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HOUSE REDISTRICTING MEETING

13

TUESDAY, MARCH 27, 2012

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Transcribed by:

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CLARA C. ROTRUCK

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Court Reporter

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

2 REPRESENTATIVE CANNON: The House will
3 come to order. Members, please find your
4 seats. Members, we are pleased to have the
5 Chaplin of the Florida House, Chaplin Bob West,
6 to offer our prayer today. Members and
7 visitors in the gallery, please find your seats
8 and please rise for our invocation. Bob, lead
9 us in the invocation.

10 MR. WEST: Thank you, Mr. Speaker.

11 Our Father, in a moment like this, it is a
12 matter of catching our breaths, it is a matter
13 of these members who have sacrificed to be here
14 because they are conscientious, because they
15 want to serve their constituents, because you
16 have called them through the elective process,
17 and I thank you for them. I thank you for life
18 and all that it offers, especially in this way.
19 I thank you for their families, those from whom
20 they are absent, and we pray you will meet the
21 needs of those families in their absence.

22 And so, Father, today I just commit them
23 to you to your care and keeping. I pray for
24 Speaker Cannon and Leader Saunders and their
25 leadership teams as they administer what

1 follows here today. And I thank you, Lord, for
2 all you are doing in their lives, for the
3 peaceful session we passed through and for the
4 graceful speech we have heard in this chamber,
5 and I hope, Father, you will cause that to
6 continue today. So give them peace in their
7 hearts, these members, and their families.
8 And, Father, I just want to thank you so much
9 for all you are accomplishing through this
10 session and that it would bring you much glory.
11 So what we do here today, Father, glorify
12 yourself, for I pray in the name of our holy
13 God, creator, sustainer and redeemer. Amen.

14 REPRESENTATIVE CANNON: Amen.

15 For what purpose does Representative
16 Weatherford rise?

17 REPRESENTATIVE WEATHERFORD: Thank you,
18 Mr. Speaker. Mr. Speaker, if I could have just
19 a moment.

20 Members, it is with sadness that I say
21 this this morning, but on Monday, March 19th,
22 the state of Florida lost one of its most
23 optimistic and compassionate fighters. His
24 name was Dillon Watson, and Dillon is the son
25 of a friend of ours with the Florida Dental

1 Association, Ron Watson, and his wife, Dana,
2 and he passed away last week after a very long,
3 heroic battle with leukemia.

4 Dillion was an incredibly special boy who,
5 no matter what, always remained positive, and
6 to him there were three things he needed to do
7 every single day as he fought this illness, and
8 that was first to be awesome, second to be cool
9 and third to be funny. These three pillars
10 allowed him to rise above a tremendous amount
11 of adversity that leukemia brought to his life,
12 and he maintained happiness in the fun-loving
13 personality that he had to the very end.

14 The tremendous public support for Dillion
15 and his family throughout Dillion's fight has
16 been a true testament to the kind of person
17 that he was and how many lives he touched. He
18 reminds us all to cherish those that we love,
19 and most importantly to cherish life itself.

20 As a father, and many mothers and fathers
21 in this room, you imagine the thought of losing
22 a child certainly is a dramatic one, but when
23 you see Ron or his wife, Dana, please let them
24 know that we are thinking about them and
25 praying for them, and I ask that you rise with

1 me in a moment of silence in the honor of
2 Dillon Watson, the gift into the world that was
3 taken way too soon.

4 REPRESENTATIVE CANNON: Members, let's
5 observe a moment of silence and -- for Dillon
6 Watson.

7 (Brief pause.)

8 REPRESENTATIVE CANNON: Amen.

9 For what purpose does Representative
10 Taylor rise?

11 REPRESENTATIVE TAYLOR: To request a
12 moment of silence, Mr. Speaker.

13 REPRESENTATIVE CANNON: You are
14 recognized.

15 REPRESENTATIVE TAYLOR: Thank you,
16 Mr. Speaker.

17 On February 26, 2012, Trayvon Martin, a
18 17-year-old high school student from Miami
19 Gardens, was gunned down in the city of
20 Sanford. Although the circumstances of his
21 death are still unresolved, his death has
22 sparked an international movement.

23 Mr. Speaker, Trayvon enjoyed Skittles, he
24 enjoyed Arizona Tea, he enjoyed sports.

25 Mr. Speaker, I ask that we remain in prayer for

1 the parents of this young man, the family and
2 the community, as we continue to mourn his
3 untimely death and search for answers.

4 Mr. Speaker, like you, I have children,
5 children that I love, and I know you love yours
6 as well. This unfortunate incident should
7 remind us that we should always love our
8 children until the very end. For that,
9 Mr. Speaker, I request a moment of silence.

10 REPRESENTATIVE CANNON: Members, let's all
11 observe a moment of silence for Trayvon Martin.

12 (Brief pause.)

13 REPRESENTATIVE CANNON: Amen. Thank you,
14 Representative Taylor.

15 The clerk will unlock the machine and the
16 members will record their presence.

17 Have all members recorded their presence?
18 Have all members recorded their presence? The
19 clerk will lock the machine and announce the
20 presence of a quorum.

21 THE CLERK: 108 members voting, a quorum
22 is present, Mr. Speaker.

23 REPRESENTATIVE CANNON: Members and
24 visitors in the gallery, please rise for the
25 Pledge of Allegiance. The pledge today will be

1 led by our very own Representative Rich
2 Glorioso from his seat. Representative
3 Glorioso, you are recognized to lead us in the
4 Pledge of Allegiance.

5 REPRESENTATIVE GLORIOSO: I pledge
6 allegiance to the flag --

7 REPRESENTATIVE CANNON: Thank you,
8 members, you may be seated.

9 Are there corrections to the journal?
10 Hearing none, show the journal approved.

11 Are there matters on introduction in
12 reference? Are there communications?

13 THE CLERK: None on the desk, Mr. Speaker.

14 REPRESENTATIVE CANNON: Are there messages
15 from the Senate?

16 THE CLERK: None on the desk, Mr. Speaker.

17 REPRESENTATIVE CANNON: Are there reports
18 of standing committees and subcommittees?

19 THE CLERK: On the desk, Mr. Speaker.

20 REPRESENTATIVE CANNON: Read the report.

21 THE CLERK: The Honorable Dean Cannon,
22 Speaker, House of Representatives, dear
23 Mr. Speaker: Your Rules and Calendar Committee
24 herewith submits the special order for Tuesday,
25 March 27, 2012. Consideration of the House

1 bills on special orders shall include the
2 Senate companion measures on the House
3 calendar.

4 REPRESENTATIVE CANNON: Representative
5 Aubuchon, you are recognized on the report.

6 REPRESENTATIVE AUBUCHON: Thank you,
7 Mr. Speaker. The report sets a special order
8 calendar, and I move the adoption of the
9 special order report for today, Tuesday,
10 March 27, 2012.

11 REPRESENTATIVE CANNON: Are there
12 questions? Are there objections?

13 All in favor, signify by saying yea.

14 (Chorus of yeas.)

15 REPRESENTATIVE CANNON: Opposed, nay.

16 Show the special order report adopted.

17 Are there other reports?

18 THE CLERK: None on the desk, Mr. Speaker.

19 REPRESENTATIVE CANNON: Are there reports
20 of select committees?

21 THE CLERK: None on the desk, Mr. Speaker.

22 REPRESENTATIVE CANNON: Are there motions
23 relating to committee and subcommittee
24 references? Are there matters on
25 reconsideration? Are there bills and joint

1 resolutions on third reading?

2 THE CLERK: None on the desk, Mr. Speaker.

3 REPRESENTATIVE CANNON: Are there bills on
4 the special order calendar?

5 THE CLERK: On the desk, Mr. Speaker.

6 REPRESENTATIVE CANNON: All right. Before
7 we take up and read the bill, Representative
8 Alan Williams, Representative Alan Williams,
9 you have an introduction, I believe. Oh, not
10 yet.

11 All right. Representative Rich Workman,
12 Representative Workman for an introduction.

13 REPRESENTATIVE WORKMAN: Thank you,
14 Mr. Speaker.

15 It is with high honor that I do this
16 announcement today, and I will tell you that
17 with the exception of the day in 2007 when
18 Apalachee State beat Michigan in football, I
19 would introduce today the two biggest joys of
20 my life, my mini-me, Bailey Workman, and Sophia
21 Grace Workman in the east gallery, my children
22 here today.

23 REPRESENTATIVE CANNON: Welcome to the
24 Florida House.

25 Read the first bill.

1 THE CLERK: By Committee on
2 Reapportionment and Senator Gaetz, CS for
3 SJR-2B, a joint resolution of apportionment
4 readopting and amending Section 3 of Senate
5 Joint Resolution 1176, 2012, plan S016S9030
6 providing for severability of invalid portions
7 providing for application beginning in 2012.

8 REPRESENTATIVE CANNON: Representative
9 Weatherford, you are recognized to explain the
10 bill.

11 REPRESENTATIVE WEATHERFORD: Thank you,
12 Mr. Speaker.

13 Members, we are back. Members, we have
14 Senate Joint Resolution 2B before you as passed
15 by the Florida Senate last Thursday. It seeks
16 to remedy portions of the proposed
17 redistricting to the Florida Senate map
18 pursuant to March 9, 2012, order by the Supreme
19 Court of Florida.

20 For everyone's reference, shortly after
21 8:00 a.m. this morning, each of you had a
22 visual guide with maps and data e-mailed to you
23 regarding the proposed revisions, including how
24 it is that those revisions are compared to the
25 benchmark State Senate map that is in law

1 today, and also how those revisions compare to
2 the State Senate map that was passed during the
3 regular session. We also have copies of those
4 maps up here at the front of the chamber if you
5 would like to look at them.

6 Mr. Speaker, that is the bill.

7 REPRESENTATIVE CANNON: Are there
8 questions of the sponsor? Representative Kiar
9 for a question.

10 REPRESENTATIVE KIAR: Thank you,
11 Mr. Speaker.

12 Chair Weatherford, did you participate in
13 drawing this map?

14 REPRESENTATIVE CANNON: Representative
15 Weatherford.

16 REPRESENTATIVE WEATHERFORD: No.

17 REPRESENTATIVE CANNON: Further questions?
18 Representative Kiar for a follow-up.

19 REPRESENTATIVE KIAR: So can you answer
20 any specifics with regard to how this map was
21 drawn, the functional analysis used or anything
22 of that nature?

23 REPRESENTATIVE CANNON: Representative
24 Weatherford.

25 REPRESENTATIVE WEATHERFORD: Well, I think

1 a lot of that was played out in the Senate last
2 week, watching through the Committee and the
3 chamber, I did obviously watch. As far as the
4 process that was utilized and the methodology,
5 I think they have explained in their bill
6 analysis, but as far as us having influence or
7 us participating in that, the answer would be
8 no.

9 REPRESENTATIVE CANNON: Representative
10 Kiar.

11 REPRESENTATIVE KIAR: Thank you,
12 Mr. Speaker.

13 So if yourself or our staff or any other
14 member of this body did not participate in
15 drawing these maps, and if you are not aware of
16 the specifics utilized or anything of that
17 nature, how can you be sure that it complies
18 with the Florida Constitution and Amendment 5?

19 REPRESENTATIVE CANNON: Representative
20 Weatherford.

21 REPRESENTATIVE WEATHERFORD: Well, I think
22 it is very clear that this map does make
23 significant improvements to the other map. It
24 is very clear that there are seven less
25 counties that are split, there are seven less

1 cities that are split, and the eight specific
2 districts that were referenced by the Supreme
3 Court, they sought to remedy, and I believe
4 that they have. So there has been clear
5 improvement in the map.

