: Here.
9 THE CLERK: Nehr?
10 REPRESENTATIVE NEHR: Here.
11 THE CLERK: Precourt?
12 Rogers?
13 REPRESENTATIVE ROGERS: Here.
14 THE CLERK: Rouson?
15 REPRESENTATIVE ROUSON: Here.
16 THE CLERK: Schenck?
17 REPRESENTATIVE SCHENCK: Here.
18 THE CLERK: Workman?
19 REPRESENTATIVE WORKMAN: Here.
20 THE CLERK: Chair Weatherford?
21 REPRESENTATIVE WEATHERFORD: Here.
22 THE CLERK: We have a quorum.
23 REPRESENTATIVE WEATHERFORD: Thank you
24 very much, Katie.
25 Good morning, members. We have a nice

1 long, full day today. How long we go will be
2 determined based on the amount of public
3 testimony we have and how much we want to talk
4 about the maps that we are going to be
5 proposing. So we are going to get everybody
6 out of here as soon as we possibly can, but we
7 also are going to make sure that we spend a lot
8 of time to thoroughly analyze the maps that are
9 before us.

10 As you know, we are here to workshop the
11 options for Florida state legislative and
12 congressional redistricting maps that were
13 passed by the respective subcommittees. Some
14 of you sit on those subcommittees, and some of
15 you do not, so in that regard, I would like to
16 thank the subcommittee Chairs and the
17 subcommittee members who worked very hard to
18 bring the product to this full Committee, and
19 we appreciate all the effort that you've put in
20 thus forth, as well as the staff, who have done
21 just a tremendous job from the very beginning
22 in making sure that we are prepared in all of
23 our meetings.

24 I had the opportunity to watch nearly
25 every subcommittee meeting, and it was the

1 product of what I thought was a very thoughtful
2 discussion. I feel like every member of the
3 subcommittee got a chance to learn about how
4 this process works, had their opportunity to
5 have input and frankly talk about something
6 that can be very personal to members of the
7 Committee and members of our body, and I
8 thought that the dialogue that took place was
9 very thoughtful and frankly appropriate and
10 respectful, and I appreciate all the members
11 for that.

12 I am also thrilled with the work product
13 that has been put forth, both in terms of how
14 those legal options that we have seem to
15 demonstrate great legal compliance, and the use
16 that -- the use of public input that we
17 utilized throughout the process when it was
18 legally appropriate.

19 So regarding today, I said back in
20 September that this Committee would give each
21 plan a second workshop, we would take a fresh
22 look, which is what we are here to do today,
23 and make sure that the public testimony that we
24 have gotten since December gets one more look
25 before we move forward and pass maps out of

1 this Committee.

2 Today's meeting will go just like this:
3 First we are going to consider the public
4 input. We will open the substance of the
5 meeting by letting any members of the public
6 who are here and wish to speak, the opportunity
7 to do so. So if you are here in the audience
8 and either you are here to share your thoughts
9 with us on these maps or perhaps you need to
10 supplement the information you have already
11 provided us, we will be giving you that
12 opportunity very shortly. Secondly, our staff
13 will then present us with public suggestions
14 regarding the maps that we've received since
15 releasing options -- since releasing the
16 options on December 6th. There's actually
17 quite a bit of public testimony we have
18 received since then. We have a lot of
19 feedback, and our staff is going to walk us
20 through it one at a time. When that is
21 concluded, we will then walk through the
22 options for Congress, State House and State
23 Senate, and try to see if we can't get some
24 good dialogue on that as well.

25 We will not be taking any votes today, so

1 we're not going to be taking any votes today,
2 we will not be going over amendments. Today is
3 simply a workshop.

4 We will be voting next Friday, though, in
5 this very Committee. So what does that mean
6 for each of us? This morning, the Rules and
7 Calendar Committee recommended that we readopt
8 the same procedure we had last year for
9 amendments for redistricting bills for this
10 Committee and for the floor. Basically what
11 that means is, assuming that this is approved
12 on the floor for next Tuesday, if you have any
13 proposed amendments to file to the bills that
14 we are workshopping today, those amendments
15 would have to be submitted by Wednesday of next
16 week, by noon. And the reason for that is
17 because the same rules -- we are going to have
18 a two-day -- basically a 48-hour rule to give
19 the members the opportunity of the public and
20 of the Committee to look at the amendments.

21 Now, substitute amendments only have to be
22 filed a day ahead of time, and so the deadline
23 for substitute amendments to the amendment
24 would have to be submitted by Thursday by noon.
25 So those are the two deadlines that you have to

1 make sure that you take into account before
2 next week's meeting.

3 So, after today, we will have a quick
4 turn-around. If you have an amendment, I
5 suggest that you work with our staff and make
6 sure that your amendments are properly prepared
7 and that you are properly prepared to discuss
8 them.

9 Again, this Committee will seek to vote
10 out a single map for Congress, a single map for
11 the State House and a single map for the State
12 Senate by next Friday. That would put
13 redistricting bills on the floor of the House
14 the week of Thursday, the week four of session.

15 With that said, are there any procedural
16 or timeline questions from members of the
17 Committee? Procedural or timeline?

18 Okay. Seeing none, before we hear from
19 the public, what we thought we might do and
20 kind of set a nice tone for the meeting is to
21 show you an example of how public input was
22 utilized throughout the process of making of
23 the maps that we have before us today, and to
24 help us out, we have the House's Office of
25 Public Information. They have prepared a very

1 short video that will walk us through some of
2 the highlights of how we utilized that public
3 input and how it impacted the process and the
4 map options so far. So we've got a short
5 little movie for everybody to wake you up. So
6 Jason, if you could, go ahead and turn that on
7 for us.

8 (Beginning of movie.)

9 THE NARRATOR: The Florida House of
10 Representatives continues to gather record
11 levels of public input as part of the 2012
12 redistricting process. Using traditional and
13 new media outreach, the House has spent the
14 last 16 months working to educate and engage
15 the public in all things Florida redistricting.

16 This effort fueled an unparalleled
17 response. The House now boasts 30,000 visitors
18 to each of its redistricting blogs. More than
19 500 fans on Facebook received 440 posts by
20 staff. Nearly 800 redistricting followers on
21 Twitter viewed 1,700 tweets. More than 40
22 tutorial videos are available on YouTube
23 showing residents how to take part in the
24 process, and especially how to use the House's
25 state-of-the-art My District Builder

1 application. The channel boasts more than
2 6,800 views.

3 In addition, more than 170 maps were
4 submitted to the Florida Legislature for their
5 consideration, 30 press releases were issued on
6 redistricting, and the House hosted five formal
7 media availabilities to help reporters
8 statewide better understand the redistricting
9 process and the My District Builder
10 application, 3,500 subscribers signed up to
11 receive regular e-mail updates about
12 redistricting, public service announcements in
13 English and Spanish ran in every major media
14 market in the state.

15 The 2011 redistricting public outreach
16 tour garnered nearly 5,000 attendees, and more
17 than 1,600 people provided public testimony.
18 In addition, hundreds more e-mailed, called or
19 posted the House's numerous resources. The
20 testimony is clearly reflected in the House's
21 proposed maps.

22 MR. SIERRA: I live in eastern Leon
23 County, and my House District is basically
24 based in Jacksonville, Senate district is in
25 Inverness. I would like to have these

1 districts more closer to home.

2 THE NARRATOR: How staff were able to
3 include these comments from Joseph Sierra in
4 each of the proposed congressional maps.

5 MS. WATSON: And we would like to be in
6 the same district as -- or all of Clay County
7 be together in something. That is our front,
8 and there's a lot of people here from Clay
9 County who feel exactly the same way.

10 MS. HUTTON: We would like our own
11 representation from somebody that is from Clay
12 County, that represents Clay County, the
13 values, the issues, the community.

14 THE NARRATOR: These comments from both
15 Lynn Watson and Marge Hutton were used in
16 several options of the proposed House maps,
17 which guarantee Clay County will have a
18 Representative that actually lives within the
19 county.

20 A VOICE: To see very core specifics
21 coming out, people who are very involved, like
22 the Supervisor of Elections, which I was
23 surprised that so many represented it coming
24 forward, saying, you know, draw the lines this
25 way, please, because it makes such a huge

1 difference in our jobs.

2 THE NARRATOR: The redistricting committee
3 heard from several Supervisors of Elections who
4 asked for a major reduction in splits of voter
5 tabulation districts, or VTDs. Our staff was
6 able to reduce these splits by more than
7 50 percent.

8 MS. REAM: In Hardee County, I definitely
9 would like to see that they keep us with the
10 inland counties.

11 THE NARRATOR: Each of the proposed State
12 House and congressional maps accomplished this
13 request from Kathleen Rheem.

14 MR. WELCH: I think in my particular area,
15 the main thing is to focus on the distinct
16 communities of interest between the coastal
17 communities that exist and the rural heritage
18 communities that exist in the eastern portions
19 of the county which are based on agriculture.

20 THE NARRATOR: During the meeting, Casey
21 Welch described that he would like to maintain
22 Highway 17 as an artery for districts in Hardee
23 County. All proposed maps reflect this design.

24 MS. DICKMAN: An appropriate dividing line
25 would be east and west more than by county

1 necessarily.

2 THE NARRATOR: In Wesley Chapel, Jocelyn
3 Dickman requested that districts in Pasco
4 County be divided east and west. Pasco County
5 happens to be the size of three House
6 districts, and each proposed map consists of an
7 east, west and central district.

8 MR. EASTMAN: I would like to see us have
9 a district where the student voice gets heard
10 as a unified thing instead of having us drawn
11 into a district that waters down our voice.

12 THE NARRATOR: In Orlando, Brian Eastman
13 asked for the UCF campus community to be kept
14 whole, and all proposed State House maps comply
15 with this request.

16 A VOICE: The area that I live in, my
17 district stretches 60 miles north and 20 miles
18 south, so we end up with a House district that
19 just is all over the place. So we don't have
20 much in common with many people in two other
21 counties, and actually not much to do in common
22 with people at the entire other end of this
23 county.

24 THE NARRATOR: House staff were able to
25 accomplish this request as all proposed House

1 maps create three compact seats entirely in
2 Brevard County.

3 A VOICE: I would go ahead and leave the
4 districts in Broward County more compact. I
5 would make the districts in Broward County
6 fewer.

7 THE NARRATOR: This request is reflected
8 in each of the proposed House maps, as they are
9 far more compact and aligned with municipal
10 boundaries.

11 MAYOR BLACK: I would like to recommend,
12 like I said, that instead of District 109,
13 which is one in particular going across from
14 Overtown, which is one of the most impoverished
15 neighborhoods, to Miami Beach, which is one of
16 the most exclusive, that they cut that off and
17 just let 109 stay on the other side of Miami --
18 the bridge from Miami Beach, because it doesn't
19 make any -- the salaries and the incomes are
20 completely different.

21 THE NARRATOR: Village of El Portal Mayor
22 Daisy Black's comments are reflected in the
23 proposed 2012 House maps. All proposals for
24 this House district now stop at Overtown. In
25 addition, they keep the Village of El Portal

1 whole.

2 MR. REYES: Right now we have four State
3 Representative districts that cut right through
4 the Town of Cutler Bay, and so we have four
5 Representatives for one -- a town of 40,000.
6 We have three congressional seats. So that
7 needs to change.

8 THE NARRATOR: Jamie Reyes' opinions are
9 reflected as each proposed House map keeps
10 Cutler Bay whole. Each of the proposed
11 congressional maps now keep Cutler Bay whole as
12 well.

13 MR. MATTHEWS: I was born in Sarasota and
14 I live in Bradenton now and I grew up by the
15 airport, and the airport sits right on the
16 county line, so the communities are very
17 intertwined. I know from experience that
18 there's a lot of community interaction between
19 the counties, so I hope they don't draw
20 districts strictly on county boundaries,
21 because if they do that, they will ignore that
22 community aspect, the greater community in
23 Sarasota and Manatee County.

24 THE NARRATOR: House staff paid particular
25 attention to David Matthews' comments as they

1 created congressional maps containing all of
2 Sarasota and most of Manatee. In addition, the
3 airport is in a singular district, and each
4 House map has four districts entirely in
5 Sarasota and Manatee County.

6 MR. RUSSO: Here in southwest Florida
7 where it is a lot more common sense, I think
8 that there should be three districts, as I
9 mentioned, southwest Florida, one in Sarasota
10 and Manatee County, the other in Charlotte and
11 north Lee, and the third in south Lee and
12 Collier, and in -- composing some interior
13 areas and interior counties here and there as
14 well.

15 THE NARRATOR: Joseph Russo's comments are
16 reflected in all of the proposed 2012
17 congressional maps precisely to how he
18 described the three districts in southwest
19 Florida.

20 MS. TRIPP: We are struggling
21 economically, and when I look, I can't help but
22 look at some of the districtings and seeing
23 that the masses of the populations are over in
24 the coastal regions, and then they come up and
25 sweep through the Glades and through the Lake

1 Okeechobee regions, and so you have -- it's all
2 split. But the mass -- the mass population in
3 the district is over on the coast, which have
4 no interest, have no same interest of the Lake
5 Okeechobee regions. So I am hoping that during
6 this process, that Senators and Representatives
7 will take a hard look at that and look at the
8 region at the heartland, and to preserve it, as
9 well as to enhance it economically.

10 THE NARRATOR: Each proposed congressional
11 map accomplishes Ashley Tripp's request, and
12 the proposed House maps respect her comments as
13 counties like Okeechobee, Glades and Highlands
14 are paired with other south Florida rural
15 counties.

16 House and Senate members took thousands of
17 valuable comments like this into account by
18 putting public testimony to paper, resulting in
19 new proposed maps for Florida State House,
20 State Senate and congressional districts.

21 To access more information about the
22 House's proposed maps or to submit public
23 input, visit Floridaredistricting.org and tell
24 us your story.

25 (End of movie.)

1 REPRESENTATIVE WEATHERFORD: All right.
2 Thank you very much. And if we could, let's
3 thank the Office of Public Information for
4 doing a great job on that video. They took a
5 lot of input, and I thought that was a
6 tremendous job. Kudos to you guys for doing
7 that. Thank you. We appreciate it.

8 With that, in light of public testimony,
9 since we have now shown you our video that
10 is -- I think it is up for an Oscar, is that
11 right, Alex? Have we submitted that yet?

12 MR. KELLY: Yes.

13 REPRESENTATIVE WEATHERFORD: We are pretty
14 sure it is being considered. We do have
15 members from the public that are here and wish
16 to speak. If you have not filled out a card,
17 we have them for you, we would like for you to
18 do that, but we do have one, I believe, that
19 has so far come forward. That is Chairman of
20 the Martin County Board of County
21 Commissioners, Mr. Edward -- I hope I am saying
22 this right -- Ciampi? Okay, great. Come on
23 forward, Chairman, and we welcome you here, and
24 thanks for being here and being a part of the
25 process. Sir, there is a mike -- you have to

1 push the button there, the mike will come on.

2 Great.

3 COMMISSIONER CIAMPI: I apologize. I
4 didn't hear my voice, but at home, we have
5 someone that does that and we have a couple of
6 minutes, so I apologize.

7 REPRESENTATIVE WEATHERFORD: Budget cuts,
8 sir --

9 COMMISSIONER CIAMPI: Yes.

10 REPRESENTATIVE WEATHERFORD: -- budget
11 cuts.

12 COMMISSIONER CIAMPI: So that means we
13 won't have it either, then.

14 My name is Edward Ciampi. I am the
15 Chairman of the Board of County Commissioners
16 in Martin County. I am representing more our
17 citizens since this was a unique opportunity to
18 get an opportunity to address you this morning.

19 We were up here, a large contingent of us
20 were up here from the Treasure Coast for
21 Treasure Coast legislative days, and when I
22 heard -- we had thought we had missed our
23 opportunity to address you on the mapping for
24 our area, and when I had heard that you would
25 be meeting this morning, everyone went home

1 yesterday, but I decided to stay an extra day
2 so that I would have a chance to present our
3 case personally.

4 For those of you that are not familiar,
5 Martin County is south of St. Lucie County and
6 north of Palm Beach County on the east coast.
7 We go from the ocean to Lake Okeechobee -- that
8 is perfect, thank you -- and we are a community
9 of approximately 144,000 residents. We have a
10 couple of famous residents that you might be
11 familiar with, Tiger Woods, Celine Dion, Venus
12 Williams, and everyone thinks of themselves as
13 --

14 REPRESENTATIVE WEATHERFORD: Representativ
15 e Will Snyder.

16 MR. CAMPO: True. Senator Joe Negron,
17 Gayle Harrell, we have been very well
18 represented. And those three names in
19 particular, one of the reasons that we -- that
20 I wanted to come to address you.

21 We have done this on our own. We recently
22 approved our commission district mapping. And
23 I can imagine what a challenge it must be to
24 try to map out the entire state. For us, we
25 were trying to balance about 25,000 people into

1 each district, and where that number 18 is in
2 blue is -- we call it west of the Turnpike, is
3 beautiful country with very few citizens. So,
4 for us, you know, to shape the five districts
5 were challenging. Some needed 1,000, some
6 needed to give up 2,000, just like you are
7 doing, and we were pretty successful in that
8 regard.

9 What our concern is, is Martin County, and
10 hopefully some of you know our reputation, is a
11 very unique place. We have a four-story height
12 limit. We do not allow any buildings to be
13 built higher than four stories. We have a very
14 environmentally sensitive population. We in
15 the last several years have taken our
16 publicly-owned conservation lands from about
17 eight or nine percent to 25 percent using -- we
18 have taxed ourselves a half a cent sales tax
19 and used that money to purchase conservation
20 land so that it would never be able to be
21 developed ever. And so the community has that
22 mind set.

23 Now, different from our neighbors to the
24 north and south, we have a very, very slow rate
25 of growth and think of ourselves as a -- sort

1 of a jewel in regards to very little
2 development, and very specific and defined
3 development. And because of that, we have been
4 fortunate with our representation in the past.
5 Representative Gayle Harrell and Representative
6 Will Snyder have done a remarkable job
7 understanding our key sort of aspects of life,
8 and we have been fortunate.

9 The concern now is that the way the maps
10 are potentially going to be drawn, Martin
11 County, the northern portion would go a lot
12 more up into St. Lucie County, and with the
13 possibility of that representation being -- the
14 voters coming a lot more from St. Lucie County,
15 and then south Martin County would potentially
16 be defined much more by Palm Beach County. And
17 residents -- there was a couple of articles in
18 the newspaper, and you know how it goes, some
19 blogs and some electronic newsletters have gone
20 around, and I started to receive a lot of
21 calls, and one of the reasons was that my
22 district is Palm City, which in the last census
23 has become the largest community, and for us,
24 large is 23,000 people. Palm City is defined
25 by the south fork of the St. Lucie River to our

1 east, 95 and the Turnpike to our west, the
2 canal that heads you into Lake Okeechobee to
3 our south. So it really is an isolated, kind
4 of very defined community.

5 The other community, the county seat is
6 the City of Stuart, and how the map looks to be
7 drawn is slicing those two communities to the
8 north and the south along Monterey Road, which
9 is not like U.S. 1. It is a big road for
10 Martin County, but in a lot of other counties,
11 it is a country road. And our concern was that
12 by splitting it like that and having some of
13 the votes go north and some of the votes head
14 south, it really did not give us the
15 representation that we were hoping to maintain
16 in Martin County.

17 If this was a one or a two-year process, I
18 think we would all be more comfortable with
19 that, understanding that things will change,
20 but this is a decade process, and our concern
21 is although in the past we have been very
22 well-represented by the folks that I had
23 previously mentioned, our residents are nervous
24 that that might not be the case in the years
25 one, two, three, four, five, six, seven, eight,

1 nine and ten.

