

The Miami Herald

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Justices seek input on how to handle new redistricting rules

By Mary Ellen Klas
Herald/Times Tallahassee Bureau

Faced with writing a precedent-setting ruling that could shape the state's political lines for decades, the Florida Supreme Court on Wednesday aggressively grilled lawyers representing Democrats and Republicans, asking them how to interpret the state's new redistricting rules.

"We need help," said Justice Barbara Pariente, who dominated the questioning during the three-hour hearing into the Legislature's reapportionment plans.

The court has until March 9 to decide if the maps comply with the Fair Districts anti-gerrymandering standards approved by voters in 2010. It has three options:

- Send the maps back to the Legislature to try again.
- Validate the maps as compliant.
- Validate the maps, but acknowledge that a lawsuit could be brought through the trial court to sort out flaws.

"You are the ultimate authority," said Jon Mills, a University of Florida law professor and former House speaker arguing for the Florida Democratic Party. The Legislature's interpretation "may be interesting but your interpretation is binding."

The new rules establish three landmark standards that legislators must follow when they do the once-a-decade redistricting process. They prohibit lawmakers from intentionally protecting incumbents and political parties; require them to preserve minority voting rights; and, order them to draw compact districts where possible.

But the new standards don't offer the court any guidance as to how to define those concepts, and the court was clearly divided over how far it should go to spell that out.

"How can we possibly second-guess the Legislature," asked Chief Justice Charles Canady, a former state legislator and congressman who made it clear he wants the court to take a very limited review of the maps.

GrayRobinson lawyer

George Meros, a lawyer from the GrayRobinson firm representing the House, responded that the complex nature of the issues involved made it "virtually impossible" for the court to

consider without detailed evidentiary review.

“This is an incredibly difficult balancing of standards that takes thousands of hours to do,” Meros said. He urged the court to leave disputes over interpretations of the new constitutional standards to be settled by a trial court, where evidence and witnesses could be cross examined.

Lawyers for the Republicans, including the House, Senate and Attorney General Pam Bondi, had asked the court to follow the procedure used in 2002 when the court looked at the maps and approved them. But Lawyers for the Democratic Party, the League of Women Voters, the National Council of La Raza and Common Cause of Florida argued that the court had an obligation to go delve deeper this time in order to decide if the Legislature followed the new rules.

Three of the seven justices seemed ready to do that. Justices Barbara Pariente and Peggy Quince suggested that new amendments elevate the court's burden beyond the role they had in previous redistricting years. Justice Fred Lewis suggested that the court had an obligation to define the new standards.

A limited review “would defeat the intent of the voters,” Pariente said. “It’s not fair to the citizens. It’s not fair to the potential candidates and it’s not fair to the process,” she said.

Pariente suggested that the court must not only determine if the Legislature appropriately applied the new standards but must define the standards, such as compactness and retrogression — the legal standard used by the U.S. Justice Department to determine if a minority group is worse off because of redistricting.

But Meros countered developing those definitions would be a “virtually impossible task” since some of the standards are inconsistent with one another. He urged the court to let the definitions emerge “on an incremental basis” as legal challenges against redistricting maps wind their way through the courts for years to come.

Lewis said he was “somewhat troubled” by the Republican’s argument “that the court should not attempt to place any type of parameters to words” that comprise the core of the new redistricting law.

But Michael Cravin, a lawyer from the Washington, D.C. firm of Jones Day who represented the Senate, warned the court that deciding complicated issues such as minority voting strength and compactness could go too far.

"If you create some fake handcuffs, it will come back to haunt you," he said.

Quince responded that if the court was simply required to rubber stamp the Legislature's maps, "what is the point of the Supreme Court review?...Since there are new standards, shouldn't the court have an additional obligation here?"

Mills said that absent the court's input, the Legislature drew its maps "in the dark." He urged the court define what it means to intend to favor an incumbent, to diminish minority rights, and to create a compact district.

The justices also probed many of the claims alleged by the opponents. They asked lawyers how each of the maps treated compactness of districts, whether legislators considered how the minority districts might perform and whether minorities were unfairly packed or fairly consolidated. They even discussed the Senate's numbering system, in which the chamber's leaders attempted to extend the terms for lawmakers who faced term limits.

"I really appreciate the way the House went about the drawing of this map," said Pariente, one of several backhanded compliments offered to the House, in stark contrast to the Senate. She said that the House not only adhered to the new standards but, "unlike the Senate," also understood the Justice Department guidelines for protecting minority voting districts.



"If we were to find that the Senate map has problems, is invalid, but the House challengers have not met their burden...is that separable?" Pariente asked.

Paul Smith, lawyer for the coalition of voting groups, said the court could approve one and reject the other, and the Legislature would have to revamp the defective one.

Canady suggested that if the court were to "declare one of the plans invalid," the court should also "articulate the clear reasons for that and explain how the features of the plan cause it to be invalid, could be corrected."

If the court orders the Legislature to rewrite one or both of its maps, the governor must call a special session devoted exclusively to redistricting within five days.

The Palm Beach Post

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Senate's redistricting plan appears more problematic for Florida Supreme Court than House's

By JOHN KENNEDY

Palm Beach Post Staff Writer

Updated: 1:39 a.m. Thursday, March 1, 2012
Posted: 6:33 p.m. Wednesday, February 29, 2012

Florida Supreme Court justices fired sharp questions at attorneys for the Legislature, state Democratic Party and voters' groups Wednesday in a pivotal first test of proposed House and Senate districts, which opponents say were drawn to favor ruling Republicans.

The three-hour hearing ended with Chief Justice Charles Canady and at least one other justice asking attorneys about the implications of declaring the Senate proposal invalid, while letting the House map stand.

Justices have until March 9 to issue a ruling.

Both plans include more Republican seats than those with Democratic voter majorities.

But the Senate proposal is suspect since it is contoured so that no incumbent senator faces a likely election challenge from another incumbent. Districts also were renumbered in a way that affects which two-year election cycle they fall in; this would insure that most incumbents could serve as many as 10 years in the chamber, a provision also seized on by justices. Senators are normally limited to two four-year terms.

"Everybody is getting an opportunity," Justice Barbara Pariente said of the renumbering.

But Michael Carvin, the Senate's attorney, said any perceived favoring of incumbents stems chiefly from the chamber's commitment to preserving minority voting districts protected by federal law.

Carvin said Democrats and allied organizations are "dressing up our effort to comply with the Voting Rights Act as if it was some kind of incumbent protection plan."

The seven-member court was urged by attorneys for the House and Senate to play a minimal role. George Meros, the House's attorney, said as part of constitutional separation of powers, the court should give "a substantial deference to the legislative intent."

The U.S. Supreme Court bolstered this stance in January, ruling in a Texas redistricting case that a lower court should rework maps it had drawn to replace those compiled by the state Legislature. Justices faulted the court for failing to take its cues from the Texas Legislature's proposals, accusing it of wrongly substituting its own views for those of lawmakers.

Attorney General Pam Bondi, a Republican, also has filed a brief urging that Florida justices basically limit their examination to assuring that such legal protections as one-person, one-vote and district contiguity are met.

Justices took a similar, hands-off position in 2002, when the last decennial boundaries were set. Legal challenges, which demand the presentation of evidence or witness testimony, should be waged in lower trial courts, attorneys for the Legislature argued.

But attorneys for the Florida Democratic Party, the League of Women Voters, La Raza, Common Cause and the city of Lakeland, which is looking to overturn how the Senate proposal divides that city, said Florida's redistricting guidelines have changed.

So, too, should the court's role, they argued.

"Florida has new standards," said Jon Mills, a former House speaker representing the Florida Democratic Party. "You're not compelled to decide this the same way anyone else did."

Florida's new constitutional standards for redistricting, approved by voters in 2010 as Amendments 5 and 6, demand compact and contiguous districts. They also prohibit boundaries from being drawn to help either party or incumbent lawmakers.

The justices seemed deeply divided over their role in redistricting.

"We're not going to just throw up our hands," Pariente said, in response to urging from House and Senate lawyers that the court endorse the Legislature's plan as meeting constitutional standards.

But Canady, the chief justice, said justices were ill-suited for tackling the kind of lengthy, evidentiary hearing opponents were demanding. Such legally vague terms that course through redistricting -- compactness, political boundaries and retrogression -- were better hammered out before trial judges, Canady said.

Short of a full hearing, "on what basis do we substitute our judgment for the judgment of the Legislature?" he asked.

Still, in a state where Democrats hold an almost 500,000 voter edge over Republicans, maps that give the GOP a majority of legislative seats don't make sense, attorneys for opponents said.

Paul Smith, attorney for the coalition of voters' organizations, said he doesn't expect the maps to be balanced equally between Democratic and Republican registered voters.

But with 23 of 40 Senate districts holding GOP majorities and 62 seats favoring Republicans in the 120-member House, the imbalance is glaring, Smith said.

"That's too much advantage built into the maps," Smith said.

While the justices questioned the lack of any incumbent overlap in the Senate's redrawn districts, the House's partisan divide didn't seem to draw as much of their attention.

Among the 39 Democratic incumbents in the state House, 33 are drawn into districts with one, two or even three other incumbents. By contrast, of the 81 Republican incumbents, 35 have had their homes placed in the district of another incumbent, Democrats have said.

Attorneys for those opposing the plans also argued that districts drawn to help minorities win representation pack too many black Democrats into them, diminishing the party's strength in neighboring districts. And they challenged the compactness of these districts.

In briefs filed with the court, attorneys for Democrats labeled House District 88, a West Palm Beach-area district with 49 percent black voters, as the "least compact" of any proposed for that chamber, the implication being that it scooped as many black voters as it could by covering a large area of the center of the county, which removes Democrats that could go into surrounding districts.

Opponents of the maps also singled out Senate seats in Palm Beach County. Redrawn districts similar to those now held by Sen. Ellyn Bogdanoff, R-Fort Lauderdale, and Sen. Chris Smith, D-Fort Lauderdale, were derided for narrowly snaking through Broward to northern Palm Beach County, scooping up voters likely to favor the incumbents, or at least their parties.

For Democrats, getting the Supreme Court to throw out the maps would prove a key victory.



Following the court's ruling, the maps still go to the U.S. Justice Department, which has 60 days to review Florida's plan.

Meanwhile, a likely legal challenge by opponents in a trial court also could take weeks, even as the state's June 4-8 candidate qualifying period bears down.

"That is a factor, in terms of trying to litigate these cases before the elections happen," said Smith, the voter coalition's attorney.

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OrlandoSentinel.com

Redistricting maps divide Florida Supreme Court

By Aaron Deslatte, Tallahassee Bureau Chief

11:36 PM EST, February 29, 2012

TALLAHASSEE — In a legal showdown that could reverberate for decades, a conflicted Florida Supreme Court grilled the authors and critics of new legislative-district maps Wednesday over whether lawmakers have followed new voter-adopted anti-gerrymandering reforms.

As part of the once-a-decade redistricting process, the high court has until next week to decide whether lawmakers followed the standards when they redrew House and Senate districts. But the four-hour court hearing illustrated how that process has morphed in complexity as a result of the Fair Districts amendments requiring the maps be more compact, protect minority voting rights and weed out partisan gerrymandering.

Critics — including the Florida Democratic Party, League of Women Voters, National Council of La Raza and Common Cause — have argued the new districts violate the Fair Districts amendments passed in 2010 because they were drawn with the intent of preserving huge Republican majorities in the Legislature for the next decade.

And that prompted a clearly divided court to question Wednesday how far it should go to delve into factual disputes over whether the new maps comply.

Several justices questioned whether the high court had an obligation to provide some parameters for following Amendments 5 and 6, which created sometimes-conflicting and often-ambiguous new standards for drawing the maps. For instance, when does reducing the number of minorities in a minority-held House district go too far and unconstitutionally abridge their rights?

"On what basis do we substitute our judgment for the judgment that has been made by the Legislature?" Chief Justice Charles Canady asked.

Legislative lawyers said the justices should accept that lawmakers gave it their best effort.

"This is an incredibly difficult balancing of standards that takes thousands of hours to do," said George Meros, a GrayRobinson lawyer arguing for the Florida House.

"If the Legislature is showing a good-faith effort [to follow the amendments] ... that is the deference the court should show."

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But Justice Barbara Pariente suggested the court had a duty to do more than just rubber-stamp the maps because that would effectively say the court agreed with the Legislature's legal interpretation of how to implement the amendments.

"To me, this would defeat the intent of the voters ...," Pariente said. "It's not fair to the citizens. It's not fair to the potential candidates. And it doesn't seem to be fair to the process."

The net effect of the new maps is that while congressional and legislative districts become more compact — and fewer cities and counties are divided by district lines — they also become slightly safer for both parties on average, according to an Orlando Sentinel analysis of voter-registration and voter-performance data.

But the court appeared to have problems with critics' arguments that because the maps appeared to still elect Republican majorities in a state where Democrats outnumber Republicans by more than 500,000 voters, they violated Fair Districts.

Paul Smith, the lawyer for the League and other groups, said the probability of unintentionally drawing a Senate map like the Legislature's — which makes all 29 returning senators' seats safer — is close to zero.

That feat was accomplished largely by using the admittedly gerrymandered 2002 maps as the starting point, Smith said. He said the new map provided "significant evidence to conclude in any rational world that the Senate was interested in protecting incumbents."

Canady repeatedly asked whether the fact disputes between the sides should be examined at a lower level where expert witnesses, evidence and statistical analysis of the maps can be weighed.

"This is a court. This is not the Department of Justice," Canady said, referring to the DOJ review of redistricting maps that also takes place to determine whether the federal Voting Rights Act has been violated.

Pariente made a point of singling out the House map for adhering to the amendments and questioned whether the court could invalidate just the Senate map.

The court has a 30-day window — until next week — to issue a preliminary review of the legislative plans. It can uphold them, send them back to lawmakers with explicit orders to make changes or send them to a lower court for a fact-finding review that could take months.

Both sides expect the court to order such a review before making a final decision on whether lawmakers have to change the plans. Qualifying for congressional and legislative candidates runs from June 4-8.

Heading into Wednesday's hearing, it was clear the court was divided over how deeply to wade into interpreting what the amendments actually mean. But justices also seemed reluctant to send the maps straight back to lawmakers and set a precedent by interpreting the standards without an evidentiary process.

"We need help," Pariente said.

Jon Mills, a former House speaker and University of Florida law professor representing the Florida Democratic Party, said it was the justices' job to interpret the new standards and the job of lawmakers to

follow the court's lead, not vice versa. The Legislature's first attempt to follow the standards was made "in the dark" without court guidance, he said.

"The court interprets the constitution," Mills told the justices. "Their [the Legislature's] interpretation might be interesting. Yours is binding."

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Florida High Court Hears Redistricting Case; Lakeland Greatly Impacted

By JEREMY WALLACE

LEDGER TALLAHASSEE BUREAU

Published: Wednesday, February 29, 2012 at 11:39 p.m.

TALLAHASSEE | Lakeland played a key role Wednesday as a divided Florida Supreme Court heard arguments in the challenges to the results of the Florida Legislature's once-a-decade redistricting process — the first under voter-imposed anti-gerrymandering rules.

Lawyer David A. Theriaque strongly objected to the city being split into two senate districts, including one dominated by Manatee County.

He said the split would dilute the city's political voice for years to come.

"There is no rational basis for it," Theriaque told the seven-member court.

(Opponents to the redistricting plan were the Democratic Party of Florida, the city of Lakeland and a coalition of the League of Women Voters.

"I am very encouraged," Lakeland City Attorney Tim McCausland said. "Right away the court demonstrated that they were focusing on Lakeland and that they knew all about our situation because we got mentioned numerous times by various justices."

McCausland was in Tallahassee for the presentation from Theriaque, a Tallahassee lawyer hired by him to handle the specialized case.

"We were able to show that most cities were kept whole in the Senate redistricting plan, while Lakeland was the largest city to be split," McCausland said.

The city government is contesting that its incorporated area is unfairly split into two districts in a plan that it says doesn't follow the Fair Districts Amendments. But the greater Lakeland area, including its suburbs, is split into three separate Senate districts with only one where a Polk County candidate could win.)

Supreme Court Justice Barbara J. Pariente indicated she was sympathetic, noting she "felt badly for Lakeland," but questioned how the court can remedy the situation.

The arguments marked a crossroads in Florida's redistricting process, which could have far-reaching repercussions for the exercise of political power and policy for years to come.

The Legislature redraws the state's congressional and legislative districts to account for population shifts identified by the federal census. The congressional maps passed earlier this month do not get reviewed by the Florida Supreme Court — only the state legislative districts. Congressional maps are sent to the U.S. Justice Department for a separate review to assure compliance with federal voting laws.

In the past, the Supreme Court has offered only cursory reviews of the Legislature's redistricting efforts. But this year, several groups are pushing the court to take a more active role because of new constitutional amendments. Approved by voters in 2010, the amendments were aimed at stopping the overt gerrymandering that warped Florida's legislative districts.

The new rules require legislators to draw compact legislative districts, without political favor. Opponents want the maps to be declared unconstitutional, forcing lawmakers to redraw them.

The Supreme Court has until March 9 to decide how to proceed. But if Wednesday's hearings showed anything, it was that the court itself is unsure of how much of a role it should play this year.

House and Senate lawyers argued that their maps comply with all Florida and federal laws, and that the court has a limited ability to get into the mapping specifics.

It's an argument that Supreme Court Chief Justice Charles Canady, a former Republican congressman from Lakeland, seized on. He repeatedly questioned how much the court really can do given that justices have only 30 days to review the maps and no way to hold evidentiary hearings for information on the maps constitutionality.

Justice Peggy A. Quince questioned a lawyer for the Legislature, asking whether the new constitutional amendments have added obligations requiring the court to take a more in-depth review of the Legislature's work.

In Southwest Florida, lawmakers drew a sprawling district that reaches 55 miles, from central Polk County to coastal Manatee, including Bradenton Beach and Holmes Beach.

Under the proposed Senate District 24, more than 60 percent of the residents would be in Manatee County, compared with 13 percent from Polk County. Most of the rest would come from eastern Hillsborough County.



Former State Rep. Bill Galvano, R-Bradenton, is the only candidate so far who has filed to run in the district that stretches 55 miles.

The political significance for the Sarasota-Manatee region could be seen in the audience at the Supreme Court hearing Wednesday. Lakewood Ranch developer Pat Neal, who has expressed strong interest in running for the Senate, was among those at the hearing. Neal said he has not ruled out running for office in 2012 and was intrigued to see the court arguments live. Neal's Lakewood Ranch home is currently in the same district that Lakeland officials are protesting.

Also at issue is whether the Legislature made maps that protect incumbents, which is prohibited by the new constitutional amendments.

Lawyers for a coalition that includes the League of Women Voters, Common Cause and Florida Democratic Party argued that 22 of the current 40 Florida Senators were drawn into districts that include more than 60 percent of their former district. They say that is a clear indication that incumbents were being protected.

The Palm Beach Post

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Florida Supreme Court finds Senate districts unconstitutionally redrawn to favor incumbents

By JOHN KENNEDY

Palm Beach Post Staff Writer

Updated: 6:15 p.m. Friday, March 9, 2012

Posted: 3:55 p.m. Friday, March 9, 2012

The Florida Supreme Court dealt a blow to the Legislature on its final scheduled day, ruling Friday that redrawn Senate district maps are unconstitutional and tilted toward incumbents, even as justices upheld the House plan.

The decision will force Gov. Rick Scott to call a special session within five days to let lawmakers recast the Senate plan. The court unanimously endorsed the House map, but found wide-ranging problems with the Senate's proposal, rejecting it in a 5-2 ruling.

Justices said the Senate map created 10 districts which either failed to follow geographic or political boundaries, spanned long distances to pack minority voters, or favored an incumbent or party — violating voter-approved standards guiding redistricting.

The court faulted the lack of a consistent standard by the Senate, bolstering the case made by the Florida Democratic Party and its allies that ruling Republicans had shaped district boundaries to preserve their dominance.

"We recognize that the Senate did not have the benefit of our opinion when drawing its plan," Justice Barbara Pariente wrote for the majority. "However, it is clear from a facial review of the Senate plan that the 'pick and choose' method was not balanced."

The court also ridiculed the Senate for renumbering districts to affect which two-year election cycle covers incumbents. The renumbering assured that most incumbents could serve as many as 10 years in the chamber, a provision also seized on by the court's majority.

Senators are normally limited to two four-year terms.

"Adopting a renumbering system that significantly advantages incumbents by increasing the length of time that they may serve by two years most assuredly favors incumbents," Pariente wrote in the 233-page opinion.

"Further, purposefully manipulating the numbering of the districts in order to allow incumbents to serve in excess of eight years would also appear to frustrate the intent of the voters when the term limits amendment was adopted," she concluded.

The ruling drew a mixed reaction from the Legislature.

The Florida Democratic Party praised the ruling, although it didn't go as far as it hoped.

"Today's ruling is a victory for the people of Florida," Florida Democratic Party Chairman Rod Smith said. "We applaud the court for stepping in to implement the will of the voters of Florida."

The Democratic Party, the League of Women Voters, La Raza, and Common Cause-Florida had urged justices to overturn both the House and Senate maps.

The city of Lakeland also argued against the Senate plan, saying it wrongfully created two districts which connected municipal residents with voters in far-away, rural communities. The court sided with Lakeland in rejecting the two districts, while also finding problems with eight other Senate districts created around the state.

House Republicans, though, declared their own victory with the court ruling.

"We were continually falsely accused by House Democrats of injecting partisanship into the reapportionment

process," said House Majority Leader Carlos Lopez-Cantera of Miami. "It is evident now that their only goal was to advance their own political agenda, in contrast to our commitment to produce a constitutional House map for the people of Florida."

Senate President Mike Haridopolos, R-Merritt Island, offered a grim assessment of the decision.

"We are currently reviewing the decision by the Supreme Court," Haridopolos said on the session's frenzied final day. "Once the governor convenes us for an extraordinary session, the Senate will work diligently to adjust the areas that the court has expressed concern over, and we will, once again, do this in an open and transparent manner."

Chief Justice Charles Canady and Justice Ricky Polston, who dissented in the court's ruling, said the majority overreached when they rejected the Senate map. "Based on nothing more than suspicion and surmise, the majority concludes that certain district lines were drawn with improper intent - when there is an evident, rational, permissible basis for the drawing of those lines," Canady wrote.

A majority of justices, however disagreed.

They found that districts held by such powerful incumbent senators as Rules Chairman John Thrasher, R-St. Augustine, Senate President-designate Don Gaetz, R-Niceville, and Majority Leader Andy Gardiner, R-Orlando, were designed to help them win re-election.



In South Florida, wide-ranging, narrowly drawn districts held by incumbent Sen. Chris Smith, D-Fort Lauderdale, and Sen. Ellyn Bogdanoff, R-Fort Lauderdale, were also found invalid.

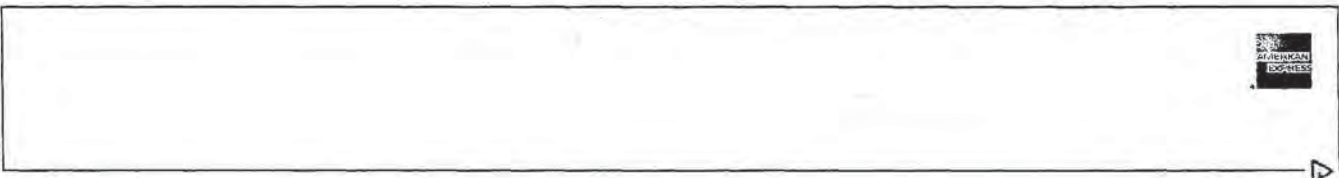
Justices said they were contoured to assure that Smith, a black Democrat, whose district spans Broward and Palm Beach counties along the Interstate-95 corridor, could run in a district with a heavy minority population.

Bogdanoff's boundaries parallel Smith's, but span the two counties' coastline, where it includes mostly white, registered Republicans, the court found. "We conclude that both districts appear to have been drawn with the intent to favor an incumbent and a political party," justices wrote.

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<http://www.palmbeachpost.com/news/state/florida-supreme-court-finds-senate-districts-unconstitutionally-redrawn-2227966.html>

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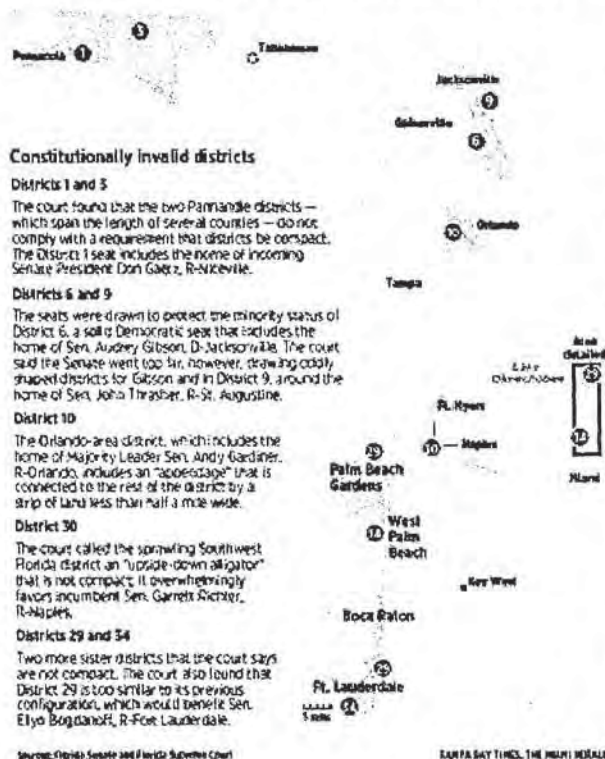
Posted on Fri, Mar. 09, 2012

Legislators sent back to drawing board for Senate map

By Mary Ellen Klas
Herald/Times Tallahassee Bureau

Florida Supreme Court tosses out Senate map

The state Supreme Court rejected the proposed legislative map for Florida's 40 Senate districts, saying the map did not meet voter-approved standards. While many districts were criticized in the ruling, in particular, the court singled out eight districts that violated the terms of the Fair Districts constitutional amendment that passed in 2010. Each district includes about 470,000 residents.