6 REPRESENTATIVE CANNON: Representative
7 Kiar.

8 REPRESENTATIVE KIAR: Thank you,
9 Mr. Speaker.

10 Are there any current Senate incumbents
11 that are drawn in the same district with one
12 another?

13 REPRESENTATIVE CANNON: Representative
14 Weatherford.

15 REPRESENTATIVE WEATHERFORD: I have read
16 that there are, but I don't know where all the
17 Senators live, so I couldn't speak to the
18 specifics.

19 REPRESENTATIVE CANNON: Representative
20 Kiar.

21 REPRESENTATIVE KIAR: Did you read that
22 only two Senate incumbents, Senator Simmons and
23 Senator Gardiner, were in the same district
24 together?

25 REPRESENTATIVE CANNON: Representative

1 Weatherford.

2 REPRESENTATIVE WEATHERFORD: I have read
3 that, and I have read varying different
4 articles that have thrown different names
5 around, so to be honest with you, in regards to
6 this map that we are talking about today, I
7 don't know who is paired up with each other and
8 who is not.

9 REPRESENTATIVE CANNON: Representative
10 Kiar.

11 REPRESENTATIVE KIAR: Thank you,
12 Mr. Speaker.

13 Well, did you read the news article that
14 stated that Senator Simmons was planning on
15 moving? And so if that is the case, if not one
16 incumbent is having to run against another
17 incumbent, isn't it possible that the map then
18 was drawn to benefit incumbents in violation of
19 the Constitution?

20 REPRESENTATIVE CANNON: Representative
21 Kiar, that is getting perilously close to
22 debate, my friend. We will allow ample time
23 for debate, but Representative Weatherford, you
24 can respond if you would like.

25 REPRESENTATIVE WEATHERFORD: Thank you,

1 Mr. Speaker.

2 I would say the answer to that is
3 absolutely not, and the reason for that is
4 there is no standard in the Constitution that
5 says that people should be paired. What it
6 talks about is Tier 1 and Tier 2 standards that
7 are within the Constitution that we have to
8 follow, and I think that when you look at the
9 map, there is a very strong effort and, I
10 believe, success in following that standard.

11 REPRESENTATIVE CANNON: Representative
12 Kiar.

13 REPRESENTATIVE KIAR: Thank you,
14 Mr. Speaker.

15 My last question is this: The map that
16 you drew, which was upheld by the Supreme
17 Court, had a number of incumbents running
18 against each other in both parties, and my
19 question to you is, if there is not one
20 incumbent that is in danger of losing a seat
21 because they are not drawn in with another
22 person, is that -- could that be evidence to
23 the Supreme Court that this map was drawn to
24 benefit incumbents and violate the
25 Constitution?

1 REPRESENTATIVE CANNON: Representative
2 Weatherford.

3 REPRESENTATIVE WEATHERFORD: Well, the
4 good news, Representative Kiar, is that we have
5 a Supreme Court to be the final arbiter of
6 that. I am not a constitutional attorney and
7 certainly not the Court. Our job is to look at
8 the Tier 1 and Tier 2 standards and the federal
9 law and make sure that there is no
10 retrogression, that political boundaries are
11 followed, and that is what we look at as we are
12 judging the map. We are not looking at the
13 intent. We are focusing on the Tier 1 and Tier
14 2 standards.

15 REPRESENTATIVE CANNON: Representative
16 Kiar, you said that was your last question.
17 Was that your last question?

18 REPRESENTATIVE KIAR: This is my last last
19 question.

20 REPRESENTATIVE CANNON: Okay. All right.

21 REPRESENTATIVE KIAR: My final question is
22 if I remember in your debate with the House
23 maps, you did highlight the fact that there
24 were a number of incumbents running against
25 each other. When you viewed the Senate on the

1 floor, did they highlight the fact that there
2 were any incumbents running against each other
3 as proof that their map does not violate
4 Amendment 5?

5 REPRESENTATIVE CANNON: Representative
6 Weatherford.

7 REPRESENTATIVE WEATHERFORD: Thank you,
8 Mr. Speaker.

9 I am not aware that they did or did not,
10 but, again, whether or not incumbents are
11 pitted against each other is not -- does not
12 give evidence, you know, that there was intent
13 or was not intent. And so, to me, what you
14 have to look at are the other standards that
15 are in law and find out if there's compliance
16 with them. Certainly there were pairings in
17 the House map, but this is the Senate map. A
18 Senate district is much different than a House
19 district; in fact, it has over 450,000 people
20 in it compared to 160, and so the dynamics of a
21 Senate map are far different than a House map,
22 and for that, you will always have differences.

23 REPRESENTATIVE CANNON: Representative
24 Clarke-Reed for a question.

25 REPRESENTATIVE CLARKE-REED: Thank you,

1 Mr. Speaker.

2 Chairman Weatherford, do you know whether
3 this map creates more minority Senate seats?

4 REPRESENTATIVE CANNON: Representative
5 Weatherford.

6 REPRESENTATIVE WEATHERFORD: Thank you,
7 Mr. Speaker.

8 It may, and I know that is not probably
9 the perfect answer, and the reason for that is
10 there is a Hispanic access seat in central
11 Florida, I can't remember if it is a majority
12 seat -- it is a majority seat. It is just over
13 50 percent. There is no guarantee that it
14 would perform for Hispanic, but I think the
15 assumption is that it probably would. So if
16 that were the case, then, yes, there would be
17 an increase in minority representation.

18 REPRESENTATIVE CANNON: Representative
19 Clarke-Reed.

20 REPRESENTATIVE CLARKE-REED: Thank you,
21 Mr. Speaker.

22 Does this map create any new seats for
23 African-Americans?

24 REPRESENTATIVE CANNON: Representative
25 Weatherford.

1 REPRESENTATIVE WEATHERFORD: Not to my
2 knowledge.

3 REPRESENTATIVE CANNON: Representative --
4 further questions? Representative Saunders for
5 a question.

6 REPRESENTATIVE SAUNDERS: Thank you,
7 Mr. Speaker.

8 It has been represented to the press that
9 we have a gentlemen's agreement with the Senate
10 that we would accept whatever map came over.
11 Is that generally accepted to be the agreement?

12 REPRESENTATIVE CANNON: Representative
13 Weatherford.

14 REPRESENTATIVE WEATHERFORD: I think the
15 agreement, Representative Saunders, is that we
16 have a gentlemen's agreement to show deference
17 to each other's chamber as long as what we feel
18 like the product coming from one chamber to the
19 other is in compliance with the law. So that
20 would be the way I would define the
21 relationship between the two.

22 REPRESENTATIVE CANNON: Representative
23 Saunders for a follow-up.

24 REPRESENTATIVE SAUNDERS: Thank you,
25 Mr. Speaker.

1 So would it be fair to say that your
2 recommendation as Chairman of the Committee
3 would be to reject any amendment offered today,
4 regardless if it was better than the Senate
5 plan, because if we accepted any amendment, it
6 would send it back to the Senate, so regardless
7 of how good or bad an amendment would be, it
8 would be your recommendation that that
9 amendment be defeated on the floor today?

10 REPRESENTATIVE CANNON: Representative
11 Weatherford.

12 REPRESENTATIVE WEATHERFORD: I think one
13 thing we learned in the brief that we heard and
14 the opinion we got back from the Court is that
15 there's multiple ways to have a compliant map.
16 So there is no one map that is superior, there
17 are different ways to be compliant with the
18 law.

19 That being said, the challenge that I
20 think we would have in amending their map is
21 two-fold. Number one, if we amend it, we
22 certainly have no guarantee that they will pass
23 it. Number two, if we don't pass our map, we
24 are advocating the authority of drawing the
25 Senate map to the Supreme Court, which I think

1 is a very dangerous precedent for the future.
2 And so for that purpose, I believe this is the
3 right map at the right time, it should be
4 passed and gone to the Court.

5 REPRESENTATIVE CANNON: Representative
6 Saunders for a follow-up.

7 REPRESENTATIVE SAUNDERS: Thank you,
8 Mr. Speaker.

9 One of the reasons why the Court accepted
10 the House map and rejected the Senate map was
11 the failure of the Senate to perform a
12 functional analysis on the seats, particularly
13 the minority access seats. I have asked Mr.
14 Kelly, and I appreciate him providing me with a
15 functional analysis of both the map before us
16 today and the Jenne amendment to show those
17 analysis.

18 I wanted to point out what is on the
19 analysis he gave me and I wanted to see if this
20 is also the analysis the Senate did, if I have
21 the opportunity to do that. Under the My
22 District Builder data for functional analysis,
23 it has the district numbers and then it has the
24 population, it has black voting age population
25 and Hispanic voting age population. Next is

1 election results, and it has the election
2 results for the 2010 Governor's race, the 2008
3 Presidential race and the 2006 gubernatorial
4 race. Under "Voter Registration," it has
5 registered voters who are Democrats, registered
6 voters who are Republicans, registered voters
7 who are black, registered Democrats who are
8 Hispanic, registered Republicans who are
9 Hispanic, black registered voters who are
10 Democrats, Hispanic registered voters who are
11 Democrats, Hispanic registered voters who are
12 Republicans. Then it has general election
13 turnout, 2010 general election voters who are
14 Democrats, 2010 general election voters who are
15 Republicans, Democratic 2010 general election
16 voters who are black, Democratic 2010 general
17 election voters who are Hispanic, Republican
18 2010 general election voters who are Hispanic,
19 black 2010 general election voters who are
20 Democrats, Hispanic 2010 general election
21 voters who are Democrats, Hispanic 2010 general
22 election voters who are Republicans. And the
23 final one is primary election turnout, 2010
24 Democratic primary election voters who are
25 black, 2010 Democratic primary election voters

1 who are Hispanic and 2010 Republican primary
2 voters who are Hispanic.

3 So the question would be: Is this the
4 analysis that the House performed, which I
5 assume is yes, and secondly would be did the
6 Senate perform an identical analysis?

7 REPRESENTATIVE CANNON: Representative
8 Weatherford.

9 REPRESENTATIVE WEATHERFORD: Thank you,
10 Mr. Speaker.

11 The good news is, the analysis you just
12 outlined is the Senate analysis; in fact, what
13 Mr. Kelly gave you was a copy of the analysis
14 the Senate did. The analysis the Senate did
15 was actually what the Supreme Court utilized in
16 their analysis of those districts. So the
17 functional analysis that was done was -- the
18 product that you have before you is the Senate
19 functional analysis, and they took the same
20 functional analysis that the Supreme Court
21 utilized to look at the maps.

22 REPRESENTATIVE CANNON: Representative
23 Saunders for a follow-up.

24 REPRESENTATIVE SAUNDERS: Thank you,
25 Mr. Speaker.

1 And is this analysis identical to what the
2 House would have done had the House done a
3 functional analysis of the Senate seats?

4 REPRESENTATIVE CANNON: Representative
5 Weatherford.

6 REPRESENTATIVE WEATHERFORD: Thank you,
7 Mr. Speaker.

8 I would say it is very similar, but there
9 were slight nuance differences.

10 REPRESENTATIVE CANNON: Representative
11 Saunders.

12 REPRESENTATIVE SAUNDERS: Thank you, Mr.
13 Speaker.

14 Since the Court may look at this, can you
15 explain what the slight nuance differences are?

16 REPRESENTATIVE CANNON: Representative
17 Weatherford.

18 REPRESENTATIVE WEATHERFORD: Some of the
19 elections data was different as far as the
20 years or the races they looked at. If you want
21 a specific list of them, what I will do is ask
22 staff to try to put together that for you, and
23 before we get past second reading, I will give
24 it to you in its entirety.