2 So what we would hope is that -- and we
3 did work with the website, which I will
4 compliment you on is a very effective tool. We
5 have had our own version, our GIS system, which
6 allowed us to do it at the county level, but
7 for residents, including myself, to be able to
8 use yours, your mapping tool, was very, very
9 helpful. And what our goal would be is to have
10 all of Martin County inclusive fall to the
11 northern section district, and all of Stuart
12 fall to the southern district. We feel that
13 that would be a much more compact version, the
14 residents in Martin County, and especially in
15 those two neighborhoods, it is sort of like a
16 yin and a yang, Palm City and Stuart being
17 somewhat next to each other. Slicing it one
18 north and one south would then -- just as you
19 see that dip in the road right where 95 and the
20 Turnpike sort of intersect there, that is --
21 yeah, that is Palm City right in that section
22 that says -- right where -- if the cursor's a
23 little bit to the left, if it went the other
24 way where Palm City went north and Stuart went
25 south, it doesn't really affect a lot of the

1 other maps. We had a couple of different
2 variations that we were fair to understand your
3 position, which if we create our perfect map,
4 what does that do west, south and north. The
5 version that I can send to you that we have
6 worked on locally maintains very compact, it
7 would be very easily understood for our
8 residents, especially in the City of Stuart and
9 in Palm City, and would really not disrupt the
10 rest of -- a trickle effect, if you will, a
11 rippling effect for the rest.

12 And that is what I would have to say. I
13 can answer any questions if --

14 REPRESENTATIVE WEATHERFORD: Mr. Chairman,
15 if I could, first of all, thank you for taking
16 the time. I think it is -- it shows how much
17 you care about your community that you stay up
18 an extra day just to be here with us and sleep
19 through a redistricting committee hearing, so
20 we appreciate you participating in that.

21 But I will tell you, we have looked at
22 several different variations of this, and I
23 think what you are bringing forth certainly has
24 some validity to it. We would love to see what
25 you guys could suggest to us on paper. I know

1 in the map that we have currently here, the one
2 that we are looking at has the City of Stuart,
3 all of the municipality of Stuart, whole within
4 the brown district there, or the burnt orange
5 District maybe. The yellow district to the
6 south, I believe, has -- I think it is split
7 between the two. So Palm City -- is Palm City
8 unincorporated?

9 COMMISSIONER CIAMPI: Correct.

10 REPRESENTATIVE WEATHERFORD: Okay. It is
11 unincorporated. So part of the challenge we
12 have had in the process is, you know, that the
13 requirements that we live by speak specifically
14 to cities and counties and unincorporated
15 areas. We are able to view those, and we do
16 try to pay attention to them when they can, but
17 obviously, when you are trying to keep
18 deviations down and everything else, it gets
19 challenging.

20 But I will tell you the same thing I tell
21 the members of this Committee and every member
22 of the Legislature, if someone can bring forth
23 an idea that helps us supply our maps and make
24 them more compliant to the standards of
25 Amendments 5 and 6 --

1 COMMISSIONER CIAMPI: Right.

2 REPRESENTATIVE WEATHERFORD: -- we will
3 certainly take a very close look at them. So I
4 would encourage you to get those to us on
5 paper.

6 COMMISSIONER CIAMPI: We have them
7 electronically. We can submit them.

8 REPRESENTATIVE WEATHERFORD: That would be
9 great. And we will disseminate them to
10 everyone on the Committee, and may be something
11 we can take a look at next week when we are
12 doing amendments.

13 COMMISSIONER CIAMPI: Thank you very much.
14 I appreciate your time.

15 REPRESENTATIVE WEATHERFORD: Thank you
16 very much. Members, does anybody else have a
17 comment or question for the Chairman?

18 Okay. Thank you, Commissioner.

19 COMMISSIONER CIAMPI: Best of luck.

20 REPRESENTATIVE WEATHERFORD: Take care.

21 Okay. Moving forward, is there anybody
22 else from the public that wishes to speak?
23 Anybody else? All right. Thank you very much,
24 again, Commissioner.

25 Now that we have gone through the

1 speakers, we are going to go ahead and hear
2 from our staff, who is going to walk us through
3 some of the public suggestions that we have
4 received via e-mail, letter, social media, et
5 cetera. These are all thoughts that we have
6 received from the public post December 6th
7 since we have put the maps out. And so with
8 that, Mr. Kelly, we are going to recognize you
9 first to talk about the congressional.

10 MR. KELLY: Thank you, Mr. Chair, members.
11 What myself and after me Jeff Takacs and Jason
12 Poreda are going to be doing is going through
13 public input, public suggestions that have been
14 received since the House published its options
15 for maps on December 6th, and we are going to
16 be focusing on suggestions that we oftentimes
17 in a general sense refer to as drawable
18 suggestions where an individual has critiqued
19 something and given us an alternative as to how
20 to potentially improve the map.

21 And so what you have in your packet in tab
22 one of your packet is you have the information
23 that myself, Jeff and Jason will be presenting,
24 and if you look at -- each page is numbered,
25 and you will see a number of e-mails and so

1 forth, and posts on social media that we have
2 received. And what I will do is I will refer
3 to the page number. I am not going to present
4 everything, so if I happen to skip something
5 that you are interested in, just please let me
6 know and I will be happy to double back and
7 answer any questions you may have.

8 But, again, tab one of your packets, the
9 information received pertain to a number of
10 different types of requests, whether it is
11 referring to how counties and cities are
12 treated, or like the prior discussion, how
13 unincorporated areas are treated, and for the
14 benefit of the discussion, what I will do is I
15 will use the maps that are up, all -- we have
16 all three congressional maps that are proposed
17 up and available, so I will scroll through
18 these just to give you an idea as to how these
19 comments relate to the maps as well.

20 So referring to page two in tab one,
21 referring to Nassau County, there was a comment
22 received from a Fernandina Beach commissioner
23 regarding complimenting for keeping Nassau
24 County whole. Nassau County is actually split
25 in two of the three maps that are proposed.

1 Map 9041 and map 9045 split Nassau County, and
2 I will just give you an example of that, but
3 map 9043, which is also House Bill 6005, that
4 particular bill keeps Nassau County whole
5 again. So that was feedback from Nassau
6 County.

7 Moving on to page three, feedback that
8 came from a Duval County resident
9 complimented -- complimented map 9041 as being
10 a preferred map. And 9041, just to take a look
11 at what that actually does in the Duval County
12 area, this is actually that map, and the
13 particular map places the east side of Duval
14 County in one district, the west side into a
15 different district, combining it with the
16 eastern part of Nassau County and the northern
17 parts of St. Johns County.

18 Moving on to page four and also page five,
19 the Clay County supervisor's office has
20 communicated with us regarding how
21 Congressional Districts 3 and 5 interact with
22 the geography, the roads and neighborhoods in
23 Clay County. If you -- as members of the
24 subcommittee, you will remember that some
25 changes were made in the subcommittee meetings

1 to already take some of this input. We have
2 received recently additional input from the
3 Clay County supervisor's office as to how to
4 best not split neighborhoods, best use
5 roadways. So some of this has actually already
6 been factored in, and then some of this we just
7 received.

8 The one tough thing that you do get into
9 with the congressional maps, this is a good
10 example, a good reminder, is that because of
11 the requirement to achieve perfect population,
12 there is -- in almost every congressional
13 district, there's going to be at least one
14 place where a neighborhood may have been split
15 in order to achieve that perfect population.
16 So sometimes that does factor in and that may
17 make certain recommendations not operable, but,
18 again, we will be taking a look at this
19 particular recommendation.

20 Moving on to page seven, let's skip page
21 six, moving on to page seven, the point was
22 raised -- if you remember the public meeting in
23 The Villages, a reminder about keeping The
24 Villages communities whole. The Villages is
25 encompassed by northeastern Sumter County,

1 southern parts -- small southern parts of
2 Marion County and generally the municipality of
3 Lady Lake in Lake County is generically
4 considered to be part of The Villages. And I
5 will just take you to each of the maps just to
6 show you how that area is impacted. And in map
7 9041, The Villages community is actually kept
8 whole, so just to give you an idea. As you can
9 see, The Villages right there on the screen,
10 and the county boundary, which will appear.
11 And The Villages, again, generally speaking, is
12 considered to be Lady Lake, the northeastern
13 side of Sumter and southern parts of Marion
14 County.

15 Taking a look at map 9043, again, a
16 similar configuration, although on the Lake
17 County side, the division very specifically
18 goes in to take all of Lady Lake and all of
19 Fruitland Park, and otherwise, no other parts
20 of Lake County.

21 In looking at map 9045, a similar
22 configuration; however, the Lake County impact
23 spreads a little further, almost up to Eustis,
24 but not including Eustis.

25 Moving on to page eight, a very lively

1 comment from a Lake County resident actually
2 regarding this configuration. The Grand Isle
3 community -- Grand Island community was split
4 by a roadway. One of the impacts of using
5 roadways, of trying to create a nice aesthetic
6 look using major roadways and so forth, is that
7 that can have the possibility of splitting an
8 unincorporated community, and so that happens,
9 and that happens in almost every map, and those
10 are some of the tough decisions that you have
11 to weigh over as far as whether using that
12 roadway is the legally appropriate measure to
13 take, or whether you want to take into
14 consideration that unincorporated community.
15 And that is the impact here, right where I am
16 mousing over, that is the Grand Island
17 community, and you can see the road goes right
18 down through the community.

19 Moving on to page nine, there were just
20 general requests to keep Marion County whole in
21 the congressional maps, reacting to, generally
22 speaking, the Fifth Congressional District as
23 is drawn in each of the congressional maps.
24 The fifth Congressional District is an
25 African-American opportunity district, an

1 existing district today. It does take in small
2 parts of the population. Most of the
3 population in Marion County is not encompassed
4 in Congressional District 5 in any of the maps,
5 but, nonetheless, parts of Marion County are.

6 Now, I'll just zoom in to give you a view
7 of exactly what is taken in Congressional
8 District 5. It is, generally speaking, the
9 municipality of Reddick that is taken into
10 account, which you can see is kept whole in
11 Congressional District 5, so that's a city is
12 kept whole in the district; otherwise, the
13 district, generally speaking, takes very
14 non-populated portions of the county.

15 Moving on to item ten, coming back to
16 Martin County, there was an e-mail received
17 just regarding the congressional districts, and
18 the individual also commented on the House
19 districts, and later Jeff Takacs will be going
20 over a number of public feedback we have
21 received regarding the discussion from earlier,
22 the House districts in Martin County, but
23 regarding the congressional district, the
24 request was simply to keep Martin County whole.

25 In all of the proposed maps, Martin County is

1 kept whole in the 18th Congressional District.

2 Moving on to item 11, there was a few
3 e-mails received regarding the 22nd
4 Congressional District, and that is the same in
5 all the maps, so I will go to that area in map
6 9045 to give you a view. The comment concerns
7 the portions of the district that were defined
8 largely just by the need to get equal
9 population, the portions of the district that
10 go into more southern central parts of Broward
11 County, the Plantation area. The design of the
12 districts, both 21 and 22, and even 20 was
13 largely predicated on municipal boundary lines,
14 and where municipalities could not be kept
15 whole, trying to avoid multiple splits of a
16 municipality. So if a municipality had to be
17 split once, trying to make sure it was only
18 perhaps split one time. And the area is also
19 largely defined by District 20, which is a
20 district that is impacted by both Sections 2
21 and Sections 5 the of the Federal Voting Rights
22 Act. So, again, the southern portion that the
23 resident is asking to be cleaned up or changed
24 is largely based on, again, equal population,
25 and then also trying to keep city splits to a

1 minimum, if not keep municipalities whole,
2 which there are several municipalities kept
3 whole in both 21 and 22 and even 20.

4 The 12th page in your packet, if you
5 remember from the subcommittee meeting regards
6 the City of Hialeah, which is split in all the
7 different maps, and during your last meeting in
8 the congressional subcommittee, we had a brief
9 presentation regarding this very issue, noting
10 that in an effort to draw the districts with a
11 more geometric type meeting point where the
12 three Hispanic majority-minority existing seats
13 meet, Districts 25, 26 and 27, as they are
14 proposed in these maps, trying to create a more
15 clear, defined meeting point, the City of
16 Hialeah is one of the few cities that is split.
17 Most cities are kept whole. It is one of the
18 few that is split, and, again, it was to try to
19 maintain existing opportunities for racial
20 language minorities, for language minorities,
21 but at the same time trying to create something
22 of a more aesthetically compact shape to the
23 districts, a meeting point that is more clearly
24 defined for the residents in the affected
25 communities. In order to look at possibly

1 keeping Hialeah whole, it would have to really
2 be a dramatic redesign of these districts, but,
3 again, that was the feedback from the City of
4 Hialeah making that request.

5 I am going to skip on to item number 14
6 and also item number 15. Both -- and Jeff will
7 cover this somewhat later, too, and that is the
8 House map. Regarding the Poinciana community
9 in -- which is split between Osceola and Polk
10 Counties, we have received feedback,
11 essentially somewhat conflicting feedback or
12 conflicting requests. Some residents of the
13 area, including one who even submitted a State
14 House map, some residents of the area request
15 that Poinciana be kept whole in the maps, and
16 some residents actually specifically request
17 that Poinciana not be kept whole in the maps.
18 And just to give you an idea, this is the
19 Osceola County/Polk County division, and as you
20 zoom in, you can probably best see this using
21 the VTDs. You see Poinciana here. Poinciana
22 is on both sides of the county line, and,
23 again, in some of the maps, it is kept whole,
24 in some of the maps, it is not kept whole, and
25 so, again, we've received a request to keep it

1 whole and a request to not keep it whole.

2 I am going to skip on to items 18 to 22,
3 which all relate to a similar issue, and that
4 is how the congressional districts in
5 Hillsborough and Polk County relate to each
6 other.

7 In this particular example in terms of map
8 9045, District 15 is predominantly a
9 Hillsborough County district with about 90,000
10 residents in Polk County. Taking a look at map
11 9043 -- and, forgive me, I should say if anyone
12 gets lost in terms of bill numbers and plan
13 numbers, everyone, in your packet, there is a
14 little cheat sheet with the plan numbers and
15 bill numbers just in case any of this gets at
16 all confusing. In map 9043, this map has the
17 greatest concentration of both counties in
18 terms of sharing the district or --
19 Hillsborough County is approximately
20 two-thirds -- a little more than two-thirds of
21 the district, whereas all of the City of
22 Lakeland and, in total, about 180,000 Polk
23 County residents are in the district. And then
24 in map -- in map 9041, the District does not
25 impact Polk County at all. And the different

1 comments received in some cases, if you are
2 looking at pages 18 and 22, some individuals
3 actually suggested that those communities of
4 Lakeland and that area should be combined with
5 parts of Hillsborough County, but the City of
6 Temple Terrace, the City of Tampa have
7 requested that District 15 be concentrated in
8 as much of Hillsborough as possible. In this
9 particular instance, District 15, minus 5,700
10 residents, is entirely in Hillsborough County.
11 Those 5,700 residents were actually used to
12 exactly balance the populations in Sarasota and
13 Manatee Counties, which are approximately 5,700
14 residents too many for a congressional seat.
15 So, in this case, District 15 and District 16
16 are basically paired up so that those counties
17 can -- and largely have a single Representative
18 who will come from their region. So, again,
19 some of the input requested something more like
20 what is in 9041, and some requested crossing
21 the county line, including the City of
22 Lakeland, that relationship between Polk and
23 Hillsborough.

24 Moving to page 23, this particular
25 individual requested -- in terms of looking at

1 District 14, requested that that district be
2 included entirely in Hillsborough County. The
3 issue that -- the difficulty in doing so is
4 that this district -- Hillsborough County is a
5 Section 5 protected jurisdiction. This
6 particular district has a population that is
7 approximately about half either
8 African-American or Hispanic, and so this
9 district likely falls under the review of the
10 pre-clearance process, and the argument would
11 be that the combined African-American/Hispanic
12 communities are able to select a candidate of
13 choice, perhaps and possibly not
14 African-American or Hispanic, but, nonetheless,
15 able to select a candidate of choice. So in
16 order to maintain that, the district needs to
17 go into Pinellas County. Taking the district
18 out of Pinellas County would almost certainly
19 put that relationship in jeopardy and would
20 probably create issues in terms of the
21 pre-clearance process for this district, but,
22 nonetheless, the constituent was nonetheless
23 asking to have the district entirely in
24 Hillsborough County.

25 Moving on to item number 26, these last

1 few items are actual maps that were submitted
2 by members of the public in response to either
3 proposals by the House or proposals by the
4 Florida Senate. Item number 26 that is in your
5 packet is a map submitted by the redistricting
6 of Florida class at Florida Gulf Coast
7 University. It is an interesting map in that
8 it paints two extremes. The map generally
9 creates very compact shapes in terms of
10 districts; however, it has a high degree of
11 likelihood that it would have eliminated all
12 three African-American and two of the three
13 Hispanic seats in the state of Florida,
14 existing districts today. So the map would
15 create some serious litigation concerns, but,
16 nonetheless, it is an articulation of a very
17 compact design and it paints those two
18 extremes.

19 Moving on to page 27, I won't spend much
20 time on this map. The individual submitted a
21 map in response to the House's; however, the
22 population numbers were not drawn to the
23 mathematical quality, so most of what the map
24 does would have to be adjusted before it could
25 be utilized.

1 Maps 165, 166 and 167 were all submitted
2 by a Hillsborough County resident who went sort
3 of through an evolution of amending some of the
4 House proposals. This individual was very much
5 looking at what is now 9043. Initially in --
6 on page 28 of your packet, plan 165, the
7 individual makes a change to the Sarasota,
8 Manatee and Hillsborough County -- or Counties
9 area such that the municipality of North Port
10 in Sarasota County is put in with a district
11 that includes all of Charlotte County. So
12 Sarasota County becomes split, but then what
13 the individual does is keep Manatee whole and
14 pushes that district, District 16, into
15 Hillsborough County. In terms of looking at
16 the different variables of compactness and
17 other measurements, this is basically an even
18 trade-off in terms of how the House maps
19 currently -- or the House's proposals currently
20 makes the districts more compact and so forth.
21 This is basically a trade-off. It doesn't
22 affect the overall totals in terms of county
23 splits or city splits, so this is probably a
24 great example of just what a policy decision
25 would be in terms of a public suggestion.

1 Maps 166 and 167 carry the issue further.
2 What this individual was doing was coming back
3 to the Poinciana community and was looking at
4 how to keep the Poinciana community whole in a
5 district. In map 166, the individual keeps
6 Poinciana whole, the District 17 that is
7 largely coming from the rural, whole counties
8 to the south of it, and in map 167, the
9 individual takes an Osceola County-based
10 district and grabs the bulk of the Poinciana
11 community. The noted effect though of doing
12 that is it did noticeably make the maps less
13 compact compared to the House's proposals.

14 Map 168 was actually submitted by a -- I
15 believe Sarasota County resident in response to
16 actually one of the Senate's proposed maps.
17 The individual in this case looked at the
18 districts in Broward and Palm Beach County, and
19 just to give you an example of how that might
20 relate to the House's proposed maps, which are
21 identical in that part of the state, this
22 individual essentially took Districts 21 and 22
23 for all intents and purposes, and instead of
24 running the districts north to south, ran the
25 districts east to west, but still with a focus

1 on trying to keep cities whole and so forth.
2 It is a different look to the map, and it does
3 potentially, depending on how the districts are
4 drawn, create an opportunity to possibly make
5 the districts more compact. It is something
6 that we are taking a look at as to whether or
7 not this kind of configuration could be
8 utilized to help any of the maps. Not sure
9 where that will end up, but we are taking a
10 look at it.

11 In terms of maps 172, 173 and 174, which
12 are pages 32 through 34 in your packet, 172 is
13 really just an earlier version of 174, so you
14 can probably disregard that and look at 173 and
15 174.

16 173, this individual was reacting to one
17 of the House's proposals, and in this
18 particular case was actually looking at some of
19 the districts in the same area, District 22,
20 was also looking at the districts along the
21 Treasure Coast, Brevard County and so forth.
22 The end result, generally speaking, was that
23 the individual created noticeably less compact
24 districts in terms of creating more coastal
25 districts, as opposed to using whole counties,

1 which actually had the effect of keeping the
2 districts more compact as well. So the
3 individual went more for a coastal district
4 design, and it actually made the compactness
5 scores less compact.