In a historic ruling that could shape state politics for decades, the Florida Supreme Court on Friday tossed out the proposed state Senate legislative map, forcing lawmakers to start over in a special session next Wednesday.

In the detailed 234-page majority opinion, written by Justice Barbara Pariente, the court voted 7-0 to validate the House's redistricting proposal, but rejected the Senate map, 5-2, for failing to follow new standards approved by voters in 2010.

Late Friday night, Gov. Rick Scott ordered lawmakers to return to Tallahassee for a special redistricting session, beginning Wednesday at 1 p.m. The Legislature will then have 14 days to redraw maps and return them to the court, leaving in limbo the Senate's 40 district boundaries.

The court singled out eight Senate districts as invalid, including the districts of incoming Senate President Don Gaetz, R-Fort Walton Beach, Republican Leader Andy Gardiner, R-Orlando, Sen. Elyn Bogdanoff, R-Fort Lauderdale, and incoming Democratic Leader

Chris Smith of Fort Lauderdale. It concluded the districts were designed to protect incumbents and were in violation of the new anti-gerrymandering directive of voters.

A Herald/Times analysis found that the House map pitted 38 incumbents against each other, while the Senate map pitted no senators against each other and instead protected the districts of every incumbent hoping to return in 2012.

The Legislature's maps had been challenged by the Florida Democratic Party, the League of Women Voters, the National Council of La Raza and Common Cause of Florida. They argued the Senate maps were drawn with the intent to protect Republican majorities in the House and Senate, and unfairly pack minorities into districts on the pretense of protecting minority voting strength.

Senate Rules Chairman John Thrasher, R-St. Augustine, said the Senate anticipated the court's ruling.

"Our plan is to probably try to come back sometime next week, start working on it in committee, and try to get as much done as we can," he said.

Each chamber drew its own map as part of a handshake agreement between the House and Senate. House Redistricting Chairman Will Weatherford said he will leave it up to the Senate to fix its map when both chambers return to Tallahassee.

Within hours of the ruling, the inevitable dominoes of a redrawn map began to fall. Former Sen. Alex Diaz de la Portilla, a Miami Republican, filed to run in the district now held by Miami Democrat Sen. Gwen Margolis, whose district is already dominated by Hispanic voters.

The court commended the House for drawing visually and geographically compact districts as well as preserving the ability of minorities to elect legislators of their choosing.

But it said the Senate map "is rife with objective indicators of improper intent which, when considered in isolation do not amount to improper intent, but when viewed cumulatively demonstrate a clear pattern."

In his concurring opinion, Justice Charles E.C. Perry blasted the Senate for the sprawling, non-compact minority districts drawn under the pretense of protecting minority rights.

"I cannot agree that there was a rational basis for the Senate to decide to turn a blind eye to population data when drawing their plan," Perry wrote. "By refusing any attempt to draw more compact districts, while maintaining the required racial proportions, there is at least the appearance that the Senate thumbed its nose at the will of the people."

The new rules establish landmark standards that legislators must follow when they embark on the once-a-decade redistricting process. They prohibit lawmakers from intentionally protecting incumbents and political parties; require them to preserve minority voting rights; and, order them to draw compact districts where possible.

But the court not only rejected the Senate map, it shot holes in the arguments of the Legislature's lawyers as well as Attorney General Pam Bondi. They said the court should limit its review and let the details be fought over in the lower courts.

The court concluded it "would be an abdication of this court's responsibility under the Florida Constitution" to fail to conduct a thorough review. It also warned that waiting for the lower courts could "create uncertainty for voters" and candidates who must qualify to run for their seats during the week of June 4.

The new Fair Districts standards didn't offer the court any guidance as to how to define those concepts, and the court was clearly divided over how far it should go into settling the factual disputes over those elements.

Chief Justice Charles Canady agreed with Bondi and the Legislature's lawyers in a strongly-worded dissenting opinion that accused the majority of abrogating the court's precedent of

conducting a limited review of redistricting maps and leaving fact-based claims to be sorted out in the trial courts.

"Based on nothing more than suspicion and surmise, the majority concludes that certain district lines were drawn with improper intent — when there is an evident, rational, permissible basis for the drawing of those lines," Canady wrote, with Justice Ricky Polston concurring.

But Pariente, who was joined by Justices Peggy Quince, Jorge Labarga, Fred Lewis and Charles Perry said the new Fair Districts amendments imposed upon the court "a weighty obligation" to measure the Legislature's actions "with a very specific constitutional yardstick."

The court also rejected the argument used by House and Senate leaders that the new constitutional standards required the state to adhere to virtually the same minority districts as before.

The court also concluded that the Senate's decision to renumber districts, giving some members longer terms than others under term limits, was an attempt to improperly manipulate numbers and "was intended to favor incumbents."

Herald/Times writer Steve Bousquet contributed to this report.

sun-sentinel.com/news/palm-beach/fl-florida-redistricting-supreme-court-20120309,0,3561829.story

South Florida Sun-Sentinel.com

Florida Supreme Court throws out Senate redistricting plan

Changes expected for districts in Palm Beach, Broward counties

By Aaron Deslatte, Tallahassee Bureau Chief

8:26 PM EST, March 9, 2012

TALLAHASSEE

On the last day of a once-a-decade redistricting legislative session, the Florida Supreme Court officially ordered overtime Friday by ruling that the re-drawn state Senate map failed to follow new anti-gerrymandering standards.

The high court decided in a 5-2 ruling that 8 of the Senate's 40 re-drawn districts violated the new Fair Districts standards, a move that will force lawmakers to return to work — possibly within days — to take another crack at the maps. The court also decided unanimously that the House maps did comply with the new Fair Districts standards.

The ruling is expected to trigger changes to Senate districts in Palm Beach and Broward counties.

The Republican-controlled Senate's redistricting plan was "obvious self-dealing," said Palm Beach County Democratic Party Chairman Mark Siegel, who praised the Supreme Court ruling.

"There was a political agenda involved [and] the constitution says specifically you can't do that," Siegel said.

With a June candidate qualifying deadline fast approaching, the uncertainty created by the Supreme Court ruling has an immediate effect on local campaigns, Palm Beach County Republican Party Chairman Sid Dinerstein said.

"It's a timing issue," Dinerstein said. "There's some work to be done."

The defective Senate districts stretch from the Panhandle to Fort Myers, and Jacksonville to Orlando — and failed to measure up in the high court's review for different reasons, including protecting incumbents, and failing compactness or geographic standards.

In South Florida, the court ruled that two districts currently held by two Fort Lauderdale lawmakers,

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Democrat Chris Smith and Republican Ellyn Bagdanoff, run afoul of the new standards because they were based on the last round of maps drawn in 2002 before the Fair Districts standards were enacted.

The court said the two districts — Districts 29 and 34, which run parallel to each other down a strip of coast from Jupiter to Dania Beach — "are clearly not compact" and the coastal District 29 "is indicative of intent to favor an incumbent and a political party" by making Bogdanoff's district safer for a Republican.

The many tweaks and changes to local boundaries during the Legislature's redistricting process were "just too difficult to keep up with," Palm Beach County Commissioner Karen Marcus said. Politics needs to be put to the side when legislators respond to the court ruling, she said.

"You just need to follow what the law says and not have any party issues going on," said Marcus, a Republican.

Palm Beach County should have more concentrated Senate representation, not just end up lumped in with multiple districts crisscrossing the county, Siegel said.

"It had to go," Siegel said about the redistricting plan.

The Supreme Court will likely have to provide more direction about the changes needed, but don't expect dramatic changes, Dinerstein said.

"There's tinkering to be done, but I don't think it's going back to zero," Dinerstein said.

The 234-page ruling said the Legislature's new lines for 120 House districts passed the constitutional tests laid down by the anti-gerrymandering amendments approved by voters last year. But the 40 Senate districts will have to be redrawn to the court's liking before candidate qualifying begins in early June.

The decision is precedent-setting, because the justices ruled that the Fair Districts amendments imposing new constitutional standards on redistricting also require more than a cursory review by the court of whether lawmakers followed them.

"The new requirements dramatically alter the landscape with respect to redistricting by prohibiting practices that have been acceptable in the past, such as crafting a plan or district with the intent to favor a political party or an incumbent," Justice Barbara Pariente wrote for the majority.

"By virtue of these additional constitutional requirements, the parameters of the Legislature's responsibilities under the Florida Constitution, and therefore this Court's scope of review, have plainly increased, requiring a commensurately more expanded judicial analysis of legislative compliance."

Chief Justice Charles Canady and Justice Ricky Polston dissented with the court's decision to invalidate the Senate map.

The court said the eight Senate districts didn't comply fully with the new standards, because they packed in too many minorities, didn't adequately follow geographic boundaries or weren't compact enough.

"The Legislature should remedy the constitutional problems with respect to these districts, redrawing these districts and any affected districts in accordance with the standards as defined by this Court," Pariente wrote, "and should conduct the appropriate functional analysis to ensure compliance with the

Florida minority voting protection provision as well as the tier-two standards of equal population, compactness, and utilization of existing political and geographical boundaries."

Senate Democratic Leader Nan Rich, D-Weston, said the defects in the maps could have been avoided.

"The ruling ... underlined all of the warnings which went unheeded during the redistricting committee hearings and the ultimate vote," Rich said in a statement.

"The Supreme Court saw the same troubling issues of discrimination and favoritism as the Senate Democrats who voted against these maps, and which go against every fiber of the Constitution's new anti-gerrymandering amendments overwhelmingly passed by the majority of Florida's voters."

Staff writer Andy Reid contributed to this report.

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High court rejects redistricting map for state Senate

By Jeremy Wallace

Tallahassee bureau

Published: Friday, March 9, 2012 at 8:50 p.m.

The Florida Supreme Court on Friday rejected the Legislature's proposal for new Senate district boundaries, ordering lawmakers back to the drawing board to fix odd-shaped districts that include one that justices said is shaped like "an upside down alligator."

The court ruled that eight proposed districts violate new voter-mandated constitutional amendments aimed at stopping gerrymandering to favor a party or incumbents. Two more districts caused additional "concerns" that justices said could merit redrawing.



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In a 5-2 decision, the court invalidated the state Senate map, while voting unanimously to uphold those drawn for the Florida House.

"The new constitutional provisions seek to level the playing field in how legislative districts are drawn," a majority opinion written by Justice Barbara J. Pariente stated. "A failure to define these constitutional imperatives in a manner consistent with the will of the voters would frustrate the intended purpose of this new amendment."

So far, only one Alachua County resident, Democrat Brian Scarborough, has signed up to campaign for a Florida Senate seat.

The Florida Senate's decision was not a surprise, and it will not affect Scarborough's plans to run for office, said Jason Roth, a Democratic political strategist working with the campaign.

Roth said Scarborough's expectation when he signed up was that the district lines would be redrawn. But it was important to begin raising money, campaigning and making contact with voters, Roth added.

The high court also said the changes in district numbers in the Senate map were improper because it favored certain incumbents. The renumbering would allow more incumbents to serve 10 years under an exception to eight-year term limits also in the constitution. That's because some senators, depending on whether they are in odd- or even-numbered districts, would get four-year terms and others two-year terms this year to keep them staggered so only half are up for election in non-redistricting years.

The ruling was celebrated by groups that have been lobbying for the Legislature to take politics out of the once-a-decade redistricting process. They had argued that the Republican-controlled Legislature sought to protect the party's advantage in the House and Senate. "From this day forward, our elected officials are on notice that they cannot ignore the constitution and abuse the public trust by drawing districts to favor themselves," said Deirdre Macnab, president of the League of Women Voters of Florida, part of a coalition that backed the Fair Districts amendment and challenged the Legislature's maps.

In a dissent, Chief Justice Charles Canady and Justice Ricky Polston said they would have approved both maps. The two most reliably conservative justices said the high court should have shown deference to the Legislature and conducted only a limited review as it has done in the past. That echoed an argument made by legislative lawyers.

The Florida Legislature is required to redraw state legislative and congressional districts every 10 years to account for population changes identified in the federal census.

Congressional maps, which were also redrawn this year, were not reviewed by the state Supreme Court. The U.S. Justice Department is charged with reviewing those maps to assure they comply with all federal voting laws. A ruling on those districts is expected in April.

The court's decision means lawmakers will have to meet in a special session to redraw the state's 40 state Senate districts.

Senate President Mike Haridopolos, R-Merritt Island, said in a statement that once Gov. Rick Scott calls a special session, the Senate "will work diligently to adjust the areas that the court has expressed concern over."

Justices had issues with these parts of the Senate map:

In the Panhandle, they ruled unconstitutional a district that is home to Sen. Don Gaetz, the incoming Senate president and chairman of the redistricting committee. The long horizontal district, they said, is not compact and does not follow existing political boundaries where possible.

Near Jacksonville, justices said legislators created a pair of non-compact "meandering" districts that run from Duval County to Volusia County.

In Southwest Florida, the justices said a district that starts in the Everglades and zigzags to the Charlotte County line is not compact and resembles an upside down alligator.

The proposed redistricting maps must be complete by mid-June when candidates have to qualify to run for office in 2012.

Each chamber drew its own map although both need approval from both chambers.

Republicans currently have a 19-6 edge in Florida's congressional delegation. The new map adds two more seats due to population growth for a total of 27.

The GOP also has majorities of 28-12 in the Senate and 81-38 in the House, with one formerly Democratic district vacant.

The Associated Press contributed to this report.

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Sens. Don Gaetz, R-Niceville, from left, Joe Negron, R-Stuart, and Senate President Mike Haridopolos, R-Merritt Island, huddle Friday as members learned that the state Supreme Court ordered the chamber to redraw its legislative districts.



[SCOTT KEELER | Times]

State Supreme Court Rejects Senate Redistricting Plan

By *Bill Rufty*

LEDGER POLITICAL EDITOR

Published: Friday, March 9, 2012 at 10:47 a.m.

TALLAHASSEE | In a 5-2 decision Friday, the Florida Supreme Court overturned the district lines drawn by the Florida Senate and ordered that they be redone.

Gov. Rick Scott has five days to set a date for the Legislature to return in special session and work on a new redistricting plan for Senate districts. The Legislature ended its regular session Friday.

Senate districts that include Lakeland and Polk County will be reapportioned as part of the process. City and county officials and potential candidates are looking closely at plans that were proposed but not adopted by the Senate.

"We declare the plan apportioning the districts for the Florida Senate to be constitutionally invalid under the Florida Constitution. The Legislature is now tasked by the Florida Constitution with adopting a new joint resolution of apportionment — conforming to the judgment of the Supreme Court," the ruling states.

Voting to overturn the Senate districts were justices Barbara J. Pariente, R. Fred Lewis, Peggy A. Quince, Jorge Labarga and James E. C. Perry.

The 200-plus page ruling cites inconsistencies almost throughout the state, and the city of Lakeland, which had a lawyer make arguments before the court, appears to have been a major consideration in the opinion, Lakeland City Attorney Tim McCausland said.

"The court essentially adopted our arguments," he said. "They (the Senate) will likely look at keeping communities together and much like we asked in the last process."

Senators didn't pay much attention to detail when they drew the maps, said Bruce Anderson, a Florida Southern College political science professor who has studied the districts.

The Senate ignored racial make-up and directives to make compact districts, he said.

"The Senate didn't pay attention to the rules," Anderson said.

“To put it in a word, the Senate was gerrymandering for partisan advantage. Even moderates on the court said, ‘Wait a minute, this is not in the spirit of things at all.’”

In the long run, Anderson said he thinks there will be a decent Senate map.

Of the four Senate districts proposed to split Polk County, only one was centered in Polk, and the city of Lakeland was split between two districts. When the city and its suburbs are included, they are split into three districts.

Under the Senate plan rejected by the court, the city was split in half by District 16, which would have replaced Sen. Paula Dockery's District 15, and by District 24. Bumping up to the city limits to the southeast was District 26, which is currently Sen. J.D. Alexander's District 17. District 14 is the fourth Senate district dissecting Polk County.

One of those watching closely is Rep. Kelli Stargel, R-Lakeland, who plans to run for the Senate. The Senate's map left her residence outside the district in which Polk residents make up a majority. She had planned to move into the Polk-dominated district but now will wait to see what the Senate does.

“I haven't had a chance to read the opinion ... but I look forward to working with the Senate,” she said.

Another Senate hopeful, Jack Myers, an Auburndale city commissioner and former Polk County commissioner, said it's too early to tell how he will be impacted.

“It just means a little bit longer wait until we know what the district is going to look like,” Myers said. In the new Senate map, Myers was set to face Stargel for the newly renumbered Senate District 16 seat in the GOP primary.

Before this year's regular session, the House and Senate agreed that each chamber would draw its own districts without interference from the other. The Supreme Court on Friday certified the House districts as fair and accepted them.

Congressional districts, agreed upon by both chambers are under review by the U.S. Department of Justice.

For decades, Polk has had two senators who live in the county.

In Friday's Supreme Court ruling, Chief Justice Charles T. Canady of Lakeland and Justice Ricky Polston dissented, saying the Senate plan shouldn't have been overturned.

Writing the dissent Canady said, “With respect to the Senate plan, I conclude that the opponents have failed to overcome the presumption that a redistricting plan adopted by the Legislature is constitutional. “

Even with the addition of Fair District amendments approved by Florida voters, he said, the presumption of the court is that legislation is constitutional until proven otherwise and that plaintiffs appearing before the court failed to do that.

In a section about Lakeland, Canady wrote that the majority of justices really didn't determine that the districts were unfair.

“The majority has neither accepted nor rejected the challenge made to the Senate district plan by the City of Lakeland. Instead, the majority expresses its — concerns. This is no way to adjudicate a claim of constitutional invalidity.”

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<http://www2.tbo.com/news/politics/2012/mar/09/justices-reject-senate-redistricting-map-uphold-ho-ar-367359/>



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Florida justices reject Senate redistricting plan

By TBO.com | The Associated Press Associated Press | The Associated Press

The Florida Supreme Court issued a split decision on legislative redistricting today, rejecting the Senate's plan but upholding the House's map.

The landmark decision interpreted new anti-gerrymandering standards voters put into the Florida Constitution two years ago. The justices said the Senate map favored incumbents and the Republican majority. The 5-2 ruling establishes guidelines for a redo of the Senate map as well as future redistricting efforts.

"From this day forward, our elected officials are on notice that they cannot ignore the constitution and abuse the public trust by drawing districts to favor themselves," said Deirdre Macnab, president of the League of Women Voters of Florida, part of a coalition that backed the Fair Districts amendment and challenged the Legislature's maps.

It also means the Republican-controlled Legislature, which was wrapping up its regular annual session on Friday, must return to Tallahassee to fix problems outlined in the 234-page opinion.

In a dissent, Chief Justice Charles Canady and Justice Ricky Polston, said they would have approved both maps. The two most reliably conservative justices said the high court should have shown deference to the Legislature and conducted only a limited review as it has done in the past. That echoed an argument made by legislative lawyers.

The majority, though, ruled the Fair Districts amendment required a detailed review and specific findings to clarify what voters intended.

"The new constitutional provisions seek to level the playing field in how legislative districts are drawn," Justice Barbara Pariente wrote for the majority.

The 11th U.S. Circuit Court of Appeals in Atlanta used similar language when it recently upheld a second Fair Districts amendment for congressional redistricting.

"A failure to define these constitutional imperatives in a manner consistent with the will of the voters would frustrate the intended purpose of this new amendment," Pariente wrote.

The court said eight Senate districts are unconstitutional as well as the chamber's changes in district numbers because it was done to favor certain incumbents.

The renumbering would allow more incumbents to serve 10 years under an exception to eight-year term limits also in the constitution. That's because some senators, depending on whether they are in odd- or even-numbered districts, would get four year terms and others two year terms this year to keep them staggered so only half are up for election in non-redistricting years.

Each chamber drew its own map although both need approval from both chambers. Senate President Mike Haridopolos, R-Merritt Island, said in a statement that once Gov. Rick Scott calls a special session the Senate "will work diligently to adjust the areas that the court has expressed concern over."

House Speaker Dean Cannon, R-Winter Park, said the ruling "will provide a great help moving forward."

Democrats and three nonpartisan groups that backed the Fair Districts amendments alleged both maps violated the new restrictions, including a ban on intentionally drawing districts to favor or disfavor incumbents and political parties.

They alleged the maps would let the GOP maintain two-to-one majorities in both chambers although Florida's voter registration and voting patterns are almost equally divided between Democrats and Republicans.

The Supreme Court, though, said that's not enough to conclude unlawful intent. The justices said each district must be examined to determine if there's a violation.

The amendments also protect minority voting rights and require that maps be compact and follow political or geographic boundaries whenever feasible.

The high court faulted the Senate for relying only on voter registration numbers rather than conducting a perform analysis based on past election results to determine the number of black voters a minority district needs to protect their right to elect a candidate of their choice.

The justices agreed a couple districts with convoluted shapes in northeast and South Florida have more Democratic-leaning black voters than necessary to achieve that goal. That makes neighboring districts more white and Republican and helps their GOP incumbents.

One of the invalidated districts is represented by Sen. Don Gaetz, a Niceville Republican who chairs the chamber's Reapportionment Committee and is in line to become Senate president in November.

Instead of following county lines in the western Panhandle, the Senate sliced five counties in two to maintain Gaetz' current long, thin coastal district nearly intact along with the adjacent inland seat to the north held by Sen. Greg Evers, R-Baker. The court ruled that approach benefitted both Okaloosa County incumbents.

The Senate used major and minor roads, rivers and creeks as well as city and county lines, often switching from one to another in a short space to divide the districts. Pariente wrote that the high court,

instead, accepted the House's approach of using only geographic boundaries "easily ascertainable and commonly understood such as 'rivers, railways, interstates, and state roads.'"

Democrats and the three Fair Districts groups — the Florida League of Women Voters, National Council of La Raza and Common Cause — also have filed Circuit Court lawsuits challenging the congressional map, which does not get an automatic Supreme Court review.

Republicans currently have a 19-6 edge in Florida's congressional delegation. The new map adds two more seats due to population growth for a total of 27.

The GOP also has majorities of 28-12 in the Senate and 81-38 in the House with one formerly Democratic district vacant.



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Lakeland Districts May Get New Look

By *Bill Rufty*
THE LEDGER

Published: Sunday, March 11, 2012 at 9:50 p.m.

One could certainly understand if the members of the Florida House should feel like gloating over the Senate.

Senators now must go back to Tallahassee and redraw their districts following a ruling from the state's Supreme Court, which certified the House's reapportionment of its 120 districts to be fair, but not all of the Senate's districts.

Early on in the session, during an interview with The Ledger, Rep. Will Weatherford, R-Wesley Chapel, said the House was very careful in drawing its districts to the specifications of the Fair Districts Amendments, including not drawing districts for incumbents or parties and keeping communities whole. It was so careful, in fact, that 38 incumbent House members were put into districts with another House member. Either some will drop out or Two Guys and A Truck are going to be busy this summer.

This week the Senate Redistricting Committee will meet to look over new district boundaries. Expect a lot of Lakeland residents to be there. Sen. Paula Dockery, R-Lakeland, who is term limited, will provide information on redistricting of Lakeland, which she and city officials hope will happen.

Of the 40 districts in the Senate, the Supreme Court found eight to be in violation of the Fair Districts Amendments. The two Senate districts that split Lakeland were not specifically cited as being unconstitutional. Instead, the Supreme Court listed its "concern."

But as Chief Justice Charles T. Canady pointed out in dissenting on the majority court opinion, concern does not prove unconstitutionality. In fact he stated none are unconstitutional in his opinion.

Lakeland officials are cautious as to whether the Senate will realign its districts, but since others have to be redrawn it would stand to reason that the process of making the other districts constitutionally correct for the majority of the court, the four Senate districts touching parts of Polk County would have to be redrawn in the process.

Dockery said Senate Redistricting Committee Chairman Don Gaetz, R-Niceville, has agreed to accept input from her on the Lakeland redistricting.

Ironically, Gaetz's own Senate district was cited as one that was unconstitutional when considering the Fair Amendments that are now part of Florida's constitution.

House members will be up for the sessions, too. But in an agreement last year, the Senate agreed not to interfere in the House's districts and the House agreed not to try to affect the Senate's drawing of its districts.

So, this is likely to be an all Senate show.

ALBRITTON: AG STILL IMPORTANT TO FLORIDA

Rep. Ben Albritton had a series of agriculture-related bills pass in the just-ended session of the Florida Legislature and he said he will keep at it, if re-elected this year.

While the state is focusing on STEM education (science, technology, engineering and math), attracting major technology companies and restarting its building industry, many from rural areas are cautioning not to leave out agriculture.

Agriculture Commissioner Adam Putnam reminded a recent gathering that agriculture is high tech, too, with disease research, hybridization and development of bio fuel vegetation.

Albritton just finished his freshman term this session with bills not only changing the Citrus Commission and Department of Citrus but a bill to expand some areas of agriculture.

“Agriculture is a huge part of Florida still and a huge part of the economy and I plan to file sound and robust agriculture policy every year,” said Albritton, a citrus grower and former chairman of the Citrus Commission.

Part of that “robust” policy passed this year to expand the types of agriculture production added smaller growers in to the fledgling Wine Growers Association.

There are many other areas to increase production, he said.

[Ledger Political Editor Bill Rufty can be reached at bill.rufty@theledger.com or 863-802-7523. His blog can be seen at www.polkpolitics.blogs.theledger.com and he is on Twitter @LedgerBill.]



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Redistricting Retry May Bring Major Effects

Fix could let official have another term, alter political landscape.

By ZAC ANDERSON

SARASOTA HERALD-TRIBUNE

Published: Tuesday, March 13, 2012 at 1:12 a.m.

Florida Senate leaders hope a few tweaks can fix their state Supreme Court-invalidated redistricting plan, but any changes could have a domino effect on local and statewide politics.

Among the impacts as the Senate convenes Wednesday for a 15-day special legislative session on redistricting: Whether Sen. Nancy Detert, R-Venice, will be eligible for another six years in office rather than the typical four-year term and the shape of the two main Senate districts that cover Sarasota and Manatee counties.

The Florida Supreme Court ruled last Friday that eight oddly-shaped Senate districts approved by the Legislature were unconstitutional and took issue with how districts across the state were numbered to stagger their election cycles in a way that allows many incumbents to serve 10 or 11 years instead of the typical eight.