25 REPRESENTATIVE CANNON: Representative

1 Saunders.

2 REPRESENTATIVE SAUNDERS: Thank you, Mr.
3 Speaker.

4 One of the reasons I am asking is because
5 there was a discussion in Justice Perry's
6 opinion about retrogression, and in order to
7 determine whether retrogression occurred
8 implied that you have to do this kind of
9 analysis. And so was there a type of cut-off
10 point -- I know that this is the Senate map,
11 and the House really didn't have a lot of
12 input, but -- because we have excellent staff
13 and excellent attorneys. Have they analyzed
14 the opinion and figured out what point is
15 retrogression occurring? In other words, where
16 can you drop minority performance data to the
17 point where it is retrogression?

18 REPRESENTATIVE CANNON: Representative
19 Weatherford.

20 REPRESENTATIVE WEATHERFORD: Thank you,
21 Mr. Speaker.

22 That is a very interesting question. We
23 have looked at that. We believe that there is
24 no retrogression whatsoever in the Senate map.
25 As far as what number you get to before you

1 trigger retrogression, it is specific to each
2 district. There is no one formula. The courts
3 have been looking at retrogression for
4 generations. They have yet to define what
5 retrogression actually means in a finite
6 number. So I would say to you that we believe
7 there is no retrogression, but we don't have a
8 specific number to point to to say if you get
9 below this number, you have reached it.

10 REPRESENTATIVE CANNON: Representative
11 Saunders.

12 REPRESENTATIVE SAUNDERS: And the last
13 area I wanted to talk about was compactness. I
14 know in committee you had charts that showed
15 various formulas. Can you just -- since they
16 are not out here on the floor today, can you
17 explain what test of compactness the House has
18 been using to determine the compactness of each
19 Senate district?

20 REPRESENTATIVE CANNON: Representative
21 Weatherford.

22 REPRESENTATIVE WEATHERFORD: Thank you,
23 Mr. Speaker.

24 We looked at most of the traditional
25 measures of compactness, the geographical

1 compactness measures. There's over 30
2 different types of compactness measures that
3 have been utilized by the Court. We used the
4 ones that were the most prominent, but,
5 frankly, when it comes to compactness, the best
6 measurement is the eyeball test, because you
7 have to also recognize the area that you are
8 talking about. And so if you know what the
9 state of Florida looks like and you recognized
10 the communities that are all along the state of
11 Florida, and you see a district drawn, one may
12 stick out to you from an eyeball perspective to
13 say that doesn't look right. It may look
14 compact on a piece of paper, but if you know
15 the area, you would know that those communities
16 shouldn't be tied together and what not.

17 So, to me, compactness can mean a lot of
18 different things. The Supreme Court did focus
19 on a few specific types of compactness, but
20 they didn't say that those were the only they
21 would look at, but they did reference them.

22 REPRESENTATIVE CANNON: Representative
23 Rouson for a question.

24 REPRESENTATIVE ROUSON: Thank you very
25 much, Mr. Speaker.

1 Chair Weatherford, thank you for what you
2 have done throughout this entire redistricting
3 process. I am a little disappointed, however,
4 though, that we may not be exercising our own
5 independent judgment. I received a letter from
6 the St. Petersburg branch of the NAACP that
7 expresses concern about the drop in black
8 voting age population in the Hillsborough
9 Senate seat, and that that may likely deny the
10 ability of a minority to be elected to the
11 Senate. Can you explain why that was done in
12 this Section 5-protected county?

13 REPRESENTATIVE CANNON: Representative
14 Weatherford.

15 REPRESENTATIVE WEATHERFORD: Thank you,
16 Mr. Speaker.

17 I may have to do a little bit of digging
18 on this question, because I want to make sure I
19 answer it in a proper manner, but I do believe
20 that the Court said that you could not just
21 singularly look at the VAP of a district.

22 And also I would say, in regard to the
23 beginning of your question, I don't think we
24 are taking away the independent decision-making
25 of this body. It is made up of 120 members. I

1 feel like 120 members are free to express their
2 opinion in any way, shape or form that they
3 wish. I am standing before you to tell you
4 that I think it is important we pass this map,
5 because if we do not, we would be ceding the
6 authority that we have clearly given to us in
7 the Constitution and giving it to another
8 branch of government. I don't think that is
9 the right thing to do. But that being said,
10 people have their free and independent will to
11 vote how they want.

12 REPRESENTATIVE CANNON: Representative
13 Rouson.

14 REPRESENTATIVE ROUSON: Thank you very
15 much, Mr. Speaker.

16 My last question concerns the eight is
17 enough. Does the Senate-drawn map address the
18 constitutional mandate of eight is enough?

19 REPRESENTATIVE CANNON: Representative
20 Weatherford.

21 REPRESENTATIVE WEATHERFORD: I have no
22 idea, but we will let the Supreme Court take a
23 look at that when they get it.

24 And to further clarify your question
25 before, I was talking to Mr. Kelly there as

1 well, it is my understanding that that
2 district, the Senate district you referenced,
3 went from 39 percent black VAP to 37 percent,
4 and even though it did go down two percentage
5 points, there is still a very strong belief
6 that it would perform for an African-American.
7 And so a retrogression would only come into
8 effect if we felt like it would not perform,
9 but we believe that it still would.

10 REPRESENTATIVE CANNON: Representative
11 Jones for a question. Never mind.

12 Representative Rogers for a question.

13 REPRESENTATIVE ROGERS: Thank you,
14 Mr. Speaker.

15 I bel- -- my question was asked by Ron
16 Saunders as it relates to retrogression,
17 Mr. Chair, and I don't believe I got the answer
18 that I wanted. Can you be a little bit more
19 specific as it relates to Justice Perry's
20 opinion as in looking at the Senate maps as it
21 relates to retrogression? Did we use any of
22 those comments in reviewing the proposed maps
23 from the Senate?

24 REPRESENTATIVE CANNON: Representative
25 Weatherford.

1 REPRESENTATIVE WEATHERFORD: Thank you,
2 Mr. Speaker.

3 All I can do is give the answer, I guess
4 you have to decide whether or not it is the
5 answer you like, but I will tell you, yes, I do
6 believe the Senate used the analysis -- the
7 functional analysis that the Court utilized.
8 So the numbers that we have and that they
9 utilized to make sure that there was no
10 retrogression was the exact same functional
11 analysis that the Supreme Court utilized to
12 make sure there was no retrogression.

13 REPRESENTATIVE CANNON: Representative
14 Garcia for a question.

15 REPRESENTATIVE GARCIA: Thank you,
16 Mr. Speaker.

17 The Speaker Designate, you were the
18 architect of a great document, the House maps,
19 a document that was -- that passed unanimous --
20 it was passed unanimously by the Supreme Court.
21 So you are supposed to be our expert, right?
22 That is the question. Are you our expert?

23 REPRESENTATIVE CANNON: Representative
24 Weatherford.

25 REPRESENTATIVE WEATHERFORD: Thank you,

1 Mr. Speaker.

2 The first thing I would say, if it was
3 such a great document, how come you and none of
4 your colleagues voted for it?

5 REPRESENTATIVE CANNON: Strong, strong,
6 Representative Weatherford. Representative
7 Garcia, are you sure you want to ask another
8 question?

9 REPRESENTATIVE GARCIA: Oh, yes. No, I
10 thought we were on question, we are in debate,
11 but that is all right.

12 REPRESENTATIVE CANNON: Go ahead,
13 Representative Garcia.

14 REPRESENTATIVE GARCIA: I'm sorry?

15 REPRESENTATIVE CANNON: You are
16 recognized, Representative Garcia.

17 REPRESENTATIVE GARCIA: I'm sorry,
18 Mr. Speaker.

19 This is the last detail, so, I mean, I am
20 -- please, a little bit of flexibility. With
21 your great deal of expertise, in all good
22 conscience, and other than the fact that we are
23 going to honor the Senate map, would you
24 recommend this document, this amendment, this
25 bill?

1 REPRESENTATIVE CANNON: Representative
2 Weatherford.

3 REPRESENTATIVE WEATHERFORD: Thank you,
4 Mr. Speaker.

5 I don't think I would be presenting the
6 bill on the floor if I didn't think that it met
7 the constitutional standards required.

8 REPRESENTATIVE CANNON: Further questions?
9 Representative Williams for a question.

10 REPRESENTATIVE WILLIAMS: Thank you.
11 Thank you, Mr. Speaker.

12 Chair Weatherford, going back to the term
13 limit question, are there any concerns that you
14 have with this map as it relates to us meeting
15 the constitutional requirement of the term
16 limits that are set in place for the House and
17 the Senate?

18 REPRESENTATIVE CANNON: Representative
19 Weatherford.

20 REPRESENTATIVE WEATHERFORD: Thank you,
21 Mr. Speaker.

22 To be honest with you, I just don't know
23 the answer to that question. That is an
24 interpretation that probably only the Court can
25 give. There have been redistricting years in

1 the past where members have gotten more than
2 eight years because of the redistricting
3 numbering system, has never been challenged,
4 and so it is kind of an unchartered waters,
5 but, again, as it goes to the Court for a
6 facial review, we will see what they say.

7 REPRESENTATIVE CANNON: Representative
8 Williams.

9 REPRESENTATIVE WILLIAMS: Thank -- thank
10 you, Mr. Speaker.

11 Chair Weatherford, was there -- is there
12 any other way that this map could have been
13 positioned or numbered in order to meet that
14 constitutional requirement that you may have
15 looked at or staff may have looked at to make
16 sure that the citizens of the state of Florida
17 get a Senator for eight years and not ten years
18 or 12 years or what have you?

19 REPRESENTATIVE CANNON: Representative
20 Weatherford.

21 REPRESENTATIVE WEATHERFORD: Thank you,
22 Mr. Speaker.

23 Similar to map-making, there's always a
24 different way to get to a legally compliant
25 map. I would say from a numbering perspective,

1 there's a lot of different ways you could
2 probably number it that would hold up within
3 the Constitution. The Senate chose a method
4 that was both random and probably a little bit
5 entertaining and theatrical.

6 REPRESENTATIVE CANNON: Further questions?
7 Further questions? Representative Waldman for
8 a question.

9 REPRESENTATIVE WALDMAN: Thank you,
10 Mr. Speaker.

11 Just following up a little bit more on the
12 numbering here. Were there any proposals that
13 the House staff had of ways to do this that you
14 would like to share with us at this point?

15 REPRESENTATIVE CANNON: Representative
16 Weatherford.

17 REPRESENTATIVE WEATHERFORD: Thank you,
18 Mr. Speaker.

19 Could you rephrase that question? I am
20 not sure I understood exactly what you were
21 asking.

22 REPRESENTATIVE CANNON: Representative
23 Waldman.

24 REPRESENTATIVE WALDMAN: Thank you,
25 Mr. Speaker.

1 I will try to make it sound a little --
2 much more sense -- sensical this way. How is
3 this: What plans did you look at of ways to
4 number that might make a little bit more sense
5 or that you thought might work?

6 REPRESENTATIVE CANNON: Representative
7 Weatherford.

8 REPRESENTATIVE WEATHERFORD: Thank you,
9 Mr. Speaker.

10 I never looked at any. I always assumed
11 that the Senate would number their own
12 districts, and so on a personal level, I never
13 came up with any proposals to number the
14 districts.