6 174 is a similar -- similar situation, and
7 the individual did the same thing on both
8 coasts, making the districts more coastal, for
9 instance, in the Sarasota and Manatee County
10 areas, using the highway as opposed to keeping
11 the counties whole, but, again, it had the net
12 result of making the districts somewhat less
13 compact.

14 And with that, members, there's some
15 information that -- public input that the
16 Committee, we received last evening as we were
17 getting ready for the meeting, so your packets
18 were already printed. There is an additional
19 -- some additional public input in your packets
20 that both Jeff and I in our presentations will
21 be speaking to, some last-minute input.

22 Lori Edwards, the Supervisor of Elections
23 in Polk County, again referring to this
24 particular packet, the Supervisor of Elections
25 of Polk County did submit to us for

1 consideration to take a look at some
2 communities that maybe could be better kept
3 whole in Polk County. Oftentimes the
4 Supervisors of Elections are concerned with
5 voter islands, that being where a voter, when
6 they draw the -- let's say the county
7 commission district or the school board
8 districts, and then you draw the state
9 legislative and congressional districts, you
10 have possibility of having sometimes one person
11 or two people who have a ballot unto themselves
12 that is completely unique. The net result of
13 that is that that voter's vote could be
14 revealed in terms of elections data when
15 somebody looks for somebody that fits that
16 exact profile. So we try to avoid that as much
17 as possible, and anytime the supervisor has any
18 consideration, which we take a look at it very
19 seriously to try to help avoid those voter
20 islands. So Ms. Edwards just submitted this to
21 us. We really haven't gotten to look at it
22 much more than just getting it last night,
23 preparing for today, but we are planning to
24 take a look at this.

25 Skipping on just a few pages to the fourth

1 page in this addendum, the Mayor of Tampa also
2 sent an e-mail recently, coming back to the
3 discussion of how Hillsborough and Polk County
4 line up together with their congressional
5 districts, the Mayor of Tampa sent an e-mail in
6 support of map 9041, again asking for that seat
7 that is mostly in Hillsborough County.

8 And relating also -- this will come up in
9 Jeff's presentation. The next page comes from
10 a current council member in the municipality of
11 Oldsmar in Pinellas County. This particular
12 individual asked that the House look at the
13 Florida Senate's version of Congressional
14 District 9, which stretches from northern
15 Hillsborough through northern Pinellas. This
16 particular individual made the case that
17 Oldsmar and that part of the county had a
18 relationship with northern -- northwestern
19 Hillsborough County, and they asked that it be
20 looked at. The reason why I mentioned the --
21 how that relates to Jeff's proposal is we've
22 actually received a resolution from the City of
23 Oldsmar that Jeff will get into that actually
24 requests very much the opposite. So it was an
25 interesting request, but, nonetheless, this

1 particular council member asked that
2 northwe- -- or northeastern or northern
3 Pinellas County be lined up with northwestern
4 Hillsborough County. And with that, I am going
5 to turn it over to Jeff, unless you have any
6 questions.

7 REPRESENTATIVE WEATHERFORD: Thank you,
8 Alex. Members, any questions for Alex before
9 we move forward to the House? Okay, great,
10 thanks.

11 Mr. Takacs, you are recognized.

12 MR. TAKACS: Thank you very much,
13 Mr. Chairman.

14 Before I get started going through the
15 House map public input that we've received, as
16 Mr. Kelly mentioned, don't forget that cheat
17 sheet that is in your packet that refers to the
18 bill number as it relates to the plan number as
19 well. I will probably generally be referring
20 to the plan number, so use that cheat sheet to
21 understand which bill that plan number lines up
22 with.

23 Going back to the main packet of public
24 input that we've received, if you look to page
25 36, we received some feedback from the Escambia

1 County Supervisors of Elections to try to avoid
2 those voter islands that Mr. Kelly described
3 just a moment ago within their county. This
4 was prior to the adoption of the amendment that
5 the House subcommittee had on each of the
6 proposals, and we believe that some of those
7 voter islands have been addressed by that
8 amendment, but we're not sure if they all have.
9 So what we have actually done is sent the
10 amended proposals to the supervisor's office,
11 asking that they review those and see if those
12 voter islands are still there or if there are
13 new ones, et cetera, and we are awaiting
14 further feedback from them. So that is page
15 36. And you will see on 37 and 38, that they
16 are pointing out the actual voter islands
17 between the districts.

18 Moving on here to -- to the next page,
19 page 40 here, let me -- to the best of my
20 ability, I am going to try to move around the
21 map to show some of the different aspects of
22 the public feedback that we have received and
23 so you can actually get a look at what the
24 proposal is. This is currently map number
25 9027. The thing about page 40, we received

1 some testimony from the folks in Navarre and
2 Navarre Beach and this area here where you see
3 where my mouse is, in Santa Rosa County, asking
4 that the folks of Navarre and Navarre Beach be
5 united together. Under the prior proposal by
6 the House subcommittee before the amendment,
7 that District 2 extended all the way to that
8 bottom section there, that little square type
9 section in Santa Rosa County. As you can see
10 in this amended version of 9027, that is no
11 longer, and now District 3 comes down to the
12 county line. That was in response to this
13 request. We were actually able to accomplish
14 what the folks in Navarre and Navarre Beach
15 were seeking in the amendment.

16 Moving on to page 41, this is actually
17 regarding District 4 and how it comes up into
18 the City of Crestview there just north of I-10.
19 Previously, prior to the amendment, the
20 district had just the city boundaries of the
21 City of Crestview within it, and we received
22 testimony asking if there was a better way to
23 use roadways and other areas right around
24 Crestview to make sure that neighborhoods that
25 are just outside of the city limits who really

1 consider themselves a part of Crestview be
2 included in that district, and as you can see
3 here, that was also accomplished by the
4 amendment by the subcommittee.

5 I am going to move ahead to page 43. This
6 came to us by a resident in Bay County asking
7 that -- there is a district wholly based in Bay
8 County there, District 6, and they asked that
9 the Panama City airport be included within that
10 district. As you can see -- I will zoom in
11 here just a little bit. Again, this was
12 something that we received prior to -- prior to
13 the -- to the amendment being adopted, and
14 there was a change made to include a major
15 portion of the airport wholly within District
16 6. So that was accomplished in response to the
17 public testimony that we received via that
18 e-mail.

19 Moving forward to page 45, 44 is a
20 previous communication that we received from
21 the Leon County Supervisors of Elections
22 office, the page 45 is actually an updated
23 response to the actual amendments that were
24 adopted by the -- by the House subcommittee.
25 They have asked that some specific areas that

1 relate to the boundary between Districts 8 and
2 9 be addressed to try to line up, similar to
3 the voter island concept, but just trying to
4 line up the districts to the county commission
5 districts or to precinct lines, and we are
6 currently reviewing those requests. You can
7 see the actual specific areas on pages 46, 47,
8 48 and 49. Just something to consider as we
9 would be reviewing those potential changes,
10 House District 8 is currently a
11 majority-minority black district, and so what
12 we would need to ensure is that those changes
13 did not bring the black voting age population
14 of that district below 50 percent. So that
15 would be something that would need to be
16 considered when looking at those changes.

17 I am going to zoom out here a little bit.
18 We've gotten a couple of phone calls from a
19 Taylor County resident who has left us some
20 voice mails regarding the rural counties in the
21 Big Bend area. Basically what this gentleman
22 is saying is that he would prefer that the
23 smaller rural counties in their region not be
24 tied to Leon County, if at all possible. As
25 you can see -- again, this is plan 9027. If

1 you look at that District 7, which has many
2 whole counties within it, Lafayette, Taylor
3 County here, Jefferson County, and so forth,
4 there is a portion of that district, as you can
5 see, in Leon County, which was simply done for
6 population equalization. So this would be the
7 actual plan that is closest to his request. He
8 did also on the voice mail ask that Taylor,
9 Madison and Lafayette Counties all be kept
10 whole and together within a district, and you
11 can see those three counties are here and that
12 is accomplished by the House plans.

13 Interestingly enough, I am going to zoom
14 in here on the Gadsden County/Leon County area.
15 We've received somewhat of opposite feedback
16 from some residents in northeastern Gadsden
17 County asking that they actually be linked with
18 Leon County and with northern Leon County.
19 There was some public testimony that we
20 received in the Tallahassee public hearing, if
21 you recall from the reports that we conducted
22 as a committee on the public input, it was NW-3
23 that outlined a specific attempt at a map that
24 Mr. Doug Croley submitted showing what he was
25 talking about as far as connecting northeastern

1 Gadsden County to northern Leon County. This
2 on page 51 is simply saying that they support
3 that concept that Mr. Croley brought forward.
4 Just as a consequence as you consider that,
5 that would be an additional county split
6 between Districts 8 and 9 if that were to be
7 addressed.

8 Moving on to page 52, this is a partial
9 submitted map that we received from Mr. Roy
10 Lyons. It specifically addresses -- I don't
11 have that map here on the screen, but I'll just
12 kind of go to that general area of the state so
13 you can look at it. It addresses the kind of
14 northeastern area of the state, excluding Duval
15 County. And what he proposes is a district
16 that would keep Baker, Union, Bradford Counties
17 whole, and then have portions of Columbia --
18 excuse me, it would have Nassau County whole as
19 well, and then portions of Clay County. When
20 you look at the map on the -- on the page
21 there, on page 52, some things jump out at me
22 when I first reviewed this map, the first of
23 which is that Columbia County would be split.
24 You can see there's a little bit of a
25 carve-out, kind of an odd-shaped carve-out on

1 the map there by Mr. Lyons, which would lead to
2 a county split for Columbia County. Also, too,
3 it would also -- thinking about -- and I will
4 get into this a little bit further when I
5 actually go into the workshop of the various
6 House proposals, but when you look at the
7 populations of Nassau and Duval Counties
8 combined, they equal roughly that of six House
9 districts. So if you were to take Nassau
10 County as Mr. Lyons has and placed it with
11 other counties that are not Duval County, it
12 would be a step away from that -- from that
13 concept. Also, he splits the City of Lake
14 City. And then also, too, looking at that
15 District 3 there on page 52, the population
16 deviation for that district would be minus
17 4,007, which would actually be a new low water
18 mark for population deviation on the plan,
19 which would affect the overall population
20 deviation for all of the House proposals. So
21 some things to consider in regards to that map.

22 Moving forward, we're going to kind of
23 zoom in here to the Duval County area on page
24 53. We received some comments from some
25 residents regarding the boundaries of Districts

1 15 and 16. As you can see here, District 15 --
2 let me see if I can show it a little bit here.
3 If you see where my mouse is there, that is
4 actually the St. Johns River, and you will see
5 that District 15 crosses over the river to grab
6 some population. We have received some
7 testimony similar to the one on page 53 that
8 suggests that the actual river be used as the
9 dividing line between the two districts. So
10 that is something that we are currently
11 reviewing as we move forward in this process.

12 Moving on to page 54, I will just kind of
13 zoom out here a little bit, we've received some
14 testimony from the residents of the beach
15 communities in Jacksonville Beach, Atlantic
16 Beach and Neptune Beach, which is in this
17 general area here. I will zoom in here just a
18 little bit further so you can see where those
19 areas are. We've received testimony from these
20 folks asking that the district to the south,
21 which is this pink district here, which is
22 wholly located in St. Johns County, come up and
23 grab these beach communities, and there's
24 specific reason for that as they talk about the
25 concept of District 11 and how it connects to

1 Nassau County. For those folks in this region
2 here, or in these three beach communities, for
3 them to travel north into Nassau County where
4 the other portion of this district is, they
5 contend that this is actually a non-contiguous
6 district because there is no way to get from
7 point A to point B. There was at one time a
8 ferry that connected the two areas of land
9 together, but it is my understanding that ferry
10 has been shut down or is in the process of
11 being shut down, so those folks are contending
12 that that is a non-contiguous district and just
13 talking about the general transportation issues
14 that would come from District 11 as it is
15 currently drawn. Thinking about connecting
16 those communities to the district to the south,
17 again, that would create an extra county split
18 and would also be a step away from that concept
19 that I talked about earlier of Nassau and Duval
20 Counties being six districts wholly contained
21 within the two counties.

22 But what I would like to do, Mr. Chairman,
23 thinking about this issue of contiguity, with
24 your indulgence, I would like to bring up Mr.
25 George Meros to talk about contiguity and how

1 that would work with this specific example.

2 REPRESENTATIVE WEATHERFORD: Mr. Meros,
3 you are recognized.

4 MR. MEROS: Thank you, Mr. Chairman. I
5 have looked at that issue, and we have done the
6 research on the requirements of contiguity, and
7 that district would comply with the contiguity
8 requirement. The contiguity requirement does
9 not require a specific roadway availability
10 from one point to another; in fact, waterways
11 can be crossed for contiguity purposes. So
12 there is no legal problem with that map based
13 on contiguity.

14 REPRESENTATIVE WEATHERFORD: Thank you.
15 Mr. Takacs.

16 MR. TAKACS: Thank you, Mr. Chairman.

17 I am going to move ahead to page 57. We
18 received some input from the Clay County
19 Supervisor of Elections office as it relates to
20 the districts in their region. They have made
21 two requests, the first of which is there's one
22 census block that is used as the boundary --
23 that is a part of the boundary, I should say,
24 between Districts 18 and 19. They just ask
25 that that one census block be swapped between

1 the two districts so that the district
2 boundaries line up with the boundaries of Camp
3 Blanding, which is a Florida National Guard
4 base in the region. We have reviewed that
5 request. That particular census block is
6 essentially a roadway and doesn't affect
7 population, so we are going to continue to
8 review that request.

9 The second piece of that request talks
10 about the actual plan that is on your screen
11 here, which is 9031, and how these districts
12 relate for Clay County, specifically Districts
13 15 and 18. But basically they basically gave
14 their comments saying they do not like this
15 option of the three options, because of the way
16 the districts traverse the various
17 neighborhoods within northeast Clay County. So
18 that was their input for that.

19 Moving on to page 59, Mr. Kelly already
20 talked about the community of Poinciana. We
21 have also received some comments regarding the
22 House maps as far as how Poinciana is
23 addressed, and I will kind of zoom in here a
24 little bit so you can see it. Again, thinking
25 about the community of Poinciana, it does cross

1 the county lines there. As you can see in this
2 House proposal, the District 43 there stops at
3 the county line, which would essentially split
4 the community of Poinciana between the
5 districts. Mr. Laytham expressed his
6 displeasure for that current configuration, and
7 to his credit, he did offer some maps in
8 suggestion of how to change that. If you look
9 at page 60, which is map 164, you can see how
10 he works to address that, and a couple of
11 things that jump out there, his District 42
12 takes areas of the district that's in Polk
13 County to presumably include all of Poinciana.
14 The one challenge with this is that the
15 District 43 in his map is an attempt to be a
16 majority-minority Hispanic district, but,
17 unfortunately, the Hispanic voting age
18 population of that district dips below
19 50 percent. It is a 49.15 percent. So that
20 would be a consideration there. His second
21 attempt at 163, map 163, actually puts District
22 43 to have all of the community of Poinciana.
23 One of the challenges that would be presented
24 with this map is it does create an extra county
25 split, and also, by trying to equalize the

1 population, he did end up also splitting the
2 City of Kissimmee between two districts, which
3 is currently kept whole in District 43 on the
4 House proposals.

5 Next, if you look at page 62, we are going
6 to talk about the east Orange County and east
7 Orlando region as it relates to District 50.
8 Essentially what this person has requested is
9 that the western portion of east Orlando be
10 separated from a district that would run up to
11 Interstate 95, which is what District 50 does.
12 So essentially, to put it in a different way,
13 they believe District 50 comes too far to the
14 west.

15 When you think of Orange County, and I
16 will talk about this a little bit more when
17 I've actually workshopped the various plans,
18 municipal boundary lines were heavily used in
19 the crafting of the districts in this region,
20 and thinking about where District 50 is, there
21 are no incorporated communities, no
22 incorporated cities within that area. So in
23 the other various districts in the Orange
24 County region, municipality lines were heavily
25 used there.

1 Also, too, I should mention, when you look
2 at Brevard County -- I am going to zoom out
3 just a little bit, and this was consistent with
4 the public testimony that we received from the
5 residents of Brevard County. They were seeking
6 three House districts that were wholly within
7 their county that would separate the northern,
8 central and southern portions of the county,
9 and you can see that on this proposal,
10 Districts 51 through 53 achieve that. Brevard
11 County's population is too large there. You
12 can see there is a portion of District 50 that
13 is in Brevard County, and that is because their
14 population is too large for four districts, so
15 that is where that extra district was built.
16 Thinking about how the lines were drawn in
17 Brevard County, when you start building to the
18 south and go north, that is what happens with
19 that extra area of population in northwestern
20 Brevard County.

21 I am going to move south here just a
22 little bit to Indian River County on page 63.
23 We received some testimony from some folks
24 seeking that Indian River County be split
25 between two different districts. It was also

1 suggested that Indian River County be linked in
2 a district with Brevard County as opposed to
3 Indian River County. Members, as you remember
4 from the summer tour and the places where we
5 have gone specifically in this Treasure Coast
6 area, we received a lot of testimony throughout
7 the state from folks in various counties asking
8 that their counties be kept whole, and that is
9 a principle that we have kept as much as
10 humanly possible on these proposals. So that
11 was what happened here. Obviously Indian River
12 County is kept whole within this district, and
13 for extra population, it goes into St. Lucie
14 County.

15 That also kind of dovetails with the
16 comments I just made about Brevard County.
17 Brevard County, that southern district there,
18 that county line is kept intact because of the
19 comments we received from the residents of
20 Brevard County asking that they have three
21 whole districts within the county, a northern,
22 central and southern district within the
23 county.

24 Next I am going to move south here to
25 Martin County. We have received quite a bit of

1 testimony from the residents of Martin County,
2 and they have said some various things.
3 Obviously we have had the Chairman of the
4 county commissioner here today to present the
5 view of keeping the unincorporated area of Palm
6 City whole, as well as keeping the City of
7 Stuart whole in the same district. We have
8 also received testimony from residents of
9 Martin County asking that Palm City be kept
10 whole, we have received testimony from the
11 residents of Martin County asking that Stuart
12 be kept whole, but not linking the two together
13 in the same district. They never -- they
14 didn't take that next step. They simply said,
15 "Please make Palm City whole," "Please make
16 Stuart whole." As it was discussed earlier,
17 the municipal boundaries of Stuart are kept
18 whole within District 83, as you can see here.
19 So, again, kind of some differing opinions from
20 the residents of Martin County.

21 Taking a step further from that, we have
22 also received testimony from the folks in
23 Martin County asking that a district in Martin
24 County not be connected with either St. Lucie
25 County or Palm Beach County, which would --

1 thinking about the population of all of the
2 surrounding counties, would only leave you one
3 option, which would be to connect Martin County
4 with Okeechobee County to the west.

5 And I will zoom in here a little bit.
6 Lastly, thinking about the various testimony
7 that we've received from the residents of
8 Martin County, we have also been asked to have
9 the St. Lucie River here used as the dividing
10 line between a northern Martin County district
11 and a southern Martin County district. And
12 what specifically is interesting about that
13 type of a request is that you see here where my
14 mouse is, this is the city boundaries of the
15 City of Stuart. If you were to use the river
16 as the boundary line, you would cut the City of
17 Stuart in half. So we have -- thinking about
18 the previous comments we have received, it
19 would be in conflict with other testimony we
20 received from residents seeking to seek all of
21 Stuart be kept whole within a district.

22 I am going to skip ahead. All of that
23 various testimony from the residents of Martin
24 County is in your packet, and let me get to the
25 ending page so you know where that goes from.

1 It goes to page 76.

2 Moving on to page 77 in the packet, this
3 deals with the City of Pembroke Pines and a
4 specific neighborhood within that community
5 called Pembroke Falls. It is currently divided
6 between two House districts, District 99 and
7 104. I will get to that area. And this
8 testimony asks that -- that that neighborhood
9 be kept whole within the district, preferably
10 104 as it mentions in the testimony. And that
11 is something that we are currently reviewing.