Detert, who has significant power over redistricting as a member on the Senate reapportionment committee, said Monday that she has no interest in serving another six years and hopes to see that changed. She also predicted a relatively simple fix for the proposed district that stretches from Manatee County to the city of Lakeland, which was ruled unconstitutional.

"It's a noticeable aberration that we need to fix," Detert said. "When we originally did maps, we had Manatee looking more like a rectangle. That's what I would be shooting for and that might impact me. I might have to go further south and pick up a little more of Charlotte County."

Senate leaders have tried to put a positive spin on the Supreme Court ruling, noting that 32 out of the 40 districts were ruled constitutionally valid.

"Given the fact that 80 percent of our seats were ratified, I'm sure the last 20 percent will come in line with their recommendations," said Senate President Mike Haridopolos, R-Merritt Island.

Senate Reapportionment Chairman Don Gaetz, R-Niceville, said he hopes a few smaller adjustments will satisfy the court, which was tasked for the first time with interpreting a

new voter-approved constitutional amendment that requires political districts be compact and not favor incumbents.

"We're not starting with a clean sheet of paper, as some of our critics wanted us to," Gaetz said.

But changing the boundary lines for one district affects adjacent districts. Many of the 40 Senate seats could see some adjustment.

Renumbering the districts — as the Supreme Court ordered — also will have significant ramifications.

The current Senate plan switches Detert to an even-numbered district, which by state law is up for election in years not divisible by four. So even though she is currently up for election in 2012, she would only serve two years instead of the typical four-year Senate term and would face another election in 2014 for a four-year term.

Of the 29 incumbent Senators, 28 received a district number that would allow them to serve 10 or 11 year terms.

"I'm delighted that will be changed," Detert said. "I can't afford a 10-year term."

Whether Detert is eligible for another four years or six years could affect other local political careers.

The Legislature approved boundaries for new House and Senate maps to reflect population changes in the once-a-decade federal census. A coalition of groups had challenged the results, arguing that they had not complied with new constitutional anti-gerrymandering amendments voters approved in 2010.

The court upheld the state House map but in a 5-2 vote determined the Senate map unconstitutional. If the maps again are ruled unconstitutional, they would be redrawn by the Supreme Court justices.

The process must be completed in time for candidates to qualify to run in June.

[Information from the News Service of Florida was used in this report.]

The Palm Beach Post

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Haridopolos plans March 23 vote on redrawn Senate plan

By JOHN KENNEDY

Palm Beach Post Staff Writer

Posted: 7:38 p.m. Monday, March 12, 2012

Senate President Mike Haridopolos on Monday unveiled the Legislature's schedule for the upcoming special session to redraw the proposed Senate district boundaries that were declared unconstitutional by the Florida Supreme Court.

The Legislature will convene at 1 p.m. Wednesday, with the Senate Reapportionment Committee meeting afterward to be briefed by lawyers about what the court found wrong with the Senate's redistricting map. Eight districts -- including two that span Broward and Palm Beach counties, the seats currently held by Sen. Chris Smith, D-Fort Lauderdale, and Sen. Ellyn Bogdanoff, R-Fort Lauderdale -- and the Senate's renumbering of its districts were found unconstitutional.

In addition to the eight, justices expressed "concern" that the Senate divided Lakeland into two districts that tied city voters with far-flung rural residents rather than creating a city district and one outside the city.

Justices found boundaries were drawn to help incumbents more easily win re-election. The court also questioned whether the large number of Democratic-leaning minority voters placed in some districts to the exclusion of others was aimed at increasing Republican chances of capturing more neighboring districts.

After meeting Wednesday, the Senate Reapportionment Committee is scheduled to meet again the following Tuesday, March 20. The redrawn map is expected to be ready for floor debate and a final vote on March 22 and 23, although the session could run to March 28 if needed, Haridopolos said.

The House, whose redistricting plan was upheld by justices, is expected to act mostly as a bystander. With the House letting the Senate do its own line-drawing under an agreement reached months ago, most House members may stay home for most of the session, although the House will have to approve the final Senate product.

Senators not on the Reapportionment Committee also are authorized to return to their home districts when not needed on the floor.

The special session will be the Legislature's only shot at redrawing the Senate lines. Under the state constitution, a new set of lines would be crafted by the Supreme Court if the second draft fails, though the court stressed in its opinion issued Friday that it didn't want to take that step.

"The Court views its constitutional obligation of drawing a plan to be the course of last resort," Justice Barbara Pariente wrote for the majority.

The News Service of Florida contributed to this story.

Find this article at:

<http://www.palmbeachpost.com/news/state/haridopolos-plans-march-23-vote-on-redrawn-senate-2233581.html>

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MARCH 12, 2012

Legislators to return for redistricting session with Senate under fire

Fresh off a bruising 60-day session that ended Friday, the Florida Senate will remain in the spotlight this week when legislators travel back to the capital city Wednesday for a special session to redraw the court-rejected Senate map.

It will be a one-sided exercise, as the House leadership has decided to continue its "gentlemen's agreement" and allow the Senate to redraw its own lines. During the first redistricting round earlier this year, each chamber also drew its own maps but the court upheld only the House plan.

Both chambers, however, will return to Tallahassee Wednesday to convene their two-week session beginning at 1 p.m. House members will press a green button to indicate their attendance and then most of them will turn around and head home until ordered to come back to vote on the Senate map.

After the brief session convenes, the House and Senate redistricting committees are scheduled to meet Wednesday afternoon for two hours each, to get updates on the March 9 Florida Supreme Court ruling. The court voted 5-2 to reject the Senate map, specifically invalidating eight proposed districts for violating the new anti-gerrymandering rules, while it upheld the House map in its entirety 7-0.

The committees are then expected to adjourn as the Senate staff works behind closed doors to reconfigure the Senate proposal. The Senate Redistricting Committee is then set to meet again on Tuesday, March 20, to discuss a new proposed map. Senators are tentatively scheduling a floor vote on Thursday, March 22, with a final vote taken Thursday or Friday. No word yet on when the House will return to sign off.

"The court also gave us a pretty good road map on how to make the adjustments so I feel as though we can get the job done and get the job done on time," Gaetz said after

the legislature adjourned on Friday. "We're not starting with a clean sheet of paper as some of our critics wanted us to."

House Redistricting Chairman Will Weatherford, R-Wesley Chapel, said "the House is always going to show deference to the Senate when it comes to the Senate maps. But at the same time, we certainly have opinions. We're going to work with them and assist them in hopefully drawing a very legally compliant map."

In the last two months, intraparty strife amid a leadership fight has bitterly divided the Senate. Factions of Republicans have joined with the chamber's 12 Democrats to stop attempts to privatize prisons, restrict abortion laws, expand Citizens Insurance to less-regulated surplus lines and make it easier for privately-run charter schools to take over struggling public schools.

In the last week of session, it seemed as if Senate leaders couldn't round up 21 votes for anything controversial, raising doubts about how easy it will be to pass a new map that doesn't protect all the incumbents.

Gaetz emphasized Friday that the court invalidated only eight of the Senate's 40 proposed districts so the fix will be limited. But the court specifically accused the Senate of drawing districts designed to protect incumbents, including Gaetz, and because the districts are scattered in every corner of the state and include the districts of most of the Senate's incoming leadership, it is unlikely the change will not have a massive spill over effect.

In addition to Gaetz, the court rejected the districts of Sen. Greg Evers, R-Baker, who like Gaetz lives in Okaloosa County; Sen. Chris Smith of Fort Lauderdale, the incoming Senate Democratic Leader; Sen. Andy Gardiner, R-Orlando, who is campaigning to succeed Gaetz as Senate president; Sen. Ellyn Bogdanoff, R-Fort Lauderdale, and Sen. Gerald Richter, R-Naples.

Gaetz said the Senate on Wednesday will hear a presentation from attorneys and staff describing the ruling and its guidance in applying the redistricting standards. He wouldn't answer whether the Senate has already drafted an alternative but would say only that the Senate has "172 plans tee-ed up right now," referring to the dozens of

maps submitted by the public during the lengthy public hearing process. "The issue is sorting through the implications of what the court ruling was."

Lawmakers have until March 28 to complete their work and, as long as they are convened in session, they may not raise money for the re-election campaigns -- a decided disadvantage for the House whose redistricting map has pitted 38 incumbents against each other.

After the legislature passes its Senate map for a second time, Attorney General Pam Bondi will ask the court to review it again and the court will then have another 30 days to determine if the Senate followed the rules. If the court decides then that the Senate map is still out of compliance, the court is required to redraw the maps themselves.

Posted by Mary Ellen Klas at 5:05:45 pm on March 12, 2012 in

- Florida Legislature 2012
- Florida redistricting
- Florida Senate

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Mapping out Florida's redistricting special session

By [Mary Ellen Klas](#), Times/Herald Tallahassee Bureau

Published Monday, March 12, 2012

TALLAHASSEE — Florida lawmakers will remain in the spotlight this week when they return to the capital city for a redistricting special session to redraw the court-rejected Senate map.

It largely will be a one-sided exercise.

House leadership has decided to continue an agreement that allows the Senate to redraw its own lines. During the first redistricting round earlier this year, each chamber drew its own maps, but the court upheld only the House plan.

Both chambers, however, will return to Tallahassee Wednesday to convene their two-week session beginning at 1 p.m. House members will press a green button to indicate their attendance, and then most of them will turn around and head home until ordered to come back to vote on the Senate map.

After the brief session convenes, the House and Senate redistricting committees are scheduled to meet Wednesday afternoon for two hours each to get updates on the Florida Supreme Court ruling. The court voted 5-2 Friday to reject the Senate map, specifically invalidating eight proposed districts for violating the new anti-gerrymandering rules, while it upheld the House map in its entirety 7-0.

The committees are then expected to adjourn as the Senate staff works behind closed doors to reconfigure the Senate proposal. The Senate Redistricting Committee is then set to meet again on March 20 to discuss a new proposed map. Senators are tentatively scheduling a floor vote on March 22 with a final vote taken that Thursday or Friday. No word yet on when the House will return to sign off.

"The court also gave us a pretty good road map on how to make the adjustments so I feel as though we can get the job done and get the job done on time," Sen. Don Gaetz, R-Niceville, said after the Legislature adjourned on Friday. "We're not starting with a clean sheet of paper as some of our critics wanted us to."

After the Legislature passes its Senate map for a second time, Attorney General Pam Bondi will ask the court to review it again and the court will then have another 30 days to determine if the Senate followed the rules. If the court decides then that the Senate map is still out of compliance, the court is required to redraw the maps themselves.

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MARCH 12, 2012

Senate lawyers say court should decide fate of congressional map -- after November

Fresh off the heels of a major defeat in the Florida Supreme Court, lawyers for the Florida Senate are asking the court to wait until after the November elections to hear a challenge to the congressional redistricting maps that were built using the same principles the high court has already rejected.

"...under a reasonable schedule, it is practically impossible to resolve this case in time for any remedy to be implemented for the impending elections," wrote lawyers for the Florida Senate in a scheduling brief filed Monday in Leon County Circuit Court.

[Download Senate's memo re Litigation](#)

By contrast, lawyers for the League of Women Voters, the Council of La Raza and Common Cause of Florida, who filed the challenge to the maps, want the court to move quickly in resolving their claim and postpone filing dates if necessary.

They argue that if the court allows elections to go forward under the proposed districts, the court will guarantee that "all florida voters will suffer the irreparable harm of the election of members of Congress from districts that violate the Florida Constitution" and would be "a profound rewriting of the voters' intent." [Download Memorandum of Law Regarding the Court's Powers and Responsibilities in Adjudicating A Challenge to a Congressional Reapportionment Plan](#)

Legislators scheduled the regular legislative session two months early this year to accelerate the redistricting process but, rather than have the maps ready for a vote in the first week, the House and Senate waited until February to pass their final versions and send them to the governor for approval. They dismissed critics who claimed they were moving too slowly.

Now, Senate lawyers cite the "impossibly short time period before the first election under the new districts." They note that in 2002, "none of the three challenges to

Florida's new districts was decided before the 2002 primary elections" and that if the court rejects the map "there is not time for a remedy to be implemented for the 2012 Elections."

But things are a bit different than the were in 2002. For one, the state now must apply new redistricting standards approved by voters in 2010. The Florida Supreme Court ruled on March 9 that the Senate map drawn this year failed to comply with those standards so lawmakers are returning on Wednesday for a two-week special session on redistricting.

Another difference, the Florida Supreme Court detailed a series of guidelines for writing redistricting maps that the House and Senate didn't have when they wrote their congressional maps. The court commended the House for including political data using a "functional analysis" that determined how minority districts would perform when it drew its House maps. The congressional map, however, was a blend of the House approach and the rejected Senate approach.

So should legislators pull back their congressional maps and rewrite them to match the court guidelines when they meet in special session starting this week?

"We absolutely defend our maps and we feel very confident they will be upheld just like the House map," said Rep. Will Weatherford, R-Wesley Chapel, the House redistricting committee chairman on Friday. He also acknowledged the congressional maps were a compromise between the House and Senate approach.

Is it a waste of taxpayer money to pursue the congressional maps given the court's new guidance: "Absolutely not," he said.

Another difference between today and 2002: ten years ago the challenge to the congressional maps were made in federal court and involved adherence to federal voting rights laws. This year, a state court must decide if the congressional maps comply with the new state redistricting standards approved by state voters.

In its March 9 ruling rejecting the state Senate maps, the Florida Supreme Court concluded 5-2 that waiting for a trial court to sort out the issues would be "an abdication" of the court's responsibility and noted that "the right to elect representatives -- and the process by which we do so -- is the very bedrock of our democracy."

Posted by Mary Ellen Klas at 8:01:30 pm on March 12, 2012 in

- Florida Legislature
- Florida Legislature 2012
- Florida redistricting

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Posted on Tue, Mar. 13, 2012

Legislators return for special session to redraw rejected Senate map

By Mary Ellen Klas
Herald/Times Tallahassee Bureau

As Florida lawmakers reconvene Wednesday for a two-week special session to redraw the Senate maps, one question remains: Will they be able to stop themselves from protecting incumbents?

That question may be answered best by looking at one simple test: how the Senate numbers its districts.

Armed with new redistricting standards approved by voters in 2010, the Florida Supreme Court threw out the Senate's first proposed map last week on the grounds that it "was rife with indicators of improper intent" and included a district numbering scheme that "plainly favors certain incumbents"

Because of the once-a-decade reapportionment process, all 40 of the Senate districts will be up for re-election this year. Depending on how the numbering is handled, many senators could get an automatic advantage that gives them the opportunity to serve a longer term than the eight years prescribed by term limits.

In its 5-2 decision, the court established guidelines legislators should adhere to when drawing their districts and said that the House redistricting map appeared to comply with those guidelines. The Senate map, the court said, did not. The court said the Senate's map included eight districts that clearly violated the Florida Constitution's Fair Districts amendments and included a numbering scheme with a "built-in bias" that favored incumbents.

To fix the map, the House and Senate will convene in special session starting Wednesday, but it will be a one-sided exercise. The House leadership has decided to continue its “gentlemen’s agreement” to allow the Senate to redraw its own lines. House members will arrive on Wednesday to check in, then most of them will turn around and head home as the Senate spends the next week working out its redistricting fix.

Unlike the House, where 120 members each serve two-year terms, the Senate's job is admittedly more complicated. For starters, the Florida Constitution requires that senators serve four-year terms and that their terms be staggered. So normally only half of the Senate seats are up in an election year. In a redistricting year like 2012, however, everyone runs for election — meaning half of the senators get only a two-year term.

When it recently drew its maps, the Senate decided that whoever wins in even-numbered districts would get a two-year term, while those winning in odd-numbered districts will be

elected for four years.

Five senators — Don Gaetz, R-Niceville, Ronda Storms, R-Valrico, Arthenia Joyner, D-Tampa, Steve Oelrich, R-Alachua and Jeremy Ring, D-Margate — would normally be scheduled to have their terms expire in 2014. But the map submitted to the court gave them odd-numbered districts which, if they are reelected this year, would automatically gave them the opportunity to serve until 2016 — for a total of 10 years in office, two more than allowed by term limits.

When the Senate drew its first map in November, it placed many incumbent senators in districts that expire in two years. But a month later it quietly changed the number scheme and gave nearly every returning incumbent — except for Sen. Jack Latvala, R-Clearwater — a four-year term.

A coalition of voting groups flagged the switch, and the court noticed. In its 234-page ruling, the court concluded that “we can verify that at least the 16 senators that were previously eligible for eight years will now be eligible to serve a maximum of ten years,” and that three incumbents who were elected to fill a partial term and would have been originally eligible for nine years would now be eligible to serve for eleven years.

The arrangement “plainly favors certain incumbents by renumbering districts to allow them to serve longer than they would otherwise be eligible to serve.” The court then invalidated the entire Senate plan.

How does the Senate fix its maps?

Florida Democratic Party chairman Rod Smith says the answer is easy: Give four-year terms to the 11 open Senate seats and divide the remaining 29 districts in two. Half of them — either 14 or 15 — would get four-year terms, and thus the opportunity to serve a maximum of 10 years, and the remainder will receive two-year terms.

Gaetz told the Herald/Times on Tuesday that he is considering all options for revamping the district numbering scheme. He believes the Senate is required to remedy only the eight districts targeted by the court — including a district now held by Fort Lauderdale Sens. Chris Smith, a Democrat, and Ellyn Bogdanoff, a Republican.

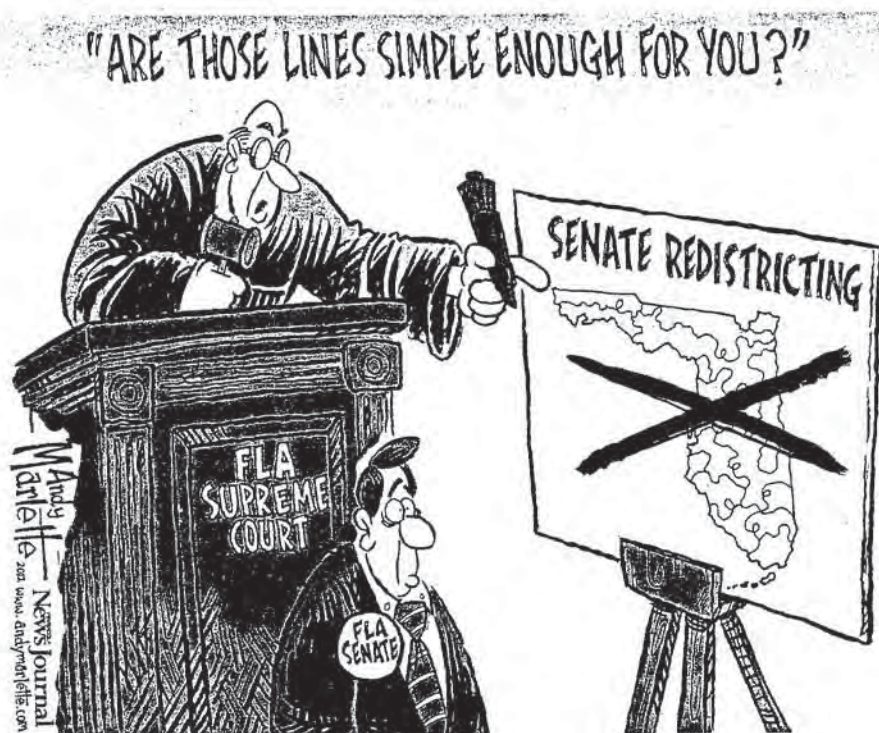
“It’s at least my intention that we conform the map to the ruling of the court, and that will probably necessitate some marginal changes to some contiguous districts,” Gaetz said. “But it is certainly not my intention to make changes to districts that were deemed by the court to be valid.”

Smith, however, calls the court ruling an “historic rejection” and believes “an entire redrawing of the Senate map is necessary.” He warned that if the Senate doesn’t get it right this time, the law requires the Supreme Court to write the maps itself.

“Contrary to what Sen. Gaetz suggests, the score is not 32 to 8,” Smith told reporters on a conference call Tuesday. “The score is zero to one. If the Senate doesn’t get it right this time, the score will be zero and two. Frankly, the Senate will not get a third shot in writing a map.”

Mary Ellen Klas can be reached at meklas@MiamiHerald.com and on

Opinion



[Andy Marlette | Pensacola News Journal]

How a simple number makes a big difference

The once-in-a-decade redistricting process requires elections in all 40 state Senate districts this year. Winners in districts with odd numbers will be elected to a two-year term while winners in even-numbered districts will be elected for four years. The difference is to stagger elections in 2016, 2018 and 2020. But as a result, the simple number of a Senate district is important. It means senators could serve 10 years in office instead of eight. How can that be? The Florida Constitution prohibits state lawmakers from running for re-election after eight consecutive years in office, which means senators who have served for six years can run for an additional term.

The Florida Supreme Court was critical of the Senate's plan to renumber districts in a ruling last week declaring the Senate maps invalid. Here are two of the changes proposed in the Senate map, which the court rejected.

Sen. Ronda Storms, R-Valrico

Elected to represent District 10 in 2006, re-elected in 2010

If her district stays even-numbered, Storms could run for a two-year term in 2012. She would be term-limited out of office in 2014.

If her district becomes odd-numbered — as the Senate proposed — Storms could run for a four-year term in 2012, staying in office an extra two years until 2016.

Sen. Andy Gardiner, R-Orlando

Elected to represent District 9 in 2008

If his district remained odd-numbered, Gardiner would run for a four-year term in 2012 and serve until 2016, when he would be term-limited.

If his district becomes even-numbered — as the Senate proposed — Gardiner would run for a two-year term in 2012. He then could run for a full four-year term in 2014, serving until 2018.

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Fla. lawmakers ready for redistricting session

The Associated Press

Published: Tuesday, March 13, 2012 at 9:58 p.m.

TALLAHASSEE — The Florida Supreme Court has given the Legislature very specific guidelines for redrawing state Senate districts when the Republican-controlled Legislature convenes a 15-day special session on Wednesday.

Friday's 5-2 ruling upheld the 120-district House map but invalidated eight of the 40 Senate districts. It also struck down the Senate's district renumbering scheme that increased the chances of incumbents to serve 10 years instead of just eight before being term-limited out of office.

The justices cited various violations of the new Fair Districts amendment on legislative redistricting and suggested ways to bring the map into compliance.

"I believe that guidance is specific and helpful," said Senate Reapportionment Committee Chairman Don Gaetz. "It is incumbent upon the Senate now to follow the direction that the court has provided us."

Gaetz, R-Niceville, and his House counterpart, Redistricting Committee Chairman Will Weatherford, R-Wesley Chapel, agree on what role each chamber will play.

"We don't anticipate that the House will be micromanaging the Senate's process," Gaetz said. "Chairman Weatherford and I have a gentlemen's agreement that we will defer to the House on House business and that the House will defer to the Senate on Senate business."

"We're going to show deference to them," Weatherford acknowledged. "It's their map."

The Supreme Court ruled the Senate map violated the amendment by intentionally favoring incumbents and the Republican Party, drawing districts that were not compact and failing to follow political and geographic boundaries whenever feasible.

The ruling also faulted the Senate for relying solely on voting age population in attempting to comply with another provision that protects the ability of racial and language minorities to elect legislators of their choice.

The justices noted other states and the U.S. Justice Department, which must review Florida's maps for compliance with the federal Voting Rights Act, use registration numbers and analyses of performance in past elections.

A congressional redistricting map, meanwhile, is being challenged in state Circuit Court. Senate lawyers on Monday asked a Tallahassee judge to delay it until after this year's elections, arguing there's not enough time.

The Florida Democratic Party will oppose the delay, said its chairman, Rod Smith. He said on Tuesday it's a stalling tactic because the congressional map has some of the same problems the Supreme Court found in the Senate plan.

The Democrats and three nonpartisan groups that backed the Fair Districts amendments, one each for legislative and congressional redistricting, are challenging the congressional plan. Smith said no decision yet has been made on whether to also challenge details of the state House map in trial court although the Supreme Court has given it general approval.

Gaetz' long, narrow district, which hugs the coastline for about 100 miles in the western Panhandle, is among those invalidated.

It slices through county lines, creating a similarly elongated inland district to the north for Sen. Greg Evers, R-Baker.

The high court rejected the Legislature's argument the two districts comply with the compactness requirement because each has a distinct community of interest — one coastal and the other rural. The justices pointed out that there is no constitutional requirement for communities of interest.

Following county lines could put Evers and Gaetz, both from Okaloosa County, in the same district.

The high court also rejected the Senate's use of minor roads and streams as boundaries but endorsed the House's approach of only using "easily ascertainable and commonly understood" geographic boundaries.

The justices invalidated two other long, narrow districts in northeast Florida, one currently occupied by Sen. John Thrasher, R-St. Augustine, and the other by Sen. Audrey Gibson, D-Jacksonville, because they are not compact and were drawn to favor incumbents and the GOP. Gibson's district has a 47.7 percent black voting age population as drawn by the Senate.

The Senate did not include voter registration or election data in its redistricting software, but the House did. The justices used the House software to show blacks could retain their candidate preference with a smaller voting age population in Gibson's district. That would make both districts more compact, Justice Barbara Pariente wrote for the court. It also would make Thrasher's district less Republican.

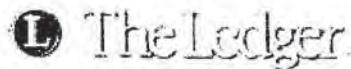
The high court rejected a similar pair of Democratic and Republican districts in South Florida. One includes the home of Sen. Chris Smith, a black Democrat from Fort Lauderdale. The other encompasses the Fort Lauderdale home of Sen. Ellyn Bogdanoff, a white Republican.

Smith's current district has a 60.7 percent black voting age population. The Senate's replacement district would drop it to 55.8 percent. The Fair Districts coalition proposed a more compact district with a voting age population virtually identical to the Senate plan.

That also would require changing several adjoining districts as well as Bogdanoff's. The result would be five Democratic districts in the area compared to only four under the Senate plan and shows the Senate drew its map to benefit an incumbent as well as the GOP, Pariente wrote.

The high court concluded the Senate also used minority protection for a district currently held by Sen. Gary Siplin, a black Democrat from Orlando who cannot seek re-election due to term limits, as an excuse to create a safe adjoining district for Sen. Andy Gardiner, R-Orlando, by drawing an odd appendage that takes in his home. That violates the compactness standard, Pariente wrote.