15 REPRESENTATIVE CANNON: Representative
16 Waldman.

17 REPRESENTATIVE WALDMAN: Thank you,
18 Mr. Speaker.

19 Did House staff come up with any proposed
20 ideas of how to do it, or do we just totally
21 abrogate that to the Senate and what they were
22 going to do?

23 REPRESENTATIVE CANNON: Representative
24 Weatherford.

25 REPRESENTATIVE WEATHERFORD: Thank you,

1 Mr. Speaker.

2 They may have, I have not seen them, and
3 since we don't allow staff to speak on the
4 floor during debate or question and answer, all
5 I can say is that they probably have and may
6 have, but I don't know what they did.

7 REPRESENTATIVE CANNON: Further questions?
8 Further questions? Representative Saunders for
9 a few more questions.

10 REPRESENTATIVE SAUNDERS: Thank you,
11 Mr. Speaker.

12 I just want to follow up, because I did
13 have some discussions with House staff about
14 perhaps a better way to do the numbering, and
15 it is not going to be in any of the amendments
16 today or on the map, but I just want to point
17 out since the Supreme Court may be paying
18 attention, that we did come up with some ideas
19 of how to comply with eight is enough. For
20 example, if someone --

21 REPRESENTATIVE CANNON: Representative
22 Saunders?

23 REPRESENTATIVE SAUNDERS: Yes.

24 REPRESENTATIVE CANNON: When it is time
25 for debate, you are welcome to make those

1 points in debate. If there is a question,
2 let's stick to the question. Representative
3 Saunders, you are recognized.

4 REPRESENTATIVE SAUNDERS: The question
5 was, basically, is there a better way to do the
6 numbering to more fully comply with eight is
7 enough? I know you have answered that and said
8 it is up to the Court. My question would be,
9 would it make sense, for example, to have a
10 Senate seat where a Senator was elected in '04
11 who we know is going to be term limited, an
12 open seat would get a four-year term, so
13 whoever runs is going to get a four plus four,
14 Senators elected in '06 that only have two more
15 years until they are eight, they will get a
16 two-year term, was that looked at as an
17 alternative by the Senate, to your knowledge,
18 so that at least some of the Senators would
19 follow the eight is enough? So a Senator that
20 has an open seat, that seat would get a
21 four-year term, a Senator elected in '06 will
22 get a two-year term because that would give
23 them a total of eight years. To your
24 knowledge, was that looked at in the Senate as
25 far as at least partially complying with eight

1 is enough?

2 REPRESENTATIVE CANNON: Representative
3 Weatherford.

4 REPRESENTATIVE WEATHERFORD: Thank you,
5 Mr. Speaker.

6 I do not know. They may have, but I don't
7 know.

8 REPRESENTATIVE CANNON: Further questions?
9 Further questions?

10 Are there amendments?

11 THE CLERK: On the desk, Mr. Speaker.

12 REPRESENTATIVE CANNON: Read the first
13 amendment.

14 THE CLERK: Representative Jenne offered
15 the following amendment with title amendment
16 bar code 724771, remove lines 18 through 5365
17 and insert an amendment.

18 REPRESENTATIVE CANNON: Representative
19 Jenne, you are recognized to explain your
20 amendment.

21 REPRESENTATIVE JENNE: Thank you,
22 Mr. Speaker.

23 Members, this amendment simply seeks to
24 take the product that has been sent over to us
25 by the Senate, sand it down a little bit, take

1 those rough edges off and have what I believe
2 is a more constitutional map than the one that
3 we are voting on. I don't think anyone can
4 disagree that the map -- the underlying map
5 that we have before us today is a great and
6 vast improvement from the original map that was
7 struck down by the Supreme Court; however, we
8 do have some grave concerns that we may not be
9 able to get to that point with this map and we
10 may be back here again to go ahead and
11 implement the Supreme Court's changes that they
12 make to the map. Members, I will go into more
13 detail moving forward in my close, but
14 Mr. Speaker, that is the bill, or the
15 amendment.

16 REPRESENTATIVE CANNON: Are there
17 questions of the sponsor on the amendment?
18 Representative Waldman for a question.

19 REPRESENTATIVE WALDMAN: Thank you,
20 Mr. Speaker.

21 What specifically did you do regarding the
22 numbering system to try to -- to comply?

23 REPRESENTATIVE CANNON: Representative
24 Jenne.

25 REPRESENTATIVE JENNE: If I could, I would

1 like to yield to Representative Saunders.

2 REPRESENTATIVE CANNON: Representative
3 Saunders.

4 REPRESENTATIVE SAUNDERS: Thank you,
5 Mr. Speaker.

6 We were planning on putting in a new
7 numbering system based on what the -- the
8 questions I asked Representative Weatherford,
9 which would have given the open seats four-year
10 terms and the others two years, but because of
11 the technical requirements of being able to do
12 that, we did not renumber the map according to
13 that system. We figured that if the Supreme
14 Court has a problem with a map that passes
15 today, they will probably do the renumbering
16 for them, so we didn't put that in this map,
17 but we would have, but because of the technical
18 problems and the fact that we were able to
19 count and realize our map amendment probably is
20 not going to pass today, we don't want to put
21 the staff through that knowing that it was not
22 going to be adopted today.

23 REPRESENTATIVE CANNON: Further questions?
24 Representative Dorworth for a question.

25 REPRESENTATIVE DORWORTH: Thank you,

1 Mr. Speaker.

2 Just so I understand what you just said,
3 you made the decision to number according to
4 make every incumbent get eight years. So based
5 on the language of Amendment 5, aren't you
6 selecting to disfavor all incumbents then?

7 REPRESENTATIVE CANNON: Representative
8 Saunders.

9 REPRESENTATIVE SAUNDERS: Thank you,
10 Mr. Speaker.

11 That wasn't the statement, that all
12 incumbents would do that. Basically it would
13 depend on when the incumbent was elected, for
14 example. If the incumbent was elected in '04,
15 they are term limited out. That is an open
16 seat. If they are elected in 2006, they've
17 already served six years, they would get a
18 two-year term, that would give them a total of
19 eight years. I do not think -- in answer to
20 your question, it doesn't favor or disfavor an
21 incumbent to make them comply with eight is
22 enough. It also does not affect the open
23 seats, because as you know, if it is an open
24 seat, a challenger is not an incumbent. So the
25 open seats are not in that discussion, because

1 a challenger is not an incumbent, so you are
2 not protecting or disfavoring an incumbent, but
3 for the incumbents that may return, I don't
4 think it favors or disfavors them to make them
5 comply with eight is enough.

6 REPRESENTATIVE CANNON: Representative
7 Dorworth.

8 REPRESENTATIVE DORWORTH: Thank you,
9 Mr. Speaker.

10 Just so I understand this, though, you
11 have made the decision through the numbering
12 mechanism in this map to make all members of
13 the Senate under their current election
14 patterns get a total of eight years. So in so
15 doing -- there is a question, I am not going to
16 -- so in so doing, you have made the decision
17 to either favor somebody out of office in eight
18 years, or disfavor them if they wanted to have
19 ten years, correct?

20 REPRESENTATIVE CANNON: Representative
21 Saunders.

22 REPRESENTATIVE SAUNDERS: That is
23 incorrect, because our map -- our amendment
24 does not renumber. What I talked about was
25 what we were planning on doing, but because of

1 the technical requirements, we were not able to
2 do that renumbering system. So just to be
3 clear, the Jenne amendment does not have the
4 numbering system I was referring to. We were
5 planning on doing it, but because of the
6 technical reasons, we didn't do it, and plus
7 the fact the Supreme Court, if they find this
8 map that we are going to be taking up in a
9 moment after this amendment, if they find that
10 non-compliant, they will do the renumbering for
11 us. But just to be clear, the Jenne amendment
12 does not reflect what I was discussing. That
13 was what we were planning on doing, but we did
14 not do it.

15 REPRESENTATIVE CANNON: Further questions?
16 Representative Kiar for a question.

17 REPRESENTATIVE KIAR: Thank you,
18 Mr. Speaker.

19 Representative Jenne, I am not sure if you
20 addressed this before, but does your amendment
21 increase the percentage -- make it more likely
22 for an African-American to get elected in both
23 Broward County and also in Hillsborough County
24 by increasing the percentage of
25 African-Americans in those seats?

1 REPRESENTATIVE CANNON: Representative
2 Jenne.

3 REPRESENTATIVE JENNE: Thank you,
4 Mr. Speaker.

5 Representative Kiar, you are absolutely
6 correct. Specifically with the Hillsborough
7 seat, we managed to get it just about a
8 third -- two-thirds under a percentage point of
9 where DOJ would like to see it. So we raised
10 that substantially from what it currently is on
11 the underlying map. Also, in regards to the
12 Broward County, we raised that nearly two full
13 percentage points as well, and it just --
14 guaranteeing that we will have more minority
15 access to these seats.

16 REPRESENTATIVE CANNON: Further questions?
17 Representative Clarke-Reed for a question.

18 REPRESENTATIVE CLARKE-REED: Thank you,
19 Mr. Speaker.

20 Representative Jenne, does your map keep
21 more counties and cities whole in their
22 districts?

23 REPRESENTATIVE CANNON: Representative
24 Jenne.

25 REPRESENTATIVE JENNE: Thank you,

1 Mr. Speaker.

2 Well, let me take it step by step. First
3 of all, we determined as we were going through
4 this, there are no city delegations, but there
5 are county delegations, and that was one of the
6 guide posts we used for this. We managed to
7 decrease the number of counties that were split
8 by three, bringing that number down, and in
9 terms of the cities, there are slightly more
10 city splits, but then again, that came from us
11 wanting to draw down the number of county
12 splits, which we felt was more indicative than
13 anything else.

14 REPRESENTATIVE CANNON: Further questions?
15 Representative Williams for a question.

16 REPRESENTATIVE WILLIAMS: Thank you,
17 Mr. Speaker.

18 Representative Jenne, with this Jenne --
19 with the Jenne plan, how does this plan -- is
20 it more constitutional than the map that we
21 have that we just took questions on, and if so,
22 how? Can you break down where those -- where
23 it meets the constitutional muster?

24 REPRESENTATIVE CANNON: Representative
25 Jenne.

1 REPRESENTATIVE JENNE: As always, thank
2 your, Mr. Speaker.

3 Well, I believe it to be more
4 constitutional. I believe that with this
5 amendment, this map would pass muster with the
6 Supreme Court. I will go into everything in
7 the close in more detail, but specifically we
8 targeted the eight seats that were mentioned by
9 the Supreme Court that were in need of a
10 rewrite. We make those seats more compact, we
11 make those seats have greater minority access
12 and we make those seats, in my mind, more
13 constitutional in doing so. We will get into
14 all the minutia, unless you would like me to
15 right now on anything specific, but I will get
16 into more minutia as we move through the
17 process.

18 REPRESENTATIVE CANNON: Representative
19 Williams for a follow-up.

20 REPRESENTATIVE WILLIAMS: Thank you, thank
21 you, Mr. Speaker.

22 Representative Jenne, with the Jenne plan,
23 was there any map or any plan in the Senate
24 that was close to what you -- what you're
25 bringing forth now? Is there anything that --

1 and what was what the consideration and what
2 was the discussion from the Senate?