12 Moving back over to kind of the western
13 area of the state here up to Pinellas County,
14 as Mr. Kelly mentioned, we received a
15 resolution from the City of Oldsmar as it
16 relates to, specifically in this proposal,
17 House District 64. You will see here that -- I
18 will zoom out here just a little bit. As you
19 look at House District 64 there, you will see
20 that it has a portion in northwestern
21 Hillsborough County and then comes into
22 Pinellas County for population, and you will
23 see as it takes that dip to the south, it
24 actually has all of the cities of Oldsmar and
25 Safety Harbor within its boundaries. Both of

1 those cities are kept whole within that
2 district. Again, thinking about the testimony
3 that we received on the congressional maps,
4 what the testimony from the resolution was was
5 that the people of Oldsmar, the City Council of
6 Oldsmar has asked that they not be linked with
7 a district that connects to Hillsborough
8 County, again, thinking about the testimony
9 that we receive on the congressional map, that
10 it would be in conflict and that we have
11 received testimony asking that those two
12 communities be linked within a congressional
13 district, so we're trying to sort through that.

14 When you kind of zoom out and look at the
15 populations of Pinellas and Hillsborough
16 Counties, specifically Pinellas, you will see
17 that -- and, again, I am going to go more into
18 detail about the proposals later, but you will
19 see that there are five districts wholly within
20 the county, and for population purposes, two
21 counties -- two districts actually cross the
22 county lines, 64, again, is the focus of the
23 residents of Oldsmar. When you look at the
24 populations of Hillsborough and Pinellas
25 Counties in those northern -- in that northern

1 region specifically, there would have to be a
2 district that crosses the county boundary line.
3 For the city boundaries of Oldsmar and Safety
4 Harbor, they are right there on the county
5 line. So it just -- as -- from a map-drawing
6 principle, it just made sense as we -- if we
7 had to cross that county boundary line, to
8 include entire municipalities, thinking about
9 the standards that are in Amendment 5.

10 I am going to kind of sneak back down
11 south here. If you look to page 80, we have
12 received some testimony from some residents in
13 Charlotte County, as well as the Enterprise
14 Charlotte Economic Council, seeking that
15 Charlotte County be split between two
16 districts. Here you can see that on this
17 proposal, that Charlotte County is kept whole
18 and all together within a House district, kind
19 of similar to the Indian River example a moment
20 ago. As we traveled the state, we heard from
21 residents in basically every community asking
22 that their county be kept whole if at all
23 possible in this process, and that is able to
24 be achieved here mathematically for the
25 residents of Charlotte County.

1 And I continue to move south here to Lee
2 County. There are some testimony that we
3 received from a number of different residents
4 within Lee County, and the first is regarding
5 the unincorporated area of Estero. If you will
6 bear with me here, I will try to zoom in on the
7 map to find that general area. If you look in
8 this general area here where my mouse is, I am
9 kind of going around the basic parameters of
10 what Estero is. Currently, that unincorporated
11 area is divided between two House districts,
12 and we have received a significant number of
13 communications and e-mails from the residents
14 there asking to be kept whole within a
15 district, and specifically to be kept whole
16 within District 76, which is the yellow
17 district there.

18 Thinking about that from the map-drawing
19 perspective, we believe as we are reviewing
20 this that with a few minor adjustments to the
21 populations within the districts, that this
22 could be accomplished, but, again, we are still
23 reviewing that -- those requests that have come
24 in to us.

25 Moving forward to page 84, this deals

1 with -- on the area of Pine Island within Lee
2 County and how it relates to the Cape Coral
3 area. This specific testimony asks that Pine
4 Island not be included in a district that has
5 the City of Cape Coral in it, but would rather
6 be in this district here, the yellow district.
7 You can see Pine Island here. This was
8 something -- these comments were basically
9 tailored to map 9021, which was actually a map
10 that was not moved forward to the redistricting
11 committee by the House subcommittee. So all
12 three of the proposals have Pine Island in that
13 District 76, the yellow district there.

14 The next is dealing with the community of
15 Matlacha in Lee County. Let me see if I can
16 find that. Here we go. If you kind of zoom in
17 here, you can see the Matlacha community here
18 right next to Little Pine Island. The
19 boundaries of that community actually start in
20 this region here and cross the waterway and
21 come into this region here. The residents of
22 Matlacha have asked that they be kept whole
23 within a district and within that District 76
24 there to the west. Obviously, the biggest
25 consideration when contemplating that move is

1 that right now, as you can see, the waterway is
2 used as the boundary way between the two
3 districts. So you have to cross that
4 geographic boundary line in order to bring in
5 all of the community of Matlacha within
6 District 76.

7 Members, I am now going to go to that
8 additional public input packet that is in your
9 packet as well. If you go towards the back of
10 that packet, there are three specific things
11 that we have received basically yesterday that
12 we wanted to share with you.

13 The first was from Lori Edwards, who is
14 the Supervisor of Elections of Polk County.
15 She specifically talked about the communities
16 of Solivita and Winetta. Currently they are
17 both split within the county, and she has
18 requested that if we took a little bit closer
19 look at VTDs, that we could keep those
20 communities whole. Again, obviously, we just
21 received that commentary yesterday, so we are
22 currently reviewing that to see if that is
23 feasible. And if you look at that next page,
24 she does outline on the map where those areas
25 are. Also to -- forgive me, I actually skipped

1 one.

2 Prior to Ms. Edwards' request, we did
3 receive some commentary from a resident in Clay
4 County recommending maps 9025 and 9027. Those
5 maps -- and I will show you here on this
6 proposal. This actual -- actually, let me show
7 you those proposals. The request from the
8 resident there, and this actually echos the
9 comments that were made in the Jacksonville
10 public hearing that we heard, was that the
11 residents of Clay County wanted a district
12 wholly contained within the county. And you
13 can see here, if you look at District 18, that
14 district is wholly within Clay County, and that
15 is why this resident has voiced their support
16 for the two plans that do that.

17 And lastly, members, thinking about public
18 input that we've received, we actually received
19 a partially-submitted map yesterday from Graham
20 Stacy. It is map number 175. It is the last
21 page here of the additional input packet. It
22 is actually a full map, but he only changes
23 four districts, and it is in the east
24 Hillsborough County area, and I will show you
25 the current proposal for that region. What

1 Mr. Stacy was seeking to do was to keep some of
2 the unincorporated communities, thinking about
3 Fishhawk and Bloomingdale in this region right
4 here, together and not be split between
5 districts. When you look at the map that is on
6 your packet here, you will see, if you kind of
7 compare it to the proposed map, it appears that
8 Mr. Stacy kind of sacrifices compactness in
9 Districts 63, 58 and 57 to achieve this goal of
10 keeping some of those unincorporated areas
11 whole.

12 Mr. Chairman, that concludes the House
13 public input.

14 REPRESENTATIVE WEATHERFORD: Great. Any
15 questions for Mr. Takacs from the members?

16 Seeing none, we are going to move forward
17 to the Senate, and we've got Mr. Jason Poreda.
18 Mr. Poreda, you are recognized.

19 MR. POREDA: Thank you, Chairman. As we
20 kind of get the computer set up here for a
21 minute, I will just say we have received
22 considerably less public input regarding --
23 specifically regarding the State Senate map, so
24 we will kind of go a little bit in reverse
25 order that the other two maps would -- talking

1 about the written submissions first and then
2 talking about the maps.

3 We have received two full maps that are in
4 your packets here today, one by Patricia
5 Sullivan and another one by Bruce King. First
6 looking at Patricia Sullivan's map, she kind of
7 redrew the kind of the central part of the
8 state. That is page 87 in your books. She
9 kind of took District 20 and kind of centered
10 that around The Villages and north Lake County
11 communities and kind of drew a district there,
12 and then kind of redrawing the district kind of
13 surrounding that area as a result of drawing
14 that district. As you can see, District 14 and
15 District 9 as a result of those changes really
16 kind of have a long, irregular shape. It --
17 she also impacts very slightly District 1,
18 which is a district that traditionally elects a
19 minority candidate of choice. She also splits
20 Hernando County, which is kept whole on the
21 Senate map, and makes some additional county
22 splits as well. So there's some things to
23 consider in her map there.

24 Then on Bruce King's map, he made some
25 very minor tweaks to the map regarding city

1 splits, also kind of reorganized Lake County a
2 little bit and then has a different orientation
3 for the Panhandle districts. But that is the
4 two maps that we have received in entirety for
5 public submissions for the State Senate.

6 Now, kind of moving to some of the written
7 testimony that we have received regarding State
8 Senate map, first we will look at -- we
9 received some input from the residents of Pasco
10 County, as you can see here, just requesting
11 that the Pasco County -- Pasco County be
12 divided in a different way than it currently
13 is. That would obviously have an impact to the
14 districts that it is included in and possibly
15 the surrounding area.

16 Next, as we've heard from the other two
17 maps as well, requesting that The Villages be
18 kept whole. And as you can see here on this
19 map, on the Senate proposed map, The Villages
20 are kept whole. So that goal is accomplished
21 on this map as well.

22 And that is all the public input that you
23 have in your packet. There's a couple other
24 more general suggestions that we have received
25 that don't necessarily apply to one specific

1 map, but they are some good examples to show
2 here in the State Senate map, the first
3 regarding Putnam County, requesting that either
4 Putnam County be kept whole or splitting it
5 using the St. Johns River that you can kind of
6 see goes right by the City of Palatka and kind
7 of down that way. The difficulty with that, on
8 the current proposal, most of Putnam County is
9 kept entirely within District 20, as you can
10 see, but because of District 1, which is a
11 district that traditionally elects a minority
12 candidate of choice, that has the City of
13 Palatka and part of -- part of Putnam County,
14 it would be difficult to make those changes
15 there.

16 Then moving down to Polk County, we have
17 additionally received input about the Poinciana
18 communities that we have talked about in the
19 other maps, but more specifically, we have
20 received input about the City of Davenport,
21 requesting it be kept whole, and in the
22 district that is mostly in Polk County. And I
23 will turn on the city boundaries here so we can
24 see the City of Davenport. You can see right
25 there that it is currently split between two

1 districts, but this is actually an example of
2 something that -- that the Senate
3 Reapportionment Committee actually addressed in
4 the next version of this map, keeping that city
5 whole and in a district that is mostly within
6 Polk County.

7 The last piece of input that I will talk
8 about today is about the Hendry County. We've
9 received input from residents in that county,
10 and I will scroll the map down, requesting that
11 Hendry County right there, as you can see
12 highlighted, be kept whole and not be linked
13 with Palm Beach, Broward or Miami-Dade County,
14 just try to be kept with more rural
15 communities. As you can see, Hendry County is
16 kept whole; however, Hendry County is another
17 one of the Section 5 protected counties here in
18 the state and is currently linked with a
19 district that elects a minority candidate of
20 choice, so we have to take that into
21 consideration with Hendry County, kind of
22 limits what we can -- what is able to do with
23 that.

24 And, Chairman, that concludes the input
25 for the Senate.

1 REPRESENTATIVE WEATHERFORD: Great. Thank
2 you very much. Members, any questions?

3 Okay. Seeing none, members, we are now
4 going to move into the actual discussion in
5 greater detail the options that are on the
6 table, keeping in the order that we went before
7 with Congress, State House and State Senate.
8 As we go through the options, members, I
9 welcome your thoughts as to how you think we
10 should go through the process of narrowing down
11 the choices for State House and State -- and
12 congressional maps and Senate maps. So this is
13 your opportunity, after we do the quick brief
14 overview of the differences between the maps,
15 we would welcome conversation about any maps
16 that you are preferable to.

17 It would be my hope and goal, frankly,
18 that by the end of today, we could be in a
19 position where we would have some type of
20 preference as to a map that we would like to
21 move forward with for House, Senate and
22 congressional. That way, as members are trying
23 to file amendments and prepare for next week's
24 committee meeting, we are all kind of on the
25 same page.

1 So that being said, we are going to start
2 off with Mr. Kelly, I believe, who is going to
3 start off talking to us again about the
4 congressional map and the differences between
5 the three maps.

6 MR. KELLY: Thank you, Mr. Chair, and
7 thank you, members. I am just going to get the
8 maps lined up for your viewing.

9 REPRESENTATIVE WEATHERFORD: Mr. Kelly, I
10 may have gone out of order. Would you -- would
11 you like me to represent -- recognize the
12 Chairman of the committee first?

13 MR. KELLY: I would always defer to the
14 Chairman --

15 REPRESENTATIVE WEATHERFORD: Yes. First
16 of all, let me commend the Chairman of the
17 subcommittee, Representative Legg, who did a
18 great job in shepherding the three maps to us.
19 Representative Legg, you are recognized to
20 summarize in your opinion what you sent to the
21 full committee.

22 REPRESENTATIVE LEGG: Well, thank you,
23 Mr. Chairman, and you are way too kind with
24 your words, and Mr. Kelly does a much better
25 job than I could ever do, and you are giving me

1 too much credit to say that I shepherded.
2 Chair Holder and Vice-Chair Horner, they really
3 did all the heavy work. I just sat around and
4 watched them, so -- but with that,
5 Mr. Chairman, I just want to maybe get some
6 high level overviews for the members of the
7 full Committee so they kind of know what we
8 looked at and some of the rationale in terms of
9 a high-level view.

10 As you know, we had seven options to look
11 at in our subcommittee. I think that all seven
12 were a major improvement over the current
13 Florida congressional maps. I would have been
14 happy to present any of these -- any of the
15 seven maps to the full floor, because we -- I
16 do believe that all seven of them were lawful
17 and compliant with the new constitutional
18 amendments.

19 Our subcommittee had an interesting
20 discussion in our last meeting. We -- when we
21 narrowed the option down to our three top
22 choices, the subcommittee opted to use the
23 standards that are in the law, compare the maps
24 and pick the three choices that appear to best
25 balance the standards that are in the

1 Constitution and federal law. I thought it was
2 approp- -- that the appropriate recommendations
3 from the members of the subcommittee, a
4 recommendation, which basically was to let the
5 standards in the law guide us, and I supported
6 that recommendation. As a result, I think what
7 you have in front of you is three excellent
8 options for you to choose.

9 Just to speak briefly about the
10 differences and the similarity between those
11 maps, in all three, District 1 and 2 and 18 to
12 27 are identical. The differences occur
13 from -- basically from the north Florida
14 counties that are east of the Panhandle through
15 the central Florida and into the rural
16 communities of south Florida. Map 9041
17 stresses compactness slightly more so than the
18 other standards. As a result, map 9041
19 sacrifices some county and city splits. Map
20 9043 really performs the balancing act of all
21 three options, keeping more than 90 percent of
22 Florida municipalities whole. That in itself
23 is not some kind of legal threshold, but it is
24 still a nice milestone to achieve. Map 9045 is
25 in large part a similar map to 9041, except

1 that its attempt to keep some of the counties
2 whole that 94 -- 9041 splits.

3 So when you look at these maps, you will
4 see some trade-offs, and quite possibly you
5 might even see some pieces of the maps that can
6 be mixed and matched with others. I think the
7 subcommittee did an excellent job in that
8 regards, giving this Committee some real
9 choices.

10 With that, Mr. Chairman, I just want to
11 thank every member of the Committee for their
12 hard work, too, on this, and those are our
13 three recommendations to this Committee.

14 REPRESENTATIVE WEATHERFORD: Thank you
15 very much, Chairman Legg. We appreciate that,
16 and we do appreciate the hard work of the
17 Committee, and commend your co-Chair and your
18 Vice-Chair. You guys did a great job. And
19 with that, we will turn it over to Alex to walk
20 us through some of the detailed differences
21 between the three maps. You are recognized,
22 Mr. Kelly.

23 MR. KELLY: Thank you, Mr. Chair, and
24 thank you, members.

25 Using map -- using map 9041, let's say, as

1 a base where I will describe the common points,
2 and then we will look at the other two as to
3 where they differ. As Chair Legg said,
4 Districts 1 and 2 are identical in all of the
5 maps. Generally speaking, the districts just
6 lean on the principle of keeping counties
7 whole. The couple counties that are split are
8 purely done so for the sake of equal
9 population.

10 Moving to the southern end of the state,
11 Districts 18 through 27, District 18 is a
12 district that has all of St. Lucie County and
13 all of Martin County, for the sake of equal
14 population, a little bit of Okeechobee County
15 and then goes into northern Palm Beach County.

16 District 19, moving to the southwestern
17 part of the state, District 19 is all of the
18 incorporated municipalities of Lee County, most
19 of Lee County, minus some of the Lehigh Acres
20 and North Ft. Myers unincorporated areas, and
21 then it includes the coastline, including
22 Naples, the entirety of Naples, and other
23 communities along the coast in Collier County.

24 District 20, as we mentioned some earlier
25 regards to the public testimony, Districts 20,

1 21 and 22, all three districts are primarily in
2 Palm Beach and Broward Counties. District 20
3 also there does have an extension into Hendry
4 County, which is an important component.
5 District 20 today is a majority-minority seat
6 and today also serves the African-American
7 communities of Hendry County, which is a
8 Section 5 covered jurisdiction. So in terms of
9 maintaining that, the district runs over into
10 the Clewiston area, it includes the entirety of
11 that, and in an effort to maintain Section 5
12 compliance, the district, again, maintains its
13 majority-minority status, and in the manner
14 that it is drawn, the district actually
15 includes the entirety of several municipalities
16 in the southern Broward County portion and also
17 in the near Lake Okeechobee/Palm Beach County
18 portions.

19 And Districts 21 and 22, kind of went over
20 them before, they are drawn in a north-south
21 pattern with the intent of trying to respect
22 municipal boundary lines as much as possible,
23 and really actually borrowing directly from
24 some of the public plans that were submitted in
25 terms of a strategy for how to keep these

1 municipalities whole in terms of -- mentioned
2 earlier, some of the additional public input
3 that's been received, some of the additional
4 public input, if you look at District 20, the
5 additional public input, instead of coming
6 through the Loxahatchee and Royal Palm Beach
7 area, District 20 was brought through Palm
8 Beach Gardens, and so we are looking at that
9 just to see if there's any advantages in terms
10 of municipal splits and compactness and other
11 measurements just to see if there's anything
12 gained by taking a slightly different path. So
13 we are taking a look at that based on some of
14 the guidance that we have gotten from the
15 additional public input.

16 Twenty-one, again, and 22, as described,
17 are, generally speaking, drawn with the intent
18 of trying to respect the municipal lines. I
19 will give you a visual of that. We originally
20 looked at trying to use perhaps the Turnpike in
21 these counties in terms of designing the
22 districts. However, the municipalities tended
23 to cross that, to sort of cross those major
24 roadways. So when you look at, for example,
25 District 21 -- and this is actually a good

1 example of a municipality that perhaps with a
2 minor adjustment we can actually probably keep
3 whole in terms of -- in terms of Coconut Creek,
4 but looking at the municipalities, you will see
5 that in many cases, they are kept whole in one
6 district or the other in attempts to strike a
7 balance between complying with the Voting
8 Rights Act, but at the same time trying to
9 respect the political geography as much as
10 possible.

11 District 23 encompasses much of southern
12 Broward and also the northeastern areas of
13 Miami-Dade County. District 23 is in large
14 part impacted by what you have in Miami-Dade
15 County, which are four majority-minority
16 districts, three of which are Hispanic, one of
17 which is African-American. I will turn the
18 city boundary lines off, turn the counties back
19 on, just so you can see where the split occurs.