She also cited lack of compactness for invalidating a district for Sen. Garrett Richter, R-Naples.



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Senate Preparing New Redistricting Map

By *Lloyd Dunkelberger*

LEDGER TALLAHASSEE BUREAU

Published: Wednesday, March 14, 2012 at 9:32 p.m.

TALLAHASSEE | Florida lawmakers began a 15-day special session Wednesday to redraw Senate district lines after the Florida Supreme Court ruled the maps did not meet new constitutional anti-gerrymandering standards.

Senate Reapportionment Chairman Don Gaetz, R-Niceville, said he would offer a revamped Senate map by noon Saturday, with his committee scheduled to review the measure Tuesday. The full Senate will consider the map March 22.

Then the map will be taken up by the House before the session's scheduled end March 28.

House Redistricting Chairman Will Weatherford, R-Wesley Chapel, said the House will let the Senate "take the lead" on redrawing the Senate map. After the new map is approved by the Senate, the House will return to Tallahassee on March 26 to "scrutinize" the Senate plan before a final floor vote, Weatherford said.

The state's highest court has singled out eight of 40 Senate districts for violating the - constitutional Fair Districts standards — approved by voters in 2010 — including failing to meet a compactness measure and for favoring incumbents in some circumstances.

One area highlighted by the court — but not invalidated — involved a Manatee County district that stretches north to Lakeland. The ruling also raised concerns about the division of Lakeland in the redistricting plan.

Sen. Paula Dockery, R-Lakeland, who is not a member of the Senate redistricting committee, said she was lobbying for a plan that would put most of Lakeland into one Senate district.

She also said she wanted to see Polk County, which has some 600,000 residents, divided into fewer Senate districts. "I think that would make a lot more sense," she said.

The current map divides Polk into four districts with only one district being dominated by Polk residents.

The court has also cited the numbering system for the districts, ruling the current scheme favors incumbents by allowing them to run for terms that could exceed the

state's "eight is enough" constitutional mandate that generally limits senators to two, four-year terms.

Florida Democratic Party Chairman Rod Smith and other critics have called for a major overhaul of the 40 Senate districts.

But Gaetz said the idea of "starting all over again and throwing out" all of the Senate's prior work would not happen. "Only people who enjoy chaos would like to do that," Gaetz said.

Senate Rules Chairman John Thrasher, R-St. Augustine, whose coastal district near Jacksonville and Daytona Beach was cited in the ruling, said the maps can be corrected quickly.

One of the thorniest problems facing the Senate is the district numbering system. Depending on how the numbers are assigned, some senators will run for a truncated two-year term this fall, while others will have a four-year term.

But some senators, who would get the shortened terms this fall, could run for another four-year term in 2014, allowing them to serve 10 years in office.

John Guthrie, staff director for the Senate redistricting panel, outlined a handful of options for settling the numbering issue, including randomly selecting the numbers or assigning the numbers based on a geographic formula.

Another option would be a formula to limit incumbents to eight years in office. For instance, a senator who has served four years heading into the fall elections would run for another four-year term, while senators having been elected in 2010, would get a two-year term, allowing them to run for a full four-year term in 2014.

The House plan was unanimously approved by the Florida Supreme Court.

And as a sign that it did not favor incumbents, the House map potentially pits 38 incumbents against each other in the 120 new districts. The Senate map placed no incumbents in the same districts.

Some Senate incumbents may face competition in the revamped Senate map. "I would suspect that would be the case," Gaetz said.

<http://www2.tbo.com/news/politics/2012/mar/13/florida-lawmakers-ready-for-redistricting-session-ar-368588/>



Published: March 13, 2012

Updated: March 14, 2012 - 1:39 PM

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Florida lawmakers giving redistricting another try

By TBO.com | The Associated Press Associated Press | The Associated Press

The Republican-controlled Florida Legislature is back in Tallahassee only five days after ending its regular session.

Lawmakers on Wednesday began a special session on legislative redistricting because the Florida Supreme Court invalidated the Senate map. The justices, though, upheld the House plan.

Both chambers convened, but the action will be in the Senate. House leaders have agreed to defer to the Senate as they did when the maps initially were drawn during the regular session.

The justices found the Senate map violated a new anti-gerrymandering amendment to the state constitution. That's because it favored incumbents and Republicans, included districts that weren't compact and failed to follow political and geographic boundaries whenever possible.

The Senate plans to send a revised map to the House by the end of next week.

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The Palm Beach Post

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Groups urge Florida Senate to be more open in second try at redistricting

By JOHN KENNEDY

Palm Beach Post Staff Writer

Posted: 7:53 p.m. Thursday, March 15, 2012

Organizations that disputed the Florida Legislature's first round of redistricting fired off a letter Thursday to Senate Reapportionment Chairman Don Gaetz urging that he make public the Senate's latest attempt at redrawing district boundaries.

The League of Women Voters, La Raza and Common Cause-Florida said they were unhappy with Gaetz's plan to have legislative staffers draw a new map but not make the results public until Saturday, when it would be released as a proposal for the Senate to consider next week.

"Since the Supreme Court expressly found that the original 'Senate plan is rife with objective indicators of improper intent,' it is crucial that the redrafting process be done in the sunshine so that the people of Florida can know the motivations for drawing each line," the groups wrote to Gaetz, R-Niceville.

The league, La Raza and Common Cause submitted their own proposed maps, which the Florida Supreme Court used in rejecting the Senate's plan in a 5-2 ruling last week.

Justice Barbara Pariente, writing for the majority, cited several examples where the so-called "coalition plan" included more compact districts than the legislature's plan. The groups also avoided packing minority voters within select boundaries, which the court said appeared aimed at helping incumbents win re-election and the ruling Republican Party maintain its dominance in Tallahassee under the Legislature's plan.

The letter concluded, "Senator Gaetz, Floridians should have an opportunity to observe the staff and senators as they redraw and to assess for themselves the intent of the drafters. We urge you to conduct the redrafting process in an open and transparent way that reassures voters about the integrity of our system."

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The Palm Beach Post

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Proposed Fla. Senate redistricting map expected

The Associated Press

Posted: 3:06 a.m. Saturday, March 17, 2012

Legislative staffers are drafting a proposal for revising the Florida Senate's redistricting map.

Senate Reapportionment Committee Chairman Don Gaetz said he expects it to be released Saturday.

The proposal would attempt to fix violations of new anti-gerrymandering standards in the Florida Constitution found by the state Supreme Court.

Lawmakers convened in special session Wednesday to begin working on fixes. The justices, though, upheld the House's redistricting plan.

The staff proposal will be presented to Gaetz' committee on Tuesday. The panel then will submit a revision to the full Senate for a final vote by the end of the week.

The House will consider it the following week.

The plan then goes back to the Supreme Court. If the justices again find problems they can revise the map themselves.

March 17, 2012 03:06 AM EDT

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<http://www.palmbeachpost.com/news/state/proposed-fla-senate-redistricting-map-expected-2243298.html>[Print this page](#)
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OrlandoSentinel.com

The Senate's multi-dimensional redistricting quandary

Aaron Deslatte

Capitol View

March 18, 2012

TALLAHASSEE – It helps to visualize Florida's redistricting process as one of those multi-level board games from 'Star Trek' where some android or Vulcan is sitting in a bar and trying to strategize at different levels simultaneously.

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You've got the chore of re-drawing new Senate districts, which by itself is a mind-warping exercise. Since districts have to be of roughly equal population, any changes one might make to, say, Senate Majority Leader **Andy Gardiner's** invalidated seat in Orange and Lake counties, have a spillover effect on the surrounding districts. "That's just the reality," he said last week.

But that's just one reality in an infinite universe of redistricting wormholes.

The Supreme Court's 5-2 ruling found the Senate had over-played its hand when it asserted that any and every jagged line or "appendage" on its map was necessary to protect minority-voting rights. Curbing partisan gamesmanship was also a priority under the new constitutional rules – one lawmakers can't dodge by using race as a "shield," the court said.

The court's 30-day review also raises legal questions about the Legislature's congressional maps, which weren't subject to automatic Supreme Court review. Those maps were a product of compromise between the approach the Florida House used to draw its districts – which the court upheld – and the Senate's invalidated strategy.

That's why the Florida Democratic Party and the groups that supported Fair Districts are so hell-bent on getting their lawsuit against the congressional maps fast-tracked.

And we haven't even mentioned the federal "Section 5" preclearance required from the U.S. Department of Justice before the maps become official. That review will have to re-start once new Senate districts are drawn, and it is possible Florida will ask to have that case removed to federal court in Washington, D.C. – as it did with the preclearance of last year's challenged election-law changes.

Need **Whoopi Goldberg** to drop in with one of those blue drinks? You're not alone.

The Senate last week asked for a delay in the congressional lawsuit until after the 2012 elections, because there are so many balls in the air right now – and drawing districts has been made exponentially more complex by Fair Districts.

"It is not necessary — and is wholly impractical and unreasonable — to resolve Plaintiffs' claims in time for any remedy to be implemented before the 2012 elections," Senate lawyers wrote to the Leon County court hearing the case. "The demands resulting from the need to draw new Senate districts, the demands of Section 5 [federal] preclearance, and the need to account for appellate and remedial proceedings make it impossible to resolve any case in this short time frame, let alone a case involving a host of complex and novel redistricting claims."

But the Fair Districts groups said it would be unreasonable to hold elections for 27 congressional districts that may or may not be constitutional.

"It's flat-out wrong to have an election when it's questionable whether these districts are constitutional," said Fair Districts Now counsel **Dan Gelber**.

One last mind-meld: the same lawmakers in charge of drawing the maps also helm the Republican Party's 2012 House and Senate campaign efforts. So, while Senate Reapportionment Chairman **Don Gaetz**, R-Niceville, is re-drawing the electoral landscape this week, he has to juggle raising money and trying to elect as many GOP senators as possible.

And thanks to the court ruling, he may also have to draw himself into the same Senate district as incumbent Sen. **Greg Evers**, R-Baker, who plans to run against him in that scenario.

"I like to campaign," Gaetz said. Hope he likes Romulan ale, too.

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The Palm Beach Post

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New Senate plan costs Palm Beach County one district, forces incumbent face-offs

By JOHN KENNEDY, GEORGE BENNETT AND ADAM PLAYFORD

Palm Beach Post Staff Writer

Updated: 10:43 p.m. Saturday, March 17, 2012

Posted: 6:10 p.m. Saturday, March 17, 2012

Eight days after the Florida Supreme Court rejected the Legislature's first plan for redrawing Senate boundaries, a new proposal was unveiled Saturday that Republican leaders say will fix failings cited by justices.

But the revised plan creates its own controversies, including potential re-election challenges for a number of incumbents whose future had looked assured under the rejected map, including a few in Palm Beach County.

"We believe it complies with the court's opinion," said Senate Reapportionment Committee Chairman Don Gaetz, R-Niceville.

"I don't know how many incumbents would be in the same districts as others," he added. "But the court seemed to see that as something which showed we weren't favoring incumbents."

The latest map is scheduled to be reviewed Tuesday by Gaetz's committee. The Legislature is in special session until March 28 to finalize a revised plan for Supreme Court approval.

While the court found specific problems with eight Senate districts, including two in Palm Beach County, in the earlier plan, Gaetz said the boundaries of 24 Senate seats have been modified in the new proposal.

Among developments in the new plan, Palm Beach County would lose two Senate districts from the six it currently has and one from the five that were in the proposal thrown out by the court.

Palm Beach County commissioners have said they wanted at least three districts with a majority voting population in the county. The latest proposal meets that goal, with a fourth district, a Treasure Coast-dominated District 25 now held by Sen. Joe Negron, R-Stuart, including the Jupiter-Tequesta area.

Still, the new map quickly sent political dominoes tumbling.

Sens. Maria Sachs, a Delray Beach Democrat, and Ellyn Bogdanoff, R-Fort Lauderdale, are likely to face off for a redrawn coastal district stretching from Fort Lauderdale to Boynton Beach.

Former Democratic state Rep. Kevin Rader, who recently launched a primary challenge against Sachs, said he's weighing which seat he will seek if the new map becomes final.

Under the earlier plan, the district had been positioned as a launching pad for Bogdanoff's re-election, but the proposed map makes the district, temporarily numbered as District 32, more favorable for Democrats. Even so, Bogdanoff said Saturday she would probably still run for the district this fall.

Justices had condemned the first boundaries of that district and a parallel District 34 for Sen. Chris Smith, D-Fort Lauderdale, as meandering too far north into Palm Beach County, which they said were aimed at collecting Republican voters likely to support Bogdanoff and Democratic voters for Smith.

In both cases, they said the Legislature failed to meet new constitutional standards prohibiting lines that favor incumbents or political parties.

Smith would be positioned to run for a redrawn, more compact district confined to Broward County that contains a 65.6 percent minority population -- 48.9 percent non-Hispanic black and 16.7 percent Hispanic.

In another potential match-up, Reps. Jeff Clemens, D-Lake Worth, and Mack Bernard, D-West Palm Beach now are eyeing a redrawn, heavily Democratic seat, temporarily numbered District 29, with 24.6 percent non-Hispanic

black and 27.4 percent Hispanic populations. The seat's central county boundaries include portions of each man's current House district.

Rep. Joe Abruzzo, D-Wellington, continues to focus his candidacy on a district that covers almost all of the county west of Florida's Turnpike. The designated District 27 also ventures to the coast to include Palm Beach Gardens, Juno Beach and North Palm Beach.

But Florida Democrats, whose lawyers argued against the Legislature's earlier Senate map before the Supreme Court last month, said the latest version was no improvement.

Even though more voters are registered as Democrats than Republicans in Florida, Republicans have the edge among voters in 21 of 40 Senate seats under the plan unveiled Saturday, just as they do under the current districts created in 2002. Under the plan rejected by the court, they would have had more voters in 22 districts.

A comparison of how the plans would have gone in the 2008 presidential election shows Obama won 20 Senate districts as they exist now and would have won 16 under the Senate's original proposal and 17 under Saturday's plan.

Republicans currently hold a 28-12 advantage in the Senate.

"The map Sen. Don Gaetz has proposed brings us no closer to complying with the court's ruling and is nothing more than a thinly veiled attempt by the GOP Senate leadership to stall the implementation of Fair Districts and cling to their gerrymandered power," said Florida Democratic Chairman Rod Smith.

Palm Beach County Democratic Chairman Mark Alan Siegel sounded a similar note: "This map is about as likely to survive as the last map. These guys just don't get it. It's incumbent-protecting. It's partisan."

Democrats had joined with the League of Women Voters, La Raza and Common Cause-Florida, in opposing the earlier maps, which they said ignored standards set by Amendments 5 and 6, the so-called Fair Districts measures.

Justices unanimously upheld the Legislature's plan for redrawing House seats March 9, but in a 5-2 decision, ruled the Senate plan unconstitutional.

Among the eight Senate districts singled-out by the court as invalid were those held by Gaetz, Senate Majority Leader Andy Gardiner, R-Orlando, and Senate Rules Chairman John Thrasher, R-St. Augustine, a former state Republican chairman.

During the recent legislative session, Gaetz and Thrasher aligned in an unsuccessful attempt to oust Gardiner as the likely Senate president in 2014.

In the newly redrawn boundaries, Gardiner faces the stiffest challenge, with his district recast to where he could be forced to run against an ally, fellow Republican Sen. David Simmons, R-Altamonte Springs.

The new map avoids placing Gaetz's home in the same district as another Senate Republican, Greg Evers, R-Baker, although both live in the same Panhandle county.

Although Thrasher's district stays mostly intact, it appears to have gained Democratic voters.

In another attempt at avoiding charges of incumbent favoritism, Gaetz said a west-central Florida Senate district where House budget chief Denise Grimsley, R-Sebring, is an expected candidate now includes the home of another popular Republican, former Rep. Bill Galvano of Bradenton.

The Supreme Court also faulted the numbering of Senate districts in the first plan, saying it was designed to assure that virtually all incumbents were in line to serve as much as 10 years.

Senators usually serve four-year terms with half of them elected in one two-year cycle, and the other half elected in the next cycle. But in a redistricting year like this one, half are elected to a two-year term and then are eligible to run for two more four-year terms.

Under the plan released Saturday, districts have been assigned only temporary numbers, Gaetz said.

The proposal envisions final district numbers selected through a random, "incumbent neutral" process, eventually conducted on the Senate floor, with consultants from the Florida Lottery possibly on hand, Gaetz said.

"The court has given us very specific guidelines about what we need to correct," he said.



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New Senate redistricting plan unveiled

*By Lloyd Dunkelberger
Tallahassee bureau*

Published: Saturday, March 17, 2012 at 6:29 p.m.

TALLAHASSEE — Boundary lines for two dozen state Senate districts have been modified under a plan released Saturday by Senate Reapportionment Chairman Don Gaetz, R-Niceville, in response to the Florida Supreme Court's decision to reject the original Senate redistricting plan.

The new map will result in some Senate incumbents being forced to run against each other. In contrast to the original Senate map, which had no such matchups, the House map, which was approved by the court, had 38 incumbents in contested districts.

Lawmakers are reworking the Senate map during a 15-day special session on redistricting that is scheduled to run through March 28.

The Legislature is required to redraw legislative and congressional district boundaries every 10 years to reflect population changes found in the most recent census. A coalition of groups had filed suit over the legislative maps, saying they failed to comply with voter-approved constitutional amendments to prevent gerrymandering.

The proposed Senate map is designed to resolve the objections raised by the Florida Supreme Court, which singled out eight of the 40 Senate districts for violating the constitutional Fair Districts standards — approved by voters in 2010 — including failing to meet a compactness measure and for favoring incumbents in some circumstances.

Gaetz said he believes the new map will meet that test, although it will be subject to debate and amendments as it moves through the committee on Tuesday and then to the Senate floor later in the week.

"Our intent is to comply completely and faithfully with the opinion of the Supreme Court," Gaetz said. "As chairman of the committee, I have no interest in catering to the convenience of any senator or any challenger."

Gaetz said that while the eight districts were substantially changed as a result of the court decision, the new map in total modifies 24 districts "in some way." He said that should answer the critics — including some Democrats — who said the Senate's intent was to only "tweak" the map.

But Democratic Party Chairman Rod Smith of Gainesville immediately criticized the new Senate plan.

“The map Sen. Don Gaetz has proposed brings us no closer to complying with the court’s ruling and is nothing more than a thinly veiled attempt by the GOP Senate leadership to stall the implementation of Fair Districts and cling to their gerrymandered power,” Smith said in a statement. “It’s clear they have no intent to comply with the court’s ruling.”

Gaetz said he had not seen analysis as to how many Senate incumbents or challengers who had been seeking open seats would end up in contested races. But he said senators “will be pitted against each other.”

Among the more interesting showdowns that could emerge include an Orlando area fight between Sen. Andy Gardiner, R-Orlando, who is running for Senate president in 2014, against Sen. David Simmons, R-Maitland, one of his key supporters.

Gardiner was involved in a leadership battle this spring to retain his place in line for the Senate presidency.

Gaetz’s proposal also offers a novel idea for addressing another criticism from the court over the numbering of the districts. Depending on whether a senator receives an odd or even number, the senator could serve either a two- or four-year term after the 2012 elections.

To remove any suggestion of bias, Gaetz has proposed that the numbers be assigned randomly by a public drawing on the Senate floor that would ultimately result in 20 seats getting an even number, a two-year term, and 20 seats getting an odd number, a four-year term.

The numbers now assigned to the districts are merely “placeholders” until the issue is resolved, Gaetz said.

Gaetz said he remains open to modifications of either the Senate map or the numbering assignments.

“I’m not going to be lobbying for the chairman’s proposal,” Gaetz said. “I simply have laid out a proposal that we believe and our attorneys believe is compliant with the Supreme Court ruling. I view it as a template.

“If anyone has a better idea,” Gaetz added, “I have an open mind, and I am willing to consider it.”

[OP-ED COLUMN]

Going Back to the Drawing Board

By Lloyd Dunkelberger

Published: Sunday, March 18, 2012 at 12:01 a.m.

Last Modified: Saturday, March 17, 2012 at 9:06 p.m.

Florida legislators are getting their second chance to draw state Senate district lines as part of the once-a-decade redistricting process.

Led by the Senate, the Legislature will use the 15-day special session, which is scheduled to end March 28, to recraft the district lines after a state Supreme Court ruling invalidated the first map.

The state's highest court cited problems with eight of the 40 districts, including a lack of compactness and lines that could favor some incumbents.

Once finished by the Legislature, the new map will be sent back to the Florida Supreme Court. But the big difference in the second round is if the court rejects the second try, the seven justices will draw the Senate lines. The court has already approved the map for the 120 House seats.

A court-drawn legislative map last happened in the 1992 redistricting session when the Democrats controlled the Legislature.

Senate Reapportionment Chairman Don Gaetz, R-Niceville, said he believes lawmakers can resolve the court's concerns — which are largely based on two new constitutional amendments setting redistricting standards.

"It could happen," Gaetz said about a court-drawn Senate map. "But I believe that we did our job. The court has done its job. Now the ball is back in our court to respond. And we intend to respond in a compliant fashion."

Gaetz said while some individual senators have raised questions with the court's critique of the first map, he said his committee will advance a revised map in the coming week that addresses the court's issues.

"I'm not in the business of arguing with the Supreme Court," he said.

Going Back to the Drawing Board By Lloyd Dunkelberger

Florida legislators are getting their second chance to draw state Senate district lines as part of the once-a-decade redistricting process. Led by the Senate, the Legislature will use the 15-day special session, which is scheduled to end March 28, to recraft the district lines after a state Supreme Court ruling invalidated the first map. The state's highest court cited problems with eight of the 40 districts, including a lack of compactness and lines that could favor some incumbents. Once finished by the Legislature, the new map will be sent back to the Florida Supreme Court. But the big difference in the second round is if the court rejects the second try, the seven justices will draw the Senate lines. The court has already approved the map for the 120 House seats. A court-drawn legislative map last happened in the 1992 redistricting session when the Democrats controlled the Legislature. Senate Reapportionment Chairman Don Gaetz, R-Niceville, said he believes lawmakers can resolve the court's concerns — which are largely based on two new constitutional amendments setting redistricting standards. "It could happen," Gaetz said about a court-drawn Senate map. "But I believe that we did our job. The court has done its job. Now the ball is back in our court to respond. And we intend to respond in a compliant fashion." Gaetz said while some individual senators have raised questions with the court's critique of the first map, he said his committee will advance a revised map in the coming week that addresses the court's issues. "I'm not in the business of arguing with the Supreme Court," he said. "I'm in the business of complying with the Supreme Court. We'll do so to the best of our ability, and based on the will of this committee and the will of the Senate. And I hope that will be sufficient." Gaetz said the redistricting process this year has been complicated by the new constitutional standards — which were aimed at limiting the gerrymandering of districts and were adopted by voters in 2010. "We're charting new ground," he said. But Gaetz said he was "delighted" with the court's approval of the House's new districts and noted the court ruling basically upheld 32 of the Senate's 40 districts. "But we still have some work to do," he said. Meanwhile, an interested observer of the process is the Senate Reapportionment Committee's vice chair, Sen. Gwen Margolis, D-Aventura. Margolis was the Senate president during the 1992 redistricting that eventually saw the Supreme Court draw the legislative lines. Margolis said making adjustments to the maps was expected. "It happens really with every reapportionment. There are issues that have to be taken care of," she said. "I will be delighted if we can get this done in 15 days."

WINNER OF THE WEEK Pill-mill fight. Gov. Rick Scott and Attorney General Pam Bondi announced the state is winning its battle against illegal pill-mill clinics, shutting down some 213 clinics in the past year and arresting 34 doctors for their roles. Florida once had the distinction of being the nation's pill-mill capital.

LOSER OF THE WEEK Florida jobs. Florida led the nation in month-over-month job losses in January, losing nearly 39,000 jobs. The good news was that Florida's unemployment rate dipped to 9.6 percent — its lowest rate in three years.

QUOTE OF THE WEEK "Essentially, it codifies a dysfunctional bureaucratic system into law and asks Floridians to pay for it," Christopher Holley, executive director of the Florida Association of Counties, said in a letter asking Gov. Rick Scott to veto a Medicaid bill.

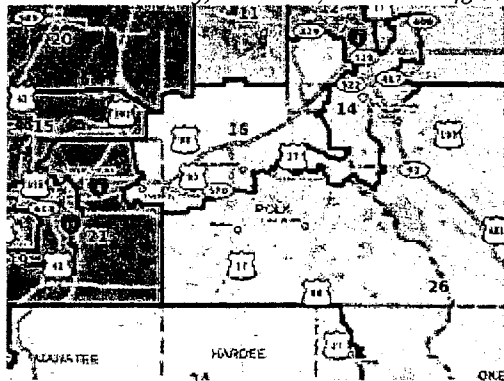
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Florida Senate Redistricting: New Plan Favorable To Polk

By *Lloyd Dunkelberger*

LEDGER TALLAHASSEE BUREAU

Published: Sunday, March 18, 2012 at 12:43 a.m.



TALLAHASSEE | Lakeland will be made whole under a new Senate redistricting map that reduces the number of state senators representing Polk, while also increasing the county's potential political influence in Senate elections.

The new districts are part of a plan released Saturday by Senate Reapportionment Chairman Don Gaetz, R-Niceville, in response to the Florida Supreme Court's decision to reject the original Senate redistricting plan.

Lawmakers are reworking the Senate map as part of a 15-day special session on redistricting that is scheduled to run through March 28.

Although the court did not invalidate the original Senate districts for Polk County, the justices had raised "concerns" about the division of Lakeland. The original map had Lakeland split between districts, including a district that ran south into Hillsborough and Manatee counties.

The new map puts the bulk of Lakeland into Senate District 16, with Polk County claiming 70 percent of the district's residents. The district also includes Plant City, Polk City, Auburndale, Lake Alfred and a small portion of Osceola County.

But it also includes a good chunk of Orange County, including the vast Disney World complex in the southwestern portion of that county.

That district is currently represented by Sen. Paula Dockery, R-Lakeland, who is not seeking re-election.