3 REPRESENTATIVE CANNON: Representative
4 Jenne.

5 REPRESENTATIVE JENNE: Thank you,
6 Mr. Speaker.

7 Well, what we wanted to do with this
8 amendment more than anything else, I realize an
9 e-mail went out saying that it was a complete
10 redistricting, but in fact what we did is we
11 adhered to the Senate's new map as much as
12 possible. This is truly an amendment to their
13 map, really focusing on eight -- like I said,
14 eight or nine specific areas. When you add in
15 the Polk County issue that was raised by the
16 Supreme Court, it wasn't the death sentence
17 that they gave to the other eight districts
18 that were listed, but we even went back in and
19 made sure we took care of Polk County as well.

20 But really, at the end of the day, this
21 map is designed to be more constitutional at
22 the end of the day. I wasn't privy to every
23 moment of the Senate debate through the
24 committee process and on the floor, but I can
25 tell you that at the end of the day, this map

1 is better. We have smoothed down a lot of
2 rough edges that we had there. We think
3 because of that, the Supreme Court is going to
4 find a lot less splinters to deal with.

5 REPRESENTATIVE CANNON: Representative
6 Williams for a follow-up.

7 REPRESENTATIVE WILLIAMS: Thank you,
8 Mr. Speaker.

9 Representative Jenne, so let me understand
10 this correctly. By voting for this amendment
11 to the Gaetz map or the Senate map that came
12 over, by voting for this, we have a greater
13 chance as a body and as a Legislature, both
14 House and the Senate, of having a map that the
15 Courts will find constitutional, and not have
16 them have the possibility of having to draw the
17 map themselves, thus having a better chance of
18 having a map that the Legislature puts forth,
19 not the Courts?

20 REPRESENTATIVE CANNON: Representative
21 Jenne.

22 REPRESENTATIVE JENNE: Thank you again,
23 Mr. Speaker.

24 Yes, I believe that to be true. That is
25 the intent behind this map and this amendment

1 is to get these maps to a constitutional place
2 where we as a Legislature can say we drew these
3 maps and we did not go ahead and throw the
4 responsibility to another branch of government.
5 I believe that is very important. I am a big
6 fan of the Constitution, so I'd like to see it
7 adhered to as much as humanly possible. Like I
8 said, because we were dealing with a map and
9 amending that map, not truly redrawing the
10 entire state, you know, I think there still are
11 some things that need to be discussed, but at
12 the end of the day, I believe that this
13 amendment map will get us through the Supreme
14 Court without an issue.

15 REPRESENTATIVE CANNON: Further questions?
16 Representative Gibbons for a question.

17 REPRESENTATIVE GIBBONS: Thank you,
18 Mr. Speaker.

19 Representative Jenne, does your map have a
20 net result of having more incumbents compete
21 for the same seat?

22 REPRESENTATIVE CANNON: Representative
23 Jenne.

24 REPRESENTATIVE JENNE: Thank you,
25 Mr. Speaker.

1 Well, I have not personally gone through
2 and verified the veracity of the numbers. I
3 believe that right now the underlying map has
4 two Senators placed together. On my amended --
5 on my amendment map, you are going to see eight
6 people placed in the same district together
7 from the numbers I have seen. I have not
8 worked them myself, but I have been told that.
9 That right there is one-fifth of the entire
10 body would be facing one another.

11 REPRESENTATIVE CANNON: Representative
12 Gibbons for a follow-up.

13 REPRESENTATIVE GIBBONS: Thank you,
14 Mr. Speaker.

15 So in your mind then, would that make your
16 map then more constitutional than the previous
17 map?

18 REPRESENTATIVE CANNON: Representative
19 Jenne.

20 REPRESENTATIVE JENNE: Thank you.

21 Well, if you'll recall when the last time
22 we were here doing this dance, when we went
23 over the House map, that was one thing that was
24 reiterated over and over again was the amount
25 of deference that was paid to -- or lack of

1 deference, I should say, being paid to
2 individual members and who they might be paired
3 up against. So -- and I think the Supreme
4 Court, and rightfully so, recognized that fact
5 as a good indicator. This amendment map would
6 have much -- many more indicators than the
7 underlying map would.

8 REPRESENTATIVE CANNON: Further questions?
9 Are there amendments to the amendment?

10 THE CLERK: None on the desk, Mr. Speaker.

11 REPRESENTATIVE CANNON: Are there
12 substitute amendments?

13 THE CLERK: None on the desk, Mr. Speaker.

14 REPRESENTATIVE CANNON: Is there debate on
15 the amendment?

16 Representative Kiar in debate.

17 REPRESENTATIVE KIAR: Thank you,
18 Mr. Speaker.

19 I rise in support of this very good
20 amendment. And I know the amendment is
21 probably going to fail where the folks in the
22 front are probably going to vote against it,
23 and the folks in the back --

24 REPRESENTATIVE CANNON: Members, let's
25 keep the noise down. Some members are having a

1 hard time hearing.

2 REPRESENTATIVE KIAR: -- and the folks in
3 the back will probably vote for it, but I
4 believe that the Supreme Court will probably
5 adopt a whole lot of this amendment, and that
6 is why I am glad that Representative Jenne has
7 put it forward.

8 You know, the amendments that the Senate
9 passed -- or the bill that the Senate passed is
10 clearly a bill to benefit political parties and
11 incumbents. There -- in the current map,
12 there's only two incumbents that are drawn in
13 the same district. I know that from *The Miami*
14 *Herald* and *The St. Pete Times*. And also I know
15 from the newspapers that one of those
16 incumbents has already said he is going to
17 move, and I believe he said he was going to
18 move even before that map was passed. So it
19 was clearly drawn to benefit incumbents.

20 Representative Jenne's map, he just
21 indicated that he didn't know where people
22 lived, but he was told that there are eight
23 incumbents drawn in his district that have to
24 run against each other. And that shows me,
25 that proves me, since he drew his fairly to

1 comply with the amendments, since he drew his
2 not knowing where people lived, it is almost
3 impossible to draw a map where not one
4 incumbent is in danger of losing their seats.
5 It also shows me that his map is much more
6 constitutional, complies with the will of the
7 voters, and that is why I am voting yes on his
8 exceptionally good amendment that is -- that --
9 and I am voting yes. Thank you.

10 REPRESENTATIVE CANNON: Representative
11 Rouson in debate.

12 REPRESENTATIVE ROUSON: Thank you very
13 much, Mr. Speaker.

14 I rise in support of this good amendment
15 by Representative Jenne. Members, we get once
16 in a decade an opportunity to really draw these
17 districts right, to make effective the
18 representation of the citizenry of this great
19 state, and I think that leadership is sometimes
20 stepping back from the process, taking a strong
21 and independent, objective view of what the
22 Senate has drawn, which is the purview of the
23 House, and in doing so, use our own skills of
24 understanding, our own skills of analysis, our
25 own standards of accountability, tempered only

1 by Amendments 5 and 6 and the law.

2 I think that what we have done through
3 this amendment and those who support this
4 amendment by Representative Jenne is we have
5 taken a map that the Senate drew poorly, the
6 Court said it was poorly drawn, they have
7 redrawn it and done a little bit better job,
8 but what this amendment does is does a more
9 better job. And I think that we should all
10 stand in support of this amendment, because it
11 is more better.

12 REPRESENTATIVE CANNON: Representative
13 Hukill in debate.

14 REPRESENTATIVE HUKILL: Thank you,
15 Mr. Speaker.

16 I would like to thank Representative
17 Jenne. I think it has been helpful to see this
18 alternative, as I said in the Committee
19 yesterday --

20 REPRESENTATIVE CANNON: Members, give
21 representative Hukill your attention, please.
22 Let's keep the noise level down. If you have
23 conversations, take them to the bubble.

24 Representative Hukill, you are recognized.

25 REPRESENTATIVE HUKILL: So, Representative

1 Jenne, thank you very much for coming forth
2 with an alternative.

3 I think the last week the Florida Senate
4 looked at several alternatives in the form of
5 amendments, and I think that it helped their
6 process in a large way.

7 That said, I have to say that this
8 amendment pays noticeably less attention to
9 city boundaries than does the map passed by the
10 Senate. In fact, it splits 26 more cities than
11 does the map passed by the Senate. So,
12 unfortunately, I think the question that would
13 be asked by the Court is why did this map not
14 better follow political boundaries when we have
15 seen maps that have been done far better?

16 So, once again, Representative Jenne, I
17 thank you for presenting this alternative for
18 us to look at. I don't see how this map makes
19 the map passed by the Senate any better, and in
20 fact, it takes the map backwards a couple of
21 steps, and with that, I ask you to oppose this
22 amendment. Thank you, Mr. Speaker.

23 REPRESENTATIVE CANNON: Further debate?
24 Representative Nehr in debate.

25 REPRESENTATIVE NEHR: Thank you,

1 Mr. Speaker.

2 And I, too, appreciate having alternatives
3 to look at, and, again, Representative Jenne,
4 thank you very, very much. Unfortunately, what
5 we heard in committee today, members, is,
6 again -- unfortunately, what we heard in
7 committee yesterday and again today is that
8 decisions regarding this map were made purely
9 based on minority voting age population
10 numbers, and that is exactly what the Court
11 said should not be done in its first
12 invalidation of the State Senate map. And
13 unlike the Senate map, no functional analysis
14 has been presented regarding these proposed
15 changes in this amendment. It has
16 unfortunately been presented that more
17 minorities were included in districts just for
18 the sake of doing so, not because there is any
19 science behind any of that.

20 In addition, we heard in Committee that
21 portions of this amendment were drawn to
22 satisfy communities of interest; again,
23 something that the Court cautioned the
24 Legislature against.

25 So I would have to recommend voting

1 against this amendment, members, because we
2 have not heard any arguments of how the
3 amendment follows the Court's guidance. Thank
4 you, Mr. Speaker.

5 REPRESENTATIVE CANNON: Representative
6 Williams in debate. Representative Williams in
7 debate.

8 REPRESENTATIVE WILLIAMS: Thank you,
9 Mr. Speaker, and thank you for the opportunity
10 to serve on the Senate Redistricting Committee.
11 Having served on that committee with
12 Representative Nehr and our Chair Hukill, I
13 will tell you that the conversations and the
14 discussions we had around the state of Florida
15 from the citizens of the state of Florida are
16 conversations that really support more of the
17 map that Representative Jenne put forth. And I
18 want to thank Representative Jenne, who is our
19 ranking Democrat on this Senate Redistricting
20 Committee, for bringing forth the Jenne plan,
21 because I think at the end of the day, if we
22 vote on this amendment to this Senate map, I
23 think we will have a better chance of having
24 this map pass, and that the Legislature can say
25 we passed this map and not to some of the

1 concerns of my colleagues in the front row that
2 are concerned about maybe the Courts drawing
3 the map.

4 What I will say is this: I am concerned
5 because I think we had opportunity this time
6 around to not give a gentlemen's agreement to
7 the Senate. I know our Chair of the
8 Redistricting Committee is an upright gentleman
9 himself, but I think that it was a golden
10 opportunity to say, you know what, Florida
11 Senate, you got a chance to do this the first
12 time, obviously you had some problems with your
13 map, here is an opportunity for the House to
14 really show our leadership and our ability to
15 put forth a map that would be better. And I
16 think that the Jenne amendment gives us --
17 gives the House that opportunity to do that.
18 So, members, if you are upset or frustrated
19 about the Senate map that came forward, here is
20 a golden opportunity to support a House map and
21 send it back to the Senate and have them to
22 work with it even more.

23 So with that, Mr. Speaker, I encourage all
24 of my colleagues, no matter what seat, no
25 matter what row, no matter what district you

1 may live in or what district your Senator may
2 live in, to support a map that the House has
3 put forth and not rubber-stamp the Senate map.
4 Thank you.