20 So in looking at District 24 is a
21 majority-minority African-American seat, also
22 with a concentration of Haitian-American
23 residents. And then scrolling back out,
24 Districts 25, 26 and 27, again, our strategy
25 here was obviously, one, to maintain compliance

1 with the Voting Rights Act, which was to
2 maintain the ability for these districts to
3 perform for the Hispanic community's candidate
4 of choice, but also to try to bring something
5 more of a clean look, a more compact, geometric
6 type look to where these districts meet. If
7 you remember from the subcommittee, for the
8 members of the subcommittee, we discussed a lot
9 using the Tamiami Trail as a line where kind of
10 diving in to the Fountainebleau area where the
11 districts all meet, trying to -- if you think
12 about how this translates not just to
13 redistricting, but ultimately to voters going
14 back out with new districts, using those clear
15 roadways to try to minimize voter confusion and
16 so forth, but, again, trying to bring a much
17 more compact shape, and the numbers bear out
18 that the districts are significantly more
19 compact than the existing plans.

20 Now, in terms of some points that are
21 fairly common, although not identical, in all
22 the maps, Congressional District 5 in all the
23 maps travels from the Jacksonville area through
24 Palatka to Gainesville through northern Marion
25 County -- we mentioned before about the public

1 testimony regarding the Reddick area -- and
2 then through Lake County into Apopka, some
3 differences in terms of this district compared
4 to the current map and the way it's been drawn
5 here, it is not perfectly identical in all
6 three submissions, although it is very, very
7 similar. First it was drawn in order to
8 maintain the existing opportunity for
9 African-American -- the African-American
10 community. The NAACP submitted a map that drew
11 the seat at exactly a 48 percent black voting
12 age population, so in all three examples, it is
13 just slightly above that, a couple hundredths
14 of a percentage above that, that mark being
15 that that's what the NAACP submitted.

16 The district now encompasses the entirety
17 of Green Cove Springs, the entirety of Palatka,
18 the entirety of Apopka. It no longer impacts
19 Seminole County, it no longer impacts Volusia
20 County. So to the extent possible, we tried to
21 marry up the provisions -- the sort of Tier 2
22 provisions in Amendment 6 that look at
23 political and geographical boundary lines and
24 try to make sure that if the district was
25 traveling through a city, where possible, it

1 could include the entirety of that city, and
2 where unnecessary, the district would not split
3 a county if that was not necessary to maintain
4 the opportunity to elect. So some very subtle
5 differences when you dive into the details.

6 In all the maps, District 7 keeps Seminole
7 County whole, albeit it does it in a different
8 fashion in each of the maps. In plan 9041,
9 Seminole County is whole and the
10 Seminole/Volusia County line is not crossed.
11 The district in all three maps does include the
12 entirety of Maitland and the entirety of Winter
13 Park, but in this particular example, 9041, all
14 the population that's not in Seminole is in
15 Orange County. Go look at plan 9043. In this
16 particular instance, beyond Maitland and Winter
17 Park, most of the additional population that's
18 not in Seminole County is in Volusia County.
19 The way it was drawn -- I will turn on the city
20 boundary lines. The way it was drawn is to
21 encompass the entirety of municipal boundary
22 lines in Volusia County. So the fact that it
23 is crossing the county line, it has all of
24 Deltona, all of De Bary, and I believe that is
25 Orange City. So while it is crossing a county

1 line, respecting those municipal boundary
2 lines. And then I do believe in 9045, it is
3 more similar to -- yes, it is more similar to
4 9041 in which it is all Seminole and then parts
5 of Orange County.

6 So in terms of northeast Florida, now to
7 get into some of the more significant
8 differences, in northeast Florida, the effects
9 of the map on Nassau County are similar in maps
10 9041 and 9045. Nassau County is split so you
11 have a district that is the east side of Duval
12 County, the east side of Nassau County and the
13 northern half of St. Johns, splitting the city
14 of St. Augustine.

15 In the case of map 9043, 9043, which had
16 the lowest county splits of all the maps, map
17 9043 split 22 counties. Map 9041 split 26.
18 Map 9045 split 23. Map 9043 attempts to use
19 the population that is left over from
20 Congressional District 5 in Duval, aligning
21 that with Nassau, aligning that with Baker, to
22 create a district that is otherwise the entire
23 remaining portions of Duval, all of Nassau and
24 all of Baker. And I will just put the county
25 lines on to give you that visual. In part,

1 that was how 9043 was able to maintain county
2 lines in a better fashion.

3 In terms of District 3, there is a similar
4 district in all the maps that is essentially a
5 north Florida district, in this case in 9043,
6 that district does not include any parts of
7 Baker or Duval Counties or Nassau County. So
8 in that case, in 9043, the district pushes
9 further down into the Marion County area as a
10 result. In looking at the effects of that, the
11 portion of District 11 that is Marion County is
12 what essentially is typically affected by how
13 far over District 3 comes. In every case,
14 Marion County is still a significant portion of
15 a congressional district, but in the case of
16 9043, it's less of a portion of a congressional
17 district.

18 In all three of the maps, if you look at
19 District 6, there's a similar district,
20 however, as it relates to the Seminole County
21 district that we mentioned earlier. In map
22 9043, the sort of Volusia/Flagler/St. Johns
23 County district with some of Putnam includes
24 the entirety of St. Johns, the entirety of
25 Flagler, and then it does not include the

1 entirety of Volusia. In the other plans, the
2 district splits St. Johns, still includes the
3 entirety of Flagler, but then keeps Volusia
4 whole. So essentially there is the trade-off
5 of either keeping Volusia or St. Johns County
6 whole, but, again, in map 9043, which splits
7 Volusia County, all the municipal boundary
8 lines were kept whole.

9 Coming back to District 11, which we
10 mentioned before, generally speaking, District
11 11 includes the entirety of Citrus County, some
12 or all of Sumter, portions of Lake. Depending
13 on how far down District 3 pushes south and
14 depending on how far District 12 pushes north,
15 that determines what portions of Lake County
16 are maintained in the seat. So, for example,
17 in map 9043, the district is entirely Hernando,
18 Citrus, the balance of population, the most of
19 the population in Marion, all of Sumter and the
20 Lady Lake and Fruitland Park areas, those
21 municipalities are kept whole. Whereas, go
22 look at 9041, 9041 only splits Marion County
23 two ways, because District 12 is pushing up and
24 taking in most of Hernando County. Now, as a
25 result of that though, Hernando County is split

1 in map 9041. Citrus County is kept whole.
2 Citrus County is kept whole in all of the maps.
3 Sumter County in this particular case is split,
4 and District 11 goes a little further into --
5 into Lake County, although it is not a
6 significant amount of population of Lake, the
7 bulk of the main cities in Lake that are
8 heavily populated are still in District 10.
9 But, again, that just gives you a sense of the
10 push on the district depending on what is going
11 on in Districts 3 and 12.

12 And then looking at map 9045, this
13 particular case, the sort of Pasco County-based
14 seat has the entirety of Hernando County, and
15 there is a seat that is most of the population
16 of Marion, all of Levy, all of Citrus, all of
17 Sumter and includes a greater portion, just
18 slightly though, but a greater portion of the
19 Lake County area. As a result of that, the
20 municipality of Leesburg is split in that
21 exchange.

22 In terms of how those districts sort of
23 create a sort of pressure in the middle of the
24 state, you always have a district that is --
25 District 10 that is in part Lake County, Orange

1 County, northern Polk. Depending on the other
2 districts, that affects the proportion of those
3 counties. In this particular example, looking
4 at map 9045, the proportions that are Lake,
5 Orange and Polk are fairly similar to each
6 other. It is actually about 250,000 residents
7 in Lake, about 10,000 fewer than that in
8 Orange, and then 180 or so thousand in Polk
9 County.

10 District 9 in all the maps attempts to
11 create something of an opportunity for Hispanic
12 Floridians to vote together, to coalesce, but
13 at the same time does so in a very compact
14 fashion, albeit a different fashion in each of
15 the maps. So in the case of 9045, the map
16 includes the entirety of the Poinciana
17 community, most of -- excluding what's north --
18 or northeast or west -- sorry, northwest of
19 Interstate 4, Osceola County, and then portions
20 of Orange. Give you a comparison to map 9041,
21 map 9041 doesn't include the southern, more
22 rural parts of Osceola County. So those parts
23 are cut off for a more east to west type
24 district. And then map 9043 attempts to create
25 more of a squared-up type District 9,

1 attempting to create a more compact shape. Map
2 9043 does not go into Polk County, that being a
3 major difference. Map 9043, the balance of the
4 population is definitely in Orange County with
5 a couple hundred thousand residents from
6 Osceola County, but it does not go into Polk.
7 So it respects the county boundary line in map
8 9043.

9 Taking a look at the Tampa -- Tampa Bay
10 area, there are some commonalities, but then
11 there's also some significant differences.
12 Again, we talked about how some of the maps
13 have a sort of Pasco-based seat that goes north
14 and grabs most or all of Hernando. Map 9041
15 does that. It grabs about 60,000 residents in
16 the Oldsmar area in Pinellas County. It
17 attempts to maintain Section 5 compliance with
18 District 14. Hillsborough County
19 African-American/Hispanic residents are
20 combined with Pinellas County African-American
21 residents. District 13 maintains a seat
22 entirely in Pasco -- I'm sorry, Pinellas
23 County.

24 District 15, thinking back to some of the
25 public input that you heard before, District 15

1 is the one where the Mayor of Tampa, the
2 municipality of Temple Terrace had communicated
3 their preference was this more Hillsborough
4 County-based version of District 15, which only
5 has 5,700 residents from Manatee County, so for
6 all intents and purposes, it is almost entirely
7 a Hillsborough County seat. The result of that
8 is that District 17, which is largely southern
9 Polk County, very rural parts of Polk County,
10 Bartow, those areas, southern Osceola and
11 several very rural counties kept whole, and
12 then also the entirety of Charlotte County,
13 that district has a more almost squared-up type
14 northern border to it, not perfectly squared,
15 the lakes and such in Polk County and Osceola
16 County make it difficult to create a nice
17 perfect line, but, nonetheless, it has a more
18 squared-up northern border. And because 15 is
19 entire- -- mostly in Hillsborough, and 16 is a
20 Sarasota/Manatee seat, you essentially have a
21 very clean sort of western wall to the district
22 until you get down to the entirety of Charlotte
23 County.

24 Just to show you how that changes in the
25 other maps, in the case of map 9043, District

1 15 is drawn more to try to really take in a
2 very, very compact shape. It includes the
3 entirety of Lakeland. In this particular
4 district, this is the most of Polk County that
5 is included in the 15th District, albeit it is
6 still more than a two-thirds Hillsborough
7 County seat. Again, District 16, similar to
8 the others, minus 5,700 residents, it is
9 otherwise the entirety of Sarasota/Manatee.
10 District 17 is similar, albeit because District
11 17 is going into sort of the Fishhawk -- or
12 south of the Fishhawk area, as Jeff was talking
13 about before, in Hillsborough County, it
14 accounts for some population there, doesn't go
15 as far north into Polk County, albeit Polk
16 County is probably still -- I think it is still
17 the most significant population base in the
18 various versions of District 17.

19 And then just to compare to map 9045, as
20 we kind of talked about before, the District
21 15, minus 90,000 residents, is otherwise
22 entirely in Hillsborough County. District 17
23 in this particular case takes in a greater
24 number of Hillsborough County residents. So in
25 terms of population, the Hillsborough and Polk

1 County residents would greater rival each other
2 in this district, with Charlotte sort of
3 trailing in third in terms of the county's
4 impact on District 17.

5 And with that, Mr. Chair, those are the
6 differences between the maps, and I would be
7 happy to answer any questions.

8 REPRESENTATIVE WEATHERFORD: Great.
9 Members, before we move to suggestions or
10 questions or any suggestions, are there any
11 specific questions about the maps or the
12 presentation that Mr. Kelly just provided us?
13 Any questions?

14 Okay. Seeing no questions, are there any
15 suggestions or comments based on the maps that
16 we just discussed?

17 REPRESENTATIVE HUKILL: Mr. Chair?

18 REPRESENTATIVE WEATHERFORD: Yes,
19 Representative Hukill, you are recognized.

20 REPRESENTATIVE HUKILL: Thank you,
21 Mr. Chair.

22 Yes, I do have a suggestion concerning
23 where we should be going on this. I think it
24 would be helpful to us as members and probably
25 help avoid some public confusion for us to

1 narrow in on a map today. The map I like is at
2 9043, which is behind tab HB 6005. I think
3 this is a great map. I think when you look at
4 various things like city splits and county
5 splits, it is an absolutely great map. It also
6 does a very good job with trying to balance the
7 various standards that we have to use in this
8 process.

9 And so my suggestion is that we use this
10 as a base map for next Friday and that we
11 narrow it down to that choice today, so that
12 everyone knows what map we are working off of.
13 And if there are potential changes that people
14 want to make or file amendments, we can use
15 this as our base map and draft to this map. So
16 my suggestion is that we narrow in and select
17 map 9043.

18 REPRESENTATIVE WEATHERFORD: Okay.

19 REPRESENTATIVE HUKILL: Thank you,
20 Mr. Chair.

21 REPRESENTATIVE WEATHERFORD: Thank you for
22 that suggestion. I think we've got
23 Representative Workman, Representative Bernard,
24 then Representative Schenck, we will go in that
25 order. You are recognized, Representative

1 Workman.

2 REPRESENTATIVE WORKMAN: Mr. Chairman,
3 thank you for recognizing me.

4 I wasn't thinking along those lines, but
5 now that she said it, based on Amendment 6, you
6 know, it sets a lot of standards, especially in
7 the second tier of the law, roadways, bridges,
8 waterways, county lines, city lines, and
9 looking at for 9043, I want to concur with that
10 statement. I think we should make that the
11 base map.

12 REPRESENTATIVE WEATHERFORD: Thank you
13 very much, Mr. Workman.

14 Representative Bernard, you are
15 recognized, sir.

16 REPRESENTATIVE BERNARD: Thank you,
17 Mr. Chair.

18 I think my question -- it may be a
19 question, not a suggestion, but going to -- I
20 guess we can look at 9043 since that is the one
21 that we're talking about. Looking at the
22 configuration of the south Florida
23 congressional maps, on 9043, I am looking at
24 District 20, 21, 22, 23 and 24. I am really
25 concerned about the way that these districts

1 have been drawn in regards to -- like
2 specifically District 24 where it goes into
3 Broward County. It just seems to me that if
4 the Tier 1 -- if we are looking at Tier 1 where
5 we are creating the minority districts first,
6 it just seems to me that that district should
7 be specifically in Miami-Dade County where we
8 would bring it down into only Miami-Dade
9 County, and going into the creation of District
10 20, to me, it is just -- just looking at it and
11 going into Amendment 6, I just believe that
12 there's other ways that we can -- we can
13 recreate that district for it to be different.
14 Going -- this -- going into -- a majority part
15 of that district is in Broward County, and
16 going into how we have drafted -- the House
17 maps that you draw, Mr. Chair, I was looking at
18 House map where you drafted District 92, 94 and
19 95 where they are predominantly
20 majority-minority seats. However, when you
21 come down to south of Broward in the House
22 maps, District 101 and 102, those are
23 additionally majority-minority seats also.

24 So, to me, it just seems like it would be
25 better and -- to have District 22 to be a

1 majority-minority district where it would come
2 down from the creation of District 92, 94, 95,
3 and then to come down along the east side and
4 then to capture District 101 and 102 according
5 to the House maps, and that way, District 22
6 would only be in Broward County, whereas we can
7 change how we draft District 20 where District
8 20 would be specifically only in Palm Beach
9 County, and where now that would -- now
10 District 24 would be in Dade County where it
11 would be a majority-minority seat, District 22
12 would be specifically only in Broward County,
13 and it would be a majority-minority seat if you
14 bring it down to cover those parts in District
15 101 and 102, and then now District 20, you can
16 reconfigure it to make that district,
17 specifically the population of Palm Beach
18 County, where the total -- the total population
19 of Palm Beach County, you have a 17.3 percent
20 black population and a 19 percent Hispanic
21 population. If you recreate District 20 where
22 it would go along the east side and to include
23 the cities of West Palm Beach, Palm Springs,
24 all the way down to Delray Beach and Boca
25 Raton, that would be a compact district and you

1 can still send that district out to the Glades
2 where it would cover the Cities of Belle Glade,
3 Pahokee and South Bay, and still include the
4 town of Clewiston, which would be a Section 5.
5 What that would do is it would change District
6 20 to potentially be more of a coalition
7 district. I haven't looked at the numbers, but
8 it seems like it would be a coalition district
9 in Palm Beach County where the residents of
10 Palm Beach County would get to elect a
11 Representative of their choice, Broward County
12 would get District 22 as a majority-minority
13 seat and would be as compact as possible, and
14 District 24 would shift down into only Dade
15 County and it would be compact as possible, and
16 that way, the maps would be better drawn and
17 the residents of Palm Beach County, Dade and
18 Broward would get to represent -- would get to
19 elect a Representative of their choice and it
20 would be compact.

21 REPRESENTATIVE WEATHERFORD: Thank you. I
22 think I know what you are talking about -- no,
23 it was actually a very good explanation, and I
24 appreciate you taking the time to offer that.

25 A couple of things. The first thing I

1 want to mention is the maps -- for all the
2 members, just so you understand, all the
3 districts that were referenced by Mr. Bernard
4 are actually the same in all three maps. So it
5 is -- the concepts he is talking about would
6 apply to all three of the maps in the same way.

7 The second thing, I want to be clear that,
8 you know, we are not drawing any maps first,
9 whether they are minority-majority maps or
10 otherwise. Certainly we are cognizant of what
11 the Constitution says, cognizant of the fact
12 that we do not want to have retrogression in
13 any of our majority-minority districts, but at
14 the same time, we are not drawing any first. I
15 want to clarify that.

16 Before I turn it over to Alex Kelly to
17 speak directly to your question, I will tell
18 you I think the beauty of this process and the
19 beauty of democracy and the beauty of the
20 legislative process and the committee process
21 is that any member at any time can offer an
22 amendment. So what you just said certainly is
23 a lot of information, sounds like a dramatic
24 change to the map. I would encourage you,
25 Representative Bernard, to put it on paper,

1 offer it as an amendment for next Friday's
2 meeting, so we can actually take a look at it,
3 analyze it. Wednesday, noon deadline is the
4 deadline for the amendatory process. We would
5 love to take a look at it. We have different
6 forms of measurement that we can utilize and we
7 have utilized for the last six months, and we
8 will take that amendment and those changes into
9 consideration, and if they make dramatic
10 improvement to the map, the members of this
11 Committee will have an opportunity to vote on
12 it. So with that, I would encourage you to do
13 that. And, Mr. Kelly, if you would like to
14 address some of the comments as well, you may.

15 MR. KELLY: Thank you, Mr. Chair.

16 Representative Bernard, we attempted over
17 the course of drawing the maps, several of the
18 items that you raised. In terms of -- starting
19 with District 24, in terms of maintaining its
20 majority-minority status, we were not able to
21 do so entirely in Miami-Dade County. You could
22 theoretically reduce the seat by six or seven
23 percentage points, but -- running over to the
24 coastline, but you still would have a question
25 as to whether that six or seven percentage

1 points is, in fact, a diminishment, and you
2 would still need to go to Broward County
3 somewhat to maintain the majority-minority
4 status.

5 So in terms of looking at that issue, we
6 have looked at that and don't believe that you
7 can maintain a majority-minority status for
8 District 24 entirely in Miami-Dade County.
9 And, again, at the very minimum, too, you would
10 also be raising a question as to whether the
11 drop in the black voting age population may be
12 significant enough to be a diminishment.

13 In terms of District 20, again, we had
14 problems with the numbers. Unless you actually
15 did combine some of those communities in
16 Broward County, as you mentioned, in terms of
17 like the State House map, today's State House
18 map, Districts 92, 93 and 94, 92 of which is --
19 which is actually a 34 percent black voting age
20 population, but in terms of using those
21 communities and in terms of going into Palm
22 Beach County without drawing in those
23 communities, it is very difficult, if possible
24 at all, to maintain the majority-minority
25 status.