The Republican primary race in that district will likely be between Auburndale Mayor Jack Myers and Rep. Kelli Stargel of Lakeland, who won't have to move to the district to run, as she had planned, if Saturday's map holds up.

"It is really not finalized until the Senate votes and I expect some folks unhappy with the changes will try to add amendments," Myers said. "But I will be running in whatever district I am in."

Stargel said she was pleased with the tentative changes.

"I am glad to see not only the city itself, but the suburbs are all in one district," she said. "But I am also glad to see that the Four Corners area, although not in the new Senate district, was made whole. It had been chopped up."

An avid golfer, Myers joked about his good fortune of possibly being able to represent a reconstructed Senate District 16. "It's a wonderful district. It now includes Solivita, Southern Dunes, Bay Hill, Grasslands, Lone Palm and Orange County National," he said with a laugh, referring to a number of golf courses in the revised district.

The new map also reduces the number of Senate seats in Polk from four to three. But the new configuration also means that Polk could likely dominate elections in two districts, 16 and 26, which would have more than half of its residents drawn from Polk County.

District 26, which is now represented by Sen. J.D. Alexander, R-Lake Wales, who is not running for re-election, will be substantially changed under the new map.

In addition to being dominated by Polk, the new district loses some of its original counties, including Hardee, Glades and DeSoto, which are being moved into a district dominated by Manatee County.

It also loses a large share of Highlands County — with county residents dropping from 21 percent of the district's population to 5 percent.

The new boundaries caught the attention of former Rep. Baxter Troutman, who was term-limited in 2010, but admitted Saturday that he was looking into the possibility of running again.

Troutman is the cousin of Alexander, who currently represents District 17, which will eventually become District 26 if the new map passes. The relatives have a contentious history in the political arena and Alexander once had Troutman banned from the Senate floor when he was a House member.

The district, which only had about 25 percent of its voters in Polk County in the first map, now has more than 50 percent.

"I am looking at the district," said Troutman when reached in the midst of a hunting trip Saturday. "I have said I was interested in looking at it depending on how it was drawn. I

have been flattered to have been called by four or five senators and local business folks about it, but I have not decided yet."

His political consultant in Tallahassee sent out a release Saturday acknowledging that Troutman was studying a run for the district's Senate seat.

The third district, No. 14, includes only a small portion of Polk, with county residents representing 8 percent of that district's population; the district is dominated by Osceola and Orange residents.

The new Senate map is designed to resolve the objections raised by the Florida Supreme Court, which singled out eight of the 40 Senate districts for violating the constitutional Fair Districts standards — approved by voters in 2010 — including failing to meet a compactness measure and for favoring incumbents in some circumstances.

Gaetz said he thinks the new map will meet that test, although the map will be subject to debate and amendments as it moves through the committee on Tuesday and then to the Senate floor later in the week.

"Our intent is to comply completely and faithfully with the opinion of the Supreme Court," Gaetz said. "As chairman of the committee, I have no interest in catering to the convenience of any senator or any challenger."

Gaetz said while the eight districts were substantially changed as a result of the court decision, the new map in total modifies 24 districts "in some way." He said that should answer the critics — including some Democrats — who said the Senate's intent was to only "tweak" the map.

But Democratic Party Chairman Rod Smith immediately criticized the new Senate plan.

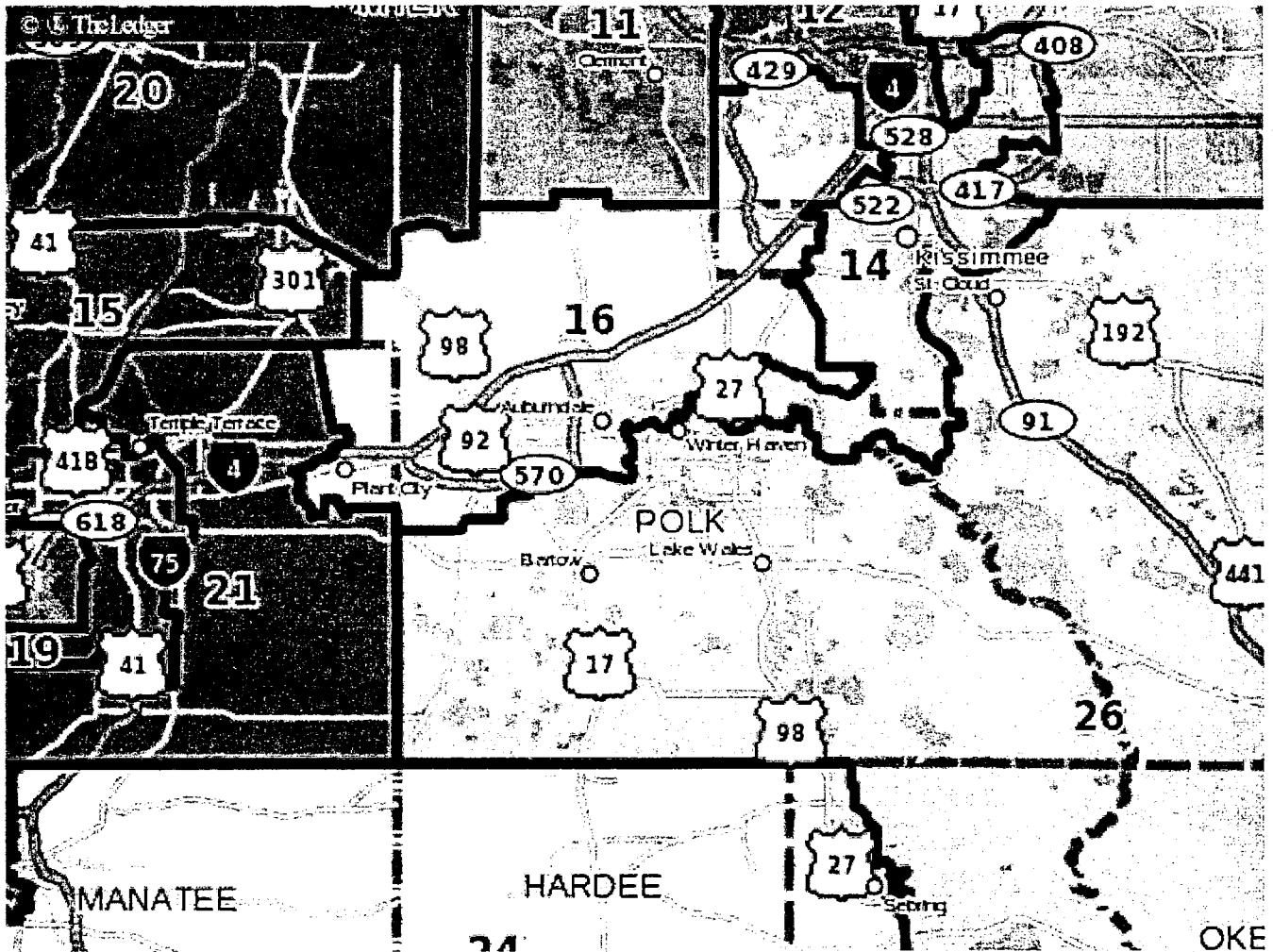
"The map Sen. Don Gaetz has proposed brings us no closer to complying with the court's ruling and is nothing more than a thinly veiled attempt by the GOP Senate leadership to stall the implementation of Fair Districts and cling to their gerrymandered power," Smith said in a statement.

The new map will also result in some Senate incumbents being forced to run against each other. In contrast to the original Senate map, which had no such matchups, the House map, which was approved by the court, had 38 incumbents in contested districts. Among the more interesting showdowns that could emerge include an Orlando area fight between Sen. Andy Gardiner, R-Orlando, who is running for Senate president in 2014, against Sen. David Simmons, R-Maitland, one of his key supporters.

Gaetz's proposal also offers a novel idea for addressing another criticism from the court over the numbering of the districts. Depending on whether a senator receives an odd or even number, the senator could serve either a two- or four-year term after the 2012 elections.

[Ledger Political Editor Bill Rufty contributed to this report]

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<http://www2.tbo.com/news/politics/2012/mar/17/1/proposed-florida-senate-redistricting-map-expected-ar-381988/>



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Proposed Florida Senate redistricting map released

By TBO.com | The Associated Press Associated Press | The Associated Press

Senate Reapportionment Committee Chairman Don Gaetz proposed a new redistricting map for the 40-seat chamber today to fix constitutional flaws that the Florida Supreme Court cited when it kicked the plan back to lawmakers.

The Niceville Republican proposed new lines for eight districts singled out by the high court, including his own. He also suggested the random selection of district numbers, which would be conducted in public with help from the Florida Lottery.

One of the justices' criticisms was that the Senate map, including district renumbering scheme, intentionally favored incumbents and the GOP majority. That's prohibited by new Fair Districts standards in the Florida Constitution, which are aimed at preventing gerrymandering.

Gaetz' proposed revision, though, would continue to keep nearly all incumbents from running against each other and would maintain an overwhelming GOP majority, critics said. Republicans currently have a 28-12 edge in the Senate although Democrats have a slight advantage in voter registration statewide.

"The map Sen. Don Gaetz has proposed brings us no closer to complying with the court's ruling and is nothing more than a thinly veiled attempt by the GOP Senate leadership to stall the implementation of Fair Districts and cling to their gerrymandered power," Florida Democratic Party Chairman Rod Smith said in a statement.

Gaetz, who is in line to become Senate president in November, issued a brief analysis showing how each defective district would be brought into compliance with the Supreme Court's ruling. He also sent colleagues a memo touting his renumbering proposal.

"A random selection of district numbers will avoid any suggestion that the Legislature assigned district numbers with an intent to favor or disfavor incumbents," Gaetz wrote.

Half of the Senate usually runs every two years, from even- or odd-numbered districts, to keep the terms staggered, but all 40 seats are open in redistricting years.

The Supreme Court said the current plan was designed so the maximum number of incumbents could serve 10 or 11 years under an exception to eight-year term limits in the constitution. That's because some senators, depending on whether they are in odd- or even-numbered districts, would get four-year terms and others two-year terms this year to keep them staggered so only half are up for election in non-redistricting years.

The eight-year constitutional term limit lets senators run for another four-year term if they've served six or seven years as a result of redistricting or special elections.

Florida Democratic Party executive director Scott Arceneaux called the random numbering proposal "spineless." He said the Senate, instead, should number the districts so the fewest senators would serve more than eight years.

Maps passed by the Republican-controlled Legislature were challenged by the Democrats and three nonpartisan groups that backed the two Fair Districts amendments voters approved in 2010.

The justices unanimously upheld the House map but voted 5-2 to reject the Senate's plan.

Besides political favoritism, they found the Senate map violated requirements for keeping districts compact and following political and geographic boundaries whenever feasible.

The most dramatic change in Gaetz' map would affect his own district. The original plan would have maintained its existing configuration, a narrow strip hugging the Panhandle coast for at least 100 miles from Pensacola to Panama City, slicing through several counties. Sen. Greg Evers, R-Baker, represents a parallel inland district.

Both incumbents are from Okaloosa County. The new proposal also would split Okaloosa but put a sparsely populated area that includes Evers' home into a district otherwise composed of Escambia and Santa Rosa counties with Pensacola being the largest population center.

Gaetz' revised district would include most of Okaloosa and five counties to the east.

His plan also would double up two pairs of incumbents, according to an analysis by The Miami Herald and Tampa Bay Times.

Sen. Andy Gardiner of Orlando would be in the same district as another Republican incumbent, David Simmons of Maitland. Simmons, though, told The Orlando Sentinel he would move to a neighboring district that includes Seminole County, where he lived until 2005, to avoid a confrontation with Gardiner, currently the Senate majority leader and a candidate to succeed Gaetz as president in two years.

Sen. Ellyn Bogdanoff, R-Fort Lauderdale, and Sen. Maria Sachs, D-Boca Raton, also would be paired in one district.

The proposal would result in more compact districts for Sens. John Thrasher, R-St. Augustine; Audrey Gibson, D-Jacksonville, Chris Smith, D-Fort Lauderdale, and Garrett Richter, R-Naples. All had been invalidated by the Supreme Court.

Gaetz' plan would keep Lakeland, which also challenged the original map, entirely within one district instead of being split in two.

The plan will be presented to Gaetz' committee on Tuesday. The panel then will submit its recommendation to the full Senate for a vote by the end of the week.

The House will consider it the following week, but its leaders say they will give deference to whatever the Senate decides to do. The revised map then would go back to the Supreme Court. If the justices again find problems they can change the map themselves.

The Miami Herald

Posted on Sat, Mar. 17, 2012

New Senate district map ticks off both parties

By Mary Ellen Klas and Darla Cameron
Herald/Times Tallahassee Bureau

The Florida Senate on Saturday released its first attempt at fixing its rejected Senate redistricting map with a proposal that protects the territory of all but four Senate incumbents, elects as many as five Hispanics and six African Americans, and retains a solid Republican majority.

The map, released by Senate Redistricting Chairman Don Gaetz, R-Niceville, is a response to a March 9 ruling by the Florida Supreme Court that threw out the Senate map and validated the House map based on the new redistricting standards approved by voters in 2010. But, unlike the first map, the new one drew criticism not only from Democrats but also from Republicans.

"I am very disappointed that the map of the Florida Senate did not include a Hispanic majority district in South Florida," said Rep. Carlos Lopez-Cantera, R-Miami, chairman of the Miami-Dade legislative delegation. He said that while he had refrained from criticism before, this is the Legislature's last shot before a court takes control of the redistricting process. "All bets are off."

Florida legislators have convened a 15-day extraordinary session and have until March 28 to approve a new Senate map. Legislators must reconfigure the political boundaries of the state every 10 years to match the shifts in the population and ensure that every voter is equally represented.

Democrats warned that the Senate's second map is as flawed as the first one and chastised the exercise as a stalling tactic intended to avoid implementing the new Fair Districts standards.

The map "brings us no closer to complying with the court's ruling and is nothing more than a thinly veiled attempt by the GOP Senate leadership to stall the implementation of Fair Districts and cling to their gerrymandered power," said Florida Democratic Party chairman Rod Smith in a statement. "Not only have they thwarted the will of 63 percent of Florida voters, they are now thumbing their nose at Florida's Supreme Court."

In South Florida, the map pits Republican Sen. Ellyn Bogdanoff of Fort Lauderdale against Democrat Sen. Maria Sachs of Delray Beach in a sprawling coastal district that stretches from Broward's Harbour Inlet to Palm Beach's Hypoluxo Road.

It creates a new Democrat-dominated minority district in Palm Beach County comprised of both black and Hispanic voters, and it creates a fourth Hispanic district in Miami-Dade that is also likely to elect a Democrat.

But unlike the House map, which pitted 38 incumbents against each other, Gaetz's proposal pits only four senators against each other. In addition to Bogdanoff and Sachs, the Gaetz map draws Republican Sens. Andy Gardiner of Orlando and David Simmons of Altamonte Springs into the same district. Simmons said Saturday he will move to the adjacent open district based in Seminole County and leave the district to Gardiner, a close ally of his who is hoping to become Senate president in 2014.

The Fair District rules requires that districts be drawn as compactly as possible, refrain from protecting incumbents or political parties and protect minority voting strength.

The Florida Supreme Court concluded in its 5-2 ruling that the first Senate map "was rife with indicators of improper intent" and included a district numbering scheme that "plainly favors certain incumbents" by allowing some lawmakers to exceed the eight-year term limits and serve up to 10 years.

The court also singled out eight of 40 districts as violating the new rules, said that Democratic-leaning districts were consistently overpopulated compared to Republican leaning-districts, urged lawmakers to keep the city of Lakeland whole and said the numbering system was biased in favor of incumbents.

While Republicans had refrained from criticizing the first map, several of them raised doubts about the way the new map handles minority districts.

Lopez Cantera said the Senate map unfairly packs Hispanics into three Republican-leaning seats and carves out a slim Hispanic majority in District 35, now held by Democratic Sen. Gwen Margolis. The district, which hasn't changed from the first Senate map, is made up of 61 percent Hispanic voting age population. That pales in comparison to the other Senate districts in Miami Dade where the voting age population ranges from 89 percent to 74 percent.

"They should even it out," Lopez Cantera said.

A Herald/Times analysis of voting data shows that Gaetz's map would continue a Republican majority in the 40-member chamber with 23 safe Republican seats and 15 safe Democratic seats, two seats would be toss ups. The map creates one less safe Republican district than the first proposal rejected by the court and gives Democrats the chance to elect three more senators than they currently have.

To repair the flaws of the first map, Gaetz's proposal puts Senate District 34, now held by Fort Lauderdale Democrat Chris Smith, completely in Broward County and reduces the black voting age population from 72.5 percent to 68.8 percent.

The Gaetz map also reconfigures the Orlando-area map held by Gardiner and slightly reduces the voting age population of two adjacent minority districts that were not singled out as flawed by the court. Simmons warns that the Senate may have over-corrected in its attempt to fix Gardiner's district.

"I don't think we're quite there yet," he said of Gaetz's map. "It is a big mistake to have scalded-dog syndrome to run away from our requirement that we assure a majority minority access seat."

Gaetz proposes to repair the rejected numbering system by using a lottery of sorts. Because the new district numbers will determine whether senators will serve a two-year or a four-year term after this year's elections — potentially allowing some to exceed the eight-year term limit — the new districts will be assigned new districts numbers randomly on the Senate floor "by neutral, independent party," Gaetz said.

Senators have until Monday to propose changes to Gaetz's plan.

MARCH 17, 2012

Senate releases new redistricting fix

The Florida Senate on Saturday released its first attempt at fixing its rejected Senate redistricting map with a proposal that appears to reconfigure districts in a such a way that top Senate leaders remain protected in their homes districts. (Stay tuned here for a complete Herald/Times analysis of the performance and incumbent placement of the proposed districts. We will be making live updates throughout the afternoon.)

The map, released by Senate Redistricting Chairman Don Gaetz, R-Niceville, is a response to a March 9 ruling by the Florida Supreme Court that threw out the Senate map and validated the House map based on the new redistricting standards approved by voters in 2010. The proposal also seeks to ask the court to invalidate individual districts if it sees future problems, but allow the rest of the map go forward.

Gaetz's plan addresses the court's criticism of his district, by keeping Escambia County whole but it also includes an odd-shaped leg into Crestview to pick up voters for his district. The proposal, however, leaves the numbering system in place that the court said showed bias towards incumbents.

The new rules prohibit lawmakers from drawing districts with the intent to protect incumbents or political parties; they require them to draw compact districts and follow geographic and political boundaries where possible and to make those changes without reducing minority voting strength.

In the 5-2 ruling, the court concluded that the Senate map "was rife with indicators of improper intent" and included a district numbering scheme that "plainly favors certain incumbents."

The governor by law called lawmakers back to Tallahassee for a 15-day extraordinary session to repair the maps. The session began on March 14 and, while House members went home, Senate staff got to work redrawing its maps. Several senators are expected to offer alternatives to Gaetz' proposal on Monday and the Senate committee will meet again on Tuesday to vote them out.

Unlike the first round, in which seven Senate Democrats joined with Republicans to approve the map that pitted no incumbents against each other, this round is rife with internal feuding. Behind much of it is the Senate leadership wars that pit Orlando Republican Andy Gardiner against St. Augustine Republican John Thrasher and Stuart Republican Joe Negron for the 2014 Senate presidency term.

Both sides have been recruiting candidates for the 11 open seats in 2012, creating rifts within the Senate's Republican caucus. The new map also sets up a potential feud between Gaetz and Sen. Greg Evers, R-Baker, both of whom live in Okaloosa County.

The court rejected the districts drawn by the Senate that allowed each of them to retain much of the districts they now represent, even though they traverse much of the Panhandle by splitting five rural counties giving Gaetz the coastal region and Evers the rural half. Gaetz has said he is willing to run against Evers in a head-to-head matchup, although he owns property in four of the counties he represents and could move. Evers also could move from his Okaloosa home and campaign from Santa Rosa County where he grew up and still owns a home.

What did the Senate learn from the court's thorough 234-page ruling?

One main take-away, said John Guthrie, the Senate's redistricting staff director at a briefing of the Senate Reapportionment Committee on Wednesday, is that "they believe you can look at the map and determine [what] the intent of the map drawer was."

In other words, if a district does not look compact and was not drawn to protect minority voting strength, it can be presumed that there was an intent to protect an incumbent or party.

The court also found

- Eight of 40 districts in the new plan were not compact and favored incumbent lawmakers.
- Democratic-leaning districts were consistently overpopulated compared to Republican leaning-districts.

- The Senate, unlike the House, did not perform a so-called “functional analysis” with voter registration numbers and data from previous elections to justify the creation of majority minority districts within the state.
- The Senate’s system of renumbering its districts favored many incumbents because it allowed some lawmakers to exceed the eight-year term limits and serve up to ten years.

The court, however, did not agree with Democrats and the coalition of Fair Districts voter groups that the Senate maps packed minorities into districts, thereby reducing minority voting strength. The court, however, did not conduct an evidenced-based hearing that opponents of the map said would prove retrogression but instead left that up to a trial court to decide.

The House leadership has decided to honor its “gentlemen’s agreement” to allow the Senate to redraw its own lines. House members will return on the week of March 24 to vote out the Senate plan.

Posted by Mary Ellen Klas at 12:40:27 pm on March 17, 2012 in

- Florida Legislature
- Florida redistricting

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MARCH 17, 2012

Analysis shows Gaetz map gives up one R, retains 23

According to a Herald/Times analysis of voting data in the 2008 and 2010 elections, the map proposed by Senate Redistricting Chairman Don Gaetz would continue a strong Republican majority in the 40-member chamber but relinquish one more seat to Democrats than the first map rejected by the Florida Supreme Court.

Under Gaetz's plan, the Senate would have 23 Republican-leaning districts and 15 Democrat-leaning seats, up from the current 12 seats now held by the minority party. Another two seats, District 8 in Central Florida, and District 17 in Pinellas, would be competitive. District 8 is the district Republican Rep. Dorothy Hukill of Port Orange is seeking and her likely opponent is Frank Bruno, the chairman of the Volusia County Commission.

District 17 is the seat now held by Sen. Jack Latvala, a Clearwater Republican who has been engaged in the leadership fight mounted against Sen. Andy Gardiner last month by Gaetz allies, Sen. John Thrasher and Sen. Joe Negron.

Gaetz's map now pits Gardiner against one of his staunch supporters, Sen. David Simmons, and thrusts Sen. Ellyn Bogdanoff, R-Fort Lauderdale, into the same districts as Sen. Maria Sachs, D-Delray Beach.

The first map proposed by the Senate and rejected by the court did not pit any incumbent senators against each other and was rejected by the court because it was "was rife with indicators of improper intent." In that map, 24 of the 40 Senate districts were solidly Republican based on performance in the last two elections and 14 were Democratic and another two districts leaned Republican.

Democratic Party executive director Scott Arceneaux predicted the Gaetz map, if approved by the Senate, would face the same fate as the first map.

"My read is where the first map was really unconstitutional, this map is a little less unconstitutional," he said. "They're doing their best to maximize the number of Republicans they can elect to the state Senate."

Among the flaws, he said, were the oddly-shaped districts across the state, the non-compact district that pits Bogdanoff and Sachs in the same seat and stretching from Palm Beach to Broward counties.

"They pack all the Republicans they can find in Broward and Palm Beach counties to create a district for Ellyn Bogdanoff," he said.

Gaetz defended the district, saying it "no longer extends along the coast of Palm Beach and Broward counties" and "is substantially revised into compact districts." He noted that a new district now combines both African American and Hispanic voters into a district wholly contained in Palm Beach County.

He also notes that District 35, now held by Miami Democrat Gwen Margolis, is a new Hispanic-majority district. The Herald/Times analysis showed the district voted for President Obama over John McCain 61 percent to 39 percent and voted for Democrat Alex Sink over Republican Rick Scott by nearly the same margin.

Times researcher Darla Cameron contributed to this report.

Posted by Mary Ellen Klas at 2:45:46 pm on March 17, 2012 in

- Florida Legislature
- Florida redistricting

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MARCH 17, 2012

Rod Smith accuses Gaetz's of stalling by offering up another flawed map

Florida Democratic Party Chairman Rod Smith slammed Senate Redistricting Chairman Don Gaetz Saturday for submitting a flawed fix to the chamber's rejected map in an attempt to stall the implementation of the new redistricting rules.

"As they have since Florida voters passed Amendments 5 and 6, Republican leadership is fighting Fair Districts tooth and nail, resisting at every turn their duty to draw impartial maps that comply with the law and the will of the people," Smith said in a statement.

"The map Sen. Don Gaetz has proposed brings us no closer to complying with the court's ruling and is nothing more than a thinly veiled attempt by the GOP Senate leadership to stall the implementation of Fair Districts and cling to their gerrymandered power. Not only have they thwarted the will of 63-percent of Florida voters, they are now thumbing their nose at Florida's Supreme Court. It's clear they have no intent to comply with the court's ruling."

Here' is the background from the statement:

The Legislature allocated \$30 million of taxpayer money to draw the maps. [Politifact 6/22/11]

At the time, Sen. Gaetz claimed his maps were "fair, sensible and faithful to the law." [Times/Herald 11/29/11]

Sen. Haridopolos called the GOP's failed redistricting efforts a "model for America." [Orlando Sentinel 1/18/2012]

In a historic move, the Florida Supreme Court rejected the GOP's Senate map after only a facial review. [Tampa Bay Times 3/9/12]

The court declared that the entire Senate map was "Constitutionally invalid." [Tampa Bay Times 3/9/12]

The failure by the GOP leadership is costing taxpayers an additional hundreds of thousands of dollars. [Capital News Service, 3/15/12]

Just yesterday, the Florida circuit court ruled against the GOP's attempts to stall the congressional maps and set a hearing date of April 15. [News-Service of Florida, 3/16/2012]

MARCH 17, 2012

March madness Senate style: new maps make roster-picking a dicey affair

As the Florida Senate scrambles to redraw its redistricting map before the 15-day buzzer, the field of potential candidates keeps widening.

Take Saturday's speculation that, in addition to former Sen. Alex Diaz de la Portilla, Rep. Erik Fresen may be ready to jump into the Hispanic-heavy district now held by Sen. Gwen Margolis, a Miami Democrat. That followed news last week that Alex, who was succeeded by his older brother Miguel Diaz de la Portilla in 2010, wanted to return to the Senate in an adjacent district.