5 REPRESENTATIVE CANNON: Further debate?
6 Further debate?

7 Representative Weatherford in debate.
8 Representative Weatherford in debate on the
9 Jenne amendment. No, no debate necessary.

10 Any further debate? Seeing none,
11 Representative Jenne, you are recognized to
12 close on your amendment.

13 REPRESENTATIVE JENNE: Thank you,
14 Mr. Speaker.

15 Members, this is almost a carbon copy of
16 the amendment that I withdrew yesterday from
17 committee. We did that so we could have public
18 input. We got some. We had staff expertise
19 weigh in on the issue, and Chairman
20 Weatherford, thank you so much for making your
21 staff available. Mr. Kelly, thank you for all
22 the work you have done as well. And we wanted
23 to clean it up for the floor.

24 But this underlying map I still have some
25 grave concerns about. The Court is going to

1 have a lot of options in terms of what is wrong
2 with this underlying map. I believe that this
3 amendment is a better map and that this
4 amendment will get us to pass muster with the
5 Supreme Court, and I want to be able to tell
6 you why so you know exactly what is being voted
7 on.

8 In northwest Florida, the two seats in
9 northwest Florida, the Senate actually did a
10 pretty good job, but we went ahead and stuck
11 with most of that. But when it comes to
12 northeast Florida, we were able to increase the
13 black VAP almost a full percent in Duval
14 County. Northeast Florida, we went ahead and
15 made a bill -- excuse me, made a district much
16 more compact. We did the same thing in
17 northwestern Orange County, made it much more
18 compact, made coastal Palm Beach County seat
19 much more compact. Then getting into the
20 Broward County area, we make it much more
21 compact and increase minority participation.

22 There were some other areas of concern.
23 The Palm Beach County minority opportunity
24 district, we were able to raise the black VAP
25 almost a full percent there and makes the seat

1 more compact as well. Representative Rouson
2 was talking earlier about the seat in
3 Hillsborough. We get that black VAP up to just
4 under 40 percent, the DOJ benchmark that the
5 underlying map does not come close to. We
6 managed to keep most of Polk County. Lakeland
7 isn't split, Winter Haven stays whole.

8 There's a lot of good things in this map,
9 folks. Those are just a quick overview. It is
10 a map that I think you should be proud to
11 support. And at the end of the day, our body
12 has earned a reputation when it comes to
13 redistricting. It's do what is the right
14 thing, not what is going to be pleasant for
15 everybody in the room.

16 This map places incumbents together.
17 One-fifth of the incumbents in the Senate will
18 be placed in the same district. It makes more
19 compact districts and it strengthens minority
20 access. At the end of the day, this is a
21 better map. You all know the issues with the
22 underlying map. We have heard them reiterated
23 time and time again. And you all also know
24 that today is for a very, very narrow audience,
25 a few of our friends sitting across the street.

1 At the end of the day, members, I ask you
2 to adopt this amendment and lessen the Supreme
3 Court's load. I ask you to adopt this
4 amendment so we can pass a better map.

5 Thank you, Mr. Speaker.

6 REPRESENTATIVE CANNON: The sponsor having
7 closed, all those in favor of the adoption of
8 the amendment, signify by saying yea.

9 (Chorus of yeas.)

10 REPRESENTATIVE CANNON: Opposed, no.

11 (Chorus of nos.)

12 REPRESENTATIVE CANNON: Show the amendment
13 is not adopted. Seeing five hands, the clerk
14 will unlock the machine and the members will
15 proceed to vote.

16 Have all members voted? Have all members
17 voted? Have all members voted? The clerk will
18 lock the machine and announce the vote.

19 THE CLERK: Thirty-six yeas, 72 nays,
20 Mr. Speaker.

21 REPRESENTATIVE CANNON: Show the amendment
22 is not adopted. Read the next amendment.

23 THE CLERK: None on the desk, Mr. Speaker.

24 REPRESENTATIVE CANNON: Show the bill
25 rolled over for a third reading.

1 Representative Weatherford, you are
2 recognized for a motion.

3 REPRESENTATIVE WEATHERFORD: Thank you,
4 Mr. Speaker. Mr. Speaker, I move that the
5 rules be waived and that CS for SJR-2B be read
6 a third time by title and placed on final
7 passage.

8 REPRESENTATIVE CANNON: Representative
9 Weatherford moves that the rules be waived and
10 CS for SJR-2B be read a third time by title and
11 placed on final passage. All in favor, signify
12 by saying yea.

13 (Chorus of yeas.)

14 REPRESENTATIVE CANNON: Opposed, no.

15 Show the motion approved. Read the bill a
16 third time by title.

17 THE CLERK: By Committee on
18 Reapportionment and Senator Gaetz, CS for
19 SJR-2B, a joint resolution of apportionment
20 readopting and amending Section 3 of Senate
21 Joint Resolution 1176, 2012, plan S016S9030,
22 providing for severability of invalid portions,
23 providing for application beginning in 2012.

24 REPRESENTATIVE CANNON: Are there any
25 amendments?

1 THE CLERK: None on the desk, Mr. Speaker.

2 REPRESENTATIVE CANNON: Is there debate?

3 Representative Kiar in debate.

4 REPRESENTATIVE KIAR: Thank you,

5 Mr. Speaker.

6 I rise in opposition of this very bad bill

7 as this is nothing more than an incumbent

8 protection plan. That is all it is.

9 The first map that was passed by the

10 Senate disregarded Amendment 5 and it was drawn

11 to benefit every single incumbent in the

12 Senate, and that was proved by the fact that

13 not one incumbent was drawn in the same

14 district with another incumbent. The Supreme

15 Court tossed it on a five to two vote, they

16 sent it back, and now we are back up in

17 Tallahassee wasting taxpayer dollars because

18 the people in the Senate did not want to get it

19 right the first time.

20 Well, now we are back and now we are

21 dealing with an equally flawed plan, a plan

22 that I think, once again, will get thrown out

23 by the Supreme Court, and the reason being is

24 because it was clearly drawn to benefit

25 incumbents. It was. In the entire map, there

1 are only two incumbents that are paired
2 together. I know that from *The Miami Herald*
3 and *The St. Pete Times*. They have reported on
4 it. Those incumbents are Senator Simmons and
5 Senator Gardiner. And before this map was
6 passed, the newspapers reported that Senator
7 Simmons already said he was going to move. So,
8 once again, they knew where these people lived,
9 they knew where each incumbent Senator resided,
10 they knew where their districts were, and they
11 drew the map so that every single incumbent,
12 Democrat and Republican, will be safe in the
13 next election. It is an incumbent protection
14 plan, that's all it is, and it is incredibly
15 unfair. That is why I rise in opposition to
16 this very bad map and that is why I am asking
17 the Supreme Court to do the right thing, toss
18 this map and draw a map that complies with
19 Amendment 5. Thank you.

20 REPRESENTATIVE CANNON: Further debate?
21 Representative Nehr in debate.

22 REPRESENTATIVE NEHR: Thank you,
23 Mr. Speaker.

24 Members, I think we have to keep focused
25 on what our task is here today. Our task is to

1 respond to the Supreme Court's order, but what
2 exactly did the Court ask of the Legislature?
3 The Court said that Districts 1 and 3 in the
4 Panhandle, Districts 9 and 10 in the northeast,
5 District 10 in Orange County, District 29 and
6 34 in Palm County, and 30 in Collier and Lee
7 Counties were invalid. The Court also said
8 that the Senate failed to perform a functional
9 analysis of its minority districts, the kind of
10 analysis that the House used in drawing its
11 districts to determine when Tier 1 and Tier 2
12 principles and law could both be met. And
13 finally, the Court said that the Senate
14 numbered its districts with an improper intent.
15 Those were the questions asked by the Court
16 order and the -- and they wanted some answers.

17 Mr. Speaker, I think the Senate has
18 answered those questions. They pretty much
19 adopted the League of Women Voters' positions
20 on the Panhandle and northeast Florida
21 districts, they have articulated improvements
22 to the districts in Orange County, Palm Beach,
23 and even Broward County and southwest Florida,
24 and they have also provided a functional
25 analysis for the minority districts as asked

1 for by the Court, and the purpose of the
2 analysis was to determine whether or not those
3 districts could better marry the standards in
4 Tier 1 of the Amendment 5 with the standards in
5 Tier 2 while at the same time still maintaining
6 some same statistical likelihood of performing
7 for the minority community's candidate of
8 choice; in other words, Mr. Speaker, not
9 diminishing.

10 The Senate answered the Court question,
11 and they answered it well. And at the Court's
12 request, the Senate also renumbered their
13 districts. In an abundance of caution, they
14 utilized a method that truly made it random
15 whether a district would be an odd or an even,
16 which of course affects whether the district
17 would have a two-year or a four-year term
18 beginning in November.

19 The Senate also went through a process of
20 better documenting for the Court how they
21 analyze compactness and the use of political
22 and geographical boundary lines. In terms of
23 the results, the big picture, I believe, we see
24 improvements to the eight specific districts
25 that were cited as invalid in the Court's

1 order.

2 Numerous points were raised during the
3 Senate discussion, including the scope of the
4 proposed remedies to the State Senate map.
5 Ultimately, the Senate attempted to limit the
6 impact of the remedies to their map to as few
7 districts as possible; in other words, members,
8 they attempted to remedy those points raised by
9 the Court and not redraw the map in its
10 entirety, because the Court made it very, very
11 clear that there are likely multiple ways to
12 draw a legally compliant map.

13 The question before us today is not
14 whether this is the best map. The question
15 before us today is whether it is a legally
16 compliant map. Members, I don't find anything
17 objectionable to the Senate process. I think
18 the Senate answered the points raised by the
19 Court, and frankly, at this point, I believe we
20 should move this map forward, allow the Court
21 to do its constitutional duty of judging the
22 Senate fixes to the map, and thank you,
23 Mr. Speaker.

24 REPRESENTATIVE CANNON: Further debate?
25 Further debate? Representative Workman in

1 debate.

2 REPRESENTATIVE WORKMAN: Thank you,
3 Mr. Speaker.

4 Members, in support of this joint
5 resolution, I want to note to the point that
6 the Court order. The Court found concerns with
7 the Senate's adherence to political and
8 geographical boundaries and how the Senate
9 defined "compactness." In fact, to a large
10 degree -- to a large degree, the Court very
11 much adopted the House approach to these very
12 questions.

13 Now, I followed the Senate's process from
14 last week and I even took time to look through
15 their committee materials --

16 REPRESENTATIVE CANNON: Hold on,
17 Representative Workman, hang on. Members, I
18 know it is sort of the last day and all, but
19 let's maintain the noise level a quiet level so
20 we can give appropriate attention to all of the
21 debate.

22 Representative Workman, you may continue.

23 REPRESENTATIVE WORKMAN: Thank you,
24 Mr. Speaker. That was a wise move. This is
25 some very important stuff I am saying right

1 here.

2 REPRESENTATIVE CANNON: I agree.

3 REPRESENTATIVE WORKMAN: Riveting,
4 riveting.

5 In fact, to a large degree -- I will just
6 back up my notes a little bit, my notes I wrote
7 here -- to a large degree, the Court very much
8 adopted the House's approach to these very
9 questions, and I followed the Senate's process
10 from last week and even looked through some of
11 the floor materials, and what I observed is
12 that they made a much improved effort to
13 document how they assess these important legal
14 questions. I am very comfortable in saying
15 that at this point, the Senate was responsive
16 to what the Court asked. What we have kept --
17 would we have kept separate counties or
18 different cities whole? Well, that kind of
19 question is irrelevant at this point. The
20 Senate has responded to the Court's inquiry,
21 and it is time to send these maps back to the
22 Court. Thank you, Mr. Speaker.