1 REPRESENTATIVE BERNARD: Mr. Chair?

2 REPRESENTATIVE WEATHERFORD: Yes,
3 Representative Bernard.

4 REPRESENTATIVE BERNARD: Thank you,
5 Mr. Chair.

6 I didn't say for it to go into Palm Beach
7 County where I shifted District 22 to go along
8 the east coast from District 92, 94 and 95 and
9 then for it to go down all the way to the
10 county line, the Miami-Dade and Broward County
11 line, to cover the House District 101 and 102
12 where those are basically majority-minority
13 seats. So from 92, 94, 95, would come down to
14 the county line, to the Broward County line,
15 and not go into Palm Beach County.

16 REPRESENTATIVE WEATHERFORD: I think what
17 we will do, because we could probably stand
18 here all day and try to understand exactly what
19 we are talking about, I think it would be much
20 better and clearer for the Committee and for
21 the public who is watching if they could
22 actually see on paper what it is Representative
23 Bernard is talking about, so Representative
24 Bernard, if you could work on a hard copy and
25 as an amendment or maybe something that you

1 could submit to the Committee as a whole, I
2 think that we certainly want to make sure that
3 we are taking a look at that. And anyone else
4 who has suggestions in the same light, no
5 matter whether it is in south Florida or any
6 part of the state, we want to make sure that
7 these maps are as legally compliant as they
8 possibly can be, and we are willing to look at
9 any amendment in any form. So thank you for
10 bringing that forth, Representative Bernard.

11 Representative Schenck, did you have
12 something to offer to the conversation?

13 REPRESENTATIVE SCHENCK: I think so. As
14 we were going through the maps -- certainly I
15 want to congratulate Alex and staff on all the
16 hard work they have done on the congressional
17 maps. Alex, as you were going through them,
18 the thing I noticed, and I wanted to talk to
19 map 9041, is the fact that that map splits St.
20 Augustine and Nassau County, but it also splits
21 Sumter and Hernando County, and I find that
22 those splits are unnecessary, especially since
23 the other two maps do not do that. So it would
24 be my preference that we discard map 9041 and
25 focus on the other two.

1 REPRESENTATIVE WEATHERFORD: Thank you
2 very much. Any other comments from the
3 Committee?

4 Representative Horner, you are recognized,
5 sir.

6 REPRESENTATIVE HORNER: Thank you,
7 Mr. Chairman.

8 I think 9043 is a fine map. I liked all
9 of them, and kudos to the team, did a great job
10 putting together. Chairman Legg and Chairman
11 Holder and the staff did a good job.

12 I just want to make sure that -- I think
13 in some of these other maps we've got some good
14 opportunities to reduce splits in some cities
15 and some counties. And so if there is some
16 opportunity to take some good concepts from the
17 other two and incorporate them in 9043, that we
18 will be able to do that through the amendatory
19 process. And I really look forward to seeing
20 Representative Bernard's amendment, so I hope
21 we are not getting too locked in to 9043 and
22 will be open to some of those changes.

23 REPRESENTATIVE WEATHERFORD: I will
24 address that. I think that is a good point.
25 Is there any other comments or suggestions

1 before we move forward?

2 Okay. Here is what I will say:

3 Representative Horner, you bring up a good
4 point. I think there's been several
5 suggestions made by members that 9043 should be
6 the congressional map that we work off of. I
7 am inclined to go in the same direction. I
8 think what it does is it brings clarity to
9 everybody if we have now one map that we are
10 focusing on, which would be 9043.

11 But to Representative Horner's point, we
12 are not locked in to everything in 9043, and if
13 people want to bring forth amendments, if
14 there's some of the other maps that have been
15 submitted that you like certain portions of
16 them better, we can file amendments to 9043 and
17 make it a better product. So what we are going
18 to do, just for -- so everybody has a clear
19 understanding, we are going to move forward
20 with 9043, that will be the map that we will
21 take up next Friday, and we can file amendments
22 to that map.

23 So if anybody has any questions about
24 that, concerns about that, now would be a good
25 time to talk about it. Any questions or

1 concerns? Yes, Representative Rogers, you are
2 recognized.

3 REPRESENTATIVE ROGERS: Thank you,
4 Mr. Chair.

5 I don't know, when I came into this
6 meeting, I was under the assumption that we
7 weren't going to move any maps out of this
8 Committee today.

9 REPRESENTATIVE WEATHERFORD: We are not.

10 REPRESENTATIVE ROGERS: Okay.

11 REPRESENTATIVE WEATHERFORD: In fact, all
12 maps will be available next week. What we are
13 doing is, we are trying to give clarity to the
14 public. We are also trying to give clarity to
15 the members, so that 9043 appears to be the map
16 that everyone seems to be favorable to. No one
17 else has suggested another map. So for
18 purposes of clarity for next week, if you are
19 going to file an amendment, you would file an
20 amendment to 9043. So 9043 can be changed, it
21 can be amended. We are going to look at all
22 amendments and have votes on them. But 9043
23 would be kind of considered the base map. So
24 that is -- is that clear?

25 REPRESENTATIVE ROGERS: Very clear, but we

1 are not limited to just 9043?

2 REPRESENTATIVE WEATHERFORD: No, but if
3 you liked a portion of another map, you could
4 essentially get to the same place in a
5 different way where you could take the -- you
6 could take the provisions of another map and
7 amend it onto 9043 and essentially it would
8 become the other map that you may have
9 preferred, so -- and if you want more detail,
10 we can get you with staff and myself and we can
11 talk further about -- to make sure that any
12 concerns that you have are addressed. Thank
13 you, Representative Rogers.

14 Any other comments or questions?

15 Okay. Thank you very much, Mr. Kelly. We
16 are now going to move forward into the House
17 map. Representative Schenck, who is co-Chair
18 of the House Committee, we'll give you an
19 opportunity to give us a brief overview while
20 Mr. Takacs is getting prepared. But great job
21 to you and co-Chair Dorworth. You guys did a
22 tremendous job in the House, and drawing 27
23 maps is one thing, drawing 120 maps is a
24 totally different thing, and I thought that you
25 guys did a great job. Really appreciate the

1 product you have brought forth, and look
2 forward to hearing about the differences
3 between the three, but you are recognized for a
4 brief introduction.

5 REPRESENTATIVE SCHENCK: Thank you,
6 Mr. Chair, and I just want to give a brief
7 overview before I turn it over to Jeff Takacs,
8 who I call the machine, and can probably talk
9 about it for hours, but I have warned him not
10 to.

11 The Committee co-Chair Dorworth and I
12 worked with were great, had a lot of good
13 suggestions, and so we limited -- passed on
14 three maps that we are going to talk about
15 today. So let me just quickly give the
16 overview.

17 Maps 9025 and 9027 are virtually
18 identical, with the exception of Districts 7, 8
19 and 9, which is in the Big Bend area, and I
20 have told Jeff to spend a little time with that
21 and those. And then map 9031 is identical to
22 9027 in the Big Bend area, but there are
23 several differences in Duval and Clay County,
24 as well as the central Florida area of Lake,
25 Seminole and Orange Counties as well. So map

1 9031 is -- is -- has a difference in two areas
2 of the state.

3 Mr. Chairman, those are the differences
4 between the three, and so then I would suggest,
5 much like we just did with the congressional
6 maps, we will have the machine go through those
7 maps, have some discussion and try to narrow it
8 from three to one so that we can have a working
9 base map for next Friday as well on the House
10 maps.

11 REPRESENTATIVE WEATHERFORD: That sounds
12 good. Thank you, Representative. And with
13 that, we will recognize Mr. Takacs to walk us
14 through the differences in the map.

15 MR. TAKACS: Thank you, Mr. Chairman.
16 With Chairman Schenck's blessing, I would like
17 to go through a three-hour presentation on the
18 120 districts of the map.

19 REPRESENTATIVE SCHENCK: Not granted.

20 MR. TAKACS: I would like to kind of do
21 this on a region-by-region basis and walk
22 through the map as we travel around the state.

23 If you look at the Panhandle region there,
24 looking at Districts 1 through 4, you will see
25 that essentially that region is bookended by

1 Districts 1 and 4 that are wholly within their
2 respective counties of Escambia and Okaloosa,
3 Districts 2 and 3 cross from Escambia into
4 Santa Rosa, and then Santa Rosa into Okaloosa.
5 An interesting point, the population of Santa
6 Rosa is that in that it can be kept whole
7 within a House map; however, it is land-locked
8 between two counties that have to be split. So
9 that is why you see the configuration the way
10 that it is as far as Santa Rosa being split
11 between Districts 2 and 3.

12 Moving forward here into the -- moving
13 east from Districts 5, and I will talk about
14 the Big Bend area. As Chairman Schenck
15 mentioned, Districts 7, 8 and 9 are one of the
16 pivot points, decision points, between maps
17 9025 and 9027, and I will show those one by one
18 as we continue to move forward.

19 District 5 here, you can see whole
20 counties was the driver of the building of this
21 district. As you can see, all of these
22 counties are whole here, Jackson County and so
23 forth. As you move south to District 6, it is
24 wholly contained within Bay County, and Panama
25 City is kept whole within that region as well.

1 I should also mention District 1 in Escambia
2 County does keep the City of Pensacola whole as
3 well. District 2 is the City of Gulf Breeze.
4 So that is a common theme as we travel about
5 the map as far as using municipal boundary
6 lines as dividing lines and keeping cities
7 whole within the various districts.

8 Again, this is map 9025, and you can see
9 what District 7 does -- I'm sorry, this is map
10 a 9027. What you can see here is what District
11 7 does is it has a larger swath of smaller
12 rural counties and keeps them all united,
13 thinking about Lafayette and Taylor, Jefferson,
14 Wakulla, Franklin and so forth, keeping them
15 all together within a district, and then for
16 population purposes, having it in a portion of
17 Leon County.

18 District 8 is a majority-minority black
19 district. It does contain all of Gadsden
20 County -- again, thinking about keeping
21 counties whole within this process, it contains
22 all of Gadsden County, as well as portions of
23 Leon.

24 The biggest pivot point between maps 9027
25 and 9025 is really District 9. You can see

1 here on this option that District 9 is wholly
2 contained within Leon County. I will show you
3 the other option, which is 9025. Bear with me
4 for just a moment. And I will kind of toggle
5 back and forth so you can see the difference
6 between the two. Here is District 9 in this
7 option, which is 9025, and you can see that it
8 has more of a portion of Leon County as far as
9 its -- the way that it is cut, and it actually
10 splits the City of Tallahassee in three, and
11 then it goes into Jefferson, Taylor and
12 Lafayette Counties. Again, I will kind of go
13 back and forth, but, again, this -- obviously,
14 this district is not wholly contained within
15 Leon County. Another difference, again, as I
16 mentioned, is that this option splits the City
17 of Tallahassee between three districts. The
18 other option, which I will go back to, splits
19 the City of Tallahassee twice. You can see
20 this version here. So, again, that is the only
21 difference between maps 9025 and 9027, so I
22 will continue to move forward and explain
23 essentially both of those maps simultaneously.

24 Moving on into the north and northeast
25 Florida region here, you can see District 10

1 again keeping counties whole within this
2 district. A portion of Alachua County is used
3 for District 10. In a previous draft of these,
4 and this was something that the subcommittee
5 examined, there was an option that would have
6 had the Alachua County only split twice, but
7 what that does is essentially for population
8 purposes, would then actually split Union
9 County between two districts there, 19 and 10.
10 So their preference was to make that third
11 split within Alachua County to keep Union
12 County whole, and then, again, this district be
13 based on keeping counties whole.

14 I am going to move into the Nassau and
15 Duval County area. As I had mentioned earlier,
16 if you look at the populations of Nassau and
17 Duval combined, they equal roughly that of six
18 House districts, and you can see that this plan
19 and all of the plans -- I should say Duval
20 County is another pivot point in one of the
21 maps, and I will explain that at the end, but
22 in maps 9025 and 9027, that principle is
23 adhered to with these six districts, again,
24 using -- Nassau County being kept whole, and
25 then coming into Duval, and then the other five

1 districts being wholly contained within Duval
2 County.

3 Districts 13 and 14 recreate
4 majority-minority black districts within the
5 region, and, again, thinking about county lines
6 and other roadways as far as boundaries, that
7 was the driver as far as building Districts 12,
8 15 and 16.

9 I will zoom out here a little bit and talk
10 about kind of the area just below Duval County.
11 When you look at St. Johns County, District 17
12 here, that district is wholly contained within
13 St. Johns County. It is then connected here,
14 District 24, as far as the county, which is a
15 district that has all of Flagler County and
16 then a portion of St. Johns County, and then
17 that comes into areas of Volusia County, which
18 I will talk about in a moment.

19 Moving here just over a bit, as we saw on
20 the video a moment ago, the residents of Clay
21 County requested that they have a district
22 wholly contained within the county. That is
23 here in District 18. Sorry about that. And
24 you will see that that -- that district does
25 keep the City of Orange Park whole and keeps

1 the City of Green Cove Springs whole, but
2 within District 19, again, using municipal
3 boundaries to attempt to keep cities whole as
4 much as possible. District 19, including that
5 southern portion of Clay, has all of Putnam
6 County, as well as all of Bradford and Union
7 Counties whole within it.

8 Moving over into kind of this area here,
9 District 20, this recreates a black opportunity
10 district within Alachua and Marion Counties.
11 District 21 has the remaining portion of
12 Alachua County, and then keeps these two
13 counties whole. Bear with me for just a
14 minute. I'm trying to see where I can see all
15 the county names. Sorry. There we go,
16 excellent. Now we can all see the county names
17 as we look through these districts as well. So
18 District 21 keeps all of Gilchrist and Dixie
19 Counties whole within it as well. Again,
20 keeping counties whole, the next district,
21 which is District 22, has all of Levy County
22 and then a portion of Marion County. District
23 23 is contained all within Marion County. That
24 was something we heard from the public
25 testimony from those residents, keeping --

1 trying to keep a district wholly within Marion
2 County. Actually, I am going to turn those
3 county names off, if you will bear with me, so
4 that we can see the district numbers as well.

5 Now I will talk about the Volusia County
6 area. Thinking about how District 24 comes
7 into Volusia County, if you take that
8 population and what is left within the county,
9 you can create three districts wholly contained
10 within Volusia County, and that is achieved by
11 Districts 25 through 27. District 26 recreates
12 a black opportunity district, and then District
13 25 has kind of more of the coastal areas here,
14 and some cities are kept whole here in the
15 southern end, and then District 27 consists of
16 basically the southern end of Volusia County.

17 Moving on to central Florida, central
18 Florida is one of the decision points between
19 maps 9025, 9027 and 9031. Again, this
20 configuration for central Florida is the same
21 between 9025 and 9027. It is different in
22 9031, and I will discuss that at the end rather
23 than try to go back and forth. It is a rather
24 large area, and I will just describe that at
25 the end.

1 Looking at -- if you look at -- here we
2 go. I wanted to turn those county boundaries
3 on. If you look at Seminole County here with
4 Districts 28 and 29, they are both wholly
5 contained within Seminole County, and using a
6 major roadway of U.S. 17/92 as the dividing
7 line between the two districts. I will kind of
8 zoom in here a little bit, too, so you can see
9 some of the municipal boundaries, as keeping
10 cities whole, again, was a theme as far as
11 building these districts in this region, as I
12 had mentioned earlier. Looking at the City of
13 Lake Mary and looking at the City of Longwood,
14 they are both kept whole, as well as the city
15 here, which is Winter Springs, as well as
16 Oviedo. So those are all kept whole between
17 the two districts.

18 As you -- as you move to the south here
19 with District 30, it does span Seminole and
20 Orange County. Thinking of the Maitland area,
21 as well as Altamonte Springs, those are areas
22 that have a lot of commonalities, even though
23 the county line separates them.

24 REPRESENTATIVE WEATHERFORD: Jeff, there
25 are some curious members who are wondering if

1 when you were helping draft District 30, if you
2 were trying to make it look like a 1957 Chevy.
3 Would that be appropriate?

4 MR. TAKACS: Mr. --

5 REPRESENTATIVE WEATHERFORD: Zoom in on
6 that for us. Is it a Chevy?

7 MR. TAKACS: Folks, I have said that
8 redistricting is an art, not a science, but --

9 REPRESENTATIVE WEATHERFORD: Just kidding,
10 of course.

11 MR. TAKACS: Certainly, certainly.

12 Thinking about -- kind of talk about
13 Orange County a little more globally. Thinking
14 about Orange County, again, this is a big pivot
15 point between the different maps. If you look
16 at this region here, I am going to kind of pull
17 out Districts 45, 46 and 48. District 45 would
18 be a new black opportunity district within the
19 region, District 46 would recreate a
20 majority-minority black district in the region
21 and District 48 would recreate a
22 majority-minority Hispanic district within the
23 region. That majority-minority Hispanic
24 district spans Orange and Osceola County, and I
25 will talk about that in a moment, but we were

1 able to keep that district wholly within Orange
2 County, again, looking at county boundaries as
3 the driver of keeping these districts within
4 counties.

5 District 49, as was mentioned in the
6 video, kind of a UCF-based district, and I have
7 already talked about kind of Districts 50
8 through 53 here in the Space Coast area, so I
9 will kind of move into the more of a center
10 area of the state.

11 District 31, a northern Lake County-based
12 seat, which does come into areas of Orange
13 County here. District 32 wholly based within
14 Lake County. District 33 keeps Sumter County
15 whole. It looks at the area that is The
16 Villages. That has been mentioned previously.
17 Interestingly enough, the House subcommittee
18 examined this in great detail many weeks ago as
19 far as the concept of trade-offs between
20 keeping counties whole and cross-county
21 jurisdictions, and they were able to determine
22 that they can achieve both by keeping Sumter
23 County whole, as well as this region known as
24 The Villages. Again, looking at this region,
25 thinking about District 34, again, that keeps

1 all of Citrus County whole, comes into
2 Hernando. District 35 keeps all of Hernando
3 County whole.

4 When you look at Pasco County, its
5 population is that of -- equally of three House
6 districts, so that is what is achieved here
7 with 36 through 38. Again, trying to equalize
8 the populations, but utilizing roadways is --
9 was the driver as far as the separation between
10 the western, central and eastern districts
11 within Pasco County.

12 Moving into the Polk/Osceola region here,
13 I will kind of start out of order here. If you
14 look at District 40, that is a district wholly
15 contained within Polk County and has the most
16 of Lakeland within it. District 39 has the
17 northern portion there of Polk County, and then
18 for population purposes, comes into Osceola
19 County. District 41, again, wholly contained
20 within Polk County. As we look at Districts 39
21 and 41 -- actually, I'm going to zoom in and
22 look at some of the city boundaries here.
23 There are a lot of municipalities within Polk
24 County, as you can see, that have a lot of
25 meandering boundaries. As we have looked at

1 the boundaries between 39 and 41, we are
2 continuing to evaluate if there's opportunities
3 to keep more cities whole within this county,
4 within the districts, and we are going to
5 continue to evaluate that, and continue to
6 evaluate that across the map, to be honest.

7 Looking at District 42, it has the
8 majority of Osceola County and comes into the
9 eastern portion of Polk County. As I mentioned
10 here, District 43 is a majority-minority
11 Hispanic district that is wholly contained
12 within Osceola County. This would be a new
13 opportunity for Hispanic-Americans in that
14 region to elect a candidate of their choice
15 that previously did not exist.