The new Senate map released Saturday by Senate Redistricting Chairman Don Gaetz also prompted an official announcement from state Rep. Joe Abruzzo, D-Wellington, that he'll run for the new District 27 in Palm Beach County.

Rep. Jeff Clemens, D-Lake Worth, and Rep. Mack Bernard, D-West Palm Beach, also told the Palm Beach Post they are also considering running for the new District 29, a coalition district that is 24 percent black, 26 percent Hispanic.

Former Rep. Pat Patterson of Deland told the Herald/Times Saturday the he will run for the newly-created District 8, a swing seat that stretches from Daytona Beach westward. He expects to run in a Republican primary against current state Rep. Dorothy Hukill, R-Port Orange. Volusia County Commission Chairman Frank Bruno has announced he'll run in the competitive new district as well.

Former Rep. Baxter Troutman said Saturday that he will run for the newly designed District 26, the Lakeland-based district which responds to the court's request to keep that city whole. Troutman, formerly represented the region for eight years in the House, would likely face Rep. Denise Grimsley, R-Sebring, for the seat.

And Rep. Keith Perry, R-Gainesville, said he will run for District 14, the North Florida seat being vacated by Sen. Steve Oelrich who is running for Congress.

The news that Fresen could join Diaz de la Portilla in pursuit of a fourth Miami-Dade Hispanic seat explains why pressure is mounting from Miami Dade members of the House to get Senate leaders to reconfigure the Margolis' District 35.

The Hispanic voting age population in the proposed district now comprises 49 percent of the Democrat-dominated district. Miami Republicans are urging their Senate colleagues to sweep more Hispanics from surrounding districts into it on the theory that Miami-Dade deserves four Hispanic majority seats.

Miami-Dade delegation chairman Carlos Lopez Cantera said Saturday that with three Hispanic congressional seats in Miami-Dade, "it's almost incumbent upon them" to revise the original map and now draw four Miami-Dade Hispanic Senate seats, he said.

Lopez Cantera didn't raise a point during the first round of maps because of the "gentlemen's agreement" that allowed the Senate to design its own map while the House designed theirs. But now, with the clock ticking and the Legislature given one last chance or the court take control, "all bets are off," he said.

In a memo to senators Saturday, Senate Redistricting Chairman Don Gaetz touted District 35 as a Hispanic majority district, (made so if you add the 1.4 percent black Hispanics to the total.)

But Alex Diaz de la Portilla, who served with Gaetz in the Senate, disagreed: "It's close, but no cigar," he said.

Call it March madness Senate style. The outcome is certainly just as unknown.

Posted by Mary Ellen Klas at 11:38:24 pm on March 17, 2012 in

- Florida Legislature
- Florida redistricting

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MARCH 17, 2012

Gaetz wants a drawing to set district numbers in new map

In a letter to senators Saturday, Sen. Don Gaetz said his proposed redistricting rewrite assigns temporary numbers to the districts and describes an elaborate process by which the new numbers will be chosen.

Because the numbering of the districts will determine whether senators will serve a two-year or a four-year term after this year's elections -- potentially allowing some to exceed the eight-year term limit -- Gaetz said they will be assigned new districts numbers randomly on the Senate floor "by neutral, independent party." [Download Gaetz memo 317](#)

Scott Arceneaux, executive director of the Florida Democratic Party called the idea "ridiculous."

"They have the political backbone of a chocolate eclair," he said. "they cout said you can't give senators 10-year terms and no one wants to stand up to senators and tell them they can't get 10-year terms. How hard is that? Apparently pretty hard."

Gaetz defended his map as a constitutionally sound remedy to the defects found by the Florida Supreme Court, specifically relating to Districts 1, 3, 6, 9, 10, 29, 30, and 34.

"The districts were redrawn, along with any affected districts, in accordance with constitutional standards as defined by the Supreme Court," Gaetz wrote. "The amendment also addresses the Court's concerns regarding the City of Lakeland, and Senate professional staff and attorneys conducted the necessary functional analysis described by the Supreme Court."

Here's how the memo describes how the numbering process will work:

"The Chairman's amendment assigns a temporary number to each district. To achieve a random selection, two random drawings will then be conducted simultaneously. First, one temporary

number will be selected at random. Second, a random selection will be made between two values: "odd" and "even."

"The district whose temporary number was selected in the first drawing will receive an odd or even number, as determined by the second drawing. This process will repeat until twenty odd numbers and twenty even numbers have been assigned on a random, incumbent-neutral basis.

"The random selection of district numbers will be conducted on the Senate floor by a neutral, independent party agreed to by the Majority and Minority Leaders, and with the consultation of the Florida Lottery. The press and public are invited to attend and will have direct access to the process.

"Senators may file alternative plans as amendments to be considered by the Committee on Reapportionment at Tuesday's meeting. As was unanimously agreed to by the members of the Senate, the deadline for filing amendments for the committee meeting is noon on Monday, March 19. Please give due consideration to the time it takes to process and file a redistricting plan as an amendment, and in the spirit of transparency and openness, to those who would wish to study a an alternative proposal."



Posted by Mary Ellen Klas at 1:57:08 pm on March 17, 2012 in

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The Palm Beach Post

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Redistricting could pit several incumbent Palm Beach County state legislators against each other

By **GEORGE BENNETT**

Palm Beach Post Staff Writer

Updated: 1:07 p.m. Sunday, March 18, 2012

Posted: 1:04 p.m. Sunday, March 18, 2012

Now it gets interesting.

Redistricting could force several incumbent Palm Beach County legislators to fight each other for reelection this year while leaving two state House seats wide open.

A new Senate redistricting plan unveiled Saturday was immediately blasted by Democrats as illegal gerrymandering, but it also led state Rep. Joseph Abruzzo, D-Wellington, to announce plans to run for a new western Palm Beach County Senate seat and prompted state Reps. Jeff Clemens, D-Lake Worth, and Mack Bernard, D-West Palm Beach, to express interest in the same mid-county Senate seat.

Sens. Maria Sachs, D-Delray Beach, and Ellyn Bogdanoff, R-Fort Lauderdale, may be headed for a general election collision over a Palm Beach-Broward Senate seat if the new map is upheld.

If Sachs runs for that District 32 seat, she could also face a bruising primary from former Democratic state Rep. Kevin Rader. Rader opened a campaign against Sachs before an earlier Senate map was tossed by the Florida Supreme Court. With the map proposed Saturday, Rader hasn't ruled out challenging Sachs in District 32 or potentially joining Clemens and Bernard in a primary for the new District 29.

Abruzzo's plan to seek the new District 27 Senate seat spares Democrats one potential primary headache. Both Abruzzo and state Rep. Mark Pafford, D-West Palm Beach, were drawn into the same state House district.

For Clemens, running against a fellow incumbent appears unavoidable. His interest in the new Senate District 29 could bring a primary fight against Bernard, and if he tries to remain in the House it will probably mean a general election battle against state Rep. Bill Hager, R-Boca Raton.

If Bernard runs for Senate, his minority-dominated state House district would be open and set off a Democratic primary free-for-all.

While incumbents may crowd into some seats, at least one state House seat has drawn no serious interest from any incumbent so far. The new Democrat-leaning House District 87, which includes parts of Lake Worth and Greenacres, so far has only one announced candidate: Democrat David Kerner, an attorney who has never sought office before.

Hispanics make up about 50 percent of the District 87 population, but only 25 percent of registered voters. County Democratic State Committeeman John Ramos and Puerto Rico-USA Democratic Club President Mike Rios are both considering running.

Elsewhere:

- Clerk of Courts Sharon Bock has drawn a Democratic primary challenge from foreclosure-fighting activist Lisa Epstein, who has attracted a national following for exposing suspicious foreclosure paperwork from lending institutions.

Epstein wants the clerk's office to help crack down on fraud, starting with an audit of real estate documents filed in Palm Beach County. In a bid to address Epstein's concerns - and avoid a Democratic primary - county Democratic Chariman Mark Alan Siegel arranged a lunch meeting between Bock and Epstein on Friday in Boca Raton.

"If there are things that can be solved, we don't need an election to do it," Siegel said. He called Epstein "a spirited person. She wants to raise issues. Let's see what happens. In our view, Sharon's doing a great job."

- U.S. Rep. Ted Deutch, D-Boca Raton, and former Democratic U.S. Reps. Harry Johnston, Robert Wexler and Ron Klein turned out Thursday for a fund-raiser for Democratic state attorney candidate Dave Aronberg. Former Florida attorney general Bob Butterworth was on also for an event that Aronberg said raised about \$30,000.



Aronberg so far is unopposed for the top prosecutor's job, although fellow Dem Robert Gershman is considering a primary challenge. The deadline for candidates to qualify for the ballot is April 20.

- Wisconsin Gov. Scott Walker collected about \$200,000 to fight recall efforts in the Badger State when he dropped by Palm Beach for a fund-raiser at the home of Lee Hanley last week. The dollar estimate comes from Palm Beach Councilman David Rosow, who helped arrange the event.

~george_bennett@pbpost.com

Find this article at:

<http://www.palmbeachpost.com/news/state/redistricting-could-pit-several-incumbent-palm-beach-county-2245615.html>

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The Palm Beach Post

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Redistricting rewrite before Florida Senate panel

The Associated Press

Posted: 3:06 a.m. Tuesday, March 20, 2012

The Florida Senate Reapportionment Committee is taking another stab at redistricting the chamber.

The panel is set Tuesday to vote out a revised Senate map to fix problems in the Republican-controlled Legislature's original plan.

The Florida Supreme Court ruled eight districts and a scheme for renumbering all 40 districts violated new anti-gerrymandering standards in the Florida Constitution. The justices, though, upheld the 120-district House map.

Reapportionment Committee Chairman Don Gaetz released a proposed revision, including a major change in his Panhandle district, on Saturday. The panel will consider Gaetz' plan and modifications proposed by other senators. The final version will go to the full Senate later this week and the House next week.

Then it returns to the justices. They can redraw it to correct any remaining problems.

March 20, 2012 03:06 AM EDT

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Find this article at:

<http://www.palmbeachpost.com/news/state/redistricting-rewrite-before-florida-senate-panel-2248685.html>

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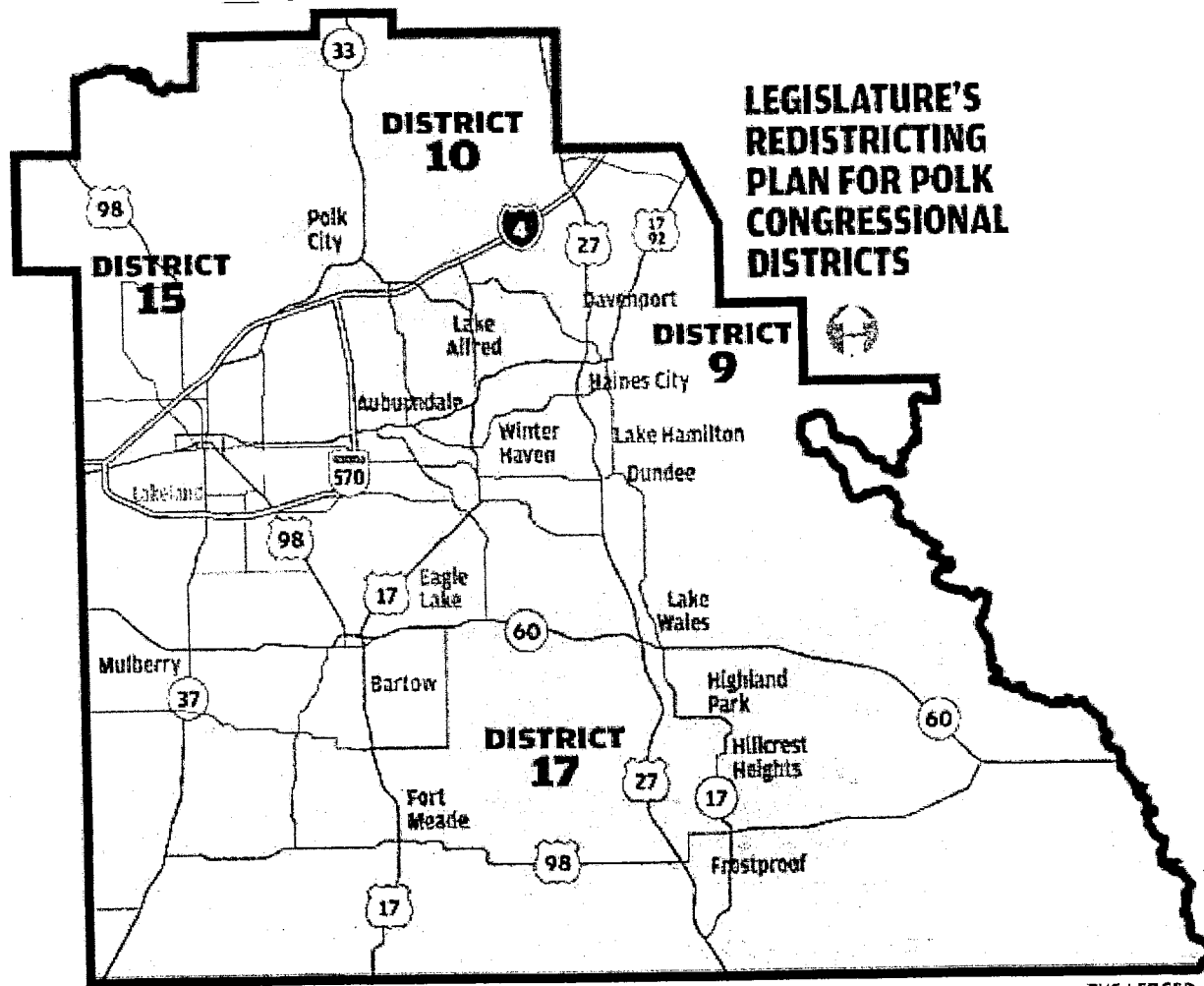
Senate Committee Meets Today

Amendments to Redistricting Compromise Could Affect Lakeland

By Bill Rufty

Ledger POLITICAL EDITOR

Published: Monday, March 19, 2012 at 10:11 p.m.



LAKELAND | As the Senate Reapportionment Committee meets today to approve new Senate districts, amendments have been filed that could unravel the compromise that helped Lakeland and Polk County in the new district maps.

A new plan released Saturday gave beneficial Senate districts to the city and county. They were split among several districts in the initial plan.

The amendments, if accepted, could change those districts back to the boundaries that had left Polk at a disadvantage.

Sen. Paula Dockery, R-Lakeland, said Monday that senators not on the Senate Reapportionment Committee and lobbyists were looking for someone on the committee to file amendments to the district maps for them in today's committee meeting.

"They are shopping amendments," Dockery said. She had worked with Senate Reapportionment Chairman Don Gaetz, R-Niceville, to improve redistricting for Lakeland and Polk County.

If a senator tries to add an amendment from the floor of the full Senate, which meets Thursday to approve a new redistricting map, the procedure is more complicated and restrictive.

Sen. Jack Latvala, R-Clearwater and a member of the Reapportionment Committee, filed an amendment to the redistricting map Monday that would again split Lakeland between two Senate districts and give Polk County control of only one Senate district.

The Florida Supreme Court, which ordered the Senate to redraw eight districts that it considered unconstitutional additionally expressed "concern" over Lakeland's districts that are almost the same in the Latvala amendment.

But Latvala said "there is a mistake in the amendment for some reason."

"I am going to withdraw the amendment", he said. "I am very happy with the Lakeland district and that the city is not split.

"All I was going to do was to start a discussion about the Orlando situation," he said referring to reapportionment plans for Orange County in which two Republican senators, Andy Gardiner of Orlando and David Simmons of Maitland, are in the same district.

In the House redistricting plan, which was approved by the Supreme Court, 38 state representatives are in districts with another incumbent.

Other amendments were rumored to be available for today's meeting though only one other than Latvala's had been filed.

Dockery left Monday afternoon for Tallahassee to try to protect the Polk County districts. Although not a member of the Reapportionment Committee, she plans to talk with committee members about leaving Lakeland and Polk unharmed.

[Political Editor Bill Rufty can be reached at 802-7523 or bill.rufty@theledger.com.]

MARCH 19, 2012

Latvala proposes new map, strengthens Republican majority; Diaz de la Portilla weighs in

The Florida Senate's Redistricting Committee will meet on Tuesday and discuss at least three competing proposals by Senate Republicans to fix the map rejected by the Florida Supreme Court.

In addition to the map proposed by Redistricting Chairman Don Gaetz, R-Niceville, Sen. Jack Latvala, R-Clearwater, on Monday filed an alternative proposal that addresses some of the troubles Republicans had with Gaetz's plan. A third map by Sen. Miguel Diaz de la Portilla, R-Miami, was also filed to primarily reconfigure several South Florida districts. And amid the infighting between Republicans, the Senate Democrats, who had considered offering an alternative map, did not submit one by Monday's deadline.

Among the changes proposed by Latvala:

- * It no longer draws Sen. David Simmons and Sen. Andy Gardiner in the same Orlando-based seat. Latvala has aligned with Gardiner in helping to hoist him into contention for the 2014 Senate president's job and has offered his proposal to help strengthen the map for the Orlando Republican.

Simmons told the Herald/Times on Saturday that he would move to the neighboring Seminole County district to avoid running against Gardiner but Latvala's map would make that unnecessary. However, a question remains: will Latvala's plan pass muster with the court? The court rejected the Senate's original District 8, intended for Gardiner, and the Latvala proposal revives much of the same composition as the rejected seat.

- * It strengthens the Republican registration in Central Florida's District 8 (now held by Sen. Steve Oelrich) by moving it into southern Volusia County and reduces the number of minority voters in District 10 (Gardiner) and District 13 (Simmons) by increasing the black majority seat now held by Sen. Gary Siplin.

* Latvala's map strengthens Republican majority in the Senate by creating 24 solid Republican leaning districts, compared to Gaetz's 23. Both create 15 strong Democrat leaning districts. The difference is there is only one swing district -- Latvala's District 17 -- in his map, instead of two as in Gaetz's map. The first Senate map, rejected by the court, also had 24 Republican-leaning districts, 14 Democrat-leaning district and two swing districts.

* It creates 12 minority-majority districts but, compared to Gaetz's map, changes the composition of three of them in Central Florida:

6	53.3%
29	54.4%
35	61.5%
12	61.5%
14	65.2%
19	65.6%
34	68.8%
40	74.8%
38	86.3%
37	87.9%
39	89.4%
33	93.9%

A late map submitted by Sen. Miguel Diaz de la Portilla of Miami strengthens the Hispanic registration in District 35, now held by Sen. Gwen Margolis, a Miami Democrat. Miguel's brother, former state Sen. Alex Diaz de la Portilla, has announced he will run against Margolis. Members of the Miami Dade delegation are aggressively lobbying for a fourth Hispanic seat in Miami Dade.

Diaz de la Portilla's map also appears to keep Sen. Maria Sachs in the same district as Sen. Ellyn Bogdanoff but both senators barely live in the district, which is more favorable to Bogdanoff than either Gaetz or Latvala's plans. Sachs is two blocks away from being in Democrat-friendly District 27 instead of District 29 with Bogdanoff. The line is almost drawn around her house. Bogdanoff is also just a long block from being in Ft. Lauderdale's neighboring District 34.

Under the Diaz de La Portilla plan, there would be 22 solid Republican-leaning seats, 15 Democrat-leaning districts and three swing districts.

Under both Latvala and Gaetz's plans, District 35 would have a Hispanic voting age population of 49 percent, up to 50 percent if black Hispanics are included. Under Diaz de la Portilla's proposal, that district would jump to 66 percent Hispanic.

-- Darla Cameron and Mary Ellen Klas

Posted by Mary Ellen Klas at 6:07:28 pm on March 19, 2012 in

- Florida redistricting

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tampabay.com Know it now.

In numbering districts, it's silliness all over the map

Published Wednesday, March 21, 2012

Maybe the Florida Senate should make all of its tough decisions this way. Struggling for a legal method to number new districts, a Senate committee on Wednesday used two sets of lottery balls. The farcical scene does not bode well for today's second attempt by the full Senate to approve districts that will meet new constitutional standards approved by the voters.

The rivalries and self-interests that stained the regular legislative session were on full display in the Senate Reapportionment Committee. Some senators still have not come to terms with the Florida Supreme Court opinion that rejected the first map in part because the renumbering of the districts favored incumbents. Sen. Ronda Storms, R-Valrico, claimed that using lottery balls to assign the district numbers violated gambling laws (her point of order was not well taken). Another questioned whether the green balls were painted and therefore heavier than the white balls (they weren't). Others had trouble grasping the entire concept.

"This is not brain surgery we're trying to do here," complained Sen. Alan Hays, R-Umatilla.

To some senators, this is more serious than brain surgery. Even Wednesday, some senators lobbied for district numbers that would allow them to serve longer terms. That sort of incumbent protection is exactly what voters prohibited in 2010 when they approved Amendment 5 to fundamentally change the rules for redistricting. The amendment requires that districts do not favor or disfavor incumbents or political parties. They should be compact and follow geographic and political boundaries, and they cannot reduce the ability of minorities to elect candidates of their choice.

Since the Supreme Court rejected the first Senate map, the Senate committee has obsessed with assigning new district numbers more than redrawing the district lines. Securing a district number that would allow them to serve two additional years is apparently more important to many senators than complying with the state Constitution. There also is a misconception about the breadth of the court opinion.

Sen. John Thrasher, R-St. Augustine, is among those who contend that the court accepted 32 of the 40 districts because it only specifically found fault with eight. In fact, the court found the Senate map to be "rife with objective indicators of improper intent" and concluded, "We hold that the Senate plan is invalid." The Senate will consider a revised map today by Sen. Don Gaetz, R-Niceville, that makes some improvements such as reducing the size of a rambling minority district in northeast Florida. But significant issues remain, including the messy carving of Central Florida.

This has not been the finest moment for the Senate or for Gaetz, the incoming Senate president who still appears determined to use redistricting to protect his favorites and punish more independent-minded members of his own party. The best hope voters may have for fair Senate districts is for the Supreme Court to reject the map a second time and draw its own.

It's a safe bet the justices could number the districts without using lottery balls.

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Plan puts Alachua County in one Senate district

The Associated Press

Published: Thursday, March 22, 2012 at 8:48 p.m.

TALLAHASSEE — The Florida Senate on Thursday easily passed a revised redistricting map for the Republican-dominated chamber that's designed to fix constitutional flaws. Some Democrats said it still violates new anti-gerrymandering standards.

Under the plan, Gainesville and all of Alachua County would be in state Senate District 7, which also includes Bradford and Clay counties. Alachua would represent 53 percent of the district's population, with Clay at 41 percent and Bradford at 6 percent.

The new odd number for the Gainesville district would give Sen. Steve Oelrich, R-Gainesville, the option of seeking another four-year term in the Senate, giving him the potential for a 10-year stint in there.

However, Oelrich, the former Alachua County sheriff, has already declared his intention to run for Congress this year.

The new Senate map approved Thursday changes the boundaries of 24 districts due to the ripple effect of revising eight districts that were invalidated by the Florida Supreme Court.

It also has new numbers for all 40 districts that were selected at random, using a pair of Bingo machines loaded with white and green balls, to determine which senators elected in November would serve terms of four years and which would serve two years, to keep the terms staggered.

The justices ruled the Senate's original numbering scheme appeared designed to make sure most incumbents could serve longer than the usual eight years before being term-limited out of office. The Bingo drawing, though, still would allow term limits of nine to 11 years for 19 of 29 incumbents not being term-limited this year.

"Our districts are more compact than they were before," said Senate Reapportionment Committee Chairman Don Gaetz. "The Senate map preserves, protects and expands minority voting rights in an incumbent-neutral fashion."

Gaetz predicted the Senate likely would have more minority members and Democrats after the November election, when the Niceville Republican is in line to become the chamber's president.

The map, though, is expected to keep the GOP, which now has a 28-12 advantage, with a strong majority although Democrats have a slight edge in voter registration statewide.

Senate Democratic Leader Nan Rich of Weston said the new map continues to violate the Fair Districts standards that voters adopted in 2010. They include a ban on intentionally favoring incumbents and political parties.

“Incumbent protection is written all over the map,” Rich said. “We have been willing to place self-interest and partisanship gain over the intent of the voters.”

The original map avoided pitting any incumbents against each other. The new plan would double up two pairs of senators although Sen. David Simmons, R-Maitland, says he'd move to an adjacent open district to avoid facing off with Majority Leader Andy Gardiner, R-Orlando. Also paired are Sens. Ellyn Bogdanoff, R-Fort Lauderdale, and Maria Sachs, D-Boca Raton, in a district expected to lean Democratic.

A functional analysis ordered by the Supreme Court shows Democrat Alex Sink would have carried 15 districts in the 2010 gubernatorial race compared with 14 under the plan stricken by the justices. Democrat Barack Obama would have taken 16 districts under either plan in the 2008 president election.

The vote was 31-6 with five Democrats joining all Republicans in favor of the plan. It will be taken up by the House next week to close a 15-day special session. House leaders, though, say they plan to show deference to the Senate.

The Supreme Court unanimously upheld the 120-district House map while rejecting the Senate plan 5-2. The revised Senate map will go back to the justices for another review. If they still find problems they can redraw it themselves.

Florida Democratic Chairman Rod Smith said the party will again “turn to the courts to enforce the people's will.” Democrats and three nonpartisan groups that backed the Fair Districts standards challenged the original House and Senate maps during the first Supreme Court review.

They also have challenges pending against the Legislature's redistricting map for Florida's 27 congressional seats in Circuit Court. A judge has set trial for April 16 in Tallahassee.

Other Fair Districts criteria include protecting minority voting rights, making districts compact and following political and geographic boundaries whenever feasible.

The revised plan splits heavily black Daytona Beach into two districts. The Senate voted down a proposal by Democrats to keep the city whole, which would have increased their chances of carrying one of those districts.

Sen. Miguel Diaz de la Portilla, R-Miami, withdrew a proposal that would have created a fourth Hispanic district in South Florida. He said he expects that issue to be pursued in court as well.

Tallahassee bureau correspondent Lloyd Dunkelberger contributed to this report.