23 REPRESENTATIVE CANNON: Truly well said,
24 Representative Workman.

25 Representative Hukill in debate.

1 REPRESENTATIVE HUKILL: Thank you,
2 Mr. Speaker.

3 Members, I simply want to again note my
4 thanks for having alternatives to look at,
5 including Representative Jenne's amendment
6 today and yesterday, and the alternatives that
7 were considered by the Senate for those of us
8 who were able to follow their process. I think
9 the alternatives presented have illustrated
10 that the maps passed by the Senate addresses
11 the Court's questions. I think now, members,
12 at this point in time, it is time to return the
13 maps to the Court and let them judge
14 accordingly. Thank you.

15 REPRESENTATIVE CANNON: Further debate?
16 Further debate? Representative Williams in
17 debate.

18 REPRESENTATIVE WILLIAMS: Thank you,
19 Mr. Speaker.

20 And, members, we just had an opportunity,
21 I think a golden opportunity, to send the map
22 back over to the Senate with the adoption of
23 the Jenne plan. And when you look at -- and I
24 had a chance to look at it even closer even
25 with some colleagues on the front rows, and it

1 does, I think, meet the constitutional muster.
2 I think it does give the opportunity for the
3 Legislature to possibly pass a map, or at least
4 give the Senate another chance to look at an
5 even better map. Because this really isn't a
6 completely new map that Representative Jenne
7 put forth, it is an amendment to the map that
8 was sent over by the Senate. So this is
9 another opportunity that we can say, look, we
10 did not just rubber-stamp the Senate's map.

11 And the other part about it that I cannot
12 support is that I think we all saw, or many of
13 us saw on TV last week how they went about
14 numbering or choosing who got what numbers
15 seats and the number of years that they would
16 be able to serve, and I along with -- I agree
17 with Senator Rhonda Storms, I was very
18 concerned of how that process unfolded. And I
19 think many of you, especially many of my
20 colleagues who, one, don't like gambling and
21 don't like those things were concerned. And so
22 with this map, by voting on this map, you're
23 almost upholding that process.

24 And I will tell you that this is not the
25 -- this is not the map that I think the State

1 of Florida wants or deserves. So, members,
2 Republicans, Democrats, vote down this map.
3 Vote down this map, because the Senate had a
4 chance to do it right the first time, the House
5 had a chance to help them do it right the
6 second time. Obviously we didn't do that. And
7 so I appreciate all the hard work that
8 redistricting staff has done throughout this
9 process. Again, we are at this point, Alex
10 Kelly and his staff did a great job of
11 listening to constituents, but we didn't get
12 the map that the constituents told us they
13 wanted. And so with that, Mr. Speaker, Chair
14 Weatherford, I would have to really vote down
15 this map and ask that all of you also vote this
16 map down as well. Thank you.

17 REPRESENTATIVE CANNON: Further debate?
18 Representative Abruzzo in debate.

19 REPRESENTATIVE ABRUZZO: Thank you,
20 Mr. Speaker.

21 Members, when I take a look at our state
22 objectively and I look at this map, it does
23 concern me, because we truly have a tight state
24 with Democrats and Republican voter edge. We
25 should have the ultimate checks and balance

1 government in the state of Florida. Every
2 single year or election cycle, we should be
3 fighting for the Senate Presidency between the
4 Democrats and Republicans or the Speaker. It
5 is clear in this map that is not the case.
6 What the people of Florida, what they are
7 registered as between Democrat, Republican,
8 Independent, does not dictate the map in front
9 of us today. We truly need a map that
10 represents all of us in Florida. We have had
11 presidential elections decided by hundreds of
12 votes. One year the presidents -- the people
13 elect in this state a President that is
14 Democrat; the next, a Republican. But yet, in
15 our Legislature, the bodies that are supposed
16 to represent the people, it has never been this
17 way.

18 So I implore you, I ask of you, let's go
19 back to the drawing board, let's draw a map
20 that every year we are fighting for who
21 controls the State of Florida. Thank you.

22 REPRESENTATIVE CANNON: Further debate?
23 Representative Sands in debate.

24 REPRESENTATIVE SANDS: Thank you,
25 Mr. Speaker.

1 This is the second time we are looking at
2 a Senate map. They drew a map once, the Courts
3 rejected it, they drew a map again, and
4 obviously it is an incumbent protection map.
5 It kind of reminds me of the gang that couldn't
6 shoot straight.

7 REPRESENTATIVE CANNON: Members, members,
8 again, please keep the noise down.

9 You may continue, Representative Sands.

10 REPRESENTATIVE SANDS: Thank you,
11 Mr. Speaker.

12 Representative Jenne's amendment does not
13 make a perfect map. It certainly does make a
14 better map, and I would advise everyone to
15 please vote for that map -- vote against the
16 map.

17 REPRESENTATIVE CANNON: Further debate?
18 Further debate?

19 Representative Rogers in debate.

20 REPRESENTATIVE ROGERS: Thank you,
21 Mr. Speaker.

22 Members, I stand before you today as one
23 of those members of the Committee that attended
24 25 out of the 26 statewide redistricting
25 meetings, and what I heard was compactness. I

1 participated also in the census, and I speak to
2 my county and the state of Florida, the
3 diversity of the state as it relates to
4 language diversity, women and minorities, and
5 when we decided to do this process, I was
6 counting on the Senate drawing maps that would
7 have met those challenges that we were facing
8 in drawing districts. I knew it was difficult
9 to do 120 members, but I felt it would have
10 been easier to do 40 districts. And although
11 this map today that we have before us is a
12 little bit better than the ones the Court ruled
13 against, we could have done better, because we
14 saw the map that was presented by Ryan Terrell,
15 and we applaud students and community
16 participation, and this map was truly done by
17 this young man with little input, because he
18 came looking for us, I have a map that is
19 better than what I see presented in the House
20 and the Senate, and it was truly sad to see
21 that we could not get any support in showing
22 that this was a good effort on behalf of the
23 citizens and the voices we heard across the
24 state of Florida, because this young man
25 followed us throughout the state, and this was

1 a good product that we voted down earlier. And
2 I just ask, members, I did not want the Courts
3 to do this, but if we can't do it and because
4 this House did not get an opportunity to
5 participate or to make any changes on this map,
6 my reason for not being able to support this
7 map this afternoon. Thank you very much.

8 REPRESENTATIVE CANNON: Representative
9 Gibbons in debate.

10 REPRESENTATIVE GIBBONS: Thank you,
11 Mr. Speaker.

12 Members, I rise in opposition to this map
13 because it has no input from this House. Our
14 constituents did not send us here to this House
15 of Representatives to abrogate our
16 responsibilities to the Senate. We are not
17 supposed to be here rubber-stamping anything.
18 We are supposed to be having input on anything
19 that we vote for. Had you passed
20 Representative Jenne's amendment, you may have
21 had a nice bipartisan, bipartisan vote on a map
22 that truly, truly meets the constitutional
23 obligations, but since we did not have any
24 input, you cannot expect us to vote in favor of
25 this bill. We -- our constituency here -- sent

1 us here to have input. Whenever we don't have
2 input, we are going to vote against it. So I
3 urge you all to vote against this. Thank you.

4 REPRESENTATIVE CANNON: Further debate?
5 Further debate? Representative Diaz in debate.

6 REPRESENTATIVE DIAZ: Thank you,
7 Mr. Speaker.

8 Members, I am concerned that the proposed
9 Senate districts could violate the provisions
10 of Tier 1 constitutional review. That
11 provision requires protection of racial and
12 language minorities against discrimination, yet
13 this map allows for only three Hispanic Senate
14 seats in Miami-Dade County, even though the
15 Hispanic population in south Florida has grown
16 substantially over the past two decades. It is
17 hard to argue that there was no packing of
18 Miami-Dade's Hispanics when you have three
19 districts that are over 70 percent Hispanic
20 while their neighboring districts are below
21 30 percent Hispanic. Why aren't these
22 districts more balanced?

23 The Senate was supposed to draw maps that
24 protected the Florida Constitution and the
25 Federal Voters Rights Act, yet what we have was

1 the preservation of the status quo, three
2 Hispanic performing districts in Miami-Dade
3 County when four Hispanic districts could have
4 easily been drawn. Thank you.

5 REPRESENTATIVE CANNON: Representative
6 Taylor in debate. Representative Taylor.

7 REPRESENTATIVE TAYLOR: Thank you,
8 Mr. Speaker.

9 Members, I have to vote against this
10 particular map, largely because of what it does
11 to the City of Daytona beach and Volusia
12 County. What has happened is they have taken a
13 largely African-American community, you have
14 taken away their ability to elect someone of
15 their choosing by placing all of the folks
16 within that Daytona beach area, particularly
17 around the Bethune-Cookman University area, and
18 you've placed that into a district that is not
19 largely African-American where they can
20 actually elect someone of their choosing.
21 Their current Senator is African-American, and
22 they were able to elect her as someone of their
23 choosing.

24 So, members, this -- this map largely and
25 diminishes the ability for African-Americans

1 within the Daytona Beach area to elect someone
2 of their choosing. So I am urging you to vote
3 this particular Senate map down because of that
4 very reason. Thank you, Mr. Speaker.

5 REPRESENTATIVE CANNON: Further debate?
6 Representative Julien in debate.

7 REPRESENTATIVE JULIEN: Thank you,
8 Mr. Speaker.

9 Today I am going to rise in opposition to
10 these maps, and I am going to try to take a
11 different approach and just basically say, just
12 like my colleague, Representative Rogers, I
13 attended actually all of the redistricting
14 meetings, and in listening to what the people
15 were saying in voting in favor of Amendments 5
16 and 6, the things that come up all the time is
17 anti-stacking, anti-packing and
18 anti-gerrymandering. Anytime you have one map,
19 let alone several or -- maps, where you have
20 more than 80 percent of any ethnic group in one
21 district, that to me does not meet the test of
22 what Amendment 5 was supposed to do. And I
23 have to tell you just for those basic reasons,
24 again, if one district has more than 80 percent
25 of any ethnic group in it, to me, that doesn't

1 meet the requirements of Amendment 5, and for
2 those reasons, I cannot support this proposal.
3 Thank you, Mr. Speaker.

4 REPRESENTATIVE CANNON: Further debate?
5 Representative Nuñez in debate.

6 REPRESENTATIVE NUNEZ: Thank you,
7 Mr. Speaker, and I, too, have some concerns
8 with this plan.

9 Members, when we were elected, we all took
10 an oath to uphold the Constitution of the State
11 of Florida, and it was a very proud day for me
12 and I am sure for many others in this room when
13 we got word that the Supreme Court had
14 unanimously approved the House redistricting
15 plan, and that was a testament to Chair
16 Weatherford and the great work of staff and
17 everybody in this chamber who voted in favor of
18 that plan. But here we are again having to
19 defend the Senate maps, which I believe still
20 have some flaws, and here we are again having
21 to justify the blatant disregard for the
22 Hispanic population of Miami-Dade County. And
23 we have seen a clear trend of Hispanics growing
24 in number for upwards of 20 years in Miami-Dade
25 County, and yet those numbers aren't

1 represented here in this plan and are not
2 reflected in the creation of a fourth Hispanic
3 Senate seat. The Senate got an opportunity to
4 do it over and get it right, and yet they
5 refused.