16 I will kind of move to the -- I will move
17 to this region here. Thinking about the
18 four-county region of Pinellas, Hillsborough,
19 Sarasota and Manatee Counties, if you look at
20 the county boundaries here, you can see that
21 they are all kept intact, and that's because
22 those four counties' populations are that of
23 equal of 18 House districts. So what we did
24 was put those 18 House districts wholly within
25 those four counties and tried to cross county

1 boundary lines as few as possible, thinking
2 about Districts 64 and 70, crossing county
3 boundary lines. I should mention District 70
4 is a black opportunity district. And then
5 looking at the way that 70 kind of bisects
6 Sarasota and Manatee County, it was actually
7 enabling us to have four whole districts within
8 both of those two counties. So that would
9 explain that region here. And just kind of
10 coming back up to Hillsborough County, I should
11 mention that in this region, District 61
12 recreates the black majority-minority district,
13 and District 62 is actually a majority-minority
14 Hispanic district. That used to be an
15 opportunity district, but with the population
16 growth in that region of the Hispanic
17 community, it is now a majority-minority
18 district within the county. You can see
19 basically we just kind of segmented that off as
20 almost like a wheel as far as looking at this
21 area here from 63, 58, 57, 59 and 60; again,
22 keeping all of those districts wholly within
23 the county, using roadways as the predominant
24 divider between the districts and when possible
25 -- the City of Tampa is a large city, it is

1 actually too large to be kept whole within a
2 House district, so it is divided within this
3 plan. I will kind of zoom out here and talk
4 about --

5 REPRESENTATIVE WEATHERFORD: If we could,
6 I think Mr. Kelly wanted to add something to
7 the conversation.

8 MR. KELLY: Thank you, Mr. Chair. I just
9 wanted to note, too, as it pertains to the
10 minority opportunity and majority-minority
11 districts in the Hillsborough County area,
12 Hillsborough County is a Section 5-covered
13 jurisdiction, so there is a significant amount
14 of legal issues involved in terms of
15 maintaining those opportunities. Just wanted
16 to add that.

17 REPRESENTATIVE WEATHERFORD: Thank you.
18 Continue.

19 MR. TAKACS: Thank you, Mr. Chairman.

20 As you look at this larger central Florida
21 area, again, trying to keep counties whole was
22 the driver here. You can see that these two,
23 Hardee and DeSoto Counties, are kept whole
24 within this district as it moves up into Polk
25 County. As you recall from the video, we

1 received testimony asking for U.S. 17 to be the
2 major artery of a district, and that is
3 achieved with District 56. District 55 keeps
4 all of Highlands, Okeechobee and Glades County
5 whole, then for population purposes, comes into
6 St. Lucie County, which is a county that has to
7 be split based on its population. I mentioned
8 Indian River County earlier in the public
9 comment. It is kept whole within District 54,
10 and, again, coming into St. Lucie for extra
11 population.

12 Looking at St. Lucie County, District 84
13 is wholly contained within the county. It is
14 actually not -- they don't have that
15 opportunity now. They are -- they sought that
16 in the public testimony that we received, that
17 they wanted to have a district wholly contained
18 within the county, and District 84 achieves
19 that.

20 We have talked a little bit at length
21 about Martin County and how it is divided.
22 There is one thing that I should mention --
23 actually two things I would like to mention.
24 One is that we have taken a pretty serious look
25 at the concept of keeping Martin County whole

1 within a House map, the population of Martin
2 County is so that it could be kept whole, but
3 the -- there are several challenges that are
4 presented with that.

5 When you look at the way District 82 is
6 configured and how it comes into Palm Beach
7 County here, the population of Palm Beach
8 County that is in District 82 then allows us to
9 have eight districts in Palm Beach County
10 wholly contained within the county. And I will
11 zoom in here a little bit. You will see that
12 that Palm Beach County/Broward line is kept
13 intact based on that population. So thinking
14 about that, just taking a step back, if you
15 were to take that population out of this
16 district and put Martin County whole all within
17 a district, what you would end up happening is
18 that all of the districts essentially south of
19 Martin County would end up needing to be
20 redrawn, and that county line be broken. And
21 then also thinking about as you move to the
22 north and to the west, all of these districts
23 would push up and push to the northwest, so you
24 would see a potential of 70 to 80 districts
25 that would need to be redrawn as a consequence

1 of keeping Martin County whole within this
2 plan.

3 Martin County is situated in that it is in
4 between two counties, St. Lucie and Palm Beach,
5 that need to be -- that need to be split based
6 on its population, but it is also surrounded by
7 counties that can be kept whole as you look at
8 Okeechobee County and Glades County and so
9 forth. So that is a challenge that was
10 presented there.

11 Again, talking about Palm Beach County, as
12 I mentioned, eight districts are wholly
13 contained within the county. There are two
14 districts that I want to point out
15 specifically, Districts 87 and 88. District 87
16 would be a new majority-minority Hispanic
17 district within the county, it would be a new
18 opportunity for Hispanic Americans in that
19 region. And District 88 is a majority-minority
20 black district that runs north to south along
21 transportation corridors, thinking about 95 and
22 U.S. 1. As you can see here, as we kind of
23 zoom in here a little bit, you can see that
24 city boundaries were heavily examined as we
25 were building the districts in this region and

1 trying to keep cities whole within this various
2 districts within this county.

3 I will move forward here to Broward
4 County. Again, that Palm Beach County/Broward
5 line is kept whole, as you can see here. When
6 you look at Districts 92, 94 and 95, they are
7 black opportunity districts. And you can see,
8 again, looking at the concept of keeping cities
9 whole and using roadways was predominantly
10 used, when possible, when building these
11 districts.

12 When you think about the more urban areas,
13 and we will talk about this as I move forward
14 into Miami-Dade County, thinking about there
15 are so many municipalities in Broward and
16 Miami-Dade Counties, that what we tried to do
17 was if we had to break a city boundary was
18 use -- was use roadways in order to do that.
19 So that way when voters are trying to
20 understand what district they live in, they can
21 say, well, if you live between this street and
22 this street, and this street and this street,
23 you are in the district, and that is what you
24 can see here by a lot of the square-like shaped
25 districts within Miami-Dade County.

1 I should mention that District 101 here
2 that is in Broward County, wholly in Broward
3 County, is a black opportunity district, and
4 District 102 here is a majority-minority
5 district that crosses both into the Broward and
6 Miami-Dade County lines.

7 Thinking about Miami-Dade County as a
8 whole, all of the 11 majority-minority Hispanic
9 districts are recreated within this proposal.
10 That was actually as a result of an amendment
11 that the House subcommittee examined to make
12 changes to District 113 to do that, to recreate
13 that majority-minority district. Looking at
14 Districts 107, 108 and 109, they are
15 majority-minority black districts, with
16 concentrations of Haitian populations --
17 Haitian-American populations, I should say,
18 being within Districts 107 and 108.

19 Again, as you look at this county as a
20 whole, there's a lot of square or
21 rectangle-shaped districts that are using
22 roadways as their boundaries to create those
23 smooth edges and create those shapes. And,
24 again, thinking about city boundary lines,
25 we -- they talked Cutler Bay in that video,

1 that is kept whole within this region as well.

2 Moving a little bit further south, when
3 you look at Districts 117 and 120, 120 is the
4 district that has all of Monroe County within
5 it. That was requested by the people of that
6 region, and then it comes up here into
7 Miami-Dade County for population purposes. And
8 then District 117 is a black opportunity
9 district within this region. That is actually
10 a recreation of that opportunity for those
11 residents in that region.

12 I will zoom out here and kind of curve up
13 here to the western side and just kind of
14 finish out by talking about Collier, Hendry and
15 Lee Counties. You can see here Collier County
16 has three districts within it. District 80 has
17 the northern portion of the county, and then
18 includes all of Hendry County, again, keeping
19 counties whole within this district as much as
20 possible. Looking at District 105, it crosses
21 Collier County into Miami-Dade County and
22 Broward County. That is a similar
23 configuration to a district that exists today
24 that was as a result of a DOJ pre-clearance
25 issue, and that was linking the Hispanic

1 communities within Collier to that of
2 Miami-Dade and Broward Counties. District 106
3 is wholly contained within Collier County. It
4 also keeps the City of Naples whole and runs
5 along Tamiami Trail here as its border within
6 the district between it and 105.

7 Again, looking at Lee County, as we will
8 finish up these two maps, Lee County has a
9 population that is roughly that of four House
10 districts, and you can see that there are four
11 districts that are wholly contained within the
12 county in this proposal. District 77 is the
13 bulk -- actually has all of the City of Cape
14 Coral within it, and that is the bulk of that
15 district, 78 has all of the City of Ft. Myers
16 within its boundaries, District 76 has all of
17 Bonita Springs and Sanibel within its
18 boundaries and links those barrier islands
19 together with areas to the south, and then
20 District 79 is an east Lee County seat.
21 Thinking about Lehigh Acres and the testimony
22 that we received there, that was their desire,
23 to see that created. And that is essentially
24 maps 9025 and 9027.

25 What I would like to do briefly is just

1 talk about the differences of where 9031 has
2 with those other maps, and it is in two
3 regions. It is in the northeast Florida area
4 with Duval and Clay Counties, and then in
5 central Florida, and I will just briefly
6 describe both of those and show those to you
7 here visually.

8 The major difference with 9031 is when you
9 look at Districts 15 and 18 and how they
10 connect Duval and Clay Counties, you can see
11 that, thinking about the previous plans,
12 District 18 kept all of Clay County whole
13 within those plans. This would deviate from
14 that. District 18 comes down into areas of
15 Clay County. And then District 15 is, you
16 know, a smaller geographic shape and then comes
17 in to grab all of Orange Park within Clay
18 County. So that is the difference with 9031 in
19 that region.

20 In looking at central Florida, the biggest
21 difference here is when you look at District
22 45. When I mentioned the previous maps,
23 District 45 was a -- is a black opportunity
24 district with a VAP, a black VAP, of roughly
25 40 percent. That decision point removes

1 that -- removes that seat and only has the
2 majority-minority black district within it
3 here, which is 46. And you can see the ripple
4 effect of what happens with the various
5 districts within Lake, Seminole and Orange
6 Counties. There are -- now you see three
7 districts cross the Seminole County/Orange
8 County line, 29, 30 and 49, and then District
9 39 becomes the district that is wholly
10 contained within Lake County, and then 32
11 becomes a southern Lake County using the
12 Turnpike as a dividing line as it crosses into
13 Orange County.

14 Mr. Chairman, those are the differences.

15 REPRESENTATIVE WEATHERFORD: Thank you
16 very much, Mr. Takacs.

17 Members, are there any questions of Mr.
18 Takacs in regard to the three maps that we just
19 walked through? Any questions? Questions or
20 suggestions?

21 REPRESENTATIVE NEHR: Suggestions.

22 REPRESENTATIVE WEATHERFORD: Let's do
23 questions first. Are there any questions
24 first?

25 Okay. Seeing no questions, Representative

1 Nehr, you are recognized for a suggestion or
2 comment.

3 REPRESENTATIVE NEHR: Thank you,
4 Mr. Chair.

5 That was a great presentation, thank you
6 so much. And based on this presentation, I
7 noticed, and please let me know if I am wrong,
8 that the maps 9025 and 9027 are almost nearly
9 identical. And what I noticed also in these
10 two maps is that they both create a new very
11 compact seat in Orange County. What I really
12 like about that new seat is that it has a
13 significant African-American population, and I
14 think that this is a great opportunity for
15 minority constituents.

16 So when I also no- -- when you were
17 mentioning the map 9031, I noticed that it did
18 not create that seat. So I would prefer that
19 we created that seat, so I would prefer maps,
20 Mr. Chairman, 9025 and 9027, and I would
21 suggest that we don't even consider 9031.

22 REPRESENTATIVE WEATHERFORD: Okay. Thank
23 you for that suggestion.

24 Members, any other suggestions?

25 Representative Workman, you are recognized

1 for a suggestion, sir.

2 REPRESENTATIVE WORKMAN: Thank you very
3 much, Chairman.

4 I don't like 9031 either, just what it
5 does to Clay County, to be honest with you. So
6 9025 or 27 I think are the better two.

7 REPRESENTATIVE WEATHERFORD: Okay. Thank
8 you for that comment.

9 Representative Holder, you are recognized
10 for a comment -- anybody else on deck? No,
11 okay. Representative Holder, and then
12 Representative Adkins.

13 Representative Holder, you are recognized.

14 REPRESENTATIVE HOLDER: Thank you,
15 Mr. Chair.

16 9027 definitely gives Leon County -- if we
17 remember in the very beginning when we were
18 looking at this area, Leon County would have
19 its own seat, which in 9025, it doesn't. And I
20 think that that makes 9027 a lot more
21 consistent with following the county lines,
22 which we have been talking about. So I would
23 -- I would suggest 9027 over 9025.

24 REPRESENTATIVE WEATHERFORD: All right.
25 Thank you, Mr. Holder.

1 Representative Adkins for a comment.

2 REPRESENTATIVE ADKINS: Thank you,
3 Mr. Chairman. I recall staff mentioned that
4 map 9027 would only split Tallahassee two ways
5 as opposed to the three ways in the other map.
6 So it is a subtle difference, but I think it is
7 an important one, and I think that 9027 is a
8 map that I certainly would be comfortable with.

9 REPRESENTATIVE WEATHERFORD: Okay. Other
10 comments, suggestions, questions?

11 Representative Kiar, you are recognized
12 for a comment.

13 REPRESENTATIVE KIAR: Thank you,
14 Mr. Chair. Actually, it is a question with
15 regard to District 104. I thank you very much
16 though.

17 I am just wondering -- I am pretty
18 familiar with this area and I was wondering, is
19 that a Hispanic access seat now, or no?
20 District 104?

21 REPRESENTATIVE WEATHERFORD: I think
22 Representative -- not Representative -- Alex
23 Kelly is going to answer that question.

24 REPRESENTATIVE KIAR: Thank you.

25 MR. KELLY: Thank you, Mr. Chair.

1 Representative, I believe the Hispanic
2 voting age population exceeds about 43 percent
3 probably at this time. That may be too low to
4 say that it's got a reasonable chance of
5 performing for a Hispanic candidate. It
6 certainly increases the number of Hispanic
7 Floridians in a seat in that area, but I
8 probably would hesitate to call it an
9 opportunity district, because typically in that
10 part of the state, when you look at -- in terms
11 of voting age population and then actually
12 participating in the electoral process, there
13 is sometimes a 10 to 15 percent drop-off in
14 that. But, again, it is certainly a greater
15 concentration than the prior districts.

16 REPRESENTATIVE KIAR: Thank you. May I
17 ask one other question, Mr. Chair?

18 REPRESENTATIVE WEATHERFORD: Yes, sir.

19 REPRESENTATIVE KIAR: Thank you. Then the
20 only other question I was wondering, I am
21 looking at -- I am just curious. I think it is
22 District -- I want to say 105 where it
23 stretches from basically Collier all the way to
24 Miami-Dade, and I just -- I was just thinking
25 about this while I was watching, as I was

1 looking at it. Is that -- is that only in
2 Collier County, or does that go all the way
3 across the state?

4 REPRESENTATIVE WEATHERFORD: Jeff, you are
5 recognized.

6 MR. TAKACS: Thank you, Mr. Chairman.
7 That district does cross Collier County
8 into Miami-Dade County, as well as Broward
9 County.

10 REPRESENTATIVE KIAR: Thank you. May I
11 ask a follow-up, Mr. Chair?

12 REPRESENTATIVE WEATHERFORD: Yes for a
13 follow-up.

14 REPRESENTATIVE KIAR: I am just wondering,
15 you know, and this is my own personal -- I
16 don't really understand if this is right or
17 not, but I know that in, for example, the
18 current Senate map, not the one that was
19 passed, but the one that people are still
20 currently serving in, it kind of reminds me to
21 be a similar district to Dave Aronberg's former
22 district and Lizbeth Benacquisto's district
23 right now where it just stretches across the
24 state, and I know, for example, in the Senate
25 maps they determined that they wanted to cut

1 that, because they believed it didn't comply
2 with the new amendment. So I am just
3 wondering, on this one district, because it
4 does seem to stretch straight across similar to
5 that, is it -- does this district comply with
6 the new amendments when it comes to compactness
7 and things of that nature?

8 REPRESENTATIVE WEATHERFORD: Very good
9 question, and I think Alex has got an answer
10 for it.

11 MR. KELLY: Thank you, Mr. Chair.

12 Representative, ten years ago the
13 Legislature attempted to redraw something of
14 this seat entirely on the western side of the
15 state in Collier County and so forth. The
16 Department of Justice refused to pre-clear the
17 seat. The House had to go to federal court
18 with the Department of Justice there. The
19 concern there was that Collier County, which is
20 a covered jurisdiction under Section 5 of the
21 Voting Rights Act, the concern there was that
22 Hispanic Floridians would not be able to elect
23 a candidate of choice. Had the Legislature
24 just connected the seats in Miami-Dade, they
25 would be able to elect a candidate of choice as

1 part of -- I believe it was a court settlement
2 -- counsel is nodding yes -- as part of a court
3 settlement. The Legislature agreed to redraw
4 that seat, connecting it with Miami-Dade
5 Hispanic residents to maintain that ability to
6 elect. So that seat was actually a
7 court-ordered drawing.

8 Just so you know, in terms of a
9 difference, in terms of talking about
10 cross-state seats, as part of that settlement,
11 the effect of it was that there was another
12 district that was also drawn across state in
13 order to minimize what that court settlement
14 required, and that cross-state district has
15 been eliminated. But, again, this seat was
16 actually required per a court settlement and a
17 refusal to pre-clear.

18 REPRESENTATIVE KIAR: Thank you,
19 Mr. Chair. That was very helpful.

20 REPRESENTATIVE WEATHERFORD: Okay, great.
21 Any other questions, suggestions, from members?

22 Yes, Representative Rogers, you are
23 recognized.

24 REPRESENTATIVE ROGERS: I am asking for a
25 definition of "opportunity districts."

1 REPRESENTATIVE WEATHERFORD: You would
2 like a definition of "opportunity districts"?

3 REPRESENTATIVE ROGERS: As it relates
4 to --

5 REPRESENTATIVE WEATHERFORD: A legal
6 definition?

7 REPRESENTATIVE ROGERS: No, I will take
8 your --

9 REPRESENTATIVE WEATHERFORD: No, you don't
10 want mine. Mine would probably not be as
11 accurate. We have Mr. Meros here. Is there a
12 legal definition of an opportunity district,
13 and if so, maybe our legal counsel could give
14 that to us.

15 You are recognized, Mr. Meros. Thanks for
16 being here. Would you turn the microphone on,
17 please?

18 MR. MEROS: There really is no precise
19 definition of an opportunity district or an
20 influenced district. The notion is that the
21 minority population would be sufficient to have
22 a significant influence and impact on policy
23 decisions. Sometimes you might want to say an
24 opportunity district might be one that could,
25 in fact, elect the minority's candidate of

1 choice, but may not. But those are -- those
2 are not legally precise terms. I guess you
3 didn't like that --

4 REPRESENTATIVE WEATHERFORD: For a
5 follow-up.

6 MR. MEROS: -- explanation.

7 REPRESENTATIVE ROGERS: Okay. How does
8 that differ from a coalition district?

9 REPRESENTATIVE WEATHERFORD: Mr. Meros?

10 MR. MEROS: Well, a coalition district is
11 one where either the minority population would
12 coalesce with another minority population and
13 vote similarly, or a minority population would
14 coalesce with a non-minority population and
15 vote similarly. That is the notion of two
16 groups getting together and voting in the same
17 way.

18 REPRESENTATIVE WEATHERFORD: Maybe we can
19 have more coalition voting in the Florida
20 Legislature, what do you think about that?

21 Representative Rogers, do you have a
22 follow-up? You are good? Okay, great.

23 Thank you, Mr. Meros, for clarifying both
24 of those terms for us. We will continue to
25 work on our coalition building in the Florida

1 House for sure.

2 Any other questions or suggestions from
3 members?

4 What I have gotten from this is, you know,
5 there was a couple of suggestions to not move
6 forward with 9031 on the premise that it did
7 not have the minority-majority seat and the
8 access seat in Orange County. There was some
9 suggestion -- when you really look at 9025 and
10 9027, they are essentially the same everywhere
11 except for in the Tallahassee area. You have
12 one that has three county splits, or three
13 districts in one county; the other one has two.
14 I think in the spirit of the law and what we
15 are trying to do, the preferable district would
16 be 9027, which I think we had a few people
17 mention. So that doesn't mean that anything in
18 9025 or anything in 9031 that you may like,
19 members, or anything else cannot be
20 incorporated, but for the purposes of moving
21 forward and for clarity for the membership who
22 are going to be filing amendments, I think we
23 should move forward with 9027, and any
24 amendments that members may have can address
25 them to 9027 for next week's committee meeting.