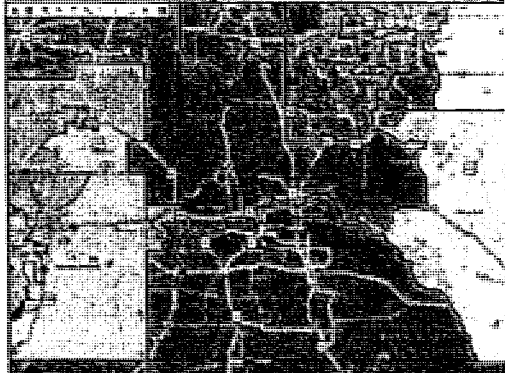
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Senate Approves Redistricting Map That Reduces Polk's Clout

House expected to pass plan that has county dominating only one district.

By Lloyd Dunkelberger & Bill Rufty
LEDGER TALLahassee Bureau

Published: Thursday, March 22, 2012 at 11:54 p.m.



<http://maps.flsenate.gov/de1/map.html/>

TALLAHASSEE | Lakeland avoided being split but Polk County lost some of its political clout as the Florida Senate on Thursday approved a new redistricting map designed to meet objections raised by the Florida Supreme Court.

The Senate voted 31-6 for the map, which reconfigures the 40 Senate districts based on population gains during the past decade, with six Democrats opposing the plan.

The proposal now heads to the House, which is expected to approve the measure next week, ending a 15-day special session Gov. Rick Scott called after the state's highest court invalidated the Senate's initial attempt.

Polk County was in the middle of the final political maneuvering on the map.

Sen. Jack Latvala, R-St. Petersburg, advanced an amendment — approved in a 20-15 vote — that ostensibly was aimed at moving Plant City out of a Polk County-dominated district and into a Hillsborough County district.

Latvala said he had been urged to make the change by Hillsborough officials, including the Plant City mayor.

He also said the move had been instigated by the Senate's efforts to move Lakeland into Senate District 15 — overcoming the "concern" raised by the Supreme Court over the splitting of Polk's largest city in the original Senate map.

But Latvala's amendment had a ripple effect on both district lines — and political futures — in the region.

The amendment revamped Manatee County-dominated District 26, moving all of the northern end of Highlands County — which happens to be the home of House Appropriations Chairman Denise Grimsley, R-Sebring — into adjoining District 21, which will be an open seat in the fall.

That move avoided a potential showdown between Grimsley and former state Rep. Bill Galvano, R-Bradenton, who is expected to run for District 26.

Grimsley's Senate campaign was further helped by other changes in Latvala's amendment that reduced the influence of Polk residents in District 21, lessening the likelihood that former state Rep. Baxter Troutman, R-Winter Haven, would join the Senate race.

Polk residents will represent 39.4 percent of District 21, down from 50.2 percent that was in the map approved by the Senate Reapportionment Committee on Wednesday.

It also means that Polk residents will only dominate one district — No. 15, with 80 percent of the population — rather than two.

And the amended plan now splits the city of Winter Haven.

Troutman, who seriously had been considering the Senate race, said those changes make it less likely now that he will run.

"It is what it is," Troutman said. "I kind of thought that this was going to happen."

Troutman said he had not made a final decision about running, even with the previous plan of Polk County controlling two districts.

"Regardless of me making a run at the seat, the unamended plan was much more in the best interests of Polk County. But we all know that politics rarely work in the best interest," he said.

Latvala insisted his effort was aimed at keeping Plant City with Hillsborough County — although Latvala, along with the other senators, voted for the original Senate map in January that placed Plant City in a district dominated by Manatee County. He also downplayed the suggestion he was helping Senate candidates that he favored.

"I don't know the particulars of where people live," he said.

But Sen. Paula Dockery, R-Lakeland, who had led the effort to keep Lakeland from being split in the new plan, voted against Latvala's amendment, saying there was political motivation behind it and it would hurt Polk County's political clout.

"I think we all know that is the case," Dockery said. "I understand that people want to help their friends — some of the House members to come over here. But that should not be done on the backs of the citizens of Polk County."

Sen. J.D. Alexander, R-Lake Wales, who represents much of the area that will be in the new District 21, backed Latvala's amendment

"There is no perfect world," Alexander said. "I think that the changes proposed in this amendment would allow for a better alignment of the communities in this region."

But Latvala's amendment also drew opposition and a warning from one of the Senate's key leaders.

"I believe it puts the entire plan in jeopardy," said Rules Chairman John Thrasher, R-St. Augustine, who argued the changes were unrelated to the revisions that had been called for in the Supreme Court ruling.

Polk County commissioners had passed a resolution last year asking that the county keep control of two Senate districts.

"Certainly we were hoping to retain a voice equal to what we've had in the past," said Polk County Commission chairman Sam Johnson, following the Senate vote. "But we will do what we have to do to promote Polk County and we will work with the other senators when they are elected."

Although the new Senate plan drew bipartisan support in the final vote, Democratic critics said the Senate failed to correct problems raised by the court. The justices held the original map failed to meet new constitutional standards that require the district lines to be drawn without favoring incumbents and to make the districts as compact as possible.

"Incumbent protection is written all over this map," Senate Democratic leader Nan Rich of Weston said. "We have ignored their clear direction."

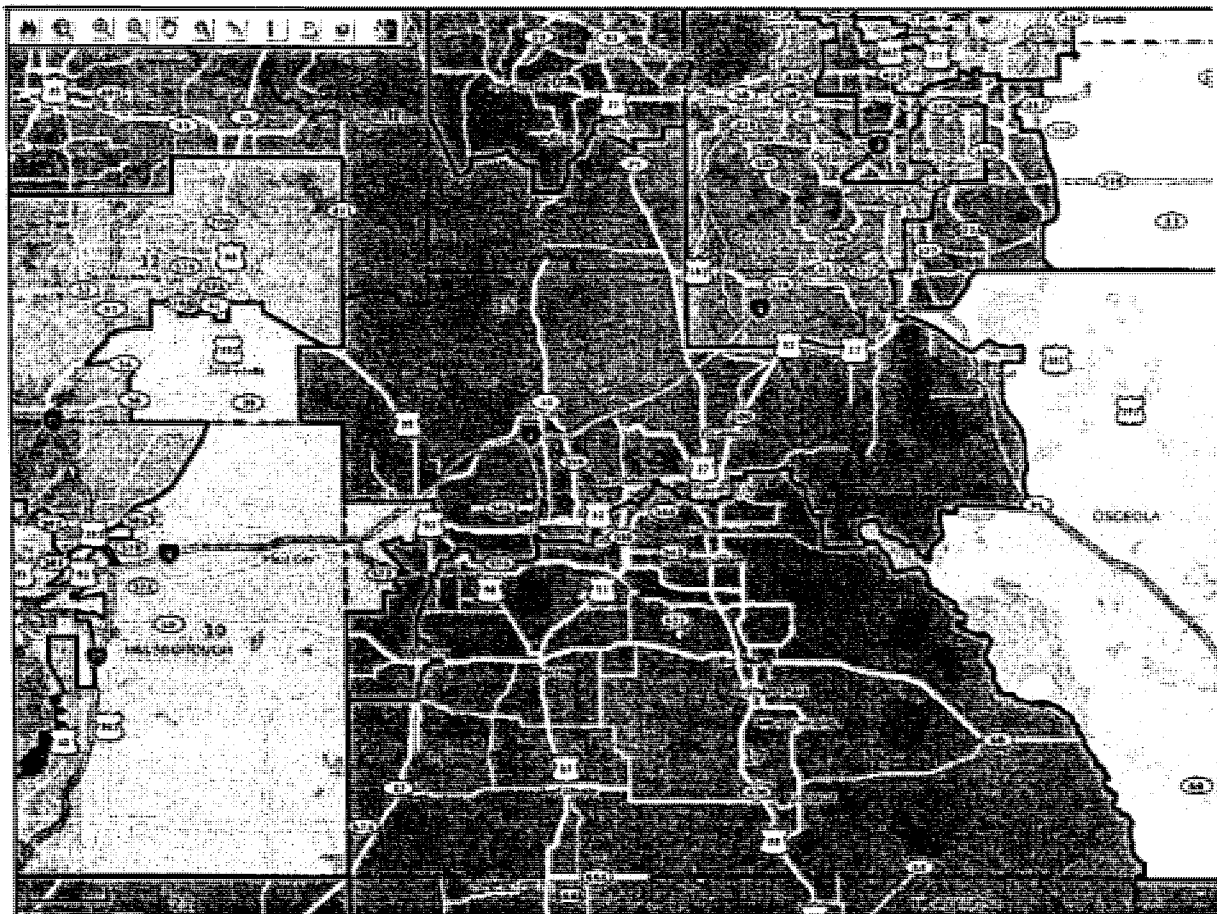
Senate Reapportionment Chairman Don Gaetz, R-Niceville, disputed that assessment, noting the new districts — unlike the original plan — pits some incumbents against each other.

Gaetz said the map specifically addresses the issues raised by the court about eight individual districts, the splitting of the city of Lakeland and the numbering system for the districts — which the Senate resolved by holding a bingo-like drawing in a committee room.

"I believe we have done our job," Gaetz said. "We have followed the constitution."

If the House approves the plan next week, Attorney General Pam Bondi will send the plan back to the Supreme Court, which will have 30 days to rule on the revised map. Under that timetable, Gaetz said the new districts should be in place well before candidates begin qualifying for the seats in early June for the fall elections.

If the court rejects the latest map, the justices have the power to draw the lines, themselves. The court already has approved the House map.



<http://maps.flsenate.gov/de1/map.html/>

The Miami Herald

Posted on Thu, Mar. 22, 2012

Senate revamps redistricting map; critics say it remains flawed

By Mary Ellen Klas
Herald/Times Tallahassee Bureau

Using a historic court ruling as its road map, the Florida Senate voted 31-6 Thursday for a second and final redistricting plan that leaders said would create an unprecedented number of minority senators and a more politically competitive chamber.

It is now up to the Florida House, which will meet for three days next week, to sign off on the plan. If this second attempt fails to follow the state's new anti-gerrymandering standards, the Florida Supreme Court will step in to draw the lines that will determine the Senate boundaries for the next decade.

"This plan is sensible to our constituents, understandable to all the members of the Senate and faithful to the Constitution," said Redistricting Chairman Don Gaetz, R-Niceville, before the Senate vote.

Democrats warned that despite three grueling days of debate this week, the map designed by Gaetz continues to violate the new constitutional requirements. They predict the courts will reject the proposal again.

"We may have had an excuse last time but, for this go-around, there is none," said Senate Democratic Leader Nan Rich of Weston, "Incumbent protection is written all over the map."

A Herald/Times analysis of the new plan shows Republicans would retain a majority in the Senate, though it would give Democrats one more seat than their original plan.

Based on voting data from the 2008 and 2010 general elections, the map would allow for the election of 23 solid Republican Senate seats, two competitive seats and 15 solid Democratic seats — compared to the current composition of 28 Republicans to 12 Democrats. It also creates five districts designed to favor black candidates and seven districts that favor Hispanics. One Orlando-based Hispanic seat would be dominated by Democrats.

The Florida Supreme Court rejected the first Senate map on March 9, invalidating eight districts, saying it "was rife with objective indicators of improper intent" that violated the new Fair Districts standards approved by voters. The governor called lawmakers into extraordinary session to redo the Senate map.

In South Florida, several districts will change shape, but few are expected to change party composition.

Sen. Chris Smith, the incoming Senate Democratic leader from Fort Lauderdale, will have a

district completely contained within Broward County, unlike his current district, which stretches into Palm Beach County.

Sen. Ellyn Bogdanoff, R-Fort Lauderdale, is drawn into the same district as Sen. Maria Sachs, D-Delray Beach. The district leans Democratic, according to voting data from 2008 and 2010, but Sachs said she will wait to see how the court rules and then evaluate her options. As a former Broward County assistant state attorney she said she is open to considering a run for a Broward-based district.

"I will run," Sachs said Thursday. "It's a historic time every 10 years. It's the changing of the guard."

Sen. Miguel Diaz de la Portilla, R-Miami, had hoped to create a fourth Hispanic majority seat in Miami-Dade County, but withdrew the proposal when it appeared he didn't have the votes. He warned that because the county's Hispanic population justifies a fourth protected district, the state is likely to draw a lawsuit alleging the map violates the federal Voting Rights Act.

Diaz de la Portilla's brother, Alex, himself a former senator, has filed to run against Sen. Gwen Margolis, D-Miami, whose Democratic-leaning district is 49 percent Hispanic and encompasses downtown Miami and Miami Beach.

Unlike the House map, which drew about 38 of the 120 incumbents into the same districts, the Senate draws only four of the 40 senators together. In addition to Sachs and Bogdanoff, Republican Sens. Andy Gardiner of Orlando and David Simmons of Maitland are drawn into the new District 13. Simmons, however, has said he will move to run for an adjacent Senate seat, District 10, based in Seminole County.

The design of the Gardiner seat drew a sharp rebuke from Sen. Arthenia Joyner, who warned that "it includes the same appendage that our court held unconstitutional" and "grabs an incumbent's residence for no apparent reason other than to draw that incumbent into a safe Republican seat."



She also chided Republicans for "naked partisan gerrymandering" in splitting the City of Daytona Beach and criticized District 22 in Hillsborough and Pinellas County for crossing Tampa Bay "with the impermissible intent of dismembering an otherwise naturally occurring Democratic-leaning district."

Republicans argue that the map not only abides by the court directives, it exceeds them. The original numbering system, for example, was rejected by the court because it was unfairly biased in favor of incumbents but senators attempted to avoid that this time by choosing new district numbers through a lottery.

The House Redistricting Committee will meet Monday to review the Senate map. If the House adopts the plan, the attorney general will have 15 days to ask the Supreme Court to conduct a second review. The court would have 30 days to complete that review.

See the Senate maps at tampabay.com/redistricting

The Palm Beach Post

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Florida Senate sends new redistricting plan to House on 31-6 vote

By JOHN KENNEDY

Palm Beach Post Staff Writer

Updated: 8:06 p.m. Thursday, March 22, 2012

Posted: 7:53 p.m. Thursday, March 22, 2012

The Florida Senate completed its second attempt at drawing new district boundaries Thursday, approving a new map over objections from Democrats who forecast it also will be rejected by the state Supreme Court.

The 31-6 vote sends the plan to the House, which is expected to pass the proposal next week. Lawmakers are scheduled to conclude a 15-day special session Wednesday.

Senate Reapportionment Committee Chairman Don Gaetz told senators the rewritten plan is a vast improvement over their first effort -- ruled unconstitutional by justices for favoring incumbents and packing minority voters into oddly shaped districts.

Gaetz said the new proposal is "a plan sensible to our constituents, understandable to all members of the Senate and faithful to the Constitution."

But Senate Democratic Leader Nan Rich of Weston said, "I believe in this plan we have ignored (justices') clear direction. This map still has the effect of protecting incumbents. I don't want the Supreme Court to finish the job we were supposed to do."

If the court rejects the plan again, it can redraw the map.

And Democrats generally believe their party would do better in a court-drawn map than any plan completed by the 40-member Senate, which Republicans control 28-12.

The plan completed Thursday would give Republicans the edge in voter in 21 of the 40 districts. But a Palm Beach Post analysis of recent voting results shows that Republican John McCain would have won in 23 of the districts if they had existed in the 2008 presidential race.

Bolstering her argument against the map, Rich alluded to a last-minute revision Thursday by Sen. Jack Latvala, R-Clearwater, which recast the boundaries of four districts in west-central Florida.

Latvala said the amendment, approved 20-15, was merely a response to requests from Plant City officials frustrated by their Hillsborough County community being included in a Senate district dominated by neighboring Polk County.

But Latvala's revision also served to separate two popular House Republicans who plan to run for the Senate and otherwise would have had to face each other in the same district. After the rewrite, House Budget Chair Denise Grimsley, R-Sebring, and former Rep. Bill Galvano, R-Bradenton, are clear to run for Senate this fall in different districts.

Also cited by Rich as a potential violation was the proposed District 32, whose boundaries include the Treasure Coast but extend into Jupiter and Tequesta.

"It crosses a county line for no apparent reason other than to pull Republican voters into a Republican incumbent's district," Rich said, referring to Sen. Joe Negron, R-Stuart.

Gaetz defended the rewrite, pointing to a pairing involving the Senate majority leader as proof the plan did not favor incumbents.

Senate Majority Leader Andy Gardiner, R-Orlando, continues to be paired with Sen. David Simmons, R-Maitland, in a Central Florida district. Simmons has said he is willing to move into a nearby district dominated by Seminole

County, which he formerly represented as a House member.

"This district was not designed for an incumbent," Gaetz said. "If anything, the incumbent could probably make the argument he takes on hardship based on the design of the district. Secondly, it's not true it has one incumbent. That district design pits two incumbent Republican senators against one another."

Also possibly improving the Senate's case with the court are demographic statistics that show the new plan keeps more counties and cities together than its rejected predecessor.

While justices declared eight Senate districts invalid under the first proposal, and raised "concerns" about two others that divided the city of Lakeland, Gaetz said each of these problems had been addressed.

A numbering system justices also condemned for positioning most incumbents to serve more years in the Senate also was changed. Using bingo cages and numbered balls Wednesday, the Senate devised a system that supporters said assured district numbers were random.

It certainly caused the numbers assigned to Palm Beach County's proposed districts to jump around more haphazardly than previous plans -- with proposed Districts 25 and 27 lying between District 32 to the north and District 34 to the south.

The new plan also reduces the number of senators representing the county to four from six seats currently and five in the previous plan.

Among the changes for the county:

- A potential rivalry between two incumbents, Sen. Maria Sachs, D-Delray Beach, and Sen. Ellyn Bogdanoff, R-Fort Lauderdale, for the proposed District 34, which stretches from Port Everglades to Boynton Beach and has more Democratic voters than Republicans.
- A proposed District 27 in the West Palm Beach-Lake Worth area where minorities would make up a majority of the voting population -- 27.4 percent Hispanic and 24.6 percent non-Hispanic black. It also would have a Democratic majority.
- A Democratic-leaning District 25 that includes almost all of Palm Beach County west of Florida's Turnpike, from Broward to the Martin County lines.
- A proposed District 32, held by Negron, that is the only leaning Republican. It's also the only one where Palm Beach County voters comprise a minority of the district's voters.

The Legislature's once-a-decade redistricting effort, required to meet population shifts revealed in the 2010 Census, has yielded mixed results.



The plan for redrawing congressional boundaries, challenged by the Florida Democratic Party and others, has been set for a trial next month in Leon County Circuit Court.

But the House's plan for drawing its own 120 districts was upheld by the Supreme Court in the same ruling which struck down the Senate plan. With its own work wrapped up, House approval of the Senate's work next week is expected to be routine.

"I would think whether you're a Republican or a Democrat, you would agree that the lines should be drawn here," Gardiner said, adding, "we look forward to the House taking it up next week, and moving on."

Find this article at:

<http://www.palmbeachpost.com/news/state/florida-senate-sends-new-redistricting-plan-to-house-2255327.html>

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Updated: March 22, 2012 - 6:56 PM

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Florida Senate passes revised redistricting maps

By TBO.com | The Associated Press Associated Press | The Associated Press

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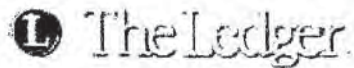
Sen. Miguel Diaz de la Portilla, R-Miami, withdrew a proposal that would have created a fourth Hispanic district in South Florida. He said he expects that issue to be pursued in court as well.

Lakeland also objected to the original Senate map because it divided the Polk County city between two districts. The justices asked lawmakers to look at that issue.

A proposal that cleared the Reapportionment Committee on Wednesday would have kept Lakeland in a Polk-dominated single district with Plant City, which is in neighboring Hillsborough County. It also would have put two prominent Republican candidates seeking an open Senate seat, state Rep. Denise Grimsley of Sebring, and former Rep. Bill Galvano of Bradenton, in the same district.

Plant City officials objected, and the Senate agreed to put it back in a Hillsborough district while still keeping all of Lakeland in the Polk district by adopting an amendment offered by Sen. Jack Latvala, R-Clearwater. Latvala's map also once again put Grimsley and Galvano in separate districts.

Democrats who voted for the revised map are Gwen Margolis of Coconut Grove, Bill Montford of Tallahassee, Jeremy Ring of Margate, Gary Siplin of Orlando and Eleanor Sobel of Hollywood.



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House Poised to OK New Districts

By Bill Rufty

LEDGER POLITICAL EDITOR

Published: Sunday, March 25, 2012 at 11:50 p.m.

The Florida House of Representatives will convene Tuesday in Tallahassee for a very brief moment to approve the new Senate districts, which the upper chamber approved last week after what one senator termed "a circus."

The House and Senate have agreements that neither will interfere with the districts the other chamber draws for itself, so Tuesday's session should be quick and quiet.

But last week's Senate performance should teach us a truth about legislative bodies: It doesn't matter what your party, what your ethnicity or what your ideology, if your space is being threatened you are going to raise Cain about it.

Polk County lost having control of two Senate districts in an amendment filed by Sen. Jack Latvala, R-Clearwater, who grew up in Polk County and graduated from Bartow High School.

It moved the southern Polk County district father south, which will help Rep. Denise Grimsley, R-Sebring, in her race for the Senate and effectively knocked former state Rep. Baxter Troutman out of any attempts to run for the seat. It also helped two senators in Orlando.

One amendment that didn't pass was Sen. Miguel Diaz de la Portilla's proposal to carve a fourth Hispanic district out of Miami Dade. Sen. Gwen Margolis had said that would mean that no non-Hispanic candidate could win a seat from Miami-Dade.

A day earlier in the Senate Redistricting Committee, bingo cages and green and white ping pong balls were used to determine new district numbers.

One senator wanted to know whether the green ping pong balls were painted green or had been manufactured green. If painted green, she reasoned, the balls would be heavy and fall to the bottom.

They were manufactured green and were the same weight as the white ping pong balls in the cage.

Sen. Ronda Storms, R-Valrico, considered the process gambling and accused the Senate of "casting lots."

The redistricting comments and many questions from senators about districts, especially their own, came after pleas to maintain "the decorum of the Senate."

The chairman of the Senate Restricting Committee is Sen. Don Gaetz, R-Niceville, who may be just too Niceville a guy. He was lenient with the committee members and even spoke in favor of the Latvala amendment, which at least one senator noted would not have passed if Gaetz hadn't spoken in favor.

Gaetz becomes president of the Senate in November. The "niceness" and letting senators run loose with procedure might hamper efficient action in the Senate even more than this year.

HOME FOR THE FUNDRAISER

U.S. Rep. Dennis Ross comes home to Lakeland many weekends to be with his family, but Friday he was here for a fundraiser for his re-election campaign.

The last reporting date for the Federal Elections Commission was the end of December. At that time the FEC report showed that he had \$462,060 in contributions — \$302,924 from political action committees and \$159,136 from individuals.

When the Florida Senate first redistricted the congressional seats, Ross' 12th Congressional District, which was renumbered, was pushed far to the south, leaving him with less than 30 percent of the voters in his home county. There have been various rumors that someone was trying to "send him a message" or that another Republican member of Congress was being helped by some unseen hand.

Whatever the real reason for the game playing in the Senate, the district was made more winnable for Ross by Florida House Representatives negotiators.

Still, it isn't the best situation. The district, now the 15th Congressional District, only includes Polk and east Hillsborough counties. But Polk voters make up only 41 percent of the district. Ross could likely fend off any Republican challenger because he is well known in the Hillsborough areas of the district.

But also keep in mind that the Department of Justice is reviewing the congressional map and its 27 districts.

[Political Editor Bill Rufty can be reached at bill.rufty@theledger.com or 863-802-7523.]

The Palm Beach Post

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House committee sends Senate redistricting rewrite to House floor for final vote

By JOHN KENNEDY

Palm Beach Post Staff Writer

Posted: 6:41 p.m. Monday, March 26, 2012

A House panel Monday quickly approved the Senate's latest plan for redrawing its own political boundaries, with Republican leaders saying it surpassed an earlier attempt declared unconstitutional by the state Supreme Court.

But House Democrats united against the measure in the 13-7 vote by the Redistricting Committee. They warned the revamped plan still risked being tossed out by justices.

"I do think this map is probably less unconstitutional than the first one," said House Democratic Leader Ron Saunders of Key West.

Saunders said the plan still favors Senate incumbents from both parties, while maintaining Republican dominance in the chamber. It also deploys a district numbering system that helps current senators potentially serve extra years, he said.

Justices earlier this month threw out the Senate's first map for violating constitutional standards, which bar line-drawing that favors either party or incumbents.

But House Redistricting Chairman Will Weatherford, R-Wesley Chapel, said the Senate's latest work is "a significant improvement to the map that was passed before."

The House is on track to approve the new map Tuesday. Justices then will take another look; if they rule the latest plan is flawed, they are expected to redraw the Senate districts themselves.

Rep. Marty Kiar, D-Davie, called the map an "incumbent protection plan." As proof, he said only two senators in the 40-member chamber are paired in the same district — a central Florida one — compared with several House members who live in the same district as another incumbent.

The House map was upheld by the court.

Kiar did not include proposed District 34 in Palm Beach County, even though it includes 39 percent of the district now held by Sen. Marie Sachs, D-Delray Beach, and 49 percent of the seat held by Sen. Ellyn Bogdanoff, R-Fort Lauderdale.

Sachs lives only a few blocks outside the new borders, which is home to Bogdanoff. But with registered Democrats outnumbering Republicans 42-33 percent in the new district, which stretches from Fort Lauderdale through Boynton Beach, it could draw Sachs as a candidate.

Beth Kennedy, Sachs' campaign manager, said there was "still a lot of deliberation" to do before deciding on where to run. Sachs also has said she is not assured the court will endorse the latest map.

But if Sachs did move into District 34, it would allow her to avoid facing Democratic Rep. Joe Abruzzo of Wellington in a race for Senate District 25, where both lawmakers live.

Abruzzo said Monday he is committed to running for District 25 seat, which includes most of the county west of Florida's Turnpike.

"I will be running in that western seat," said Abruzzo, who plans to formally declare his candidacy early next month.