6 In addition, to uphold the Constitution of
7 the State of Florida, the Senate should take a
8 Hippocratic oath, which is first do no harm.
9 And I continue to have some concerns, members,
10 and I look forward to hearing additional debate
11 on this topic. Thank you, Mr. Speaker.

12 REPRESENTATIVE CANNON: Further debate?
13 Further debate? Representative Fresen in
14 debate.

15 REPRESENTATIVE FRESEN: Thank you,
16 Mr. Speaker, and I will be brief. I just
17 wanted to dovetail a little bit off
18 Representative Nuñez and Representative Diaz
19 when it came to some of the concerns that I
20 have when looking at these maps, and, you know,
21 rarely do we get up and just kind of focus in
22 on one certain area, but having been around
23 this process long enough and recognizing that
24 Miami-Dade in particular, the demographic shift
25 that has been happening in Miami-Dade since

1 1992 has been swinging upward every single year
2 and certainly every ten years to a
3 proportionate amount of Hispanics in Miami-Dade
4 County. In 1992, during that redistricting
5 process, there was already talk of an equitable
6 fourth Senate seat being drawn for Hispanic
7 access to it. In 2002, it was without
8 question, but we also know that part of the
9 reason why we have the process as we have it
10 laid out today is because of how overly
11 politicized the process was in 2002. And now
12 we sit here in 2012, having gone up 18
13 percentage points in proportionate
14 representation in Miami-Dade County as far as
15 Hispanics, yet every single county-wide elected
16 body in Miami-Dade County has over 50, if not
17 over 60 percent Hispanic representation on it.
18 The only body, the only elected body in
19 Miami-Dade County that has less than 50 percent
20 representation is the Florida Senate, and these
21 maps that we have here today are reflecting
22 that same number again under 50 percent
23 representation, and that causes a grave
24 concern, not only for the Tier 1 VRA violations
25 that Representative Diaz talked about, but just

1 the general concern that Representative Nuñez
2 and others discussed when it comes to properly
3 providing access to those minorities to have
4 the most say that they can. So with that, I'd
5 just close with a grave concern on these maps.

6 REPRESENTATIVE CANNON: Further debate?
7 Further debate?

8 Representative Thompson in debate.

9 REPRESENTATIVE THOMPSON: Thank you,
10 Mr. Speaker.

11 Members, I represent a district that was
12 established after the 1980 census, and the
13 first African-American to represent Orange
14 County in this body was elected in 1982. After
15 the 1990 census revealed growth in central
16 Florida, which is one of the fastest-growing
17 areas in the state, there was still only one
18 seat where an African-American could be
19 competitive. In 2000, ten years later, more
20 growth, one seat, 2010. So we are talking
21 about 30 years of having one African-American
22 elected to this body. We had an opportunity to
23 draw maps that would give us greater minority
24 representation in the Senate, and just as we
25 have not done what we should have done for 30

1 years, we have not done what we should have
2 done to increase minority representation,
3 whether it is Hispanics, whether it is
4 African-Americans, with the Senate maps that
5 are being proposed today, and for that reason,
6 I will be voting against this map.

7 REPRESENTATIVE CANNON: Further debate?
8 Representative Clarke-Reed in debate.

9 REPRESENTATIVE CLARKE-REED: Thank you,
10 Mr. Speaker.

11 And I concur with Representative
12 Thompson's comments. This map does not
13 increase any growth in the minority community
14 of seats in the Senate, so, therefore, I
15 definitely cannot support this map. Thank you.

16 REPRESENTATIVE CANNON: Further debate?
17 Further debate?

18 Seeing none, Representative Weatherford,
19 your are recognized to close on the bill.

20 REPRESENTATIVE WEATHERFORD: Thank you,
21 Mr. Speaker.

22 Members, I appreciate the debate, I
23 appreciate the time that people have put into
24 this, and we appreciate the Minority Caucus
25 working with us to roll to the third reading so

1 we can all get home to our families tonight,
2 but I know there's some concern with some
3 members on this map. We have heard some
4 comments from members of the Minority Caucus,
5 we have heard some comments from members of the
6 Majority Caucus with some concerns with this
7 map.

8 Here is my concern with voting no at this
9 map: If this map doesn't pass, what this body
10 is doing is advocating its responsibility to
11 the Supreme Court. We are giving up the role
12 that we have as legislators that is
13 constitutionally given to us to draw these maps
14 and we are giving it to the Supreme Court. I
15 think that there are many ways to draw a
16 compliant map. I believe that the Senate drew
17 this map in good faith to try to do that. I
18 believe they did do that. And for that reason,
19 I think we should support this map, we should
20 send it to the Court, allow them to be the
21 final arbiter and make sure that we set
22 precedent for both the Florida House, the
23 Florida Senate and the Legislature that we
24 control the destiny of map-making for the State
25 of Florida.

1 Thank you, Mr. Speaker, I close.

2 REPRESENTATIVE CANNON: The sponsor having
3 closed, Representative Eisnaugle suggests the
4 absence of a quorum. The clerk will lock the
5 machine and the members will record their
6 votes. Quorum call. Quorum call.

7 The clerk will unlock the machine and
8 announce the presence of a quorum.

9 THE CLERK: 108 members voting. A quorum
10 is present, Mr. Speaker.

11 REPRESENTATIVE CANNON: The question now
12 recurs on final passage of CS for SJR-2B. The
13 clerk will unlock the machine and the members
14 will vote.

15 Have all members voted? Have all members
16 voted? The clerk will unlock the machine and
17 announce the vote.

18 THE CLERK: Sixty-one yeas, 47 nays,
19 Mr. Speaker.

20 REPRESENTATIVE CANNON: So the bill
21 passes. Read the next bill.

22 THE CLERK: None on the desk, Mr. Speaker.

23 REPRESENTATIVE CANNON: A couple of
24 introductions. Representative Williams, you
25 have an introduction.

1 REPRESENTATIVE WILLIAMS: Thank you,
2 Mr. Speaker, and to try to get everyone home, I
3 am going to try my best to be brief, but this
4 is very important. And before I do this, I
5 just want to say to Representative
6 Lopez-Cantera, because this will probably be
7 his last time on the floor, I do love
8 ObamaCare.

9 But, Mr. Speaker, this is why I rise. I
10 am proud to recognize Girls State Governor and
11 Girls Nation President, Ms. Jennifer Lauren
12 Barron. Many of you members have been in Boys
13 State, many of you -- some of you have maybe
14 been Governors of Boys State. Jennifer, who
15 went to Rickards High School, and I will read
16 through this a little bit, was not only the
17 Girls State Governor, but she was also Girls
18 Nation President. So that means she went to
19 Washington, DC, and young ladies all around the
20 country voted her to be Girls Nation President.
21 And let me just read a little bit about
22 Jennifer. She is a senior at James S. Rickards
23 High School in the IB program, my alma mater,
24 and was elected from the 98 girls at the 65th
25 annual conference. Two weeks before the

1 conference, Jennifer was elected Governor of
2 Florida Girls State --

3 REPRESENTATIVE CANNON: Members, members,
4 we are almost done. Please give Representative
5 Williams your full attention, because we do
6 have a couple more important announcements.
7 Please give Representative Williams your
8 attention.

9 REPRESENTATIVE WILLIAMS: Thank you,
10 Mr. Speaker.

11 Two weeks before the conference, Jennifer
12 was elected Governor of Florida Girls State by
13 300 girls from all of our districts that we
14 represent statewide. She is the daughter of
15 Pastor Toby and Sharon Barron. Jennifer is the
16 third national President from Florida since
17 1947. She is the face of Girls Nation serving
18 as a true national role model for young people
19 throughout America. Jennifer is also the
20 recipient of the Florida Commission on the
21 Status of Women Florida Achievement Award,
22 President of the Rickards High School's
23 National Honor Society, Vice-President of
24 Rickards' model United Nations program,
25 Vice-President of Rickards' Junior Achievement,

1 and as the school's Volunteer of the Year, just
2 to name a few. So we are very, very proud of
3 her. Representative Aubuchon gave us the
4 opportunity to recognize a resolution in the
5 journal in our regular session, and so today it
6 is truly an honor to recognize her doing this
7 extraordinary session of the Florida House,
8 because she is an extraordinary leader here in
9 the State of Florida and the United States of
10 America. I present to you the Girls Nation
11 President, Jennifer Barron.

12 REPRESENTATIVE CANNON: Welcome to the
13 Florida House.

14 And Representative Holder for an important
15 introduction. Representative Holder.

16 REPRESENTATIVE HOLDER: Thank you,
17 Mr. Speaker.

18 Members, I do this very rarely, but it is
19 my pleasure to introduce to you one of my
20 favorite teenagers, my nephew all the way from
21 Huntsville, Alabama, Christian Holder Jones.

22 REPRESENTATIVE CANNON: Welcome to the
23 Florida House.

24 All right. Are there resolutions on the
25 desk?

1 THE CLERK: None on the desk, Mr. Speaker.

2 REPRESENTATIVE CANNON: All right.

3 Members, listen up. We are moving into
4 announcements. Representative Porter has a
5 somber announcement. Please, members, give
6 your full attention to Representative Porter.

7 REPRESENTATIVE PORTER: Thank you,
8 Mr. Speaker.

9 It is with deep sadness that I ask for the
10 prayers and thoughts of the members for the
11 family of Ruben Howard Thomas, III. He was a
12 corrections officer in our area in Columbia
13 County, and unfortunately, he lost his life on
14 March 18th when he was attacked and mortally
15 wounded by an inmate. Ruben was extremely well
16 thought of by his colleagues. He loved
17 hunting, he loved fishing, he was an avid
18 outdoors man, but two years ago when he and his
19 wife had their first child, he loved nothing
20 more than to spend time with his little girl.
21 He will be deeply missed by his family, his
22 colleagues, and unfortunately, by his unborn
23 son who is due in August.

24 So I hope that you will remember how much
25 these ladies and gentlemen in the corrections

1 department do for us and how they put their
2 lives in harm's way in order to keep themselves
3 between us and those who would hurt, injure or
4 kill us. So if you would, please, a moment of
5 silence for Ruben Thomas. Thank you,
6 Mr. Speaker.

7 REPRESENTATIVE CANNON: Members, let's
8 observe now a moment of silence in recognition
9 and remembrance of Sergeant Ruben Thomas, and
10 please keep his family in your prayers.

11 (Brief pause.)

12 REPRESENTATIVE CANNON: Amen. Thank you,
13 Representative Porter.

14 Other announcements? Other announcements?
15 No announcements. Seeing none, Representative
16 Weatherford, you are recognized for a motion.

17 REPRESENTATIVE WEATHERFORD: Thank you,
18 Mr. Speaker, excited that I get to do this one
19 more time. Mr. Speaker, I move that the House
20 do now adjourn sine die.

21 REPRESENTATIVE CANNON: Members, you've
22 heard the motion, Representative Weatherford
23 has moved that the House do now adjourn sine
24 die. All in favor, signify by saying yea.

25 (Chorus of yeas.)

1 REPRESENTATIVE CANNON: Opposed, nay.

2 The motion is agreed to, and the House is

3 adjourned sine die.

4 (Whereupon, the proceedings were

5 concluded.)

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C E R T I F I C A T E

STATE OF FLORIDA)

COUNTY OF LEON)

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

That the foregoing pages 2 through 94 represent a true, correct, and complete transcript of the tape-recording;

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

Dated this 17th day of April, 2012.

CLARA C. ROTRUCK

Notary Public

State of Florida at Large

Commission Expires:

November 13, 2014