1 Does anybody have any questions or
2 comments about that? Representative Kiar, you
3 are recognized.

4 REPRESENTATIVE KIAR: Thank you,
5 Mr. Chair. So the maps are -- the only map
6 then that is going to move forward is 9027 at
7 this time? So the other two are -- is that
8 what you --

9 REPRESENTATIVE WEATHERFORD: It is not --
10 they will all be available for the committee
11 meeting next week, but the truth is now the
12 nuances between the districts are now becoming
13 much smaller. And so as opposed to hearing and
14 taking the time to go through three maps, the
15 idea would be we focus on one map. If you like
16 a portion of another map, you can file an
17 amendment, we would help you file the amendment
18 to add that -- those distinctions to 9027. So
19 it is -- if you want to incorporate any of the
20 maps that we are currently looking at now or
21 any other thing, or any other map that has been
22 drawn in the past, we can incorporate it, but
23 just so that members are clear about what to
24 draft amendments to, we are going to focus on
25 9027.

1 REPRESENTATIVE KIAR: Thank you very much.

2 REPRESENTATIVE WEATHERFORD: Any other
3 questions?

4 Okay, great. Moving forward, we are going
5 to move to the Senate map introduction. Before
6 we do that, I would like to recognize Chairman
7 Representative Nehr, who has done a great job
8 on the Senate maps, and along with his partner,
9 Representative Hukill.

10 Representative Nehr, you are recognized to
11 give us a brief description, and then we will
12 turn it over to Jason Poreda to explain the
13 difference, or explain the map.

14 REPRESENTATIVE NEHR: Thank you,
15 Mr. Chairman.

16 Before Mr. Poreda gives a more detailed
17 presentation of the Senate map proposal, I
18 wanted to share with the members of the
19 Committee some details regarding the plan as a
20 whole and how it compares to the current
21 district plan that we have right now.

22 For the 40 districts in this map, there is
23 only a 1.84 percent total population deviation.
24 Compared to the current map, the bill reduces
25 the number of county splits from 45 all the way

1 down to 31, and the number of city splits from
2 126 to the really low number of only 78, and I
3 think that is a very, very good thing that we
4 did.

5 In looking at some of the more
6 mathematical compactness scores relating to
7 perimeters and height and width of districts as
8 it looks on the map, this proposed committee
9 bill consistently improves the compactness of
10 Florida's 40 State Senate districts. Looking
11 at some of the more functional compactness
12 measures, such as drive times, the bill again
13 consistently improves these measures of
14 compactness compared to the existing State
15 Senate map.

16 The bill maintains Florida's commitment to
17 compliance with the Federal Voting Rights Act
18 of 1965, both Sections 2 and 5, and the
19 Florida's constitutional standards regarding
20 racial and language minorities. In fact,
21 Mr. Chairman, the bill increases the number of
22 50 percent plus Hispanic voting age population
23 districts from three in the current map to five
24 in the proposed committee bill. So the bill
25 would most likely increase representation for

1 Hispanic Floridians.

2 Mr. Chairman, thank you for the
3 opportunity, and that concludes my comments.

4 REPRESENTATIVE WEATHERFORD: Thank you
5 very much, and congratulations again. With
6 that, we will move to Mr. Poreda, who is going
7 to walk us through some of the details of the
8 map.

9 MR. POREDA: Thank you, Mr. Chairman. I
10 will try to get through the map as briefly as
11 possible so we can get out of here. So I will
12 kind of follow along with what Mr. Kelly and
13 what Mr. Takacs did and kind of talk about the
14 map regionally, as opposed to getting into the
15 specifics of exactly what each district does.

16 So I will first talk about Districts 2 and
17 4, which kind of work in conjunction to each
18 other. They are kind of horizontally drawn
19 districts that one includes the coastal
20 community of those counties, the other, the
21 more rural parts of those counties, and then
22 ends at the county line of -- I will turn on
23 the county names so you can see them -- of
24 Jackson and Bay County before moving further
25 east.

1 Kind of talking about -- I will kind of
2 start with talking about -- it's District 6 on
3 this map, but kind of talk about it with
4 District 3 and District 14 that you see there.
5 District 6, 3 and 14 all encompass basically
6 just whole counties. You can see District 6 is
7 made up entirely of whole counties,
8 specifically, Gadsden, Calhoun, Gulf, Liberty,
9 Franklin, Taylor, Wakulla, Jefferson, Leon,
10 Madison and Hamilton Counties. District 3
11 encompasses a lot of the counties -- whole
12 counties along the Nature Coast, as well as a
13 part of Marion. District 14 includes all of
14 Clay County, Bradford County and Alachua
15 County. So you can see that the -- how they
16 were all drawn.

17 Then kind of moving over into the
18 northeast Jacksonville area, I will first talk
19 about District 1 that you see here on the map,
20 which kind of stretches from the Jacksonville
21 area down through St. Johns County and the
22 Putnam County, eventually ending up in the
23 Daytona Beach area around in Volusia County.
24 That is a district that was redrawn that
25 traditionally elects a minority candidate of

1 choice, and this map kind of maintains that
2 same opportunity. District 5 and District 8
3 kind of drawn keeping with that minority
4 opportunity district that you see right there
5 kind of in mind. District 5 encompasses most
6 of the rest of Duval County and then keeps
7 Nassau County whole, and District 8 kind of
8 runs along the coast of St. Johns and Flagler
9 down into Volusia County there.

10 You can see here District 20 keeps -- has
11 the majority of Marion County, including all of
12 the City of Ocala, the majority of Putnam
13 County, and then goes a little bit into Lee and
14 Sumter Counties to keep The Villages community
15 whole, and then some of the municipalities here
16 in Lee County whole as well on the north side.

17 Kind of getting into the central Florida
18 area, District 19 is another district that
19 recreates a -- or kind of maintains a -- the
20 opportunity for minorities in the areas of
21 Orange County and part of Seminole County to
22 elect their candidate of choice, a district
23 that has traditionally elected their candidate
24 of choice.

25 District 24 is a new majority Hispanic

1 district that was drawn in central Florida that
2 encompasses part of Orange, Osceola and Polk
3 Counties. And then you can see some of the
4 public input that we received from Volusia
5 County was asking to keep the majority of that
6 county wholly together, and which this does
7 going a little bit south into Brevard County
8 and also Orange County for population.

9 Kind of going back over to the Gulf Coast,
10 you can see that kind of south of District 3
11 and District 20 that we talked about before,
12 District 11 here encompasses most -- all of
13 Hernando County and then a lot of Pasco and
14 Sumter Counties.

15 And then kind of in the Hillsborough area,
16 as we mentioned before, Hillsborough County is
17 a Section 5-protected county. District 18 that
18 you see here is a district that was redrawn to
19 create the opportunity for minorities in that
20 area to elect their candidate of choice. This
21 map kind of recreates that opportunity.

22 District 10 and District 13 are drawn wholly
23 within either Pinellas or Hillsborough County
24 to kind of give them a seat there. District 15
25 kind of wraps around that majority-minority

1 district that we talked about before,
2 encompassing the rest of Osceola County and the
3 north part of Polk County and a little bit of
4 south Orange County there.

5 In the center of the state, you see
6 District 17 that keeps several counties whole,
7 including the south part of Polk and then going
8 over to include the more rural parts of St.
9 Lucie and Martin Counties. And District 28 and
10 26 kind of run along the coast, the Space
11 Coast, down to the Treasure Coast here, kind of
12 keeping those communities whole there.

13 Going kind of back over to the Gulf Coast
14 real quick, you can Sarasota County was kept
15 whole in District 23, and then the more coastal
16 areas of Lee and Collier County were kept whole
17 or kept together in District 37.

18 Moving back over to kind of the southeast
19 Florida area, kind of zoom in a little bit so
20 you can see the District 29, which is a -- it
21 looks like a very thin district that kind of
22 runs from Palm Beach to Broward County. That
23 is a majority-minority black seat that was
24 recreated on this map. And the other districts
25 that you can see drawn around them kind of keep

1 those communities together kind of around
2 there, and a lot of respect was drawn to city
3 boundaries. Maybe I can try to turn them on so
4 you can see them, zoom in a little bit. That
5 is how some of these areas in here were drawn,
6 keeping that minority district in mind,
7 obviously splitting some cities, but where
8 possible, keeping the other boundaries whole.

9 And then as you go south, District 39, as
10 I mentioned before, residents of Hendry County
11 were asked to not be connected with residents
12 of Dade County. That is another district
13 that -- because of Hendry and Collier Counties'
14 Section 5 protection, that is another district
15 that was drawn -- recreated to maintain the
16 same opportunity that exists today in that
17 district.

18 And then there are three other districts
19 in Dade County that have a voting age --
20 Hispanic voting age population of above
21 50 percent. That would be 38, 36 and 35 here
22 on the map.

23 District 33 that you see there kind of
24 stretches over the Broward/Miami-Dade line.
25 That is a district that is a majority-minority

1 black seat that was redrawn as well.

2 And that's kind of the basic points of the
3 map.

4 A VOICE: Is there a fourth?

5 MR. POREDA: I'm sorry, that is right.
6 District 40 that you see right here that has
7 part of Hialeah, that is actually a fourth
8 majority-minority Hispanic district in Dade
9 County.

10 REPRESENTATIVE WEATHERFORD: Okay, great.
11 Members, any questions for Mr. Poreda in regard
12 to the Senate map? Okay, Representative Kiar.

13 REPRESENTATIVE KIAR: I just have a quick
14 question. I have been wondering about -- on
15 District 39, you see how there's -- you know,
16 it is a big district, but then all of a sudden,
17 there's like a little line that shoots all the
18 way through to butt up against the other
19 majority-minority district, and I am just
20 wondering, that little line right there, what's
21 the need for it and does that make a district
22 contiguous?

23 REPRESENTATIVE WEATHERFORD: You are
24 recognized.

25 MR. POREDA: Yes, that district does

1 remain contiguous. It is all wholly kept
2 together. The reason for those -- that kind of
3 extension of the district is to increase the
4 black voting age population of the district to
5 maintain that same opportunity since it is
6 connected to Collier and Hendry County, the
7 protected counties under Section 5.

8 REPRESENTATIVE KIAR: Just one follow-up?

9 REPRESENTATIVE WEATHERFORD: You are
10 recognized.

11 REPRESENTATIVE KIAR: So I guess my
12 follow-up question to that is, does that then
13 decrease the black voting age population of
14 District 33, or does that still remain the
15 same?

16 REPRESENTATIVE WEATHERFORD: You are
17 recognized.

18 MR. POREDA: It doesn't decrease it under
19 50 percent. It is still an over 50 percent
20 majority-minority seat. The exact
21 percentage -- if you will give me a moment.
22 The percentage of the black voting age
23 population in District 33 that you see there on
24 the map is 57.75. On the current map that it
25 is right now, it is currently 59.23 percent.

1 REPRESENTATIVE KIAR: Thank you. Thank
2 you, Mr. Chair.

3 REPRESENTATIVE WEATHERFORD: You're
4 welcome. Thank you.

5 Any other questions? Representative
6 Bernard, did you have a question? You are
7 recognized, sir.

8 REPRESENTATIVE BERNARD: Thank you,
9 Mr. Chair. This will also be long-winded.

10 REPRESENTATIVE WEATHERFORD: Then you can
11 probably predict what my suggestion will be.

12 REPRESENTATIVE BERNARD: But I just want
13 to get it on the record, Mr. Chair.

14 REPRESENTATIVE WEATHERFORD: Please do so.

15 REPRESENTATIVE BERNARD: This is my
16 attempt to redo the minority districts in
17 District 29 and 33, which will change the
18 current -- this map, District 25, 29, 30, 34,
19 31, 32 and 33.

20 First let's go into District 29. What I
21 am proposing is based on the map that we -- the
22 House map that we picked, to configure it to be
23 more along the line of District 92, 94 and 95.
24 District 92, the total black population is
25 52,674.84. The District 94 is 85,310.57.

1 District 95 is 89,304. That would lead you to
2 a total of 227,290 black population. If you
3 combine those three districts, that totals
4 466,169, which would change that district to a
5 total black population of 48.76.

6 In regards to the Hispanic population in
7 that district, the -- in District 92, the total
8 Hispanic population is 27,530, in District 94,
9 it is 18,842 and in District 95, it is 26,206,
10 which would total 72,578.35, which would lead
11 you to a total Hispanic population of 15.57.

12 The total Haitian population in that
13 district, in 92, is 16,391, 16,527, 20,150,
14 which is a total of 53,068 population, which
15 would lead you to a total of 11.38 Haitian
16 population.

17 The total District 29 now would be --
18 basically it would look like exactly District
19 92, 94, 95, and where it wouldn't stretch into
20 Palm Beach County and where it would maintain a
21 compact shape in Broward County. The cities
22 that it would include would be -- it would make
23 the cities of Deerfield Beach more compact, Ft.
24 Lauderdale more compact, Oakland Park more
25 compact, Pompano Beach more compact, Wilton

1 Manors, Lauderdale Lakes, Margate, North
2 Lauderdale, Tamarac, Lauderdale Hill, Lazy Lake,
3 Plantation, North Lauderdale and Sunrise, and
4 that would be that district.

5 What it does is it changes how you would
6 draw the districts, the population in Palm
7 Beach County would also have to change. Based
8 on the current House map that we -- that we
9 said we are going to go with, currently
10 District 87 as it is drawn is a
11 majority-minority seat, and District 88 --
12 District 87 is a majority Hispanic seat and
13 District 88 is a majority-minority seat. If a
14 district is drawn from -- from the top of the
15 -- I think from North Lake all the way down to
16 the Delray Beach line, and it includes -- if
17 you go from Military Trail east to Dixie, or if
18 you go all the way out to the ocean, where if
19 you include the districts of 89, 90 and 91,
20 that would give you a total population of --
21 the total black population would be 30 percent,
22 the total Hispanic population would be
23 28 percent. The total voting age population, I
24 believe, would be near a 28 percent black
25 population and about a 26 percent Hispanic

1 population. Therefore, in Palm Beach County,
2 the residents of Palm Beach County would be
3 able to elect a Representative of their choice
4 by creating a coalition district where now they
5 would be different.

6 Now, what that -- the cities that this
7 district would include would be the cities of
8 Delray Beach, Boynton Beach, Lake Park, Lake
9 Worth, Lantana would be a stronger district,
10 Mangonia Park, Riviera Beach, West Palm Beach
11 would be much stronger. You would have the
12 cities of Cloud Lake, Glen Ridge, Green Acres,
13 Lake Shores, Palm Springs, Hypoluxo and the
14 City of Atlantis.

15 Next, because of the total population of
16 Broward County, based on the census, Broward
17 County's got a population of 1,748,066
18 population. The total population for Broward
19 County is 26.7 black, 25.1 percent Hispanic,
20 43.5 percent white. So the total black
21 population in Broward County is 466,733.62 and
22 the total Hispanic population is 438,764.66 and
23 the total white population is 760,408.71. By
24 changing District 29 to be predominantly in
25 Broward County, now what we can do is we have

1 to change District 33, which is a -- which is
2 now a Miami-Dade and a Broward County seat.
3 What I am proposing is that the Miami-Dade
4 District 33 seat would stay only in Dade
5 County, and that would include the district of
6 107, 108 and 109, which is the districts that
7 we drew out of this Committee. Now, what
8 you -- then what you would have to do is
9 District 31, as is proposed, what I am
10 suggesting is that we make that a coalition
11 district where it would be compact where you
12 would include the district of 101 and 102 and
13 you could add part of District 100 and part
14 of -- where you would probably split Miami
15 Gardens into two. By doing that, then District
16 31 would be a coalition district where it would
17 be -- you could probably add -- if you add
18 District 101 and 102, the total black
19 population for District 101 and 102 is
20 138,277.21, the total Hispanic population is
21 112,012.46 and the total Haitian population is
22 18,000. What I am proposing is that by
23 changing District 29 and 33, they would be more
24 compact and you would additionally add two
25 coalition districts and one in Broward and one

1 in Palm Beach County where those residents in
2 Broward and in Palm Beach County would get to
3 elect a Representative of their choice.

4 Thank you, Mr. Chair.

5 REPRESENTATIVE WEATHERFORD: Thank you
6 very much, Representative Bernard. We
7 appreciate that very thorough explanation, and,
8 again, I think I would suggest, as opposed to
9 responding to it, I think you've got some very
10 interesting suggestions there, I think we would
11 like to see them, and would encourage you or
12 other members to take a look at it in an
13 amendatory process, and that way we can see it
14 exactly for what it is and have a chance to
15 vote on it next Friday, but thank you very
16 much.

17 Representative Clarke-Reed, you are
18 recognized.

19 REPRESENTATIVE CLARKE-REED: Thank you,
20 Mr. Chair, and thanks for indulging me in this
21 question that has been coming up. Will you
22 please tell me, in all of these maps that we
23 are drawing, how are we counting the prison
24 population? Are they counted as voters in the
25 district that the prison is in? I just want to

1 clarify that.

2 REPRESENTATIVE WEATHERFORD: I think I
3 know the answer to this, but I want to make
4 sure we are saying it right, so I am going to
5 let Alex answer.

6 MR. KELLY: Thank you, Mr. Chair.

7 Representative Clarke-Reed, every Florida
8 resident, including inmates, are counted. So
9 whatever district they are counted in, they are
10 counted as a resident.

11 In terms of -- and just, you know, where
12 this subject goes sometimes in terms of things
13 like whether a minority district will perform
14 and things like that and does the prison
15 population affect that, you do look at
16 additional -- additional information to verify
17 that a district will perform. So if you have a
18 prison in a district, and if that district is
19 perhaps, let's say, a minority district, you
20 still look at additional information to make
21 sure that the district would perform, or have a
22 likelihood of performing for a minority
23 candidate of choice. But every Florida
24 resident who was here in the state April 1,
25 2010, is counted in this process.

1 REPRESENTATIVE CLARKE-REED: Follow-up,
2 Mr. Chair?

3 REPRESENTATIVE WEATHERFORD: For
4 follow-up.

5 REPRESENTATIVE CLARKE-REED: Thank you
6 very much, Mr. Chair.

7 Thank you for that answer. Follow-up: Is
8 -- are the prisoners counted to the district
9 that they come from or their home district or
10 are they counted to the district that the
11 prison is in?

12 REPRESENTATIVE WEATHERFORD: They are
13 counted in the district that they live in,
14 which would be the prison that they are in.

15 REPRESENTATIVE CLARKE-REED: I don't think
16 you answered my question.

17 REPRESENTATIVE WEATHERFORD: Yes, I did.
18 They are counted in the prison that they are
19 in.

20 REPRESENTATIVE CLARKE-REED: They are
21 counted in the prison that they are in?

22 REPRESENTATIVE WEATHERFORD: Yes.

23 REPRESENTATIVE CLARKE-REED: Okay, thank
24 you.

25 REPRESENTATIVE WEATHERFORD: Any other

1 questions, suggestions?

2 Okay. Well, I think as we move forward
3 with the Senate map, certainly Representative
4 Bernard and many others have suggested ideas,
5 certainly they can do that by filing
6 amendments. Again, the amendment deadline is
7 Wednesday at noon. Substitute amendments would
8 be Thursday at noon. So please get those in in
9 time for that.

10 Well, members, this has been a long
11 committee meeting. If anyone doesn't have
12 anything else to share, I just want to thank
13 you for your indulgence today. I think we've
14 got a lot of work done. And as I explained
15 earlier, things are going to move very quickly
16 now, and next Friday when we ultimately take
17 these maps to the floor, we will -- I'm sorry,
18 as we vote to take these maps to the floor, we
19 will be making some decisions. So if you need
20 or if you think you need our staff to help you,
21 please reach out to them, but with that, I
22 appreciate everyone's thoughts today and
23 Representative Schenck moves we rise.

24 (Whereupon, the proceedings 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 167 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 9th day of February, 2012.

CLARA C. ROTRUCK

Notary Public

State of Florida at Large

Commission Expires:

November 13, 2014