In central Palm Beach County, District 27, with a 52 percent black and Hispanic voting-age population, is expected to draw Reps. Mack Bernard, D-West Palm Beach, and Jeff Clemens, D-Lake Worth as candidates. Both live in

the proposed district.

Former Democratic state Rep. Kevin Rader also is looking to run for Senate. Rader has said he could challenge Sachs in a Democratic primary for District 34, or join Bernard and Clemens in a crowded contest to become the Democratic nominee for District 27.

Find this article at:

<http://www.palmbeachpost.com/news/state/house-committee-sends-senate-redistricting-rewrite-to-house-2263072.html>

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Florida House ready to approve Senate's revised redistricting map

By [Mary Ellen Klas](#), Times/Herald Tallahassee Bureau

Published Monday, March 26, 2012

TALLAHASSEE — The Florida House Redistricting Committee approved the Senate's fix to its rejected redistricting map on a party-line vote Monday and sent it to the House floor where nothing is expected to change.

"I think it's a significant improvement to the map that was passed before and I think it is in compliance," said House Redistricting Chairman Will Weatherford as the committee met to review the Senate map.

The Legislature has until Wednesday to come up with a new Senate map after the Florida Supreme Court rejected its first try 5-2 on March 9.

Democratic Majority Leader Ron Saunders predicted that absent any changes to the Senate map, it will prompt the party to urge the Florida Supreme Court to reject it when it conducts its second and final review this month.

"It's going to be challenged," Saunders said. "Districts are more compact than they were before, but we don't think it follows the Constitution much better."

Rep. Carlos Lopez-Cantera, R-Miami, said he expects the Miami-Dade delegation to warn that the failure of the map to draw a fourth Hispanic majority seat in Miami-Dade County may violate federal Voting Rights Act protections, but he said the map is likely to get the House's "rubber stamp."

"Numbers don't lie," he said. "With the voting age population of Hispanics in Dade County, you could justify six seats and all we're asking for are four seats."

Rep. Marty Kiar, D-Davie, expressed concern, too.

"I have grave concern that the map is nothing more than an incumbent protection plan," Kiar said, citing a *Times/Herald* analysis that showed that the Senate proposal puts only two senators into the same district while the House map approved by the court drew several legislators together.

The Palm Beach Post

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Florida House OKs redraw of Senate district lines, but misgivings persist

By JOHN KENNEDY

Palm Beach Post Staff Writer

Updated: 6:58 p.m. Tuesday, March 27, 2012

Posted: 6:23 p.m. Tuesday, March 27, 2012

A sharply divided Florida House approved the Senate's second attempt at redrawing its political boundaries Tuesday -- sending the proposal to the state Supreme Court for a final review.

But if legislative leaders hoped to flex confidence that the latest plan meets constitutional standards, the 61-47 House vote showed misgivings persist. Democrats joined Hispanic Republicans in opposing the plan, ignoring pleas from Redistricting Chairman Will Weatherford.

"If this map doesn't pass, what this body is doing is abdicating its responsibility to the Supreme Court," Weatherford, R-Wesley Chapel, told House members. "We are giving up the role we have as legislators to draw this map, and giving it to the Supreme Court."

The measure did pass. But critics raised a host of potential problems with the plan that could lead justices to again toss out the Senate boundaries. Another rejection would result in justices drawing the map for the 40-member Senate.

"Just because a map becomes less unconstitutional, which I think this one is, doesn't make it constitutional," said House Democratic Leader Ron Saunders of Key West.

In a 5-2 decision, the Supreme Court earlier this month ruled the Senate's initial proposal protected incumbents, packed minority voters into districts, and numbered Senate districts in a way to give incumbents more time in office.

Gov. Rick Scott called the Legislature back to a 15-day special session to redraw Senate boundaries. The Senate approved its own rewrite last week 31-6, with half the chamber's dozen Democrats opposed.

After Tuesday's vote, the House adjourned, effectively ending the special session a day early.

Justices had singled out eight districts in the first plan as unconstitutional, including two which course into Palm Beach County and are currently held by Sens. Chris Smith, D-Fort Lauderdale, and Ellyn Bogdanoff, R-Fort Lauderdale.

In the Senate rewrite, all eight districts are dramatically revamped, along with two other districts that badly fractured the city of Lakeland -- which justices also cited as a concern.

A numbering system also was redone that had given all but one incumbent senator prospects of serving 10 years in the Senate -- despite the state's eight-is-enough term limits.

The Senate Reapportionment Committee last week used numbered ping-pong balls pulled from bingo cages to assign district numbers, in a bid to convince justices the new plan was random. But the revisions still fall short, said Rep. Marty Kiar, D-Davie.

Kiar pointed out the new plan forces only Sens. Andy Gardiner, R-Orlando, and David Simmons, R-Maitland, into the same district. By contrast, several House members were paired in that chamber's redrawn boundaries, upheld by the Supreme Court.

"Once again, (Senate map-makers) knew where these people lived, they knew where these incumbents resided," Kiar said. He condemned the proposal as "an incumbent protection plan, that's all it is."

But defenders of the Senate proposal said it responded to what justices challenged. "I think the Senate answered

those questions, and they answered them well," said Rep. Peter Nehr, R-Palm Harbor.

Still, Rep. Evan Jenne, D-Dania Beach, proposed an alternative map Tuesday, defeated in a 72-36 party-line vote.

Democrats said the plan did a better job of protecting minority voters and creating compact districts. But they acknowledged the move was mostly strategy aimed at giving justices another plan to consider when they review the proposal from the Republican-ruled Legislature.

Some issues, however, are drawing heightened focus in the new plan.

Cuban-American Republicans voted against the measure because it failed to create a fourth Senate district in Miami-Dade County with a strong Hispanic population. Instead, three Senate districts in the county have Hispanic voting-age populations topping 80 percent. Reducing those levels could yield a fourth seat where Hispanic voters could elect a candidate they choose, critics said.



With Tuesday's vote, the redrawn boundaries will be sent to Attorney General Pam Bondi, who then forwards them to the Supreme Court. Justices will hear arguments on the new plan and must rule within 30 days whether it is constitutional.

If the court overturns the plan, justices then can take as much as 60 days to draw Senate boundaries themselves. Whatever is approved by the court still must undergo review by the U.S. Justice Department.

Meanwhile, the state's week-long candidate qualifying period -- scheduled to begin June 4 -- is bearing down.

With new congressional boundaries also being challenged in Leon County Circuit Court, the legal entanglements may threaten the early June qualifying -- or at least leave districts unsettled until the last minute. "It's going to be tough," Saunders said.

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The Miami Herald

Posted on Tue, Mar. 27, 2012

Legislature ends redistricting session, new Senate map approved

By Mary Ellen Klas
Herald/Times Tallahassee Bureau

The Florida Legislature ended its two-week legislative session on redistricting Tuesday, sending a redrawn map of new Senate districts to the Florida Supreme Court for one last review.

In a clipped, 90-minute session, the House voted 61-47 to approve the Senate-drawn plan — making no changes. It's now up to the state's highest court to decide whether the upper chamber did enough to fix the flaws in the first map that provoked the court's rebuke.

"I believe this is the right map at the right time," said House Redistricting Chairman Will Weatherford, R-Wesley Chapel.

The Florida Supreme Court rejected the first Senate map for failing to follow the requirements of the new Fair Districts standards. The new proposal, which appears to create more visually compact districts than the first, also creates one less Republican majority seat than the first plan, giving the GOP a 23-15 advantage, with two swing districts.

Democrats maligned the new map as fraught with many of the previous problems, from protecting incumbents, inexplicably dividing cities and counties, and failing to protect minority voting strength.

"We'll see you in court," said Florida Democratic Party spokeswoman Brannon Jordan, in a one-sentence statement.

"This is nothing more than an incumbent protection plan," said Rep. Marty Kiar, D-Davie, citing a Herald/Times analysis that shows that only two senators — Republican Sens. David Simmons and Andy Gardiner — are drawn into the same districts. Simmons has announced he will move.

"Now we're back in Tallahassee wasting taxpayer dollars because the people in the Senate didn't want to get it right the first time," Kiar added.

Unlike the vote on the first map, which won unanimous support of the House's Republican caucus, Hispanic members of Miami-Dade's delegation joined with Democrats to oppose the second Senate plan. They argued that the growth in the Hispanic population in Miami-Dade County justified a fourth Hispanic majority district. But the Senate map created only three protected seats.

"Why aren't these districts more balanced?" asked Rep. Jose Felix Diaz, R-Miami. "What we

have is a preservation of the status quo.”

Rep. Jeanette Nunez, R-Miami, suggested that the Senate should “take a Hippocratic oath” because the map enshrines another 10 years of unequal representation for Miami-Dade voters. “This is first do no harm.”

Rep. Erik Fresen, R-Miami, argued that the Miami-Dade Senate delegation, with only three Hispanic senators, does not reflect the population.

“That causes grave concern,” he said, suggesting that it not only violates the state constitutional standards but the federal Voting Rights Act.

But Weatherford urged the chamber to approve the Senate map and warned that rejecting it would set “a very dangerous precedent.”

“If this map doesn’t pass, what this body is doing is abdicating its role to the Supreme Court,” Weatherford said.

The attorney general has 15 days to ask the Florida Supreme Court for a second review of the revised Senate map. The court has 30 days to approve or reject it. If it rejects it, the court will then have 60 days to draw the map itself.

Mary Ellen Klas can be reached at meklas@MiamiHerald.com and on Twitter@MaryEllenKlas



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House Backs Senate's 2nd Redistricting Try

The approval sends the new map to the state's Supreme Court.

By Lloyd Dunkelberger

LEDGER TALLAHASSEE BUREAU

Published: Wednesday, March 28, 2012 at 2:10 a.m.

TALLAHASSEE | The Florida House on Tuesday endorsed the Senate's second try at redrawing district lines for state senators, sending the new map to the Florida Supreme Court and ending a 15-day special session.

"This is the right map at the right time," said House Redistricting Chairman Will Weatherford, R-Wesley Chapel.

With little debate or drama, the House quickly moved the Senate map through one committee and a 61-47 floor vote, ending a special session called by Gov. Rick Scott after the Supreme Court rejected the first Senate map. The Senate worked out the details of the plan last week in a lengthy floor session and in a unique, bingo-styled drawing to select district numbers.

Not everyone is happy. The Democrats, who hold a minority of seats in the House and Senate, will continue to challenge the map. "We'll see you in court," said Brannon Jordan, a spokeswoman for the Florida Democratic Party.

The Democrats will argue that the fix still does not overcome objections raised by the Supreme Court, which ruled the original redistricting plan violated state constitutional standards against drawing districts to favor incumbents or political parties. If the court rejects the second map, the justices will draw the new district lines.

Rep. Marty Kiar, D-Davie, said the revised plan is "equally flawed" as the first Senate redistricting effort. "The reason being it was clearly drawn to benefit incumbents," he said.

An amendment from Rep. Evan Jenne, D-Fort Lauderdale, that would have pitted more Senate incumbents against each other, increased minority representation in several districts and created more compact districts was rejected by the House in a party-line vote.

Hispanic Republicans from Miami-Dade County also voted against the plan, arguing that lawmakers could have created another Hispanic Senate seat in Southeast Florida — upping the total to four in the region.

An additional seat would reflect the growth in the Hispanic population in the area, said Rep. Jeanette Nunez, R-Miami. "Those numbers are not reflected in the plan," she said.

The redistricting plans goes to Attorney General Pam Bondi, who will send it to the Florida Supreme Court. The court has 30 days to rule on the map once it is received. The court already has approved the House map.

If approved by the court, the new district lines will be used by candidates running for the state Senate in 2012. They will qualify for office in early June and face a primary election in August and a general election in November.

If the court rejects the Senate map, the justices will draw the new district lines.

The process is approaching the end of a high stakes battle over the once-a-decade redistricting process that has gone on for years. Democrats joined other groups in a successful movement to amend the constitution in what proponents said was an effort to prevent gerrymandering in redistricting.

The amendments passed in 2010. But the House and Senate maps are not expected to result in sweeping changes.

Republicans hold 28 of the 40 state Senate seats. The new map, at best, may make three GOP seats more vulnerable to a challenge.

South Florida Sun-Sentinel.com

New districts may cut county's clout

4:14 AM EDT, March 28, 2012


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Smith's own district, which used to stretch into Palm Beach County, has been constricted to Broward-

only limits, but the incoming Senate Democratic leader said that shouldn't affect his re-election chances in November.

"I'll get re-elected," he said. "I don't care what district they draw."

Also possibly losing a seat is Bogdanoff. New district boundaries for her seat have far fewer Republican voters within them, making her re-election chances this fall anything but sure.

Still Bogdanoff, ever a tenacious candidate, said she's game to make the effort.

"The support is there, I've received a tremendous number of phone calls," she said. "It will be a tough race like all the other races I've had. I've never had easy campaigns."

While making calls to gauge support, Bogdanoff is still waiting to see whether the new redistricting plan passes muster with Florida's Supreme Court.

If not, the court could toss it out and draw up new districts itself.

Sean Foreman, an associate professor of political science at Barry University in Miami-Dade County, said Bogdanoff must have ticked off the Senate power brokers who crafted the new districts.

"It doesn't make sense that the leadership would draw out a sitting Republican unless she made people angry in Tallahassee," he said. Bogdanoff's strong endorsement of destination casinos may have sealed her fate.

"That didn't endear her to the leadership, it was a very unpopular issue throughout the state," Foreman said. "She ran into massive resistance."

As the only GOP senator in predominantly Democratic Broward, Bogdanoff was already within enemy territory, Foreman said, and her loss would not be dearly felt by the party as a whole.

"They have to sacrifice somebody and Republican leaders must think that Broward's worth surrendering," the professor said. "If you have to lose representation somewhere, it might as well be Broward."

But Bogdanoff blamed the state's highest court for the shift in her home turf. "They said they didn't like the district," she said.

The justices in Tallahassee ruled earlier this month that when the Senate redrew its boundaries, eight of the new seats ran afoul of the new Fair Districts anti-gerrymandering standards.

Fixing those eight seats required amending the borders of 26 districts, because all must be roughly equal in population. But the map overall sticks within county lines more consistently than either the current districts or the invalidated map.

Seven fewer counties are split: 24 in total, instead of the 45 split under the current map.

"I believe this is the right map at the right time. It should be passed and sent to the court," said House Redistricting Chairman Will Weatherford, R-Wesley Chapel.

But Democrats say the new map is still unconstitutional because it avoids pitting incumbents against each other.

"This kind of reminds of the gang that couldn't shoot straight," said Rep. Franklin Sands, D-Weston.

Miami-Dade Republicans also objected to the Senate map because it did not add a fourth Hispanic-majority seat as some county residents sought.

The map passed, though, by an unusually tight 61-47 vote.

"We'll see you in court," Brannon Jordon, spokeswoman for the Florida Democratic Party, said in a terse press release.

The redrawn map now goes to Florida Attorney General Pam Bondi, who will forward it to the high court after her own review.

The court then has 30 days to rule.

If the justices decide it doesn't comply with the law, they must draw a new map themselves within 60 days.

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Redrawn Senate map passes House, scramble for seats begin

By Mary Ellen Klas, Times/Herald Tallahassee Bureau

Published Tuesday, March 27, 2012

TALLAHASSEE — As the Florida Legislature finished its historic special session and sent a revamped redistricting map back to the state Supreme Court on Tuesday, another kind of history was being made.

Dozens of state House members were voluntarily house hunting, running for a different office, or planning to sit out the next legislative session to avoid a matchup with another lawmaker.

Republican James Grant filed papers Tuesday to run in a Pinellas-Hillsborough district that will force him to leave his current Carrollwood home. Rep. Perry Thurston, the incoming Democratic leader, planned to move in with his mom. Republican Eddy Gonzalez planned to rent in the Hialeah neighborhood where he grew up. And Rep. Scott Plakon of Longwood was ready to move in with his adult son a town over.

"It's historic," said Rep. Will Weatherford, the Wesley Chapel Republican and incoming House speaker who led the House's redistricting effort. "It's the first time in the nation this many members have been drawn into the same districts where it wasn't a court order."

The result, he said: "a lot of blood, sweat and tears," and a gradual realization that "having control of our own destiny and our own maps was more important than anybody's individual political agenda."

The House completed the two-week legislative redistricting session Tuesday and voted 61-47 to pass the Senate's revamped map without change.

The Florida Supreme Court had rejected the first Senate map for failing to follow the requirements of the new Fair Districts standards. The new proposal, which appears to create more visually compact districts than the first, also creates one less Republican majority seat, giving the GOP a 23-15 statistical advantage, with two swing districts.

Democrats maligned the Senate's second map, saying it was fraught with many of the same problems as the first — from protecting incumbents, inexplicably dividing cities and counties and failing to protect minority voting strength.

"We'll see you in court," Florida Democratic Party spokeswoman Brannon Jordan said in a terse statement.

Miami-Dade Republicans joined with Democrats in opposing the map, voicing concern that the proposal doesn't create enough Hispanic districts despite huge gains in the population over the last decade. But Weatherford said he considered the Senate map constitutional and warned that rejecting the map would set a "very dangerous precedent."

Unlike the Senate map, the House's proposed plan was approved by the court on the first review. Weatherford believes that was because legislators were willing to "put the process and the chamber above themselves."

He recalls telling members after Fair Districts passed in November 2010: "There will be political carnage from this." For the next 18 months, every opportunity he had, he said, he would "just hammer that home."

"It conditioned the members and allowed them to come to terms with, early on, the fact that it was going to be a hard process," Weatherford said Tuesday.

To ease the transition, Weatherford made a promise to any Republican House member who moved into a new district that he would protect them during the election season.

"It made the decision a little bit easier for some members," said Rep. Carlos Lopez Cantera, the House Republican leader.

Still, Grant said the process was "very tough." Grant not only grew up in the district he now represents, but he lives 500 yards from his parents' home.

He's moving to a redrawn district to the west that includes a majority of his current constituents. The move also means Grant will avoid a primary with Rep. Shawn Harrison, R-Lutz.

"No one ever expected to me leave Carrollwood," Grant said. But he said his father, the former state Sen. John Grant, had seen redistricting tangles before and "was adamant that when I ran, I rent, rather than buy."

Thurston's move to his mother's home in Lauderhill will avoid a matchup with Rep. Elaine Schwartz, D-Hollywood. "It's just two years," he said. "Anybody can do anything for two years."

Rep. Scott Plakon, R-Longwood, will move into a neighboring district with his adult son to avoid being matched up with Rep. Chris Dorworth, R-Lake Mary, who is slated to become House speaker after Weatherford.

Only two current legislators — Reps. Jose Felix Díaz and Ana Rivas Logan, both Miami Republicans — don't see moving as an option. They plan to fight it out all summer for the lone seat.

"I own my house," Díaz said Tuesday. "If the economy were different, maybe I could move, but it's not an option."

Times news artist Darla Cameron contributed to this report.

To see the full House and Senate maps, visit tampabay.com/redistricting

Side effect of redistricting

New boundaries for the state's 120 House districts forced dozens of incumbents to scramble to find a new office to seek rather than face a contested election among colleagues.

- **In St. Petersburg**, Republicans Larry Ahern and Jim Frishe and Democrat Rick Kriseman were all drawn into the new District 69. Frishe said he will run for Senate; Kriseman is considering a run for mayor.
- **In Tampa**, Republicans James Grant and Shawn Harrison were both drawn into the new District 63. Grant has filed to run for a neighboring open seat.
- **In Sarasota**, Republicans Doug Holder and Ray Pilon were both drawn into District 72. Holder will move and run for an open seat in Venice.

- In Lakeland, Republicans Seth McKeel and Kelly Stargel were put in the same District 40. Stargel will instead run for Senate.

Sources: Individual members, Republican and Democratic caucus leaders.

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MARCH 27, 2012

House completes revamped Senate map, Dems warn 'see you in court'

The Florida Legislature ended its two-week extraordinary legislative session on redistricting Tuesday, sending a redrawn map of new Senate districts to the Florida Supreme Court for one last review.

In a clipped, 90-minute session, the House voted 61-47 to approve the Senate-drawn plan — making no changes. It's now up to the state's highest court to decide if the upper chamber did enough to fix the flaws in the first map that provoked the court's rebuke.

"I believe this is the right map at the right time.," said House Redistricting Chairman **Will Weatherford**, R-Wesley Chapel.

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"This is nothing more than an incumbent protection plan," said Rep. **Marty Kiar**, D-Davie, citing a Herald/Times analysis that shows that only two senators — Republican Reps. **David Simmons** and **Andy Gardiner** — are drawn into the same districts. Simmons has announced he will move. "Now we're back in Tallahassee wasting taxpayer dollars because the people in the Senate didn't want to get it right the first time," Kiar said.

Unlike the first map, which won unanimous support of the House's Republican caucus, 11 Republicans -- most of them Hispanic members of Miami Dade's delegation -- joined with Democrats to oppose the Senate plan. They argued that the growth in the Hispanic population in Miami Dade County justified a fourth Hispanic majority district. But the Senate map created only three protected seats.

"Why aren't these districts more balanced," asked Rep. **Jose Felix Diaz**, R-Miami. "What we have is a preservation of the status quo."

Rep. **Jeanette Nunez**, R-Miami, suggested that the Senate should "take a Hippocratic oath" because the map enshrines another 10 years of unequal representation for Miami Dade voters. "This is first do no harm."

Rep. **Erik Fresen**, R-Miami, argued that the Miami delegation in the is not reflective of the population.

"That causes grave concern," he said, suggesting that it not only violates the state constitutional standards but the federal Voting Rights Act.

But Weatherford urged the chamber to approve the Senate map and warned that rejecting it would set "a very dangerous precedent."

"If this map doesn't pass what this body is doing is abdicating its role to the Supreme Court," Weatherford said.

The attorney general has 15 days to ask the Florida Supreme Court for a second review of the revised Senate map. The court has 30 days to approve or reject it. If it rejects it, the court will then have 60 days to draw the map themselves.

Posted by Mary Ellen Klas at 3:25:51 pm on March 27, 2012 in

- Florida redistricting

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Published: March 27, 2012

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Florida redistricting passes House, goes to court

By TBO.com | The Associated Press Associated Press | The Associated Press

The Republican-majority Florida Legislature is sending a revised Senate redistricting map back to the state Supreme Court.

The House today gave the map final approval on a 61-47 vote that went largely along party lines.

The Senate passed the revised plan last week. It's a response to findings by the Supreme Court.

The justices affirmed the 120-seat House map but ruled the 40-district Senate plan violated new anti-gerrymandering standards. The majority ruled in part that it intentionally favored incumbents and Republicans.

If the justices still find problems in the new map they could redraw it themselves.

The House vote wrapped up a 15-day special redistricting session a day early.

The chamber turned down an alternative map offered by Democrats before taking a final vote.

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The Miami Herald

Posted on Wed, Mar. 28, 2012

Lawmakers scramble for redrawn seats

Herald/Times Tallahassee Bureau

As the Florida Legislature finished its historic special session and sent a revamped redistricting map back to the state Supreme Court this week, another kind of history was being made.

Dozens of state House members were voluntarily house-hunting, running for a different office, or planning to sit out the next legislative session to avoid a matchup with another lawmaker.

Republican James Grant filed papers this week to run in a Pinellas-Hillsborough district that will force him to leave his current Carrollwood home. Rep. Perry Thurston, the incoming Democratic leader, planned to move in with his mom in Lauderhill. Republican Eddy Gonzalez planned to rent in the Hialeah neighborhood where he grew up. And Rep. Scott Plakon of Longwood was ready to move in with his adult son in a nearby town.

"It's historic," said Rep. Will Weatherford, the Wesley Chapel Republican and incoming House speaker who led the House's redistricting effort. "It's the first time in the nation this many members have been drawn into the same districts where it wasn't a court order."

The result, he said: "a lot of blood, sweat and tears," and a gradual realization that "having control of our own destiny and our own maps was more important than anybody's individual political agenda."

The House completed the two-week legislative redistricting session Tuesday and voted 61-47 to pass the Senate's revamped map without change.

The Florida Supreme Court had rejected the first Senate map for failing to follow the requirements of the new Fair Districts standards. The new proposal, which appears to create more visually compact districts than the first, also creates one less Republican majority seat, giving the GOP a 23-15 statistical advantage, with two swing districts.

Democrats maligned the Senate's second map, saying it was fraught with many of the same problems as the first — from protecting incumbents, inexplicably dividing cities and counties and failing to protect minority voting strength.

Unlike the Senate map, the House's proposed plan was approved by the court on the first review. Weatherford believes that was because legislators were willing to "put the process and the chamber above themselves."

He recalls telling members after Fair Districts passed in November 2010: "There will be

political carnage from this." For the next 18 months, every opportunity he had, he said, he would "just hammer that home."

"It conditioned the members and allowed them to come to terms with, early on, the fact that it was going to be a hard process," Weatherford said Tuesday.

To ease the transition, Weatherford made a promise to any Republican House member who moved into a new district that he would protect them during the election season.

"It made the decision a little bit easier for some members," said Rep. Carlos Lopez Cantera, the House Republican leader.

Still, Grant said the process was "very tough." Grant not only grew up in the district he now represents, but he lives 500 yards from his parents' home.

He's moving to a redrawn district to the west that includes a majority of his current constituents. The move also means Grant will avoid a primary with Rep. Shawn Harrison, R-Lutz.

"No one ever expected to me leave Carrollwood," Grant said. But he said his father, the former state Sen. John Grant, had seen redistricting tangles before and "was adamant that when I ran, I rent, rather than buy."

Thurston's move to his mother's home in Lauderhill will avoid a matchup with Rep. Elaine Schwartz, D-Hollywood. "It's just two years," he said. "Anybody can do anything for two years."

Rep. Scott Plakon, R-Longwood, will move into a neighboring district with his adult son to avoid being matched up with Rep. Chris Dorworth, R-Lake Mary, who is slated to become House speaker after Weatherford.

Only four current legislators don't see moving as an option. Reps. Jose Felix Diaz and Ana Rivas Logan, both Miami Republicans, plan to fight it out all summer for the lone seat. Democrats John Patrick Julien and Barbara Watson, both from Miami, will compete against each other in the August primary.

"I own my house," Diaz said Tuesday. "If the economy were different, maybe I could move, but it's not an option."